PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 344

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999–2000

COMPRISING PERIOD
7 February—22 February 2000

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7 February 2000

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 344**

SIXTH VOLUME OF SESSION 1999–2000

House of Commons

Monday 7 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Housing Benefit

1. **Mr. Andrew Stunell** (Hazel Grove): If he will make a statement on his plans to reform the housing benefit system. [107185]

The Secretary of State for Social Security (Mr. Alistair Darling): We are committed to reform housing benefit and will publish a Green Paper this year. In the meantime, we are making improvements to the way in which it is administered.

Mr. Stunell: The Secretary of State must be aware of the concern at the Government's delay in producing their proposals. Does he accept that the housing benefit system is seen as being in disrepute? In Stockport, there is a particularly grave problem with private tenants who are the victims of oppression by the Greater Manchester rent officer service. What assurance can the right hon. Gentleman give that, when and if we get the new system, there will be an end to the economic cleansing of private tenants from my constituency?

Mr. Darling: I am aware of the problems in Stockport which have resulted in assessments being made by the rent officers. I understand that the hon. Gentleman and the three other Members of Parliament who represent Stockport are going to see the local rent officers to discuss the matter, so I do not propose to say anything further on that matter.

The 400 or so tenants who have had their housing benefit reduced are covered by the exceptional hardship payments which are available. The amount paid out by the hon. Gentleman's local authority is actually less than the amount that the Government have provided for, so those people are well covered.

The housing Green Paper will be published this year and will cover far more than housing benefit, as financial support for housing is only one part of the problem. We will address a number of the problems that the hon. Gentleman and others have raised and, at that stage, we will have a full and proper debate.

Mr. Tony McWalter (Hemel Hempstead): When reforming the housing benefit system, will my right hon. Friend bear in mind the fact that some pensioners have what might be called offspring-engendered poverty, in that they do not get the contribution from their grown-up so-called children that they might otherwise get? That creates difficulties for some of them, who must meet substantial housing costs out of very low incomes.

Mr. Darling: My hon. Friend is referring to the non-dependant deductions, which have been a feature of housing benefit for many years. If we did not take into account sums that someone living in a house could reasonably pay towards their upkeep, everybody else would have to subsidise that house. That is not right, as a

matter of principle. People who live in a house and who have their own income ought to make a contribution towards the running costs of that house.

Mr. Eric Pickles (Brentwood and Ongar): The Secretary of State was not very forthcoming about when the Green Paper is due—he was making similar promises this time last year. Will he confirm that his reforms have now run into the sand with a dispute between his and other Departments? Will he confirm that the biggest obstacle facing him is the £13 billion investment by housing associations, which borrowed that money on the basis of the level of benefit payments? Will any scheme compensate housing associations for that? Is he still serious about reforming housing benefit, or will the next Budget tinker with the poverty trap through the working families tax credit, which will leave 3 million out of 4.5 million housing benefit claimants unaffected?

Mr. Darling: The hon. Gentleman is wrong on just about every point that he raises. The housing Green Paper will be published this year and will cover not just housing benefit, but other housing matters. He might want to reflect that, during the 18 years that they were in power, the Conservative Government did nothing about many of the problems with housing benefit.

Pensioners

2. **Mr. Nigel Waterson** (Eastbourne): If he will make a statement on the Government's policies towards pensioners. [107187]

The Secretary of State for Social Security (Mr. Alistair Darling): Our objective is to make sure that retirement is a time to look forward to. We are doing more to help today's pensioners. We are reforming pension provision for the future to make sure that people retire with decent pensions. As a result of our policies, older and poorer pensioners are £500 a year better off than they would have been but for the change of Government.

Mr. Waterson: Why should pensioners look forward to retirement as a result of the Government's policies? The Government have ripped off £5 billion from pension funds and abolished the married couples allowance, tax relief on private medical care, widows bereavement benefit and many other benefits affecting older people. On top of that, they are proposing to introduce a system in which there will be two classes of pensioner. There will be a disincentive to save at one end of the scale, and real unfairness for those who have saved during their working lives at the other.

Mr. Darling: The hon. Gentleman will recall that we now have the lowest rates of corporation tax that this country has seen, allowing companies to decide whether they want to reinvest their money or pay it out in dividends. He will no doubt have seen reports suggesting that many pension funds are beginning to benefit not just from our advance corporation tax changes, but because of the benign economic conditions that have been a feature of this Government.

The hon. Gentleman mentioned the bereavement benefit changes. The status quo could not be sustained, because it was discriminatory: a man who lost his wife and was left with young children to bring up was not being helped. We have now arranged for help to go to either men or women when they lose their spouses.

I think that the hon. Gentleman's key objection is to the minimum income guarantee. I see that he is nodding vigorously. One and a half million pensioners are now getting more help, thanks to the Government: people who were not able to save enough of a pension during their working life, often because they were employed on very low wages or were in and out of employment.

It is clear that we believe that we should help Britain's poorest pensioners—the ones who lost out in the past 20 years—and it is equally clear that the Tories would take that money away; unless, of course, another U-turn is about to be announced at the Dispatch Box.

Mr. John Cryer (Hornchurch): I appreciate what my right hon. Friend says about the minimum income guarantee, but is he genuinely happy with the 75p increase in the state pension?

Mr. Darling: I have explained on many occasions that the Government's pensions policy is geared towards providing the most help to the poorest pensioners who lost out in the past 20 years. Over those years, the richest pensioners did very well compared with the others, whereas the poorest lost out very badly. If we gave an across-the-board increase to all pensioners, those who were better off would not notice the amount and those at the lower end of the income scale would get no increase whatever because they would lose it pound for pound in benefit.

That is why we are absolutely right to target most of our efforts on helping the poorest pensioners; but I remind my hon. Friend that the winter fuel payment, increased to £100, goes to all pensioners; free television licences, from this autumn, go to all pensioners over 75; and we have taken out of tax 200,000 pensioners who used to pay tax on their savings.

Mr. Steve Webb (Northavon): I agree with the Secretary of State. I agree with his statement in the House 12 months ago that pensioners are rightly angry when they save for a lifetime and then cannot get means-tested benefits. I agree with him in his statement of 12 months ago, when he said:

"That reform is long overdue."—[*Official Report*, 28 January 1999; Vol. 324, c. 486.]

Given that it was long overdue 12 months ago, why has he done absolutely nothing on capital limits since then?

Mr. Darling: I have explained to the hon. Gentleman on countless occasions that the Government said in the Green Paper that the capital limits needed to be considered. I am glad that he agrees with everything that I said previously, because I notice that the Liberal Democrats' manifesto says that it is their policy that the basic state pension should be increased in line with prices and that there should be extra earnings-linked help for the poorest pensioners, and that is precisely what we are doing.

Mr. Hilary Benn (Leeds, Central): Given what my right hon. Friend has just said about the minimum income guarantee, and rightly so, when does he expect to be in a

position to launch a publicity campaign to ensure that all the pensioners who are entitled to it are able to claim and receive it?

Mr. Darling: My hon. Friend asks a very good question, the answer to which is very soon indeed. I shall make an announcement in the not-too-distant future setting out how we intend to ensure that those pensioners who qualify for the minimum income guarantee get it.

Mr. David Willetts (Havant): The trouble is that, whatever else the minimum income guarantee may be, it is not a guarantee of a minimum income to pensioners. A pensioner with savings of more than £8,000 in a year is not entitled to any help, even though her income could well be way below the supposed minimum income guarantee level. It is a matter not only of pensioners not claiming the benefits to which they are entitled, but of the old income support rules meaning that pensioners with incomes way below the minimum income guarantee level are simply not entitled to receive it. The Secretary of State should either change the name of his policy so that it is not so misleading, or change the policy to do something to help pensioners with modest savings.

Mr. Darling: The hon. Gentleman's argument would have more force if he had done something about the capital limits when his party was in power, because they remained unchanged for many, many years. We have said that we will consider that, and we will. His policy is not to give more help to those receiving the minimum income guarantee but to take that guarantee away, so 1.5 million pensioners would lose money, not gain it. People should remember that when they listen to what the Conservatives have to say on pensions.

Pensions

3. **Mr. Jim Cunningham** (Coventry, South): What steps he is taking to improve the public's knowledge of pensions and saving for retirement. [107188]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): We shall be introducing new pension forecasts giving both state and private pension details. For the first time, individuals who work will have a clear statement of their current and projected pension rights. We hope to be able to provide that information for everyone by 2002, and this year it has been piloted in several large companies.

We have already greatly improved the general pension information available with award-winning pension leaflets, based on the "Monopoly" game, which are used at exhibitions and in advertisements in the press. We shall continue to do all we can to improve people's knowledge of pensions and to encourage individuals to make adequate provision for their retirement.

Mr. Cunningham: Will my right hon. Friend ensure that young people, who are often unaware that it is important for them to join a pension scheme, do join a pension scheme? What will he do to encourage them to do so? Is he aware that many old-age pensioners are suffering because of the mis-selling of endowment policies under the previous Government?

Mr. Rooker: I agree entirely with my hon. Friend. The whole House will agree that it is not easy to encourage young people to think about pensions. However, when from 2002 everybody gets an annual statement of their pension entitlements—similar to a P60—and they see what is being accrued in their state, company, occupational or stakeholder pension, they will start to ask questions in a way that they did not before. It is likely that more young people will start to make better provision for their pension arrangements.

Mr. Simon Burns (West Chelmsford): Obviously, the more information people have about their pensions, the better. In that context, all pensioners know that they will get a measly 75p increase in April. How does that square with the fact that the council tax in Chelmsford will increase by £1.31 a week, which will mean a 56p a week loss for pensioners before taking into account the increase in the rate of inflation since September, the increase in rents way above the rate of inflation and other income problems that pensioners face? The Chancellor seems to have about £7 billion to £8 billion spare next year, so why cannot the pensioners have a decent increase and share in the nation's prosperity?

Mr. Rooker: The hon. Gentleman ignores the fact that the 75p increase is tied to someone living on the basic state pension of £66.75. Average pensioner net incomes in 1997–98 for single people were £132, and for couples £252. To compare the 75p increase with the council tax increase is totally and utterly misleading.

Mr. Andrew Miller (Ellesmere Port and Neston): As well as improving the public's knowledge of pensions, will my right hon. Friend ensure that pension advisers who advise members of the public and firms are also brought up to speed? Will he carefully consider the ombudsman's decisions on the collapse of H. H. Robertson's, a firm in my constituency, when they are published and ensure that lessons about the weaknesses in the current legislation are learned and that pension advisers take their share of responsibility for the collapse?

Mr. Rooker: I do not know the particular circumstances of that firm, but any report from the pensions ombudsman that highlights a loophole in the protection of pensioners, future and present, will be examined seriously by the Government.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Many people will get a shock when they receive their personal statements and realise what they will be entitled to when they retire. Will the Minister use the opportunity afforded by the statements to give an up-to-date running total of what is in the national insurance fund? Will he confirm that, if the statements were sent out this week, the recipients would learn that the fund had a £16,000 million surplus, but many of them will receive an increase of only 75p in April?

Mr. Rooker: If we did that, we would have to send out a volume the size of a telephone directory explaining that

the position is not as simple as that—as the hon. Gentleman well knows. The national insurance fund can be in surplus at times because its level depends on the number of people who claim contributory benefits. The hon. Gentleman, in his position as Chairman of the Social Security Committee, should not give such misleading information in his questions.

Mrs. Jacqui Lait (Beckenham): Will the Minister confirm that the information that he has just promised for 2002 was indeed the information that the Green Paper on pensions promised for April 1999? Will he confirm that the delay is because of the decision about widows' inheritance of the state earnings-related pension scheme? Are we to conclude that there will not be a decision until about 2002, or can we expect it to be earlier?

Mr. Rooker: I think that the hon. Lady has misunderstood what I said. We expect to get the pension forecasting service to everybody in the system up and running by 2002, perhaps even by late 2001. It has been piloted with tens of thousands of employees in seven or eight large companies this year. Indeed, a pilot of the pilot has already started. This scheme is new—it has never before been attempted to combine state and private pension forecasts for everyone on an annual basis.

New Deal (Lone Parents)

4. **Mr. Chris Pond** (Gravesham): What is his estimate of the total savings to date to his Department as a result of the new deal for lone parents; and what forecasts he has made of future savings. [107189]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The independent evaluation of the programme's prototype phase is due to be published at the end of this month and will include a full cost-benefit analysis. The full national programme is being evaluated separately. It, too, will include a cost-benefit analysis and will be available in spring 2002.

Mr. Pond: I thank the Minister for that response and look forward to the results of the full evaluation. Is she aware that among the 100,000 lone parents who have benefited from the new deal so far is a young woman in my constituency who, after many years of unemployment, has gained so much in terms of skills and confidence that she is now working at Gravesend jobcentre? The help that the new deal has given her and so many other lone parents is a major factor in helping the Government to fulfil their commitment to halving child poverty in 10 years.

The Minister will not be hurt if I say that the majority of lone parents would love to sever their relationship with her Department. However, is she aware that many are fearful that, if they make the transition from social security into work, there will be a dangerous gap between the receipt of benefits and the arrival of the first pay packet? Can she give any reassurance to those lone parents considering making that transition?

Angela Eagle: My hon. Friend is right to point to the successes of the new deal for lone parents. On his specific question, the Government have introduced a lone parents benefit run-on from last October. That means that all lone parents moving off benefits into jobs will receive an extra two weeks' income support or jobseeker's allowance, depending on what they were claiming before moving into work. There is also the four-week housing benefit run-on which continues to be paid for the month after lone parents come off benefits. We hope that together those measures will tide lone parents over that difficult gap.

Miss Anne McIntosh (Vale of York): Can the Minister confirm that 100,000 people only attended interview; they were not taken off the dependency list? Can she also confirm that there remain 470,000 single parents with children over five who would be eligible? What measures is her Department taking to encourage those people to break the dependency link? They would love to get off benefits and into a stable job, but her Department is singularly failing to encourage them to do so.

Angela Eagle: First, at least we have a new deal for lone parents and are trying to help them off benefit; the previous Government did nothing but abuse them. I can say that 32,710 lone parents are now in jobs who would not have been in jobs before, and 10,630 are in further education and training. This is difficult: 30 per cent. of lone parents have no qualifications, and 55 per cent. have qualifications under national vocational qualification level 2. Some, perhaps, are not job-ready, and we are doing our best with these programmes to prepare them for the labour market so that they and their children can look forward to a lifetime off benefits rather than the lifetime on benefits that the previous Government left them with.

Winter Fuel Payments

5. **Mr. David Winnick** (Walsall, North): If he will make it his policy to provide winter fuel payments for pensioners on a permanent basis. [107191]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): My right hon. Friend the Chancellor of the Exchequer announced in November 1999 that winter fuel payments would be made every year from now on. Additionally, in December, following a European Court of Justice judgment, we announced our intention to extend the scheme to those aged 60 and over, whether or not they are pensioners.

Mr. Winnick: That is very good news on both counts. Has the £100 winter fuel payment not been of tremendous help to many pensioners, particularly those on low incomes? Does my right hon. Friend recall that, before 1997, no extra money was given unless the weather was freezing for seven consecutive days? Does he agree that that system, which the Conservative Government defended at every opportunity, was both inadequate and farcical? Will the Opposition perform a U-turn by accepting winter fuel payments if they return to office?

Mr. Rooker: The exceptional cold weather payment system still applies but the greenhouse effect means that it does not often come into use. The winter fuel payment to pensioner households is all the more valuable for that. We did not, so far as I am aware, inherit any plan or budget from the previous Government for the payment of that benefit.

Mr. Edward Leigh (Gainsborough): Will it help pensioners to pay for their fuel or anything else this winter

if they are forced to take out annuities—currently at an all-time low—at 75? They are being forced into poverty and not receiving their just deserts because the Government are being totally inflexible.

Mr. Rooker: This is not the time for a debate on annuities, but one must ask what pensioners who complain that they are being forced to buy annuities at 75 had lived on until then. I accept that annuities are a serious issue, but we must not run away with the idea that it affects the poorest people in this country. Those involved have managed to avoid taking out an annuity until they reached 75, and one must ask what they were living on.

Housing Benefit

6. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on the housing benefit verification framework. [107192]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The verification framework is a key part of our overall strategy to root out fraud and error in housing benefit. The framework is a good practice guide that forms a platform for secure and accurate administration by defining the evidence that should be gathered to support a claim for housing benefit or council tax benefit. It also defines the frequency of subsequent checks during the life of a claim. As of 28 January, 226 local authorities had received funding to implement the framework.

Dr. Iddon: Various housing organisations in Bolton have expressed concern about how the housing benefit verification framework is operating. For the record, will my hon. Friend assure us that no one will be denied housing benefit—hence accommodation—because he or she cannot produce two bona fide forms of identification? Will she assure us that benefit will not be stopped after a housing officer has attempted a second visit, having failed to make contact on the first, particularly when it occurs as early as 7.30 am to 8.30 am?

Angela Eagle: The idea behind the verification framework is that it will secure the gateway to benefit, which was too lax in the past. That involves proof of identity. However, we have improved the framework in the light of its live operation, not by reducing security but by ensuring that we fit in with people's life styles. For example, hostel dwellers do not often have two proofs of identification, and we have made adjustments accordingly. However, we do not want to make housing benefit security any worse, and the verification framework is a big improvement. We want all local authorities to put it into effect.

Sir Sydney Chapman (Chipping Barnet): Last year, there were nearly 250,000 cases of housing benefit fraud, but only 700 successful prosecutions. Given those figures nearly three years after the Government came to office, how can the hon. Lady continue to say that Ministers will be tough on housing benefit fraud?

Angela Eagle: We inherited a difficult system from the Conservative Government who fragmented the administration of housing benefit to 409 different local authorities with which we must co-operate. We realised that there was a problem with prosecution, and we have launched prosecution pilots in which we lend departmental lawyers to local authorities in order to pursue cases. We are tightening up.

Mr. Dale Campbell-Savours (Workington): My hon. Friend is aware that I have been doing some work on reform of the housing benefit system and on the relationship between rents paid and taxes paid by landlords. Will she tell me how that work is proceeding in the Department?

Angela Eagle: As always, my hon. Friend is most ingenious and has come up with some very interesting ideas. I assure him that the Department is taking a close look at them.

Mr. Nigel Evans (Ribble Valley): Is the Minister aware of a case in which a person was caught claiming for 43 children and 11 houses? He was an illegal immigrant and was jailed for three and a half years. Will she stress to people who are cheating the system that they cheat not only the Government but those people who could also be receiving benefits, if the system were not being fleeced as it is? As there are a reported 70,000 asylum seekers flooding into the country, will she reassure the country that, whereas the Home Office seems to have lost its grip on those people, the Department of Social Security will ensure that they are not fleecing the system?

Angela Eagle: As always in this matter, the hon. Gentleman makes a disgraceful contribution. I assure him that we take fraud extremely seriously. He proves that by citing a case that was prosecuted successfully and in which the person was jailed. Prosecutions are going up. We shall not tolerate fraud in the social security system; we work night and day to ensure that we minimise successful fraud.

7. **Mr. Peter L. Pike** (Burnley): What representations he has received regarding time taken in dealing with housing benefit claims. [107193]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The Department regularly receives correspondence about local authority administration of housing benefit. Working with local authorities, we aim to transform the delivery of housing benefit so that it is faster, more accurate and more secure against fraud and error.

Mr. Pike: I thank my hon. Friend for that answer. We acknowledge the actions that have already been taken. However, does she agree that the housing benefit system remains complex and that, although a verification process is needed, many councils are struggling with the system and many people have to wait far too long? That is extremely worrying, especially for elderly people who have never been in debt and who think that they are in debt although in fact they are not. Will she ensure that councils are able to deal with those claims speedily, thus removing such anxieties?

Angela Eagle: We always have to find a balance between securing the gateways to the benefit and speed. Some local authorities experienced a decline in their

ability to process housing benefit forms when they adopted the verification process. However, because of the co-operation that we are receiving over live running, I assure my hon. Friend that we aim to get right the balance between accuracy and speed.

Mr. Desmond Swayne (New Forest, West): Given the critical importance of that benefit, the figures cited by my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) and the importance that the Government attach to the benefit, why have no proposals for its reform been put to the House during the lifetime of this Government? When can we expect them?

Angela Eagle: We have introduced many reforms to the housing benefit system. For example, we set up the benefit fraud inspectorate, which is currently examining every local authority among the top 30 housing benefit spenders. We have also introduced changes to weekly benefit savings to encourage prosecutions. Almost all local authorities have remote-access terminals, which give access to Benefit Agency records so that they can make cross-checks. We are introducing the electronic transfer of data between the BA and local authorities, beginning this month. We have set up a pilot to examine the single gateway to the benefit system. We have done much; the hon. Gentleman will have to wait a little longer for the Green Paper.

Benefits Payment

8. **Mr. Phil Hope** (Corby): If he will make a statement on the impact upon people in rural areas of proposals to computerise the benefits payment system. [107195]

The Secretary of State for Social Security (Mr. Alistair Darling): About half of new pensioners and more than half the people in receipt of child benefit prefer to have their benefits paid into their bank accounts. However, for some people, especially in rural areas, receiving their money in cash at the post office is very important, and we want that choice to remain. So, even after the move to paying benefits directly into bank accounts, from 2003, people in rural areas will still be able to collect their cash at the local post office if they want to do so.

Mr. Hope: I thank my right hon. Friend for that reply. People who live in east Northamptonshire, a rural part of my constituency, have been greatly concerned about press reports that were not the same as his reply. Will he assure me that the Government have joined-up thinking in this matter and that they recognise the vital social, as well as commercial, functions of post offices? Will he further assure me that in future we shall see a halt to the decline of services in rural areas that began under the Tories, and that there will be a real rural revival?

Mr. Darling: My hon. Friend is right—doing nothing and sticking with the present system would be an absolute disaster for post offices, because more and more of those who are coming into the benefit system, especially pensioners and people receiving child benefit, are asking to have their money paid direct into a bank or building society account. That is their right, and there is nothing that the Government can or should do about that.

We have also ensured that, for the first time, the Post Office has the capability to compete with the banks—it can now get access to the money necessary to enable it to pay out cash to its customers. When we came to office, the Post Office could not do so because the necessary investment had not been made. The previous Government had no intention of doing anything about it, and instead were going to privatise the entire post office network.

We are ensuring that people will have a choice after 2003, and that the Post Office can compete with banks in a way that simply is not possible at the moment.

Mr. Peter Lilley (Hitchin and Harpenden): Will the Secretary of State confirm that he received from officials the same advice that I received about the impact of moving to compulsory ACT—compulsory payment of benefits through the banks—namely, that it would lead to the collapse of the post office network across the country, that the only way to prevent that collapse would be to introduce a subsidy, that such a subsidy would absorb a large part of the savings that it was hoped to make in the first place, and that the net effect would be a minimum saving but maximum hardship for old, disabled and young people, and that communities would be destroyed? Will he think again about this disastrous policy?

Mr. Darling: The right hon. Gentleman was a member of a Conservative Government—and he belonged to the right-wing, doctrinaire part of that Government—who wanted to sell off the whole of the post office network, which would have put many post offices at risk—so he has no credibility as a defender of the Post Office.

I do not know what advice the right hon. Gentleman was given because, of course, we do not see the advice given to previous Administrations. However, he must have been told that the present system—under which the cost of paying a benefit by girocheque is some 79p an item, whereas the cost of paying it direct into a bank account is less than 1p—is unsustainable. He must also have been told that making payments by means of order books and giros is extremely expensive because of the amount of money lost through fraud, and that therefore that is also unsustainable. The only way to ensure that the post office network survives is to ensure that it gets investment—something that he opposed when he was a member of the Conservative Government who wanted to sell it off.

We are giving the Post Office the additional investment necessary to ensure that people have a choice about whether they receive their benefit in cash at a post office or through a bank or building society. The alternative to what we are doing is to maintain a system whereby we continue to pay benefits using order books that are by and large unchanged since the ration books of the second world war. That is clearly unsustainable and nonsensical.

Mr. Bob Blizzard (Waveney): Will my right hon. Friend join me in condemning certain newspapers and certain Opposition politicians who, by their scaremongering, are serving only to undermine public confidence in sub-post offices, in spite of the fact that the Government and my right hon. Friend today have clearly stated that cash benefits will still be available at post offices? Does he agree that comments to the contrary serve only to frighten elderly people, and that those who

are calling for the abandonment of ACT would compel the 50 per cent. of people who have chosen ACT to return to the ration book type of payment?

Mr. Darling: The point that those who differ with us on our policy should remember is that more and more people—whether we like it or not—are asking to have their benefits paid into their bank accounts. Therefore, if we did nothing, the post office network would suffer, and anyone who believes that that is a sensible policy needs his head looking at.

The right thing to do is to ensure that people have a choice, because we believe in choice. People should be allowed to choose where they receive their benefit or pension. However, we also need to ensure that the necessary investment is made in the Post Office. That did not happen, and the Post Office paid a heavy price for the doctrinaire opposition to addition investment shown by the Conservative privatisers who now sit on the Opposition Benches.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Will the Secretary of State guarantee that, in any departmental publicity leaflets, equal emphasis will be given to both choices, including the post office choice, and that the option to retain payments through a post office will not be buried away in the small print of the leaflets?

Mr. Darling: I can give the hon. Gentleman that assurance. A poster campaign is being mounted jointly by the Benefits Agency and the Post Office. Posters and leaflets explaining the new system should appear in every post office throughout the land to give people the reassurance that they will have a choice as to whether they receive their money through the post office or their bank or building society.

Mr. Lawrie Quinn (Scarborough and Whitby): Is my right hon. Friend aware of the announcement made by my right hon. Friend the Prime Minister at the end of last week in which he pointed out that 3,000 extra cashpoint machines will be available in rural post offices? Many people will want to receive their benefits through the new system and, despite the scaremongering of Conservative Members, that will add to the renaissance of services in rural areas.

Mr. Darling: My hon. Friend is right. The Post Office already has an alliance with, I think, three banks and offers banking facilities as a result of that. I fail to understand the policy of the Conservative party. I know that it is conservative in every sense of the word, but its recipe is to do absolutely nothing and to stick with a system that is not sustainable. That is nonsensical and it would also cost the DSS substantial sums in administrative costs and in money lost through fraud and error. Surely nobody in their right mind could defend that, but let us hear what the hon. Member for Daventry (Mr. Boswell) has to say.

Mr. Tim Boswell (Daventry): I begin by assuring the Secretary of State that I feel very much in my right mind. I am sure that he would wish to join me in acknowledging that the effects of rural transport difficulties are compounded for those who are elderly or who have disability problems. While we are discussing states of mind, it seems that the right hon. Gentleman suffers from a degree of selective amnesia. He seems to be unaware that the sub-post office network is already privatised and that my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), who spoke so eloquently a moment ago, had initiated a project for the automation of the benefits payments system that would have been highly beneficial.

Although the Secretary of State has given assurances, does he not accept that, in the form that he has given them, they are merely bland, imprecise and uncosted? Does he not understand that they will cut very thin ice with an elderly or disabled person who wishes to go to his or her local sub-post office, finds that its business has become uneconomic because of the significant loss of benefit payments that will result from the changes that the Secretary of State has initiated, and that it has simply shut its doors—so that that person has nowhere to go?

Mr. Darling: The hon. Gentleman will no doubt reflect on the fact that rural transport was significantly run down by the previous Conservative Government, principally because of the deregulation of bus services that took place in the 1980s when Mr. Ridley was the Secretary of State responsible for such matters.

I return to point about the Post Office. The hon. Gentleman says that the right hon. Member for Hitchin and Harpenden (Mr. Lilley) left us with the benefits payment card. Indeed he did, and it was another mess that we inherited. When we took over, the project was three years late and the contractor was not willing to continue with it unless he received significantly more money to do so. What was worse, the system still cost substantially more to pay money directly into people's bank accounts.

I come back to my point: if we do nothing, more and more people will vote with their feet because they are asking for their money to be paid into banks and buildings societies. The Government are giving the Post Office the additional support and investment that will allow it to offer more services. After 2003, people will have a choice—they can either have their money paid direct into their bank or building society or they can get their cash through a post office.

Family Poverty

9. **Mr. Andrew Mackinlay** (Thurrock): What further measures he proposes to reduce family poverty in the next decade. [107196]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): We are committed to eradicating child poverty in 20 years, and we expect to make substantial further progress towards that goal over the next decade. For most families, the best way out of poverty is through work. Measures in the last two Budgets will mean that the poorest families with children will gain more than £1,000 a year.

Mr. Mackinlay: Is my hon. Friend the Minister aware that I share his pride in Labour's objective of eliminating child poverty in 20 years, and that I also recognise the wretched situation that the Government inherited after the growth in the disparity of incomes and the considerable growth in poverty during the Thatcher-Major years?

Does my hon. Friend acknowledge, however, that studies from the London school of economics and the Child Poverty Action Group show that the laudable objective of eliminating child poverty in 20 years will not be achieved unless there is an accelerated initiative by the Government in their existing programmes and more resources are allocated to the objective, and that if there is no change we will have eliminated only two thirds of the existing poverty? To demonstrate the scale of that situation, I point out that child poverty will be at the same level as it was when Labour left office in 1979. Will the Minister tell the Chancellor of the Exchequer that Labour Members want more resources allocated to achieving that important policy objective?

Mr. Bayley: I reassure my hon. Friend that our policies are already making a difference. As a result of tax and benefits measures, the families of 800,000 children who were living in poverty have been raised above the poverty line, and that is just the start. We have set an extremely challenging objective, which is why it will take 20 years of work to achieve it, but the Government are determined to do so.

We have further measures in the pipeline, such as the new child tax credit which will be introduced next April, and the changes to disability living allowance which will increase the incomes of families with severely disabled three and four-year-olds. That is a long-term project, and we acknowledge that it will be difficult to achieve. We are putting large sums towards it—by the end of this Parliament we will have provided an additional £6 billion. The goal can be achieved if we are single-minded in our purpose, and we are.

Mr. David Heath (Somerton and Frome): Will the hon. Gentleman acknowledge that there is real, if sometimes hidden, poverty in rural areas, as confirmed by a study last week? Contrary to the Prime Minister's rather rosy view, poorer families in rural areas face difficulties in accessing services and they have additional costs. Will the Minister make sure that his policies directly address that problem?

Mr. Bayley: I agree with the hon. Gentleman that there is indeed poverty in rural as well as urban areas. Hon. Friends from constituencies throughout the country, including my hon. Friends the Members for Scarborough and Whitby (Mr. Quinn) and for Castle Point (Mrs. Butler), make that point. The Government's policies to attack poverty apply equally in rural areas as in urban areas.

The key reason why poverty trebled when the Conservatives were in power was a trebling of the number of workless households with children. The key policy to attack worklessness is the working families tax credit, which applies in all constituencies, urban and rural. The problem is not confined to the inner cities; it is a nationwide problem that is the legacy of 18 years of Conservative policy, and we have the policies to tackle and reverse it with our strategy to eliminate child poverty.

Mr. Frank Field (Birkenhead): Will my hon. Friend confirm that there is tremendous support among Labour Members for the Government's objective of countering child poverty? Will he further confirm that, in achieving that objective, the higher that the Government feel it safe to set the statutory minimum wage, the lower will be the cost to taxpayers of the working families tax credit?

Mr. Bayley: We have made it clear from the start that the rate of the national minimum wage will be kept under review, and indeed it will.

Mr. David Willetts (Havant): I welcome back the Minister from his visit to the Ceredigion by-election, where Labour went from second to fourth place. I hope that he will be paying many more such visits around the country. I have a simple question for him. Will he give the House a cast-iron promise that the working families tax credit will be delivered through the pay packet from April, as planned?

Mr. Bayley: Yes, it will.

Lone Parents (Education)

10. **Mr. Ben Bradshaw** (Exeter): What measures his Department has taken to reduce barriers in the benefits system to education for lone parents. [107197]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The benefits system provides support for lone parents who take up education and training. Time spent on study does not affect their benefit. Lone parents on the new deal may also get help with course fees, travel expenses and the cost of child care while attending approved work-focused training or education.

Mr. Bradshaw: Does my hon. Friend accept that counting the student loan as income rather than money that must be paid back can pose a particular problem for mature students? If she cannot change that rule, will she describe the extra help that she and her colleagues in the Department for Education and Employment may make available to help people who want to improve themselves through education in order to get back into work?

Angela Eagle: This year, the total budget for child care access funds in education colleges is £25 million, which is almost three times the amount made available last year. There is extra student support in higher education—£12 million in the current year—through access funds, too. The DFEE has announced that it will be introducing in due course means-tested child care grants for parents who want to study. So we realise that this is an issue, and we are tackling it.

Mr. Crispin Blunt (Reigate): What percentage of single parents successfully getting a job following invitation for interviews under the new deal for lone parents does the Minister regard as a good return for investment in the scheme?

Angela Eagle: There are more than 32,000 lone parents in jobs who would not have been given any help by the Conservative party. Any lone parent getting a job is a benefit. In due course, we shall be publishing an analysis of the new deal for lone parents. A report on the pilot project, which is due at the end of the month, will show that the scheme has covered 90 per cent. of its costs.

All those 32,000 lone parents with a job have children, and they came from workless households. They are now in households with work, and that is how we shall tackle child poverty.

Child Support Agency

12. **Mr. Gerald Howarth** (Aldershot): If he will make a statement on his proposals for reform of the Child Support Agency. [107199]

The Secretary of State for Social Security (Mr. Alistair Darling): The Bill that gives effect to our proposed reforms of the child support scheme is being discussed in Standing Committee. We are on course to start the new system in 2002.

Mr. Howarth: The overwhelming number of CSA cases in my constituency involves men who are very happy to contribute to the maintenance of children from their first marriage, but who find it extremely difficult to meet the agency's demands. Given that the Under-Secretary, the hon. Member for Wallasey (Angela Eagle), said in October that 190,000 absent parents—in most cases, that means the fathers—are likely to face higher assessments under the Government's proposals, does the Secretary of State share my concern that such proposals will lead to much greater stress and further suicidal tendencies among some fathers, while the feckless escape into the night?

Mr. Darling: Most assessments will in fact be lower and, as the changes that we are introducing will be phased in, both families will have some time to adjust to any vastly different settlement. I agree that difficulty arises because fathers must sometimes wait months before they find out how much they are supposed to be paying, and when they get the bill it is very often much more than they can afford, and that naturally leads to great tension. Under the new, simplified system that we are introducing, it will be possible to calculate in days, not months, how much a father—it is usually the father—will have to pay, so payments will flow far more quickly. We should not lose sight of the fact that, as a result, up to 1 million children will gain, and that must be a good thing.

Mr. John Wilkinson (Ruislip-Northwood): Does the Secretary of State not realise that an arbitrary, formulaic system is ineffectual and that each family's circumstances are different? To criminalise those who withhold payment will surely lead to them absconding and going into hiding. If, ultimately, the sanction of jail is invoked, how will that help their earning prospects or make it easier for them to look after their children?

Mr. Darling: There are two points. First, the simplified formula makes it possible to calculate quickly—within days—the amount due. Anyone who has children knows that it is difficult to calculate down to the last penny how much children cost, or how much should be paid when two people are living together. We consulted widely on the new simplified formula and it has been widely welcomed. Very few people suggested that we should retain the present system. Some suggested that we should go to the courts, but most people think that the simplified formula is better.

Secondly, there is a fundamental point of principle involved: an absent parent has a duty to support his or her child. There is no getting away from that, and I make no apology for the fact that we propose that the persistent minority of people who refuse to live up to their obligations ought to be punished. They should be supporting their children—they should not expect somebody else to do it. I am surprised that the hon. Gentleman should defend people who refuse to pay for their children.

Pensioners

13. **Mr. John Bercow** (Buckingham): What steps he is taking to ensure that pensioners receive the benefits to which they are entitled. [107200]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): We are committed to taking action to find more effective ways of encouraging eligible pensioners to claim their entitlement to the minimum income guarantee. As my right hon. Friend the Secretary of State said earlier, we will shortly announce our decisions on the Government-sponsored national take-up campaign. We hope to do so next week.

Mr. Bercow: I am grateful to the right hon. Gentleman for that reply. However, given that it is now almost 17 months since the Secretary of State said that the NIRS2 computer breakdown, which deprived 285,000 pensioners of their just entitlements, would be resolved "in the next couple of weeks", will the right hon. Gentleman assure the House that those payments, unlike Billy Bunter's postal order, will arrive; that full interest will be paid on top of them; and that Government coffers will not profit by so much as a single penny from this woeful saga of ministerial incompetence?

Mr. Rooker: It is not our intention that the Government should benefit from the inherited disaster of NIRS2. As the hon. Gentleman knows, because he is a regular attender at Question Time, I said a couple of weeks ago that we had not met the target of clearing the entire backlog, and that there were 83,000 people still to be paid. We are convinced that their payments will be brought fully up to date before the end of the year. We regret the delay. The compensation payments are being paid to people who have experienced delays to their pension payments. The entire saga is very much regretted. That it why it is important that we get to the bottom of it. We must make sure that we do not overload the system in future, so that it can deliver regular payments to our pensioners.

Mr. Lindsay Hoyle (Chorley): To solve the problem and ensure that pensioners receive the benefits to which they are entitled, would it not be easier to lift the state pension?

Mr. Rooker: I can tell my hon. Friend that it would not. We could raise the state pension to the level of the minimum income guarantee, but, as my right hon. Friend the Secretary of State said, it would not benefit the 1.6 million people who already get it. They would lose pound for pound. Also, it would cost £3 billion to do that. As I said earlier, the average income of a single pensioner

in 1997–98 was £132 net. I can think, as can my hon. Friends, of much better ways of using £3 billion in the social security system, such as by targeting help at those who really need it.

Vibration White Finger

14. **Mr. Tam Dalyell** (Linlithgow): If he will list the functions of his Department in relation to those suffering from vibration white finger. [107201]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): The Department's function in relation to vibration white finger is to administer the industrial injuries scheme to employed earners who have been disabled by the disease. People could also apply for other social security benefits, depending on their individual circumstances. Payment of damages awarded by the courts for this disease to employees of British Coal is a matter for my right hon. Friend the Secretary of State for Trade and Industry.

Mr. Dalyell: Against the background of the constructive meeting in Cardiff today with my right hon. Friend the Minister for Trade, and the meeting convened by my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) with two distinguished doctors, which some of us attended last week, could the Government do something to speed up the payments to coal miners and shale miners, who have the feeling—it may not be justified, but they have the feeling none the less—that people are waiting until they pass on before awarding the compensation that is surely due to them?

Mr. Bayley: I thank my hon. Friend for notifying me this morning of the nature of his supplementary question. I hope that progress was made in Cardiff today. Delays have to do with the courts process, although departmental responsibility rests with the Department of Trade and Industry. I shall ensure that my hon. Friend's comments are referred to it.

If our legal system worked as quickly as our social security system, we would not be considering the issues of recovery because those responsible for the industrial environment in which people contracted the disease, not the state, would pay compensation.

Business of the House

3.31 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I shall make a short business statement. The business for the rest of the week will be as follows:

TUESDAY 8 FEBRUARY—Programme motion followed by proceedings on the Northern Ireland Bill 2000, instead of the Armed Forces (Discipline) Bill *[Lords]*.

WEDNESDAY 9 FEBRUARY—Programme motion followed by conclusion of remaining stages of the Financial Services and Markets Bill.

THURSDAY 10 FEBRUARY—Second Reading of the Sexual Offences (Amendment) Bill.

FRIDAY 11 FEBRUARY—Private Members' Bills.

Apart from tomorrow, all the business will be as previously announced. However, the House may also be asked to consider any Lords messages that may be received.

Sir George Young (North-West Hampshire): As the right hon. Lady knows, the Opposition have called for the suspension of the Executive and the Northern Ireland Assembly, following the lack of satisfactory progress on decommissioning. We therefore agree with the proposed change in business and will support the Bill tomorrow.

Mr. Andrew Stunell (Hazel Grove): There is a sense of foreboding in my party about the necessity of undertaking the Northern Ireland Bill. We do not approach the matter with any enjoyment or glee; we are worried about the course on which it takes all parts of the United Kingdom. However, we believe that the measure is necessary, and we support the Leader of the House.

Mrs. Beckett: The Government are grateful to the right hon. Member for North-West Hampshire (Sir G. Young) and the hon. Member for Hazel Grove (Mr. Stunell) for their remarks. They are right to say that the matter is difficult and important. However, we are glad to have support on it across the House.

Mr. Michael Howard (Folkestone and Hythe): Does the right hon. Lady agree that our consideration of the Bill tomorrow would be greatly assisted if we had sight of the de Chastelain report? Will she use her good offices to ensure that the report is available before tomorrow's debate begins?

Mrs. Beckett: I shall draw the right hon. and learned Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for Northern Ireland. The right hon. and learned Gentleman knows that those matters were aired during my right hon. Friend's statement the other day; they will, no doubt, be aired tomorrow.

Sir Brian Mawhinney (North-West Cambridgeshire): I cannot conceive that any hon. Member would wish to delay unduly the passage of the Bill tomorrow, given the seriousness of the issues that it addresses. I therefore urge the Leader of the House to allow as generous a programme motion as possible. There are advantages to allowing a reasonable debate here within the limits that the Government set, rather than leaving hon. Members to feel that they have not had the opportunity to say what is on their hearts at this time.

Mrs. Beckett: The Government are not seeking to curtail debate unduly. The right hon. Gentleman will note that I have announced a programme motion. With good will across the House, hon. Members will have the opportunity to raise the points that they wish to make.

Mr. John Wilkinson (Ruislip-Northwood): Can the right hon. Lady say when Second Reading of the Armed Forces (Discipline) Bill will take place? Will it be next week, or will the measure be kicked into the long grass? Many of us have little sympathy for bringing British service discipline into line with the view of the European Court of Human Rights.

Mrs. Beckett: All I can say to the hon. Gentleman is that I shall make the ordinary business statement on Thursday.

Mr. Ian Bruce (South Dorset): Will there be an opportunity tomorrow to discuss whether we should suspend the release of terrorist prisoners at the same time as suspending the Executive?

Mrs. Beckett: The scope of the debate is a matter for the legislation and for the Chair. I simply say to the hon. Gentleman that I hope that tomorrow's debate will be conducted in the spirit and the mood that is, I think, that of the House and the country. Everyone wishes to facilitate the continuation of the peace process, not bring it to a halt.

Points of Order

3.35 pm

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Madam Speaker. Yesterday's *Sunday Express* reported that the Government have covert plans to withdraw from the Falklands. The Prime Minister said that

"no withdrawal should occur until after the next general election".

That is a serious matter and I hope, in the circumstances, that a Minister—if not the Prime Minister himself—will come to the Dispatch Box soon to make it absolutely clear where the Government stand and to give Parliament a chance to ask the questions that are naturally in all our minds, not least those of the Falklanders themselves.

Madam Speaker: That seems to be a statement rather than a point of order to me, so it requires no response.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. In view of the wanton destruction of United Nations vehicles, the injury to NATO troops and reports over the weekend of mounting and desperate ethnic violence in Mitrovica, coupled with reports of the unsatisfactory situation of our own British soldiers in the cold of Kosovo, has there been any request to make a statement—either by Defence or Foreign Office Ministers—on what is becoming a dire situation?

Madam Speaker: I have not been informed that such a statement is about to be made, but I am sure that the hon. Gentleman realises that Foreign Office questions are not far away, and that he will use his ingenuity to ask a question to that effect.

NEW MEMBER

The following Member made the Affirmation required by law, first in Welsh and then in English:

Simon Thomas Esq., for Ceredigion.

Mr. Eric Forth (Bromley and Chislehurst): What does that mean?

Madam Speaker: Order. If the right hon. Member for Bromley and Chislehurst (Mr. Forth) had been patient enough, he would have heard the hon. Member for Ceredigion explain himself a moment later.

Mr. David Winnick (Walsall, North): The right hon. Gentleman should apologise.

Madam Speaker: Order. Let us cool down; that is quite unnecessary. We have business to do.

Orders of the Day

Social Security

3.39 pm

The Secretary of State for Social Security (Mr. Alistair Darling): I beg to move,

That the draft Social Security Benefits Up-rating Order 2000, which was laid before this House on 31st January, be approved.

Madam Speaker: I understand that with this it will be convenient to discuss the following motion:

That the draft Guaranteed Minimum Pensions Increase Order 2000, which was laid before this House on 31st January, be approved.

Mr. Darling: The second order is largely technical. The House will be aware that employers are required to increase guaranteed minimum pensions by the retail prices index or 3 per cent., whichever is less. The order makes it clear that the requirement this year will be to increase guaranteed minimum pensions by 1.1 per cent. The first order covers all other benefits. I make that point because I understand that the Liberals said over the weekend that they would vote against it. If the Liberals vote against this order, they will be voting against all benefit increases in the United Kingdom. The order uprates all social security benefits in the usual way, as I announced in November. It uprates the amount of money that we pay for children in particular: child benefit will rise to £15 for the oldest child and £10 for subsequent children, and, as a result of the measures that we have taken to help families with children, families are already an average £740 a year better off.

If the Liberals vote against the order, they will be voting not only against increases in child benefit, but against the additional help that we are giving pensioners, particularly older and poorer pensioners. As well as raising the state pension to £67.50, we are increasing the minimum income guarantee for pensioners in line with earnings. Taken with the winter fuel payments, the changes to value-added tax and the introduction of free television licences, that increase will mean that the oldest and poorest pensioners will have gained £500 a year—nearly £10 a week—as a result of steps that we have taken. All that, we understand, is to be opposed by the Liberal party.

Mr. Andrew Mackinlay (Thurrock): Will the order remedy the anomaly whereby—I believe—460,000 expatriate pensioners currently do not enjoy the uprating, while 390,000 do? It is not a blanket embargo; it is a case of "some do, some do not". We are the only country in the Organisation for Economic Co-operation and Development that has been treating pensioners in that way. Will the order remedy the unfairness? If not, why not?

Mr. Darling: The order will not change the position. If we spent money uprating the pensions of people living abroad, that money could not be spent on people in this country.

Mr. David Winnick (Walsall, North): Will my right hon. Friend give way?

Mr. Darling: I will give way to as many hon. Members as I can, but let me finish this point first.

Over the lifetime of this Parliament, the Government will spend £5 billion on pensioners. I expect to show in today's debate that the money will be well spent and well targeted: it will tackle pensioner poverty, which is one of the many scandals that we inherited from the Conservative party. Let me say to the Liberals, as I said at Question Time, that not only do I fail to understand how on earth they can justify voting against the uprating of all benefits, but I fail to understand how on earth they can justify voting against what is in their own manifesto. Their manifesto stated that they would increase pensions in line with prices, and that they would introduce extra earnings-related help for the poorest pensioners, which is precisely what we propose.

No one should be in any doubt that the Liberals—who intend to vote against the orders—would, if successful, stop not just pension increases but increases for children, and all the other benefits that go to some of the poorest people in the country. It may be merely a gesture; perhaps people should be thankful that there do not appear to be enough Liberals present to make much of a difference. I believe, however, that any serious political party ought to be serious about its intentions, and should not vote against the Government unless it really wants to carry the day—which, in this instance, would deny many people benefits.

Mr. Steve Webb (Northavon): Will the Secretary of State give way?

Mr. Darling: Certainly.

Mr. Webb: To save the right hon. Gentleman the trouble of misrepresenting us for the rest of the afternoon, let me assure him that, should his party be defeated in the Division, we, through the usual channels, will make time available at the earliest opportunity for the orders to be brought back to the House, amended only in respect of the 75p rise and the capital limits. We will then give them plain passage, and the business can be completed by the end of the week.

Mr. Darling: I am glad that the hon. Gentleman has a sense of humour, which we all appreciate. I shall continue to represent accurately what is in the Liberal party manifesto, to which I think we should all attach significant weight. Presumably, the hon. Gentleman would not have stood as a Liberal party candidate if he did not intend to support his party's manifesto—or so one might have thought.

Let us examine what the hon. Gentleman has done during the time that he has been the Liberals' pensions spokesman. Last year, he came up with a policy to pay more to those aged 80 and over. Part of that policy—in addition to the policy for scrapping the state earnings-related pension scheme, which would completely disrupt the pensions industry—he has repeated, saying that the basic pension would continue to be uprated in line with prices. What has happened between publication of the manifesto, the hon. Gentleman's last public policy utterance, and today's debate, seems to me opportunism at its worst.

Mr. Webb: Will the right hon. Gentleman be staying to hear the answer?

Mr. Darling: I shall certainly be staying, and I shall see what happens to the Liberal Democrats' policy.

Mr. Barry Jones (Alyn and Deeside): My right hon. Friend made very welcome references to child benefit, and I certainly believe that mothers and their children would greatly benefit from such changes. However, is he not astonished at Liberal Democrat Members' irresponsible and childish attitude to those issues? Could he explain to me the type of mindset that is prepared to turn somersaults to make such ridiculous points?

Mr. Darling: The short answer is no, I cannot. I would never attempt to explain the Liberal Democrats' mindset. Moreover, I have always understood that one of the great virtues of the Liberal Democrat party was that it did not have a collective mindset—which is why it has been able to come up with so many policy contortions at the same time.

Mr. Winnick: My right hon. Friend mentioned winter fuel payments. Did he notice that, at Question Time, Opposition Front Benchers gave absolutely no commitment that they would continue such non-means-tested benefits? Was that not interesting? Should we not warn the electorate that, if the Tories were to win the next general election, winter fuel payments would almost certainly go?

Mr. Darling: As I understand it, Conservative policy is to oppose winter fuel payments, and, were they to get back to power, to remove them. However, it may be that the right hon. Member for Kensington and Chelsea (Mr. Portillo) has already delivered a lecture to the hon. Member for Havant (Mr. Willetts) and told him that he will have to change his policy on that issue, too. We shall have to wait; perhaps the hon. Gentleman's speech will be more interesting than it otherwise might have been.

I should like to deal with two aspects of the uprating order. The first is pensions—which is a matter of particular interest to hon. Members—and the second is the payments that we make for children.

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Mr. Darling: I shall certainly give way in a moment.

I should like to return to a theme that we touched on a few moments ago, at Question Time—the problem that we inherited. The problem can be put quite simply: whereas pensioner incomes as a whole increased by about 64 per cent.—mainly because of occupational pensions that have been building up in the past few years, and the state earnings-related pension scheme, which is only just beginning to mature—the gap between the better-off pensioners and the poorest pensioners has widened. The figures show that the income of the bottom fifth of pensioner couples increased by only one third, whereas the income of the top fifth increased by almost 80 per cent.

The Government therefore believe that the right thing to do is to target most of the £5 billion extra on those pensioners who lost out. That is not all that we are doing, but that is what we wanted to do. The poorest 1 million single pensioners and the 1 million pensioner couples who

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have not kept up need to be supported. That is why we are targeting help on those people, as well as helping all pensioners across the board.

Miss Anne McIntosh (Vale of York): Will the right hon. Gentleman give way?

Mr. Darling: May I give way first to the hon. Member for Buckingham (Mr. Bercow), and then to the hon. Lady?

Mr. Bercow: My hon. Friend may intervene first.

Mr. Darling: Despite the hon. Gentleman's uncharacteristic courtesy, I shall give way to him first.

Mr. Bercow: I am sorry; I was merely displaying my natural chivalry, which I should hope would command the assent of the House as a whole.

Will the right hon. Gentleman tell me why the Government are not prepared to apply the same principle to their payment of benefits as they apply to the payment of commercial debts? Given that the late-payment legislation requires businesses to pay interest on delayed commercial debts, why are the Government not prepared today to undertake that if, through their own incompetence they have caused misery and suffering to thousands of people by denying them their benefits, when those benefits eventually materialise, those individuals will receive interest on top of them?

Mr. Darling: People are receiving benefits. However, if the hon. Gentleman is referring to the national insurance recording system, just before he goes on about incompetence, he should remember who—in 1996—signed the contract for that system. If my memory serves me well, in 1996, the Secretary of State for Social Security was the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who, sadly, is no longer with us.

Mr. Bercow: What?

Mr. Darling: The right hon. Gentleman is not with us physically in the Chamber, but I am sure that he is with us somewhere.

Miss McIntosh: I thank the right hon. Gentleman and my hon. Friend the Member for Buckingham (Mr. Bercow) for the chivalry shown on both sides of the House. Nevertheless, I should like to make a more mundane point, on which I have tried to press the right hon. Gentleman on several occasions. Will he take the opportunity of today's debate to dispense with the rule that annuities must be taken out at age 75? A groundswell of opinion, which I cannot believe is unique to the Vale of York, is in favour of dispensing with the rule. Will he satisfy our constituents and the House by stating today that he will lift the rule?

Mr. Darling: No. The hon. Lady will know that the Inland Revenue and Department of Social Security have been looking at annuities to see whether the system should be changed but, as my right hon. Friend the Minister of State, Department of Social Security has said, if there are people who have delayed taking their annuity until the age of 75, presumably, they must have been living on some other income or capital before getting to that point. I do not believe that a change to the annuity rules should be the No. 1 priority. If people are getting tax relief for a pension, they should use their money as a pension, not simply as another form of tax-privileged saving.

Let me set out what we are doing. I said that we wanted to help all pensioners, particularly the poorest. We knew this year's RPI increase would be low, which is why we increased winter fuel payments—so that each pensioner household would receive £100, a fivefold increase. For the first time last year, it was paid before Christmas. We hope that that will happen again this year. We are paying winter fuel payments to all households with someone over the age of 60. I shall announce the arrangements for doing that soon.

Later this year, those aged over 75 will get free television licences; the oldest pensioners tend to be among the poorest. On top of that, we have restored free eye tests, reduced VAT on fuel and provided help for pensioners that was not there in the past, taking 200,000 pensioners out of income tax altogether, so that nearly two thirds of pensioners pay no tax. The 10p starting rate of tax helps pensioners as well.

Clearly, our priority must be to ensure that those who have lost out over the past 20 years receive help. Although the winter fuel payments and free television licences disproportionately help pensioners on the lowest incomes, that is not enough.

The House will be aware that the basic pension, although the foundation of the pension system, has never been enough on its own. That is why, in the 1960s, the graduated pension scheme was introduced and, in 1978, SERPS was introduced, but even those measures did not do enough to help pensioners who were earning low incomes throughout their lives. That is one of the reasons why we are making changes to SERPS, so that the state second pension greatly increases the amount of money that goes to someone on low lifetime earnings.

To deal with pensioners who lost out, we introduced the minimum income guarantee, which sets a decent base for pensioner incomes. It is targeting our resources where they are most needed, making the worst off better off. For single pensioners, the pension is £78: an £8 increase since 1998-99. For couples, it is £121.95: a £12.60 increase since 1998-99. For the oldest—those over 80—it is £86 and £131. Those measures are a substantial help for pensioners who have lost out over the years. As has been made abundantly clear, not just today, but on previous occasions, the Conservative party is against the minimum income guarantee and will get rid of it. A total of 1.5 million pensioners would lose out as a result.

I know that some hon. Members advocate increasing the pension by the earnings link, but when we consider that restoring the link would cost about £18 billion by about 2020 and that the poorest pensioners would not see a single penny of that benefit, we realise that there are far better ways in which to deal with the immediate problem for far too many pensioners: they do not have enough money to live on. We introduced the minimum income guarantee to help them.

Mr. Patrick Hall (Bedford): On the point about the poorest pensioners not benefiting from an increase in the

basic state pension, presumably my right hon. Friend refers to pensioners on income support. Why cannot the thresholds be raised in line with that? Indeed, is that not one of the principal purposes of the minimum income guarantee?

Mr. Darling: The minimum income guarantee has the effect of ensuring that the poorest pensioners get more help. If we increased pensions across the board, the top fifth of pensioners, whose incomes have increased by some 80 per cent., would not appreciate or notice the difference. If we had not introduced the minimum income guarantee, those at the bottom would have lost out. I make no apology for the fact that the £5 billion that we are spending in this Parliament is concentrated on those pensioners who have lost out—the poorest pensioners, who are living in poverty. They are the sort of people who voted for our Government to help them out of the difficulties that the Tories had got them into. That is the right thing to do.

Mr. Vernon Coaker (Gedling): Is not the problem with this debate that it takes place in a context where everyone sees pensioners as a homogenous group of poor pensioners, whereas the reality is that there are rich pensioners, middle-income pensioners and poor pensioners? Are not the Government targeting help at those who need it, rather than spreading it across a range of pensioners, many of whom do not need help?

Mr. Darling: My right hon. Friend the Minister of State said at Question Time that average pensioner net income is about £132. Like many other sections of the population, there are some pensioners who are well off and there are some who are appallingly badly off. The right thing to do is to help pensioners who have lost out, and to get those living in poverty out of poverty. That is the right approach for any reasonable and sensible Government to take. *[Interruption.]* From a sedentary position, the hon. Member for Northavon (Mr. Webb) mutters about the winter fuel payment, which was universal. However, it benefits disproportionately those on low incomes. Again, it is more help for pensioners on low incomes who would not otherwise have received help.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The hon. Member for Gedling (Mr. Coaker) made an important point, and it may benefit the House to know that the Select Committee on Social Security may soon be looking at pensioner poverty and where the real financial agony lies. That would help the debate.

It is perfectly valid for the Secretary of State to say that targeting poverty within available resources is sensible, but there is another aspect. The contributory principle has a wider social role, distributing income horizontally across people's lives. If there is so much of a surplus in the national insurance fund, surely there should be some balance, not just this obsession with targeting the poor.

Mr. Darling: I am glad that the Select Committee is to look at pensioner incomes, as I suspect that it is indeed commonly held that all pensioners are poor. That is not the case. Many have investment income or substantial occupational pensions, which have largely built up through the 1950s, 1960s and 1970s. At the same time, we have pensioners who have lost out badly.

I am glad that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) recognises that—so should his party's spokesman, the hon. Member for Northavon, who has researched this matter. That research has been helpful. Presumably, the hon. Gentleman helped to write the Liberal Democrat manifesto, which states that the party would increase pensions in line with prices and would have earnings-related help for the poorest pensioners. The hon. Gentleman has learned the lessons of his research—it is a pity that he has not followed through the logic of that position today.

The hon. Member for Roxburgh and Berwickshire has stated that the Government Actuary reports that the national insurance fund is in surplus. He will know that the fund has to retain a working balance, which accounts for more than half that surplus. The remaining surplus would be eaten up in two years if we were to adopt the policies that the hon. Gentleman and some others are advocating—increasing the basic state pension up to £75, or the minimum income guarantee. That policy might get the hon. Gentleman by for a couple of years, but it is no long-term pensions policy.

The Government actuary's report and the quinquennial review of the national insurance fund do not take account of the changes that we have made in policy since March 1999. To base a pensions policy on a surplus that is there today but that would be eaten up within a couple of years is not a sensible way of proceeding in the future.

The hon. Member for Roxburgh and Berwickshire referred to the contributory principle. Part of the problem is that pensions are contributory, but that far too many people have not contributed during their working lives to looking after themselves in their old age. That is why we want to build on the minimum income guarantee; why we have introduced stakeholder pensions; and why we have reformed the state second pension to increase the amount that the state gives, not only to low but to moderate earners, through the rebate structure.

I remind the House that someone earning £6,000 gets £14 a week under the state earnings-related pension scheme but will get £54 a week under the new state second pension. We are not only helping today's pensioners but ensuring that far more people will be able to build up pensions in the future.

Clearly, one cannot save if one does not have a wage. That is why we have attached so much importance to ensuring that people of working age stay in work, and to trying to prevent pensioner poverty in the future by going back to the root of the problem and giving children the best possible start, which will allow them to get good jobs and eventually retire on good incomes.

I want to touch on the measures in the orders to help to combat child poverty. We are the first Government ever to commit ourselves to eradicating child poverty in 20 years and to halving it in 10: another policy to which the Conservative party is opposed. When we published our poverty report in September, setting out the scale of the problem and what we intended to do about it, Conservatives simply laughed and wanted nothing to do with our efforts, despite the fact that, during the 20 or so years in which they were in power, child poverty trebled. That is a damning indictment of the previous Government.

As a result of our Budget measures, we have already taken nearly 1 million children out of poverty. We are also helping parents to get into work and increasing the

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amount spent on families and children. We are helping children to get a decent education in school. From April next year, the new child credit will be worth up to an extra £416 a year.

The orders increase child benefit beyond the retail prices index for the second year running, so the eldest child gets £15 a week, which is over £3.50 more than only two years ago. We have increased the amount that parents on income support get for the under-11 rate of personal allowances by more than £9 a week, or about £400 a year.

We are determined to ensure, through a variety of measures, including increasing income, that children have the best possible start in life and that there is enough money in people's homes for them to bring up their children properly.

The orders deserve support. They increase benefits across the board, in the normal way, but—crucially—they do far more for pensioners, and especially those who lost out during the Tory years. They also take us a further step along the way to the eradication of child poverty, which should be regarded as a blight on any society. I commend them to the House.

4.3 pm

Mr. David Willetts (Havant): We will not vote against the orders, because we do not want to stop the uprating of benefits, but I want to ask the Secretary of State some questions about the value of the uprating: 1.1 per cent. on income-related benefits and 1.6 per cent. on the Rossi index.

The Secretary of State will be aware that his Department's spending plans, published in March, said that non-income-related benefits are assumed to be uprated by 1.3 per cent. in April 2000 and that income-related benefits and jobseeker's allowance are assumed to be uprated by 1.9 per cent. in April 2000. The orders save him £200 million compared with his own Department's expenditure plans for 2000–01. We want to know what has happened to that money. We are also concerned, and we understand pensioners' frustration, about the increase of 75p in the basic pension. The Conservative vision is one in which pensioners increasingly share in the rising affluence of our country, because they have genuine private savings.

Mr. John Cryer (Hornchurch): Is the hon. Gentleman proud of the fact that the Government of which he was a member cut the earnings link with the state pension?

Mr. Willetts: Well, the figures that I was about to cite from the latest pensioners' income series give a good picture of what happened to pensioner incomes in our years in office. The figures show that

"The proportion of pensioner units with some income from investments was 68 per cent. in 1987–98. The average amount received by those units with some investment income was £40 per week in 1997–98, having grown by 80 per cent. between 1979 and 1996–97."

We delivered increasing pensioner incomes because more and more pensioners had investments and occupational pensions.

The Government's figures also show that, by 1997–98, 60 per cent. of pensioner units had an income from occupational pensions and

"The average amount received by those units . . . was £92 a week in 1997–98."

When I hear the Secretary of State and the Minister of State explain to their somewhat sceptical colleagues that that increase in pensioner incomes means that the basic pension is less and less well targeted at relieving pensioner poverty, I know that the Ministers are using the evidence of the success that we achieved. We encouraged more and more pensioners to have funded occupational pensions or private savings.

Mr. Coaker: Does not the hon. Gentleman's point confirm that the Government's policy is right? If a big group of pensioners are better off, why should they be given extra money that they do not need when we can target extra help at the poorest pensioners and make a difference to their lives? Why spread the jam across the whole group, many of whom do not need it?

Mr. Willetts: I accept and welcome the figures that I have given. More and more pensioners enjoy higher incomes because they have occupational pensions and private savings, and fewer and fewer depend on the basic state pension alone. We are happy to hear Ministers talk about that, because it is what we achieved. Our objection to what the Government are doing is that they are imposing a double whammy on pensioners. They will receive a measly 75p increase in the basic pension, but they are also suffering from all the attacks on occupational pensions and private savings, which mean that the boost in pensioner incomes that we have seen over the past 20 years is under threat.

The representatives of funded pensions—the people whom the Secretary of State is praying in aid to defend the tiny increase in the basic pension—have commented unfavourably on his policies. In a survey of 216 occupational pension schemes, more than half the participants felt that

"the thrust of the government's proposals was not helpful"—

when it came to encouraging occupational pension provision. A story in *Personnel Today* was headed "Uncertainty brings pensions delay" and it stated:

"A survey by the National Association of Pension Funds shows under 3 per cent. of occupational pension schemes were improved in 1999. This compares with between 7 and 10 per cent. in each of the past five years."

There is a planning blight, caused by uncertainty about what the Government will do to the occupational pension regime with their proposals for stakeholders.

Almost half of the participants in another survey by a leading fund of actuaries think that

"the introduction of stakeholder plans will make it less likely that employers will want to offer or continue to offer occupational pensions."

The picture that is building up is of a measly increase in the basic pension as well as policies that are a threat to the alternatives that the Conservatives want to encourage—funded occupational pension provision and private saving.

Mr. Webb: The hon. Gentleman has twice described the rise in the state pension as "measly". For the avoidance of doubt, can he say what he would do were

he to be Secretary of State for Social Security now? Would he have put the pension up by 75p, or more or less, this April?

Mr. Willetts: We would carry on increasing the basic pension in line with prices. We would also encourage and boost pensioner incomes by the policies that were so successful during the previous Government's years in office and that have resulted in the statistics that the Secretary of State is always so happy to quote. However, those policies are under threat, because of the changes in advance corporation tax, the changes in the tax regime that mean that pensioners with incomes so low that they do not even come within the scope of income tax are losing the full benefit from the income from their savings and, of course, because of the planning blight caused by the perpetual changes to the pensions regime that the Government are imposing on the pensions industry.

Mr. Winnick: The hon. Gentleman said that he would, in effect, do what the Government are doing on pensions. What about the winter fuel payment? Does he accept that the £100, which is not means-tested, should be paid? What is his policy on this important question?

Mr. Willetts: We will consider the winter fuel payment as part of our wider pensioner package. What perplexes me—here I have some sympathy with the view of the hon. Member for Northavon (Mr. Webb)—is how the Government jump between favouring universalism, saying that it is very important that everyone should get the winter fuel payment, and then the case for means testing. We have no plans to remove the winter fuel payment. However, we are also planning an increase in average pensioner incomes, to be achieved by policies that, above all, reward savings and funded pensions. Our central critique of the Government is that they rely on that success to justify what they are doing by way of the uprating for the basic pension but, at the same time, they are killing the goose that lays the golden eggs. They cannot carry on relying on the increases in occupational pensions and savings that are providing the statistics from which they quote.

The Minister of State, Department of Social Security (Mr. Jeff Rooker): The hon. Gentleman is making a thoughtful speech. However, he must realise the position. If everything was so rosy in the past, why would the best part of 5 million people—moderate earners, making between £10,000 and £20,000 a year—be working with no second pension provision whatever? Surely there has to be a policy to get those people into a viable second pension operation. The previous system did not work—the pensions industry passed those people by on the other side of the road.

Mr. Willetts: Our concern is that the Government's stakeholder pension will not bring people in the income bracket that he describes into new pension provision that they would not otherwise have had. Instead, they will simply drive people out of existing occupational pension schemes into stakeholding. He will be able to announce to the House apparently large numbers of people taking out stakeholder pensions but, as my earlier quote from the pensions industry suggests, that will be churning out of existing occupational pensions.

Mr. Rooker: We will not count those.

Mr. Willetts: I will hold the right hon. Gentleman to that; one of the widespread beliefs of people who care about what he is doing is that he will end up simply churning existing provision.

The other issue is the interaction between the minimum income guarantee and pension planning. If the minimum income guarantee increases in line with earnings—I think that the figure is 4.9 per cent.—what is the sense of people on a very low income saving, possibly in extremely difficult financial circumstances, getting a stakeholder pension? It makes them no better off than they would have been if they had not saved before? I would welcome the Minister to the Dispatch Box a second time if he could offer us a figure for how much people have to have saved in a stakeholder pension during their working life to receive an income that will float them off means-tested benefits. If people cannot save that amount of money, they will be no better off as a result of having taken out the stakeholder pension. That is the $64,000 question. The minimum income guarantee is a further extension of means-testing.

Mr. Darling: I notice that the hon. Gentleman has not mentioned the state second pension, which is designed to help precisely those who are on low earnings throughout their lives because it enables them to accrue pensions at a substantially greater rate than at present, as well as helping moderate earners. What is his policy for the poorest pensioners? He has made it very clear that he would take away the minimum income guarantee, so that would reduce their income. What would he do for them?

Mr. Willetts: The minimum income guarantee is a mirage. It is merely what I still think of as the pensioner premium in income support. The Secretary of State, like so many new Labour Ministers, talks as if it were some extraordinary innovation in social policy. When I was in government, I believed that pensioners are entitled to something like the pensioner premium in income support, and I still support that now. However, the Secretary of State has merely renamed—misnamed—that premium as the minimum income guarantee, while keeping all the old income support rules. The old problem of low take-up remains, but there is also a problem with the capital rules.

Many pensioners who are not entitled to the minimum income guarantee have total incomes well below it. The Secretary of State doubtless receives the kind of letters that I receive from pensioners who are baffled when they see him popping up on television and radio to talk about the minimum income guarantee while they are struggling to make ends meet on incomes well below it. The main reason for that is the capital rule.

Arguably, a well-designed capital rule would enable people to receive an income from capital roughly equal to their putative entitlement to the benefit of which they are being deprived. I asked the House of Commons Library to calculate, at current interest rates, how much a pensioner would need in bank or building society savings to yield an income equalling the current average income

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support figure. How much would one need, given all that has happened to interest rates, to receive an income flow matching average income support?

In 1998, a pensioner would have required £49,100 in savings to receive an income matching average income support entitlement. Many pensioners have savings between £8,000—the upper limit for the capital rule—and £49,100. They are clearly worse off, living on incomes below the minimum income guarantee. Many are irritated and surprised by the Secretary of State's grandiose rhetoric about a minimum income guarantee when the treatment of capital is an enormous hole at the centre of it. Many pensioners fall below the minimum income guarantee, and that position has not changed since 1990. We expect Ministers, after promising for years to review the situation, to take some action.

Mr. Tony McWalter (Hemel Hempstead): I am confused by the figures that the hon. Gentleman has offered. Clearly, anyone with that level of savings could more than make up the deficiency between the minimum income guarantee at £78.45 and the pension at £67.50. As the hon. Gentleman is clearly talking about a much larger deficit, will he clarify what additional income component he is describing?

Mr. Willetts: Pensioners live in many different circumstances. Much will depend on basic state pension entitlement. The hon. Gentleman is assuming full entitlement to the contributory pension, which all too often is not the case. I am glad that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) and the Select Committee on Social Security are inquiring into a contributory principle problem that often strikes us in our constituency surgeries involving those whose incomes fall below full entitlement. My example relies on the average income support payment, and on how much someone would require in capital to achieve a matching income. That is the basis of the House of Commons Library figures.

I should like to remind the Secretary of State of what Ministers have promised in previous uprating debates, going right back to 1998—before he or I held our posts. In February 1998, the then Under-Secretary of State for Social Security, the hon. Member for Manchester, Withington (Mr. Bradley), said:

"I do not dissent from the view that there are problems with capital and disregards. In our review of benefits and the general review of the welfare state, capital and disregards will have to be considered".—[*Official Report*, 18 February 1998; Vol. 306, c. 1148.]

We heard a similar message in February 1999, when the right hon. Gentleman had become the Secretary of State:

"All hon. Members will agree that, above any other source of complaints, pensioners tell us that they have saved all their lives but are penalised for it . . . I made it clear that the Government want to consider the matter."—[*Official Report*, 28 January 1999; Vol. 324, c. 486.]

The Government have been considering the matter for a long time. It is about time that those capital disregards were properly reviewed and uprated, in order to match them more closely to current interest rates. Alternatively, the Government could do something straightforward and simple; they could stop calling the minimum income guarantee a minimum income guarantee, because plainly it is not one.

The Secretary of State briefly touched on tax benefit integration and child poverty. He knows that we shall watch closely the implementation of the working families tax credit. The Government claim to believe in evidence-based policy, but I have never heard evidence from any Minister or ministerial adviser that paying a benefit of given value through the tax system instead of through the benefits system has any effect whatever on incentives.

We shall be interested in whether the WFTC has any impact on the "wallet-purse" question—the distribution of income within the family. We shall also want to know what it means for the employers who are implementing the system. In Social Security questions, I was encouraged to hear from the Under-Secretary of State for Social Security, the hon. Member for City of York (Mr. Bayley), the cast-iron assurance that the WFTC will be paid through the pay packet in April, although that does not sit easily with increasing reports from employers' organisations of the enormous practical problems of implementing the measure.

I hope that Ministers will give also us their response to the Government's thinking on the subject as set out in the Treasury working paper, "Supporting Children through the Tax Benefit System", published in November 1999. Pages 39 and 40 of that document rather shoot Ministers' fox. They undermine the rhetoric about the essential importance of paying the WFTC through the pay packet.

The Treasury's latest idea is to put that policy into reverse, by reverting to what the Treasury refers to as an integrated child credit—not to be confused with the children's tax credit—which, lo and behold, will be paid as a benefit to the caring parent. Having painfully pushed through the House the controversial proposal that family credit has to be renamed the working families tax credit and paid through the pay packet, the Government's latest piece of thinking is the bold suggestion that they should make a U-turn and revert to paying it as a benefit.

The hon. Member for Colne Valley (Kali Mountford) looks baffled. I recommend that she read the Treasury document. The Treasury is working on the introduction of what it describes as an integrated child credit. However, I am not aware that we have heard any comment on that proposal from Social Security Ministers; we do not know whether they are also working on it, or whether they think that, having lost the WFTC to the Treasury and the tax system, they should regain the "integrated child credit".

If Social Security Ministers believe the analysis in the Treasury working document as to the case for paying the credit as a benefit to the caring parent, most of the rhetoric that they deployed when they were putting the WFTC through the House is shot to ribbons. This will be the next U-turn in social policy; we shall watch closely to see what the Government are up to.

We have heard some rather coy assurances from Ministers that the long-awaited Green Paper on housing and housing benefit will eventually appear. However, the trouble is that, while they are stonewalling in this place with those vague references to the Green Paper's publication, their spinners are busily spinning away. Last year, we were spun that there would be a radical change in housing benefit—another payment that was supposed

to be made through the pay packet. We are now being told—I think in today's *Daily Telegraph*—that the Government are considering spreading housing benefit entitlement further up the earnings scale. We shall be interested to hear from Ministers the meaning of the spread of means-tested benefits further up the income scale.

The Secretary of State has been perpetrating a fraud in the complacency of his statements on benefit fraud. In his most recent press release, dated 28 January, which is headed, "Darling welcomes successes in fighting benefit fraud", he said:

"Today's figures show that our tougher anti-fraud measures are beginning to bite."

He concluded:

"we are winning the fight against fraud."

However, figures that came out on that very day, in a separate, accompanying press release, from the Government's own statistical service, show that the reduction in income support fraud and customer error—it is a tiny reduction—"is not statistically significant." There has also been a tiny change in jobseeker's allowance fraud and customer error, of which the statisticians say:

"This reduction is not statistically significant".

Therefore, we have changes in the level of fraud that are not statistically significant, according to the Government's own statistical service, which the Secretary of State welcomes as successes in fighting benefit fraud. That is the gap between Ministers' rhetoric on benefit fraud and the reality.

The Secretary of State claimed—let me quote what he perhaps hopes will be his epitaph—

"I do not want to be remembered as another Secretary of State who tinkered with the system. We are taking on vested interests."

All the crucial and central questions in benefit reform are being ducked. The Secretary of State needs to address them, but conspicuously failed to so today. The central feature of this uprating is indeed more tinkering. We need something better than that. We need some progress and some vision, and we shall get neither until the right hon. Gentleman tackles the difficult questions about the future of pensions funding, the reality of tax credits and what is to be done about social security fraud—the questions which, I am afraid, he has ignored for far too long.

4.27 pm

Mr. Patrick Hall (Bedford): I am one of those who signed early-day motion 73, expressing the point of view that the 75p increase in the state retirement pension is inadequate. To me, it is self-evident that it is inadequate, and that is certainly the strongly held opinion of every pensioner to whom I have spoken on the subject.

I have heard, and listened to, the arguments of pensioners in my constituency, and I have listened to the arguments of others on these matters. The Government prefer to focus on the whole package of measures that they have already introduced for pensioners. The Liberal Democrats have made it clear that they wish to focus only on the 75p issue. It is a little difficult to know exactly what the Conservatives are doing on that matter because, until today, they would not give their view on the 75p increase. Now, there is grudging acceptance of it—they said that they would introduce it themselves—but they reject much of the wider package that the Government have introduced for pensioners.

That package—the minimum income guarantee, the winter fuel payment, home energy efficiency grants and many other measures—is of benefit to pensioners. Indeed, I understand that the real cash value of those measures is greater than what it would have cost to restore the link between the basic state pension and average earnings. Not to recognise that whole package, not to recognise the Government's determination to tackle pensioner poverty, is to fail to engage constructively in the debate on pensions and pensioners; and to fail to engage in that debate is to do a disservice to pensioners.

It seems to me that, nowadays, that is exactly what the Liberal Democrats are doing on that matter. Their motion in the Opposition day debate on 17 January, which simply reproduced the wording of the early-day motion on the 75p increase, represented a lost opportunity to examine the subject of pensions and pensioners' life styles in the round, in greater depth—a lost opportunity to be positive about these matters.

As I have said, I wish to speak principally about the 75p increase. I am unhappy about that increase. I have said so publicly and in the context of considering the system as a whole—the wider package of where we are and where we are likely to go and whether there is a need to restore the link with earnings or, perhaps instead, create a prices index that is related to the reality of most pensioners' lives. That means, I suggest, looking at local authority charges for the sorts of services that many pensioners make use of more than other sections of the community. It means taking on board rent and council tax levels rather than mortgages, which form part of the retail prices index that is the basis of determining benefit increases. As I understand it, most pensioners do not have a mortgage—if they had one, they have paid it off. Such considerations should form part of the mature, rational debate on pensions, older people and how we value them that needs to develop.

I very much hope that the Liberal Democrats will engage constructively in that debate. I did not vote for their one-line motion on 17 January, because they were clearly playing politics with an issue that deserves and requires serious attention in depth and in the round. I felt that the Government amendment on that occasion at least addressed much of the wider agenda. Today, it seems that it has been confirmed that the Liberal Democrats are ever more determined to play foolish gesture politics with serious issues. Having wasted the opportunity last month to be serious about pensions and pensioners, they are now about to vote against any increase in statutory sick pay, maternity pay, child benefit and disability benefits, income support and housing and council tax benefits as well as voting for a zero pension increase. That is unhelpful gesture politics which will not be understood or supported outside the House.

Unlike the Liberal Democrats, I shall vote in support of those tens of thousands of people who are in receipt of the social security benefits to which they are entitled. However, in doing that, I ask my right hon. and hon. Friends in the Government to accept the sincerity of the views of the many pensioners in Bedford and Kempston to whom I have spoken, and whom I represent. They are aware that the recognition of pensioners is implicit in the minimum income guarantee, in the winter fuel payments and in the free television licences that are to come. However, I am convinced that they have a different conception of the role of the basic state pension from that

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which seems to come across from the Government. Those pensioners see the state pension as something which they have contributed to, worked for, and earned. According to them, its existence is the mark of a civilised society, of a social contract that binds people together and of a society in which human beings are not thrown on to the scrap heap once they reach retirement.

The Government say that the state retirement pension is the building block of pensioner income. Many people outside the House well understand that the state pension needs topping up by second pensions, occupational pensions and private pensions, too. It is well understood outside the House that the state pension does not—and probably never could—meet all the cash needs of people in retirement. However, it is understood that the state retirement pension is a crucial foundation stone and it must be a statutory foundation upon which the other elements of pensioner income can be securely constructed.

The state pension is political as well as financial. The message transmitted to pensioners by the previous Conservative Government when they broke the link with earnings—that message has been conveyed down the years since and again today with the meagre 75p increase—was that the importance of the state pension is diminishing. Its value is withering and its strength as a foundation stone is weakening. Too many pensioners feel that they do not matter, and they are clearly worried.

It is absolutely right that Members of the House articulate the views of those in the country and reflect on their concerns. I hope that my right hon. and hon. Friends in the Government, who have in the past two and a half years made such a good start on addressing pensioner issues, will soon introduce proposals to put new life into the state retirement pension.

4.35 pm

Mr. Steve Webb (Northavon): The background to the debate is that, according to the Government Actuary's new report, the national insurance fund is in extremely good health. It has, to use a technical actuarial term, pots of money. It must be the healthiest bank account in Britain. At the end of next year, the fund will have £16 billion, which is double the amount that the law requires it to have to keep benefits going. There is £8 billion spare in the fund, and the Government can spare pensioners 75p a week. That is why we are opposing the uprating orders.

The Secretary of State paid his customary compliment to the Liberal Democrats when he started his speech by discussing our policy. Clearly, we are the only opposition in town. He asked various rhetorical questions, and we seem to have witnessed the quickest broken promise in new Labour history because, when he was asked whether he would be staying to hear the answers, he assured us that he would, but he has already disappeared. When faced with the possibility of serious argument, the Secretary of State finds that he has other engagements.

We heard in the Secretary of State's address that the Government are reforming the state earnings-related pension scheme, but their proposals mean that there will be no SERPS. There will be a state flat-rate pension scheme, called the state second pension. When present SERPS entitlements have been honoured, no new entitlements will accrue. Yet Labour Members, who are keen to quote the Liberal Democrat manifesto—I understand why they want to do so—said in their manifesto that they would retain SERPS for those who wanted to remain members of the scheme. That is a clear contradiction of a manifesto promise.

The Secretary of State also described the Government's measures for families with children and other groups. He suggested that, by voting against the motions, we are somehow seeking to scupper those measures. I shall make it absolutely clear: if we are successful in a Division tonight, we will assist the Government's business managers in bringing back motions before the end of this week to bring in all the necessary benefit increases, with improved increases for state pensions.

These motions, as hon. Members well know, are unamendable. Were it possible to amend only one element of them, we would do so, but the procedures of the House do not allow us to do that. The only way that we can register our objection is to vote against each motion and offer to assist to bring it aback amended.

The hon. Member for Bedford (Mr. Hall) made a thoughtful, brave contribution because he articulated the feelings of several of his hon. Friends and of many pensioners in his constituency, and mine. The hon. Gentleman called the 75p increase "meagre" and the hon. Member for Havant (Mr. Willetts) called it "measly". We are all agreed about its inadequacy. As a new Labour Back Bencher, the hon. Member for Bedford showed courage by making his remarks when the Secretary of State was in the Chamber, and I congratulate him on having the courage to do so.

The hon. Gentleman called on us to enter into debate constructively. I shall give him an example of an attempt by us to do that, which received no response from his Front-Bench colleagues. When we raised this issue three weeks ago, we said that the 1.1 per cent. benefits increase does not, as the hon. Gentleman said, reflect pensioner cost of living. We can argue whether we should use cost of living or earnings as a measure, and I shall come on to that. However, the figure does not even reflect the pensioner cost of living because of council services, which the hon. Member for Islington, North (Mr. Corbyn) mentioned then, or rent and council tax rises.

We suggested a pensioner price index that specifically includes all the things on which pensioners spend their money—a not unreasonable suggestion. Did we receive a constructive response from the Government? Did they mention or look at the idea? The answer is, not as far as we know.

When we make constructive suggestions that are not especially expensive or involve throwing billions of pounds at the problem—the proposal would favour pensioners some years but not others—we are ignored. That is the difficulty of trying to enter into a constructive debate on the issue.

I listened with interest to the hon. Member for Havant, who thinks deeply about these issues. Indeed, one could almost call him one of the godfathers of some of our thinking on raising pensions for older pensioners. I am sure that he is proud of his offspring. I have been thinking through the logic of what he says Conservative policy will become—I accept that he does not have a policy yet, but that he has a set of directions in which he wants to move.

So far, Conservative policy is as follows: price indexation of the basic state pension—putting in the 75p that he said was measly—and more private provision.

More private provision is irrelevant to those who are already above pension age since they cannot save any more. Therefore, they will receive only the 75p rise. I presume that there would not be an earnings-indexed income support line, because the hon. Member for Havant has consistently condemned the growing gap between the pension and the income support line. If he is to keep the pension pegged to prices and condemn the growing gap, he must raise the poverty line in line with prices. Presumably, therefore, only retail prices inflation would apply to today's poorest pensioners, and that is not even as good as what is offered by the Government in the orders. Although I accept that, in the medium term, he wants to encourage private provision, as, to some extent, do we, I do not understand his policy for present pensioners. I would happily take an intervention if he would like to say what it is.

Why is there so much money in the national insurance fund; why is it overflowing? This year, national insurance receipts will exceed national insurance expenditure by £1.5 billion. Next year, according to the Government Actuary, the excess will be £2.9 billion. Those are extraordinarily large sums, taking the cumulative surplus to £16 billion by the end of next year, which is double the two months-worth of benefit payments required in statute. There needs to be a little money for a rainy day, but giving pensioners only 75p a week more when there is an extra £8 billion is inadequate.

As well as the point about the very healthy national insurance fund, there has been a catalogue of delay and dithering at the heart of the Government's pensions policy in four areas. I have a lot of respect for the Pensions Minister, the right hon. Member for Birmingham, Perry Barr (Mr. Rooker), who has had the decency to remain in the Chamber to listen to my speech, so I shall be as gentle with him as I can. We are waiting for action, and pensioners are asking what is going on yet, when we ask the Government, they say, "Something will be happening soon," or "There will be something this Parliament."

The first area, which the hon. Member for Havant mentioned, is capital limits. We have heard excerpts of previous Secretaries of State. At Question Time, I quoted the present Secretary of State who said 12 months ago in this very debate about capital limits and the problem of pensioners who have life savings of £8,000 or more who receive nothing under the minimum income guarantee, that reform is "long overdue." Heaven help us when the Government think that a reform is not urgent if this is what they do when they think that one is.

The Government have been telling us throughout the Parliament that such reform is long overdue, so perhaps something might be announced in the Budget. After all, and in case hon. Members missed it, the *Financial Times* said that it would be. I make a prediction on the record: there will be something in the Budget, but it will come into effect not in this April, but in April 2001. What is the significance of that date? First, it allows the Government to re-announce the policy seven times before next April and, secondly, it will come into effect just before the election.

Mr. Rooker: Twelve times.

Mr. Webb: The right hon. Gentleman generously admits that there will be a monthly reannouncement. Pensioners who have, say, £10,000 in the bank will be deprived of the so-called riches of the minimum income guarantee for another year while the Government spin their policy and get round to deciding what to do. Why should pensioners with life savings of just £8,000 be so deprived?

The point is not just the absolute cut-off at £8,000, but the extraordinary assumption that, for every £250 of savings, pensioners may receive £1 a week in income. The Minister has the grace to nod at the absurdity. That is £52 a year on £250—more than 20 per cent. net interest. If anyone knows where we can get that rate, please let me know.

Not only the capital thresholds, but the tariff income—the rate at which income is imputed—needs sorting out. I hope that the Government will not simply promise action in this Parliament, as the Minister did previously. I hope that they will not say that there will be an announcement in the Budget. I hope that the Minister will say that something can be done this April for those pensioners.

Because of the capital rules, 650,000 pensioners living below the income support poverty line are deprived of the minimum income guarantee. I asked the Government last week to update those figures, and they undertook to let me know the answer. They do not know the present figure. It could have gone up, because the gap keeps increasing.

There are so many pensioners living below the poverty line who would get the benefit of the pension rise. They are pensioners on less than £78 a week of current income, but they do not get the money because they have £10,000 in the bank.

Mr. Coaker: Will the hon. Gentleman clarify one point? If he has already covered it, I apologise. We are told that the Liberal Democrats would restore the link with earnings. How much would you raise the pension? Also, if you changed the capital limits and the tariff, how much would you—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is straying away from the correct parliamentary language.

Mr. Webb: I shall deal with both questions in the course of my remarks, but I shall certainly give way again if the hon. Gentleman feels that I have not answered them.

The 650,000 people who miss out are the first group who would get the benefit in full if the pension rise were greater than 75p, as we believe it should be. They are not rich pensioners. They are not company directors who have just retired. They are poor pensioners who have a small nest egg. We are speaking of life savings of £8,000. That is not a sum with which any of us would be satisfied to reach our old age, yet that is the point at which we penalise pensioners.

What should be done? There is no logical reason for an arbitrary upper capital limit of £8,000. Instead, a realistic income should be imputed from people's capital. If they have huge amounts of capital, a huge amount of income would be imputed, and they would not quality on income grounds. The arbitrary upper limit of £8,000 is not needed. In any case, people with significant amounts of capital have weekly incomes from other sources that put them well beyond the range.

[Mr. Webb]

What is needed is a sensible lower limit, so that pensioners with rather pitiful amounts of life savings are not troubled by the complexities of declaring how much they have in the building society—which is probably the money put by for their funeral, as in a constituency case that I had recently. There should be a sensible lower limit for administrative convenience and a sensible imputation of realistic amounts of income from savings. That is not an unreasonable expectation.

Apart from the capital limits, on which there has been dither and delay, what about the SERPS entitlement of widows? That is another example of delay and dither. The parliamentary ombudsman is currently investigating whether maladministration occurred, in that people were not told of the cuts to widows' SERPS introduced by the previous Government, of which the present Government also failed to notify them.

I contacted the ombudsman's office last week to ask where the report was. A report was promised in advance of the cut in widows pension entitlements originally planned for April. The ombudsman is waiting for a Government decision, which would make the report more complete. It is months since the Welfare Reform and Pensions Act 1999 was amended, against the Government's will initially, to require them to do something about widows' SERPS.

We have heard nothing. We read in the press that there are rows between the DSS and the Treasury about how much that will cost. The Treasury proposal of compensation for those who can prove that they made a telephone call in 1987 is absurd. I hope that the Minister is fighting with all his vigour on that issue.

When will we hear? Pensioners in my constituency who feel that they were misled and mis-sold want to know what is happening. They have retired, some of them are in failing health, and they want security and certainty, but all we get is dither and delay. I hope that the Minister will tell us when an announcement will be made. The Government did not take the opportunity to do so during questions this afternoon. I hope that the right hon. Gentleman will do so later.

At the very least, people who have already retired, or those who are so close to retirement age that they cannot amend their plans, should be fully protected. It would be wrong to tell someone who had already retired, and made the wrong decision through dodgy advice, that the cuts would be delayed for five years, so that if that person expired in the next five years, it would be all right, but if not, it would be tough. Protection for those who have retired, or are about to retire, must be the minimum that is required.

The third example of dither and delay—

Mr. Rooker: I am counting because the hon. Gentleman said four, and I was not sure how far we had got.

I take the hon. Gentleman's point about SERPS. The legislative framework for the 50 per cent. cut from April is in place. It has been included in all the planning for public expenditure and is in the Government Actuary's report because we have not yet made the final decisions. Any changes will therefore change the national insurance fund figures dramatically. The hon. Gentleman has already spent that money earlier today when we considered pensions; he is now spending it for a second time. I am counting the number of times he spends the national insurance fund surplus.

Mr. Webb: The Minister points out that surpluses cannot be spent more than once. Many people make that mistake, and I would not dream of making it. However, recurring surpluses can be spent each year. This year, there was a surplus of £1.5 billion; next year, there will be a surplus of nearly £3 billion. I shall return to the subject later, but the measures that we propose for the basic state pension would initially cost perhaps £500 million a year. That leaves a significant annual surplus, in excess of £1 billion, for which widows' SERPS should be top priority. As the Minister knows, the savings from widows' SERPS build slowly, and it takes some years before they accumulate into a large sum. Husbands and wives are worried now about what is happening.

The third example of delay and dither is winter fuel payments for men aged between 60 and 64. I have some good news for the Minister. My research shows that, next year, he will be entitled to a payment from the social fund. He was born in June 1941 and, by winter 2001, he will be entitled to a social fund payment. Such is the Government's mastery of pensions strategy that the Minister is entitled to a social fund payment next year as a result of their policies. Yet the Government lecture us on targeting. Their fundamental inconsistency is obvious.

The Government pay an untargeted £100 across the board; we advocate age-related additions to the basic pension that are much better targeted, yet the Government claim that our policies are not sufficiently well targeted. They cannot have it both ways. Men aged 60 to 64 will receive a winter fuel payment because the Government lost a court case before Christmas. The best part of a couple of months has elapsed, and men aged 60 to 64 are asking me how to get the money. I have to tell them that they must wait for the Government to launch an advertising campaign. I get a hollow laugh when I say that. The money will constitute summer fuel payments at this rate. I hope that the Minister will tell us when he winds up that there will be an announcement soon on how my constituents will receive the money that the Government promised.

The hon. Member for Bedford made a fair point about the winter fuel payments and the whole package. When the Government had money to spend, they chose to do it through the winter fuel payment, not the basic state pension. The hon. Gentleman said that the basic state pension was withering and dying. I am not sure whether he used those words, but they sum up the spirit of his remarks.

The winter fuel money has no statutory protection. By law, the pension, as a national insurance payment, must be statutorily uprated every year, at least in line with prices. However, that does not apply to the winter fuel payment. It has increased substantially to £100 but, next year and the subsequent year, it will continue to be the nice round number of £100. Once it has been established, and people get used to it, it will start to be eroded. There is no statutory protection for it. We have not voted for a winter fuel payments Act; the provision has no statutory protection through primary legislation. It is a social fund payment. Governments can introduce and drop such payments at the

drop of a hat. We have received assurances that the payments will be maintained for an indeterminate period. However, that is not the same as putting them on the same footing as the basic state pension.

We have considered three examples of dither: capital limits, widows' SERPS and winter fuel. The last one involves the minimum income guarantee take-up campaign. We have been promised action for pensioners, but what did we get on take-up of income support? The Government needed to be seen to be doing something in their first two years while they were sticking to the Tory spending plans and I assume that a civil servant at the Department had the bright idea of carrying out research.

I addressed the National Pensioners Convention a while ago and when I told 1,500 pensioners that the Government had commissioned research into why people do not take up income support they could not believe it. Do hon. Members know what that research found? That people find income support stigmatising and the forms off-putting and that entitlement is triggered by turning 75 or 80. We could have worked that out by reading the benefit rules. It took two years to reach those findings; we were promised a take-up campaign. It was due to start last April, unless I am very much mistaken, but the delay and dither of the Government's pension policy meant that nothing happened. We have had hints of an announcement today. Perhaps one will be made in the wind-up speech, but who knows? The Minister has so much else on his plate and so much else to dither about.

Mr. Coaker: Everyone agrees that take-up is a serious matter, but does the hon. Gentleman not acknowledge that it is a bit more complicated than that? He should consider attendance allowance, which is non-means-tested. There is a take-up problem with that benefit as well.

Mr. Webb: The hon. Gentleman is quite right that take-up of that benefit is a serious issue and there is no doubt that it is good that the Department has started to estimate and consider non-take-up, but the research—if I recall correctly—was almost exclusively into non-take-up of income support by pensioners. We did not need that research. As I used to make my living from social research, perhaps I should have said that it should have been undertaken alongside action.

Mr. Chris Pond (Gravesham): The hon. Gentleman may be doing research again.

Mr. Webb: I thank the hon. Gentleman for that.

To give a concrete example of action, half the pensioners who do not take up income support even though they are entitled to it are housing benefit or council tax benefit claimants. In other words, we know where they live. Why should it take the Government three years to launch an advertising campaign or a strategy when we have their names and addresses?

Mr. Coaker: This is an interesting debate. Has the hon. Gentleman given any thought to why pensioners do not seem to have a problem claiming housing benefit and council tax benefit, which are means-tested, but seem to have a problem claiming income support?

Mr. Webb: Indeed. One of the main reasons is that most are council tenants. They have contact with officials from the public authorities, who have an incentive to get them their entitlement as then the councils will have their rent paid. Local government has such an incentive, but central Government do not as they save hundreds of millions of pounds by not getting those people their money. I do not believe that that is deliberate and genuinely do not believe that the Government keep quiet, but they could do much more. They dither.

What will happen eventually? I hope that there will be linkage between local authority data and income support and that pensioners who fill in housing benefit forms and are told that they are entitled to a full rent rebate will automatically receive letters telling them that they are entitled to income support. They would have provided the authorities with every bit of information needed to calculate their income support. So much more could have been done years ago, but the Government amble along.

The classic case is the Secretary of State's ritual nonsense about the state second pension and the mythical person who receives £14 a year under SERPS and will receive £50 a year when the state second pension is introduced. When? In 2047. That is the pace of Government pension reform. I am not asking for the earth, just a bit of speed.

Mr. Willetts: Like me, the hon. Gentleman follows Ministers' written answers on this subject very carefully. Does he agree that we need citizens charter standards to interpret the various ministerial statements? Widows' SERPS was to have been dealt with "shortly" back in October 1999 and there was to be an announcement on the winter fuel payments mechanisms "early next year" in December 1999. It would be nice to know what "early next year" and "shortly" mean in the Department of Social Security.

Mr. Webb: I thank the hon. Gentleman.*[Interruption.]* That is an interesting sedentary comment from the Minister: those words mean 7 February. That is intriguing.

Mr. Rooker: I said that it is only 7 February.

Mr. Webb: I apologise. In a moment of revelation, I thought that we were to have an announcement, but no.

While we are on the theme of delay and dither, let me say that housing benefit reform is a classic example. I have lost track of when it was originally supposed to take place, but we now read in *The Daily Telegraph* that it will take place in July. Even then, it will not be a wholesale reform; it may take three Budgets to introduce it. For goodness sake, what do we pay officials in the Department to do? Surely the Government could tackle some of the issues rather than deferring them for another Parliament, which appears to be their strategy.

Mr. Rooker: I did not want to say this publicly, but it is the second time the hon. Gentleman has had a go at the officials in my Department. The last time he did so during a debate he called them a bunch of bureaucratic anoraks. These are the people whom I personally asked, at the hon. Gentleman's request, to do a bit of extra work by answering some of his unofficial questions—questions that he could not get on to the Order Paper. I shall think twice about co-operating in that way in future.

Mr. Webb: I am sure the right hon. Gentleman would not afford me any privilege that he would not afford

[Mr. Webb]

another Member; but I withdraw the attack on the officials, and restore the attack on the politicians who are responsible for the policy. The question is, "Why has this taken so long?" We have not had a serious answer to that question.

At root, this is a debate about next April's benefits, of which the basic state pension is far the largest component. What should be done, given that the Government have an excess of billions of pounds in the national insurance fund? We think that the Government should do two things, as we made clear when the matter was debated a few weeks ago. First, all pensioners should receive an increase that reflects their true cost of living. That is a serious, constructive and relatively inexpensive suggestion, which we have made before but which the Minister has ignored. I hope that he will respond today.

Mr. McWalter: Is the hon. Gentleman saying that we should uprate in line with the pensioner index rather than the standard index? It seems that he is. If the pensioner index was lower than the standard index, would he give pensioners less than 75p?

Mr. Webb: That is a perfectly fair point. Each year, the Government would have to decide whether to use the pensioner price index or the all-items retail prices index. When I am Secretary of State for Social Security, I will opt for the higher figure.

As I have said, the increase should reflect pensioners' true cost of living. We all know of pensioner costs that are not fully reflected in the retail prices index: local authority costs such as council tax and rent, for instance. The classic example, however, is the mortgage rate, which was falling in the year to September. Such a fall hits pensioners twice. First, it depresses the retail prices index without helping with pensioners' living costs, as most have no significant mortgage, if any mortgage at all. Secondly, it depresses pensioner incomes, which, to a greater or lesser extent, depend on interest rates. If interest rates fall, pensioners' savings incomes fall. Then the Government kick them in the teeth by saying, "As inflation has been low, we shall not give you a pension increase of any note."

It is all very well to say that next year it will be different—that, as mortgage rates will rise next year, pensioners may receive a bit more. Pensioners must live on the 75p increase for a year; if the council tax eats all that up, what are they expected to live on? They will just have to wait: that is the Government's message to pensioners.

As for the second thing that should happen, it is not a restoration of the earnings link. I want to make it clear that we are not saying that. We propose across-the-board increases in line with the true cost of living for all pensioners, and a "bigger than earnings link" increase for those over 75. We suggest that the across-the-board increase for older pensioners should be £3 for the over-75s and £5 for the over-80s, and that we should build on that increase.

The Minister mentioned the help that I had received from his officials in the past. I have been uncharitable, and I withdraw what I said. Over the summer, along with the Secretary of State's assistant, those officials helped me to estimate the effects of some of our policies. We were grateful for the opportunity to use the Government's simulation model to cost the policy of increasing the age addition to a serious amount that would grow over time, rather than retaining the pathetic 25p which is frozen in the orders. For the same cost as the state second pension that the Government propose to introduce, we could do vastly more for poorer pensioners, and less for the best off. I am not suggesting any more spending overall. This is not "tax and spend", but—I hate to use the "r" word—redistribution. It is about helping poorer pensioners.

The problem with all the Government's plans is that they will take years to be implemented and will benefit only the newly retired—who, on average, are the best-off pensioners. Therefore, it will be even more decades before the money reaches the folk who are the poorest. By that time, probably three different parties will have entered and left government and either ripped up or changed the policy, so that we shall never achieve the objective of the policy. We need action that will have an impact now, and that action should be an across-the-board age addition.

On average, older pensioners are the poorest—but we would not have to means test them to discover whether they are. For reasons that we know, older pensioners are more likely to be women. Older pensioners are also more likely to have retired longer ago, so that their savings will be more depleted and inflation will have eroded more of the real value of any assets. Additionally, lump-sum purchase on a house will have come out of their savings. Widows' entitlement, which many older pensioners receive, is also very poor. The list is endless. However, for those specific reasons, poverty is concentrated among older pensioners.

Non-take-up of income support is another phenomenon that is concentrated among older pensioners. Two thirds of pensioners who do not claim income support are over 75. By paying across-the-board increases to older pensioners, we shall be getting money to the real poorest pensioners.

The poorest pensioners are not the ones who claim income support, but the ones who could but do not. Although Liberal Democrat Members support putting money into income support—we do not have a problem with that as a way of helping those who receive it—we believe that that is not sufficient. Action on income support would target some of the poor, but not all of them.

Our age addition strategy is costed. The cost of our proposals is £500 million, which is only a third of this year's current surplus in the national insurance fund and is barely a fifth of next year's surplus in the fund. Our proposals are not a matter of reckless tax and spend, but costed and measured, to reach the poorest pensioners.

We need an end to dither and delay. We need action now for pensioners, and the 75p increase does not deliver that action.

5.7 pm

Mr. Chris Pond (Gravesham): I am puzzled, having heard the comments of the hon. Member for Northavon (Mr. Webb), about where the Liberal Democrats stand on social security issues. We have heard not only that they will vote against all the upratings, but that they will subsequently and generously co-operate with business managers to reintroduce all the bits of the motions of which they approve. It is a bit like saying that they will

run over the school crossing patrol, but will be the first to pick up and dust off the lollipop lady and call for an ambulance. That does not seem to be a terribly responsible approach to really rather serious issues. It also seems to be an example—as my hon. Friend the Member for Bedford (Mr. Hall) said—of playing politics with the living standards of people who are often in very serious straits.

Before this debate, at Social Security Question Time, we had a discussion on progress towards meeting the Government's target of halving child poverty within 10 years and eliminating it within 20 years. We should recognise the significance of the establishment of that target—no previous Government have even acknowledged the existence of poverty in such a manner. Indeed, Secretaries of State in the previous Government told us that poverty did not exist at all. They turned a blind eye not only to those individuals' plight, but to their very existence. The previous Government refused to accept responsibility for tackling the problem.

As the House well knows, during the Thatcher and Major years, a consequence of turning a blind eye to poverty was that the number of people living in poverty increased from 5 million to 14 million. One quarter of the population were living in poverty. Opposition spokesmen would undoubtedly deny those figures. Indeed—I am saying this slowly, just in case the hon. Member for Havant (Mr. Willetts) wishes to deny it—when the Government were elected, 14 million of our citizens were living in poverty and 4 million of those citizens were children.

The Government have set themselves the challenge of dealing with that problem. I assume that Conservative Members' approach to the issue of poverty has changed and that they accept the figures that I have given. However, I shall give way willingly if the hon. Member for Havant wishes to intervene.

Mr. Willetts: I am sorry, but by increasingly caricaturing the Conservatives' view, the hon. Gentleman has driven me to intervene. The figures that he cites are from the households below average income statistics, which, as he knows, are a relative measure of poverty and were rightly described by a Minister in the Government whom he supports as one picture of many that can be taken of poverty—one snapshot at one moment in time. If people care about poverty, they will want to look at a variety of indicators. That particular one is a dangerous basis for policy. I do not believe that even his Ministers want to use such a basis.

Mr. Pond: That was the intervention that I was expecting and, indeed, hoping for—the hon. Gentleman ducks behind the suggestion that the measures are wrong and that we need to take a range of different measures before we can address the issues. The fact is that, whatever the measure chosen, the party that he represented refused to accept that poverty existed. If we take a consistent measure, whichever it is, from the huge range from which we could choose, it will be clear that poverty increased dramatically.

We know that it is not only the poor who suffered through that process. Poverty is not only socially divisive but economically wasteful: it destroys people's ability to use their energies and talents for the common good. That is why the Government's target of halving child poverty in 10 years and eliminating it in 20 is significant not only as a social policy objective but as an economic policy objective.

That is why I welcome the proposed upratings, especially the focus on help to families with children and to the poorest pensioners. The ability of the Secretary of State and his team to pursue that target with any great success simply through benefit upratings has to be limited, however. The upratings can make a real contribution towards that target but will not in themselves enable us to reach the target.

If spending extra on social security were a means of eliminating or reducing poverty, the Conservative party when in government would have had rather more success than it did, although that was not one of its objectives. We know that spending on social security increased dramatically under previous Governments, but that the number of people in poverty trebled under the Thatcher and Major Administrations. That is why we need to consider the discussions on benefit upratings in the context of the other Government policies to tackle poverty: most important, the creation of jobs—800,000 new jobs have been created since the Government took office—the impact of the new deal, especially on lone parents, people with disabilities, the younger and the long-term unemployed; and the national minimum wage.

We heard last week that the Conservative party now supports the national minimum wage. For those of us who served on the Standing Committee that considered the National Minimum Wage Bill—which made parliamentary history, I understand, sitting for the longest period ever—and who listened to the Conservative party filibuster and try to kill the national minimum wage, hearing the shadow Chancellor tell us that it was all right now and that the Conservative party would keep it was pleasing in one sense—especially for the 2 million who had the threat hanging over them that, if there were a change of government, they would lose the wage—but irritating in another.

We are hoping for an announcement—perhaps we will get it during the debate—that a similar U-turn has taken place on the working families tax credit and the child tax credit because the many people who depend on that—1,700 of them in my constituency—the families who are, on average, £24 a week better off, are suffering uncertainty about whether, if there were ever to be a change of government, that help would be removed, too. We need to view the debate in the context of the wider tax and national insurance contribution changes and the provision of affordable child care.

One important element of the debate concerns capital limits. The hon. Member for Northavon argued that what may be most important about the limits is not the limits themselves, but the assumed income from the capital. I was pleased to receive a fairly positive response from my right hon. Friend the Minister—who did not give much away—and I know that the Government are looking at that matter seriously, as the assumed income is the most dangerous element.

I am optimistic that the Government's target of achieving the reduction in child poverty, and in poverty generally, can be reached. It is a major challenge, as everyone knows, but we can meet it. The Government have made significant progress in that direction and the

[Mr. Pond]

uprating statement will help us further, as will the other policies to which I have referred. It is a moral, social and economic imperative that we should achieve that objective. Only one thing can stand in the way of our achievement of the objective of halving child poverty in 10 years and eliminating it in 20 years—a change of Government.

5.16 pm

Miss Anne McIntosh (Vale of York): One thing that is emerging this evening is that the Secretary of State clearly is not living up to his name—he is not the darling of the pensioners. I wish to express my personal and deep regret at the derisory increase of 75p per week for pensioners, for the reasons given by many hon. Members today.

I am delighted that at least one successful amendment was passed during the debates on the Welfare Reform and Pensions Bill—to abolish the dreaded 75-year rule on annuities for people who take out a stakeholder pension. I invite the Government this evening to extend that exemption to all pensioners: it would give tremendous satisfaction to many of my constituents if the Government would rule out the 75-year age limit once and for all.

Mr. Rooker: I will take advice if what I am about to say is wrong, but it is my understanding that what the hon. Lady has said is quite wrong. The amendment was passed in the Lords, but was reversed in this House.

Miss McIntosh: Am I right in understanding that the Government remain unsympathetic to abolishing the rule that all pensioners must take out annuities at 75, regardless of whether they are taking out a stakeholder pension or whether they are existing pensioners?

Mr. Rooker: The hon. Lady heard what my right hon. Friend the Secretary of State said earlier. The Inland Revenue is leading a review of the issue, to which the Department has input. However, the hon. Lady stated as a matter of fact that the Bill contained an amendment which the Welfare Reform and Pensions Act 1999 does not contain.

Miss McIntosh: I stand corrected, but at least we managed to get the proposal into the Bill. We will have to try harder next time round.

The Government must accept that, as long as the rule remains in place, the income of 75-year-olds will be reduced from the level for which they had planned. Surely that runs counter to what the Government have said today. The Secretary of State has said that the Government wish to encourage people to save. That alone would provide conclusive evidence that the 75-year rule on annuities should be abolished, as it is hampering people who are planning for their retirement.

On the vexed question of winter fuel payments, the Minister of State—in answer to me on 10 January—said categorically that

"everyone who is ordinarily resident in Great Britain and aged over 60 is eligible"—[*Official Report*, 10 January 2000; Vol. 342, c. 12.]

and that that applied whether they worked or not. Some of my constituents find it embarrassing to apply, because officials discourage them from applying until the notice has been sent out, and there is unnecessary bureaucracy.

The Department's press release of 17 December says that help through winter fuel payments will be extended to everyone aged 60 or over, regardless of whether they are claiming a pension, but it appears on closer examination that not everyone of that age is so entitled. For example, not everyone in a residential care or nursing home is covered.

Mr. Rooker: Or in prison.

Miss McIntosh: I am coming to that.

Those in homes are partly covered—280,000 claim some help through income support—but they would not be deemed eligible. The remainder, perhaps another 220,000, should get the payment at a reduced rate on the basis that they are sharing accommodation with other over-60-year-olds.

Not everyone who has been in hospital for more than 12 months is included, regardless of whether they have maintained their own accommodation to which they would expect to return home, and for which they will presumably have to pay for heating in the cold months even if they are not living there at the time. Those people are excluded from winter fuel payments.

Pensioners living abroad are certainly not included, as they are deemed not to be ordinarily resident in the United Kingdom, which is perhaps fair. The estimated 1,000 people over 60 in prison are most definitely not included; they are not entitled to any social security benefits.

The payments do not apply to everyone over 60. The catch is that people had to be over 60 on a certain date to qualify. The Benefits Agency is considering precisely what that date should be, but it will probably be about 20 September 1999. Does everyone get £100? No. The payment is supposed to be for a household containing a pensioner, so a one-pensioner household gets £100 and if there are two pensioners they are deemed to receive £50 each, but if there are more than two pensioners in a household, they all get £50. Married men who become eligible will get £50, but some couples could earn £150: if the wife was aged 60 or more and claiming a pension on 20 September last year but the husband was under 65, she will have got her £100.

Mr. Michael Jabez Foster (Hastings and Rye): The hon. Lady's concern for pensioners living at home with their parents and for expats on the Costa Brava is extremely touching, but do not she and her party oppose the very fact of the £100 bonus in any event?

Miss McIntosh: We would like to be in keeping with the law of the land and, where that law pertains to the European Union, we would probably have introduced the legislation sooner and caused much less concern to the constituents who are caught by it.

The hon. Member for Gravesham (Mr. Pond) mentioned comments made by our newly appointed shadow Chancellor, my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo), who also said last week that we face a serious brain drain. One category being directly affected by the rules at this time of year includes those people who are caught by another press release: IR35. My advice to constituents would be to subscribe to every single press release from every single Department to find out exactly how they will be covered by tax or social security provisions.

IR35 covers those who are by definition self-employed and do not have one permanent employer, but who—by the admission of the Paymaster General—will have slammed on to them for the first time a massive national insurance contribution. It would be deeply regrettable if that category of people were to up sticks and leave the United Kingdom because of IR35. Perhaps the Government will see fit to reverse their provisions this evening or in next month's Budget.

Valerie Davey (Bristol, West): Will the hon. Lady give way on that point?

Miss McIntosh: I am moving on now. The Secretary of State clearly stated this evening that it was the Government's wish to reduce child poverty, but only 30,000 of those lone parents who responded successfully to the Government's new deal for lone parents—only 5.9 per cent. of single parents invited to join the scheme—actually got jobs in the first full year, which ran from October 1998 to October 1999. Some 104,000 attended interviews, half of whom were mothers whose children were still too young but who had volunteered to join the scheme. That means that some 470,000 single parents on benefits with children over five are still eligible to join. I have heard no suggestions from the Government this evening that would reduce that figure, and the scheme has been singularly unsuccessful in achieving its aims.

Mr. Pond: The latest figures suggest that 112,000 went for interview from October 1998, and that 89 per cent. decided to take up one of the options available and to participate in the new deal for lone parents. Does that not suggest that lone parents have a more generous approach to the new deal than does the hon. Lady?

Miss McIntosh: My understanding is that I have given the most recent figures. As I mentioned earlier, more than 50,000 of those single parents whose children are still too young are desperate to get on the scheme, but they do not actually qualify.

The Government have failed to address the problem of child poverty. The new deal has proved a failure at removing a category of people from welfare dependency and that is to be regretted. The orders laid before us this evening are unsatisfactory and do not go far enough.

5.27 pm

Mr. Vernon Coaker (Gedling): I was interested to note that the hon. Member for Vale of York (Miss McIntosh) said in her opening remarks that she opposed the increase of 75p in the basic state pension, because she disagrees with her Front-Bench colleagues on that point. They reaffirmed only a few minutes ago that that was not the policy of the Conservative party. I hope that the hon. Lady will point out that difference in any literature she sends to the pensioners in her constituency.

As always, the hon. Member for Northavon (Mr. Webb) made an interesting speech, but I was disappointed that he homed in on pensions and ignored some of the other uprating measures in the orders. The debate tonight has shown that the debate about social security is becoming more mature. The social security orders show the determination of the Government to move away from a welfare state that encourages dependency to one that is more proactive and starts to tackle some of the problems of social exclusion.

My hon. Friend the Member for Gravesham (Mr. Pond) made the important point that it is argued that the way to tackle poverty is to put £5 on this benefit or £8 on that benefit, which may give rise to significant short-term popularity. We cannot take people out of poverty simply by paying them more in benefits. In many respects, the payment of benefits is seen to be everything in the culture of the welfare state, and other policies have not been considered in the round. I realise that the amounts of benefit are important, but it is misguided to argue that they are the way to tackle poverty. We need a greater debate about welfare reform in general, and it is in that context that the uprating orders should be considered.

Mr. Webb: The hon. Gentleman makes a thoughtful and intelligent comment. For people of working age, what he says is obviously true. But for 80-year-old pensioners, welfare-to-work is irrelevant, and so are most things apart from cash income. The basic state income is not a handout but an entitlement. Does the hon. Gentleman not agree that it is a good mechanism for helping such people?

Mr. Coaker: The hon. Gentleman makes a fair comment. My point is that the Government's policy of targeting the poorest pensioners for help is the right way forward, and addresses the issue of raising the income of people who need it. As the hon. Gentleman is no doubt aware, there are age-related additions to the minimum income guarantee. It is not a flat rate that is paid to people at the age of 65 and then remains the same—it rises. In my view, that answers the hon. Gentleman's point about the need to provide more income for today's pensioners.

My general point is that the debate is about not just pensions but a whole range of other issues. We should not consider the social security uprating orders in isolation; the Government are introducing a range of reforms and measures to attack the issue. I refer to the new deal, the minimum wage, the working families tax credit and a whole range of other measures to tackle social exclusion, reduce dependency and drive home the attack on poverty that is so important.

This is a difficult debate to engage in, and no doubt many hon. Members who meet pensioners in their constituencies, as I do in mine, will agree. I believe that the Government's policy to target resources on the poorest pensioners is absolutely right. The problem with this debate is that it regards pensioners as a homogenous group of people. That is the myth that drives social policy in this area, and it is not true. Pensioners are not a homogenous group; they are not even, as was the case a few years ago, the poorest group in society. Some pensioners are rich and prosperous, there is a middle group and there are poor pensioners. We must ensure that we do something to address the needs of different groups of pensioners. The Government are attempting to do that, and this debate is starting to do it.

For the more prosperous pensioners, the Government's attempts to help by providing tax cuts on their income and on much of their savings will produce a real increase in income. I remind the House that people who have large occupational pensions, or who have occupational pensions at all, have them at cost to the state. While they have been

[Mr. Coaker]

accruing their occupational rights, they have paid lower rates of national insurance than other people, and so have their employers. That is quite right, because it has been part of an attempt to encourage people to have occupational pensions. We have made concessions for richer pensioners.

The minimum income guarantee is about trying to help those who are particularly poor, many of whom are pensioners. I am sick of seeing poverty among pensioners. I passionately believe that it is not necessarily right to give an across-the-board increase to all pensioners, because I want more money that would go to rich pensioners to go instead to the poor. That argument is not popular, and many of us have been attacked for defending that principle. However, the new Labour Government were elected to help the poorest, and we do not deny our roots by arguing that case. It is fully consistent with the values of the Labour party to say that we must give more income to those who struggle desperately to make ends meet.

My right hon. Friend the Secretary of State discussed the huge increases of, for single pensioners, £8, and, for couples, £12.60. If that represents for poorer pensioners a bigger increase than they would have received from an across-the-board rise, I am in favour of it. That is absolutely right. I do not want to be seen as a sycophant, but I should add that we cannot do everything at once. The changes before us are part of a package, and I am convinced that the Government's forthcoming policy announcements will address justifiable concerns affecting the middle group of pensioners over the coming year.

The hon. Member for Northavon and my hon. Friend the Member for Gravesham said that we need to examine capital allowances. I am confident that the Government will produce proposals to do something about allowances which have not been changed since 1998. In addition, I am sure that the Government will consider disregards relating to small occupational pensions and their effects on the minimum income guarantee.

It is surely right to target money on those in the most desperate poverty. I do not believe it wrong for a Labour Government to tell prosperous people who have benefited from occupational pensions and well-paid jobs that our priority is the poorest pensioner. We must get extra money to those who are trying desperately to make ends meet. If that means targeting help, that is what we must do.

We should remind all pensioners of exactly what the Government have done. We have reduced value added tax on fuel; introduced winter fuel payments; restored free eye tests; and granted free television licences for those aged over 75. We must move away from the "Yes, but" culture that says, "Yes, you have done this, but what about that?" The Government are making real progress with pension reforms. They are trying to get more money to the poorest pensioners and to achieve a fairer deal for pensioners across the board.

Over the year to come, we shall see real reductions in the prices that pensioners pay for gas, electricity and water, and they will make a real difference.

The Government have a good story to tell on pensions; it may be a difficult one in some respects, but it is one of which we can be proud. There is nothing wrong with a Labour Government saying that they stand up for the poorest people and that they are trying to target resources on them. That is true to the principles and values that the Labour party has held since it was formed.

Mr. Patrick Hall: Will my hon. Friend comment on the situation facing those pensioners whose income is not far above income support rates and who have a small occupational pension? I am sure that my hon. Friend, like me, will have met such people; they are not the wealthy pensioners to whom he has referred. How should their concerns be addressed in the long term? Of course, they sometimes do not have a long time.

Mr. Coaker: My hon. Friend makes a reasonable point, although I thought that I had addressed the fact that there is a middle group of pensioners for whom we need to consider such issues as capital allowances. We need to consider those matters because small occupational pensions take people just above income support, thus excluding them from entitlement to benefit. However, if we raise the point at which an occupational pension allows people to claim an income support top-up, another group of people will fall into that category. Nevertheless, the point is too low at present and the Government should consider the matter.

I am confident that the Government will consider capital allowances and occupational pensions as part of their reform package. The fundamental thrust of my remarks is that, if the choice is whether or not a Labour Government should direct resources to the poorest pensioners—even if that means difficult decisions—it is right to give those resources. I do not support a flat-rate increase for every pensioner irrespective of wealth, property or income; I support ensuring that those at the bottom, who are desperately poor, have resources poured towards them so that we make a real difference to the poverty in which they have lived for years. As a Labour Government, remaining true to Labour principles, we can make a real difference to them.

Other points relate to the radical nature of social security reform in its wider context. The Government Actuary's report is not a document that I usually read on Sunday nights, although I did so yesterday evening, which says a lot about me. The report is interesting; it describes many of the Government's reforms. For example:

"Entitlement to Maternity Allowance has been extended to include employed pregnant women who earn between the maternity threshold . . . and the lower earnings limit."

They were previously excluded from claiming the allowance.

The document notes that maternity benefit for self-employed women will be increased by 15 per cent.

"to bring their benefit in line with employed women."

Such changes are being made throughout the social security system; they seem small, but they affect the quality of life for many people. They show what the Government have been doing.

Under the uprating order, child benefit will be uprated from £14.40 to £15 for the first child, with an uprating of £10 for second and subsequent children. Is it not a sign of a radical Government, who are determined to do something for children, that the main benefit to support families, which is paid to mothers, has increased by 36 per cent. since we took power? That is a huge increase for families with children.

As my right hon. Friend the Secretary of State pointed out, if we add that increase to all the other changes and reforms that the Government are making, they show that the Government are ensuring that child poverty is attacked and that they are doing their utmost to eradicate it.

It must be desperately disheartening for us all when we see children living in poverty and lacking the opportunities that we would want for all children. The child benefit reforms and the child care tax reforms will be made in April 2001. The sure start schemes and a variety of other things make an important statement about the way that we intend to attack child poverty and rid our society of that stigma.

The hon. Member for Vale of York said that the new deal—another part of our welfare reform programme—was a failure. I do not think that it is a failure at all. I am proud to say that it is one of the most fundamental and radical reforms that any Government have made: to declare that, instead of abandoning people on the dole and forgetting all about them, we shall attack the problems that they face and engage with some of the people who have the most difficult problems, to bring them back into the work force.

If we want people to be brought out of poverty, we must get people back into work, and tucked away in the document by the Government Actuary's Department are reforms to the national insurance scheme and the lower earnings limit to try to make work pay. If those reforms are placed alongside some of the other measures—such as the new 10p starting rate of income tax—they show that the Government are making real efforts to align the national insurance rates and national insurance thresholds with the rates at which people start to pay income tax. That is real radical reform—real change—to ensure that work pays and that the people who, for so long, have been socially excluded are brought back into the workplace.

I remind my right hon. Friend the Minister of State—as did the hon. Member for Vale of York and others—that the issue of SERPS remains. I hope that the Government will make an announcement on it in the near future, although I noted the contents of paragraph 7 on page 4 of the report by the Government Actuary's Department, which I was reading on Sunday night.

I shall finish with a couple of other points. The first concerns the Conservative party position, which is incredible; I am sure that local Conservatives in my constituency and elsewhere are not aware that the official Conservative position on the basic state pension is exactly the same as ours. Indeed, the hon. Member for Vale of York is not even aware of the official position of the Conservative Front-Bench team. I am pleased that the Conservative position on the uprating of the basic state pension is exactly the same as the Labour Government's position. I hope that the fact is widely reported.

Secondly, I refer to page 8 of the report by the Government Actuary's Department, to show how complex these issues are. It is all very well for people to say, "We will attack social security spending and reduce it." I appreciate that the document deals with national insurance benefit payments, but the vast majority of national insurance benefit payments and the vast majority of social security payments are to do with pensions; and anyone who talks about reducing social security spending is, by implication, attacking social security spending on pensioners and on pensions. It makes a good soundbite, but the reality is that the vast majority of social security spending is spent on pensioners, and the bar graph on page 8 of the report shows that, although it sounds good as a piece of rhetoric, it is a ridiculous thing to say, given the economics of benefit payments and welfare reform.

I conclude by repeating that today's debate is crucial, because there is a growing feeling—almost a consensus—that the welfare state as it exists is failing. It is failing because, if it is not reformed, the people who are poor today will be poor in another 10 years, their children will be poor and their grandchildren will be poor. If it is unpopular to say some of the things that my right hon. Friends the Secretary of State and the Minister of State are saying—if it is unpopular to say some of the things that are needed to bring about reform—that unpopularity is a price worth paying to know that, in 10 or 20 years' time, some of those people who would have been poor will not be poor, as a result of the difficult decisions that we are taking today.

5.49 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am pleased to follow the hon. Member for Gedling (Mr. Coaker); I know him well. He has made a good speech and his commitment on this subject is not in question. He spoke passionately about the need for the Government—in fact, all of us—to try to do better for people beyond retirement age who are on a low income; I support him in that. However, he faces a dilemma when he meets pension groups, and I understand and sympathise with him. They do not necessarily disagree with the need to target resources but pensioners tell me that they have paid national insurances contributions all their lives and that they were given an undertaking that they would be looked after. I do not wish to make a party political point—whom they blame is a matter for them—but they believe that the state undertaking has been broken. That is the nub of their argument.

It is all very well for the hon. Gentleman to be passionate about attacking the problems faced by those on low incomes, but the only discernable direction in which the Government are going is towards more means-testing of benefits. Means-tested benefits certainly include an aspect of targeting, but the hon. Gentleman knows enough about the subject to understand that all sorts of disadvantages—some covert and some blindingly obvious—are attached to a policy that is rooted in means-testing. In the long term, they are a massive disincentive to saving. If the hon. Gentleman is anything like me, he will have been made aware of that problem in the meetings that he has had with pensioners. Such benefits also have a negative effect on work incentives, they create poverty traps and, worst of all, take-up and eligibility are massive problems.

The hon. Gentleman is right to be passionate about helping those who need help most. However, if the Government use the one-club strategy of means-tested benefits, they will come across real difficulties that, sooner or later, will have to be addressed. Nevertheless, I concede that he made a powerful contribution to the debate.

I am very nervous about the fact that we do not spend enough time considering the national insurance contributory system. I know that that makes me sound a bit like old Labour, and I am sorry about that. The Social

[Mr. Archy Kirkwood]

Security Committee is considering the contributory system, and I know that it is not easy to modernise it. I do not underestimate the importance of the £100 winter payment for pensioners, because it is an important universal payment. However, the Government appear to be heading to more and more means-tested benefits and, by default, the House seems to be content to follow them. We must make sure that we do not do that without thinking about the issues carefully.

Mr. Jeremy Corbyn (Islington, North): I am pleased that the Social Security Committee is examining the role of national insurance, but, while it is doing that, could it not examine the employment patterns that are emerging in this country? Very few people remain with a single employer for long and many women change employers frequently and often do not build up an occupational pension, a stakeholder pension or even sufficient national insurance contributions. The pensioners who retire today are, in some ways, the best-off that there have ever been, whereas some people in their 30s and 40s will, in 20 years time, be among the worst-off that there have ever been.

Mr. Kirkwood: That is a fair point. Indeed, earlier, the Secretary of State said that changing work patterns, part-time work and stints of employment sometimes make it more difficult to build up a contributions record. It is not as easy now as it used to be. However, the Select Committee will consider all these issues and will try to come up with ideas on how to modernise the contributory system.

Mr. Pond: I thank the hon. Gentleman for giving way, especially as I had to nip out for a couple of moments to make a telephone call. When I came back, I heard him make a point about the direction of Government policy, which he believes is almost wholly in the direction of means-testing. However, I ask him to consider other universal benefits as well as the £100 winter payment. For example, there has been the biggest-ever increase in child benefit, which is one of the most important universal benefits, and the state second pension will contract people in as though they were earning £9,000 a year. In many other areas, people are being contracted in to the national insurance system. Surely that suggests that the jury is out on whether the Government are moving in the direction of means-testing or universality.

Mr. Kirkwood: The jury is out; I shall settle for that. The Select Committee will soon journey to Australia to study these issues. The Australian system has gone almost exclusively in the direction of means-testing, and I hope that our examination of the system there will inform our report. I hope that hon. Members will consider it seriously when it is published. This debate should be considered in the longer-term context of what is happening to the national insurance system.

My other slight worry—again, the Select Committee has done some work on this—is about the wholesale introduction of tax credits. In many ways, there are positive aspects to them, but witnesses to the Select Committee inquiry expounded on the problems that they entail. They told us about problems such as whether money should be paid into the wallet or the purse and they referred to the increased potential for fraud and collusion and to the difficulties of administration. The full extent of the difficulties will become apparent only from this April, when employers start paying the working families tax credit, and the hon. Member for Havant (Mr. Willetts) was right to raise some questions about that. I share his doubts.

The working families tax credit is only the start. We already know that there will be an earnings credit, an integrated child credit and I believe that we shall ultimately have some form of housing benefit tax credit. A whole panoply of reform and change is taking place, and I do not suggest that it is all bad. However, we must be careful that we understand where it will all lead.

The general economic context is important to the debate. I recognise that much interdepartmental working has taking place since the election, and that is positive. The Government's emphasis on trying to encourage work is absolutely right, although I have quibbles about some details. The policy is working well, but that may have something to do with the economic cycle. If there is a downturn, it will be interesting to see whether—I hope it will—the policy continues to work and to be successful. However, the Government are right to focus heavily on trying to encourage people into work and to make work pay. We are all aware of what they have done in that regard.

However, I want to add one important qualification. The adage is "Security for those who can't", and the Government have a long way to go before they persuade me that they are providing that security. I do not want to make too much of this point, but the emphasis that the Government have rightly put on getting people into work risks stigmatising those who can never work. There are many reasons why people cannot ever work, and they include chronic sickness and their geographical location. The labour market in Garscadden in downtown Glasgow is very different from that in Northampton or Reading. Welfare to work may operate well and supply-side measures may train people to become better qualified to compete in the labour market. However, if the labour market has collapsed, it is wrong to stigmatise those who cannot find work and suggest that they are not pulling their weight. We must be careful about that.

If people who cannot take advantage of the world of work have to rely on the core level of income support benefits, the level of those benefits needs to be seriously considered. In that regard, my indefatigable noble Friend Earl Russell managed to obtain written answers to questions asked in the other place. They looked at income support as expressed as a percentage of average earnings for a variety of income groups. The figures will not be a surprise to the Minister or to the rest of the House, but they reinforce a point about the core level of benefits in relation to average earnings and about what people are expected to live on.

A single person aged 18 to 24 is expected to live on 10.15 per cent. of average earnings. Another example is a single parent with one child under 11 who is expected to survive on 21.78 per cent. of average earnings. The highest figure is in the example of a couple with two children aged 13 and 16—expensive teenagers—who are expected to live on 37.76 per cent. of average earnings.

It is perfectly reasonable to expect people who are in transition to go through a period when they live on a third of average earnings, even if they have expensive

teenagers. However, the figures for households with below-average earnings show that some families with children have been living at those benefit levels for seven years. Some 11 per cent. of families are in that position. Significant numbers of families are living for long periods at that level of income disadvantage compared with average earnings.

What is income support for? If it is only to be a bridge to a better benefit, such as welfare to work, that is fine. One can survive on income support for six months or perhaps a year, but then the washing machine or another substantial item of household machinery goes wrong and has to be replaced. A downward spiral then begins, as the Acheson report and the earlier Black report demonstrated when they discussed the problem of levels of benefit leading to a bad diet and poor health and housing. I worry that the current core rates of income support for the long-term unemployed client group are inadequate, and we should carefully consider that matter.

Mr. Webb: My hon. Friend made an important point about the poverty of people who are on benefits for a long period. He will know that the old supplementary benefit system had a higher long-term rate. Does he accept that there is a problem in increasing people's benefits when they have stayed on benefits long enough to qualify for the higher rate? Does he have an answer to that paradox?

Mr. Kirkwood: No. That is an enormous problem. If people get more money after they have been on benefits for five years, they may be tied more tightly into the benefits system. I am certainly not saying that any of this is easy.

My hon. Friend made a sensible suggestion about introducing a special pensioner index. We should also consider more carefully the work done by the family budget unit. We should think about what a minimum income should be, because income support levels do not reflect the needs of a family. The family budget unit has used its own resources to do extremely valuable work and it has tried to work out what a modest but adequate income would be. I support that work, and I hope that the Government will study it.

None of the official statistics properly reflect the level of indebtedness of many of the households that I come across. It is all very well to specify income levels on which people are expected to support themselves, but we must recognise that many people have store cards and credit cards and some regrettably are even in debt to loan sharks. Even with an average income, they would struggle to get through the next two or three years. They cope by working from week to week, on a cash basis, and by robbing Peter to pay Paul. To do that year in, year out is debilitating and causes immense stress. That is the principal reason for the high level of family break-up in this country, which is worse than that in other European nations. Not enough is being done to deal with that problem.

I turn now to the promotion of entitlement to benefits. I wonder what it would cost to impose a duty on the Benefits Agency to maximise people's entitlement to benefit. I recognise that the administration is under a lot of pressure and that it has a big budget and an amazing task to do and that the staff do a very professional job in delivering benefits. However, claimants would be more confident that they were dealing with people who were on their side if they knew that agency staff had a duty not merely to respond to questions about entitlement to a particular benefit, such as severe disablement allowance, but to point out potential entitlement to housing benefit or council tax benefit, if that were obvious to them.

The Benefits Agency should have a statutory duty to use its best endeavours to ask questions of all claimants and to maximise their benefits. At the moment, that does not happen. I do not know what additional administrative costs would be involved, but if the agency were told to do that, it would have to do it. The House should seriously consider that proposal.

I turn now to housing benefit reform. If one assumes that all the welfare-to-work reforms are right and are working as well as they can, housing benefit would then be the biggest outstanding hurdle in preventing most people from getting off benefit and into work. There is no easy solution, but the issue is urgent. Pressure groups and others who follow these matters are beginning to express dismay about the delay in the Government even suggesting options that we could consider.

It is the Social Security Committee's intention to consider housing benefit. We would have much preferred to wait for the contents of the Green Paper, which would have given us something to work on, but we cannot. The publication date now seems indefinitely postponed, so we shall go ahead and do our best without the Green Paper.

Mr. Corbyn: I am pleased that the Select Committee will consider housing benefit. Will it look beyond the question of fraud and benefit tapers to the benefit's overall costs, including administrative costs, particularly in inner urban areas, where rents are sky high because of deregulation under the previous Government?

Mr. Kirkwood: I confess that, coming from a relatively rural area, I was staggered to learn from some Labour members of the Select Committee about problems in areas such as the hon. Gentleman's constituency and about rent levels. One could acquire a modest estate in Roxburghshire for some of the rents being paid for single room flats here in London.

Mr. Corbyn: Give me the address.

Mr. Kirkwood: If anyone is interested, I will provide contracts for estate agents after the debate.

Housing benefit is a problem that needs to be addressed seriously, and I hope that the Select Committee report will make a positive contribution to that.

Prompted by the earlier intervention of my hon. Friend the Member for Northavon (Mr. Webb), I remind the House in passing that the old supplementary benefit system used to contain an element to take into account water and sewerage charges. I do not know whether this is true for the rest of the country, but some of the increases in water charges in Scotland are swingeing, and there is no accommodation for that or for the costs of increased sewerage charges in the current income support system. We need to look into that.

I am also coming to the conclusion that the council tax property bandings militate against the poor much more than they used to do. A recent report from the New Policy Institute starkly demonstrated that the incidence of council

[Mr. Kirkwood]

tax benefit was prejudicing people on very low incomes in modest accommodation. We need to consider that problem.

I shall not dwell on capital limits because my hon. Friend and others have referred to them. It is high time that the Government dealt with those limits, which penalise saving. They were last revised in 1988, so change is a long time coming. Earnings limits also cause me concern because they penalise work. I shall give the Minister two examples, which are always cropping up in my constituency surgery. The first is the therapeutic earnings limit for severe disablement allowance and incapacity benefit, which is now set at £58. That is too low if one believes that it is important to try to encourage people into work. That earnings limit could be increased modestly, but regularly. The same is true of the situation facing carers. The earnings limit for invalid care allowance is £50—below the lower earnings limit for the national insurance system. Surely increase to such earnings limits should be addressed in these orders.

The parental leave proposal will have an important social impact. The orders do not directly address the issue, but the Select Committee reported on it. Before the inquiry, I was very sceptical about making such leave paid, but there is overwhelming evidence that the Government's proposal is likely to be useless and irrelevant without some form of payment. Payment would help enormously, bind family groups and assist in meeting some of the Government's other perfectly proper social targets. I hope that that will be considered urgently.

Although I am intrinsically against rejecting orders such as these, I support my hon. Friend the Member for Northavon. If I were Secretary of State—we are all playing Social Security Secretary in this debate—I could not in all conscience simply valorise these pension increases. I would double them because pensioners were led to expect a return for the national insurance contributions that they made. The Minister gave me a bit of criticism for being a little superficial about the £16 billion, but it is a lot of money. If we cannot increase pension upratings by more than 1.1 per cent. against the background of a massive £16.6 billion surplus, when will we ever give such increases a little consideration?

Such consideration could have been justified by the argument that it is necessary to discharge the duty and liability that was undertaken under the national insurance scheme. My hon. Friend is absolutely right and, if he divides the House, I shall—very unusually on this subject—be happy to follow him into the Lobby. These are wholly exceptional circumstances. It is impossible successfully to argue in front of a group of retired people that a 75p increase is right in the circumstances. The House should respond in the way in which my hon. Friend suggests.

I should like to say a word about overseas pensioners. I know that the Minister of State receives the same e-mails as I do from Canada, Australia and other exotic places. When the Select Committee visits Australia, I have no doubt that we shall spend much of our time dodging pensioners whose pensions have not been uprated for many years.

I am not advocating immediately finding the £400 million or £500 million that it would cost to put things right. However, it is contrary to natural justice to leave such pensioners languishing without any uprating consideration. Something should be done—even if we give them only a small amount this year. I am arguing not for gesture politics but for a recognition of an honourable commitment that pensioners look to us to fulfil. I am disappointed that hon. Members who usually take an interest in these debates are not present this evening to continue to support that case.

I am not saying that we are short of reform or that the Government are not doing anything but, as well as the delay to which my hon. Friend the Member for Northavon referred, there is piecemeal approach to social security policy, especially for those who cannot reasonably be expected to work. I want the Government seriously to consider that. I welcome public service agreements and all the other performance indicators that the Government have set out at length, because they will be helpful in trying to measure performance.

I am generally IT-friendly, but even I am worried about the impact of ineffective computer systems on the delivery of benefit mechanisms. I do not need to tell the Minister that. The Child Support Agency computer system and NIRS2 are causing problems, and the working families tax credit might cause some computer problems as well. If implemented properly, computerisation can help, but much more work needs to be done.

If the Minister takes anything from this debate from me, I hope that it is that those who cannot reasonably be expected to work should receive greater consideration. I would be happier if that consideration were undertaken in a coherent framework of modernisation of the national insurance contributory system.

6.15 pm

Mr. Tony McWalter (Hemel Hempstead): I shall evaluate the orders from the perspective of those of my constituents who have a very strong sense that a major injustice has been visited on them, considering the extent to which it is fair of them to think that and what can be done about it. Their sense of injustice is, of course, partly because of the 75p uprating. Many have also contributed to an occupational pension and saved all their lives, but feel that they are getting precious little in return. One might add some stuff about long-term care and worries about how savings and occupational pensions will not protect pensioners in that difficult area.

I differ significantly from the Liberal Democrats' stance on the 75p increase, although I was tempted by one idea that came out in debate across the Floor of the House. Pensioners seem worried not so much about the precise amount of the increase but that it represents an erosion of their living standard. Even if there were a pensioner index and that produced a 78p uprating, pensioners might not be satisfied with it, but they would not have such a sense of erosion—however small. Their perception is that they have contributed to the fund throughout their working lives but year on year it entitles them to—however little—less.

The Government should seriously take on board such structural matters in the orders, although I realise that structural matters cannot be part of this debate. A separate pensioner index could address the sense of injustice, but it might lead some time down the road to upratings of less than the rate of inflation. I therefore agree with what eventually emerged in Liberal Democrat policy on

the hoof: we should take the greater of the two figures and allow pensioners to share in the country's improving wealth, but not if it led to an alarming rate that might generate inflation.

From talking to my pensioner constituents, I have found that some would be perfectly happy with an increase of, say, £16—a nice big figure—even though it might result in inflation raging at the levels sometimes witnessed under the Conservative party in the late 1980s. The Government, in fact, are keeping inflation down for pensioners; they are maintaining the erstwhile purchasing value of pensioners' savings. We cannot have it both ways. We cannot lament the low increase and suggest a much bigger one without considering the inflationary consequences and the threat of derailment of a well-managed economy, from which pensioners benefit. That is important. If a marginal change in structure were accepted by the Government for future orders, we could tackle the feeling of anger on the part of some pensioners that the system leads to the unjustifiable lowering of their standard of living in some years.

However, the Government have not left the matter in limbo. They have targeted the poorest pensioners by including the minimum income guarantee. We all know the difficulties involved in getting people to claim that. They feel reluctant to do so, and the barriers in the way of claiming it are substantial. The Government are committed to lowering those barriers and making it much easier for people to claim the minimum income guarantee.

That could have been done more easily if the increase were a nice round figure. It is much more difficult to publicise a sum consisting of some pounds and some odd pence than a round sum such as 80 quid. Everyone can understand that. A simple headline figure, slightly larger than the Government propose, would assist publicity. People would focus on the £80, rather than on the 75p. That would get over the idea that a single pensioner cannot be expected to live on the new pension level of £67.50.

A marginal change in the minimum income guarantee to a round figure that was easily publicised would help us all. We have all tried to get across to people what that figure is, how much difference it could make to their lives and what improvement it could provide.

When dealing with some of the other anomalies in the system, my hon. Friend the Member for Gedling (Mr. Coaker), who is no longer with us, mentioned three categories of pensioners—rich, in the middle or poor. That is not a sufficiently fine-grained distinction. I would divide them into four quartiles.

Pensioners in the third and fourth quartiles have under-average earnings. It is important to deal with not only the poorest—those in the fourth quartile—but those with under-average earnings, who may have ploughed a great deal of energy and effort into trying to build up an occupational pension and savings, in the third quartile, where much of the feeling of injustice resides.

That is where a huge number of anomalies in the current system exist. As we increase the minimum income guarantee—rightly—by more than the level of earnings and by more than the level of headline inflation, we nudge ever closer to the incomes of people who have put by all their lives and are now above income support levels, but have standards of living below income support levels.

If, under the new figures, the income of those pensioners is £80, they cannot claim income support, so in my patch, for example, they cannot claim a Dacorum travel card for cheaper travel on the buses, and various other benefits that follow from being on income support. The sense of injustice may be heightened, unless we take more specific account of those on modest occupational pensions.

We have also heard about the threshold for savings. I know that that is under review. It must be addressed, as it compounds the sense that pensioners are being treated unjustly. From the Opposition Benches we heard a spectacular figure for the amount of savings needed to generate income support. A reasonable figure for savings is about £12,000, which would provide a top-up to the basic pension. The interest on £12,000 would take the income a little above income support level—not the £49,000 suggested from the Opposition Front Bench.

That figure was arrived at by compounding all income support, not just income support for pensioners. That would produce an average of £60 a week, but it is not relevant to the present debate.

We must recognise pensioners' sense of injustice and belief that they are not being treated fairly. In some ways, that sense of injustice is erroneously directed. If the increase is low, it is because we have kept inflation low and we have tried to allow pensioners to benefit from a well-managed economy. However, many other aspects of the system need change, such as the threshold and the provision for capital allowances.

There is a perception among pensioners that they must go cap in hand to claim the income support top-up. We must get across the idea that those who receive that money deserve it and have earned it. We must make it clear that we understand that £67.50 is not full recompense for their contributions throughout their working life. We need to change people's attitude to that money, and we could do that through the publicity campaign that has been discussed, but such a campaign would be more successful if the headline figure were £80, not £78-odd.

I hope that my right hon. Friend the Minister will regard my remarks as constructive. I commend the many improvements in the orders. Some of the criticisms being levelled against us are unfair, but some of the underlying structures need careful fine-tuning if we are to avoid the sense among pensioners that the Government are willing to visit injustice upon them. That perception is unfair, and I hope that it will be dispelled by the time that the changes are introduced next year.

6.27 pm

Mr. Andrew George (St. Ives): I follow the constructive contribution of the hon. Member for Hemel Hempstead (Mr. McWalter) by drawing attention to the theme of the debate—targeting the poorest, and how best we can do that. That is largely a technical matter. We may disagree on policy, but we on the Liberal Democrat Benches do not question the Government's intention.

In my brief contribution, I shall deal with take-up, following an earlier intervention from the hon. Member for Gedling (Mr. Coaker), whom I welcome back to the debate. We are discussing not merely an increase of 75p a week in the basic state pension but, according to the Government Actuary's report, a low increase of 1.1 per cent. across the board—for example, in jobseeker's allowance.

[Mr. Andrew George]

Personal benefit for those aged 18 to 24 will increase from £40.70 to £41.35, an increase of 65p, and personal benefit for those aged 25 and over will increase by 80p. Incapacity benefit will increase by 65p. We have not done justice to the fact that there are groups other than pensioners who face relatively low increases in benefit income.

The Government rightly want to find mechanisms to encourage people into work and off benefit. In the context of housing benefit, we are considering not simply those who are unemployed, but those who are in work on low incomes. They sometimes have the opportunity to do overtime, or to improve themselves, but the housing benefit system provides little incentive for them to do that. Several hon. Members have commented on the fact that the steepness of the tapers adds to severe social problems.

My constituency includes people on some of the lowest incomes in the land. Many people are already employed, but find that taking up overtime is hardly worth their while. For example, a constituent recently told me that doing overtime as a school cleaner because of another member of staff's illness was hardly worth while. Newspapers report today that there is some debate between the Department of Social Security and the Treasury about the possibility of an announcement on tapers. Such an announcement would be welcome. It would be helpful to hon. Members who take a deep interest in the matter if the Minister could throw any light on the press speculation.

I want to consider the take-up of disability benefits. A recent Government report shows an underspend in disability benefits of £754 million last year. That is greater than the effect of the cut in incapacity benefit for which the Welfare Reform and Pensions Act 1999 provides. Earlier, the hon. Member for Gedling referred to concern about the take-up of attendance allowance. Why is there no take-up campaign? The Government said that they were worried about the low take-up of income support generally. That applies especially to those who are elderly and disabled. Those who are eligible should claim attendance allowance. However, Government research shows that between 40 and 60 per cent. of eligible applicants claim. That means that a potentially large group does not. The figures are vague, but almost half of those who are eligible for attendance allowance do not claim it.

It is worth stressing that we are considering not only the poorest of the poor but those who are especially socially excluded: those who have neither the income nor the ability to go out. A recent Government report drew attention to that. The Government claim that pensioners are a priority, and we agree. However, little is being done to encourage those who are elderly and disabled to take up attendance allowance. I hope that the Minister will deal with that point, and, if he can, commit the Government to future plans to tackle it.

Mr. Rooker: I shall not talk about attendance allowance because the order does not cover it. Attendance allowance is not a national insurance benefit. However, the hon. Gentleman should reflect on the fact that it is not means-tested. The arguments about stigma therefore cannot apply to attendance allowance.

Mr. George: I accept the Minister's intervention in the spirit in which it was intended. *[Interruption.]* I am stimulated to refer to attendance allowance because, as my hon. Friends are pointing out, the order refers to it. I stress that we are considering one of the most socially excluded groups in the country. I am sure that the Government agree that we should concentrate on that group and do all that we can to ensure that they are enabled to take up the benefits to which they are entitled. I hope that a Labour Government want to take action to remedy previous Governments' failures to deal with the matter.

Mr. Rooker: The hon. Gentleman homed in on attendance allowance and was right to say that take-up is low. However, unlike pensions and other contributory benefits, and minimum income guarantee, which is means-tested, another group of benefits are not means-tested. The reasons for the low take-up cannot, therefore, be stigma and other reasons that are associated with minimum income guarantee. The reasons for the take-up of various benefits are different. We are considering a serious matter, which must be addressed, but stigma cannot be responsible for the low take-up of attendance allowance.

Mr. George: I agree with the Minister. There is no reason to hang back on promoting attendance allowance. Department of Social Security research report 94, which was published in July last year and entitled "Disability in Great Britain", referred to a survey on the number of outings that disabled older people made. They were asked how many outings they had made in the past four weeks. The report said:

"over 40 per cent. of the most severely disabled people (severity 9-10) and a quarter of disabled people aged 70 and over had not been out shopping, to visit family or friends or on any kind of excursion in the four weeks prior to interview. A quarter of more seriously disabled people said they would make more outings were help available or facilities better."

That is a matter of shared concern. I am not criticising the Government; it is helpful that they undertook the research.

The Government are clearly concerned about the report's findings. We are considering not only the poorest of the poor but the most socially excluded. We are discussing literal exclusion from society. Government action, especially a take-up campaign, would therefore be welcome. It would support carers and combat social exclusion.

6.38 pm

Mr. Jeremy Corbyn (Islington, North): I am disappointed that there are not more hon. Members present; it seems that, on a Monday evening, the House of Commons is as empty as the millennium dome.

I want to consider two matters: the effect of social security on poverty, and the uprating of pensions. I represent an inner-urban area that is variously described as chic, wealthy and the home of new Labour; and as a centre of poverty and unemployment. It might be all of those things. An inner-urban area with high rates of unemployment inevitably has high levels of poverty.

In some schools in my constituency, 70 per cent. of the children receive free school meals. That is possible only if parents are on income support.

Statistics show that my constituency has one of the highest long-term unemployment levels in the United Kingdom. That is due to a combination of the loss of manufacturing industry and small workshop industries; to increases in IT-related industries; and to the fact that many people do not have appropriate skills for such jobs. It is advantageous for an employer to sell anything resembling a workshop or manufacturing unit anywhere in inner London for private housing development, which they can do at phenomenal prices. That is a product of the property boom, to which I shall return shortly. There is a paradox: there is a property boom and huge profits are being made from speculation, but that does not benefit local people on housing waiting lists and it helps to create high unemployment.

The effect of social transformation in my area of inner London is not that different from the effect in many other areas around the inner-London ring, such as Tower Hamlets, Hackney, Camden, Lewisham and Lambeth. The poorest people cannot get council housing or housing association property because there is hardly any investment in them. Last year, the princely total of 200 new affordable rented properties were created in the whole borough. The housing waiting list is about 10,000. The transfer list is about 12,000. An unknown number of single people cannot even register to get on the council house waiting list in the first place.

Younger people either have to pay high private rents to get a place to live or move out of the area. In turn, that creates a sense of isolation and anger among the elderly who no longer have extended family networks around them or the joy of meeting or seeing grandchildren frequently. They live increasingly isolated lives and one detects a degree of bitterness about what is happening in their community. I realise that the social security system cannot address that issue, but the debate is about social security, so I want to discuss it. The other aspects of Government policy that impinge on poverty have to be considered within the system.

I am not altogether critical of a lot of what the Government have done in areas of poverty. The introduction of the minimum wage has had a good effect in my constituency, even though it is not one of the lowest-paid in the country. The working families tax credit has likewise had an enormous impact—a lot of people have benefited from it hugely—as have the single regeneration budget and the support provided through the new deal, which has enabled people who have been on benefits in the long term to return to work.

However, I am worried about those who are removed from benefit altogether because they fail the actively seeking work test or a restart interview. I am disturbed that a large number of people are on no benefit whatever and have poor lives. They end up homeless or on the streets as they refuse to undertake training courses that they believe are inappropriate for them. Perhaps my right hon. Friend the Minister will deal with that in his winding-up speech. That is the downside of the effort to reduce the number of people on benefit, and it must be addressed seriously. People disappear from the statistics altogether because they are no longer on benefit, seeking work or claiming anything. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), the Chairman of the Social Security Committee, is present, and I hope that his Committee—and the social exclusion unit—will take that on board and consider it seriously.

I welcome the money being spent on the single regeneration budget, which is specifically targeted on inner-urban areas of great poverty where long-term unemployment is a problem and a large proportion of the population are on income support. In parenthesis, I stress to my right hon. Friend the Minister that that has to be accompanied by significantly greater public sector investment in good-quality rented housing—otherwise, all the problems that I have described simply will not go away.

The order that we are asked to approve mentions housing benefit tapers. A few Members have referred to them and to the whole system of housing benefit. I was a local councillor when housing benefit was introduced and its administration was rather unfairly put on local government which, by and large, is not particularly well equipped to administer what is in effect a social security benefit. Indeed, if the experience in my own community and neighbouring London boroughs is anything to go by, the administration is something akin to abominable or appalling—depending on whether I am in a good or very good mood when I describe it. Indeed, the administration of a company named IT Net, which operates in Islington and Hackney, is so poor that a large number of people have been threatened with eviction because their rent is allegedly in arrears, although they are not in arrears at all. The incompetent delivery of housing benefit puts them in arrears and they are therefore threatened with eviction. Many such people have been evicted by that company on behalf of private sector landlords.

I look to my right hon. Friend the Secretary of State to consider a number of issues such as the cost to local authorities of administering housing benefit. Local authorities pay a direct penalty, as administration represents a cost unless they are fantastically efficient. If they are lucky, they may achieve a nil deficit. There is a positive disincentive to administering housing benefit in the way that it ought to be administered.

I also want to refer to the sum that society spends on housing benefit, which is absolutely phenomenal. Very high rents apply in inner-London areas and possibly in the inner-urban areas of other cities. The normal council rent for a two-bedroom property might be about £70 or £80 a week, but a house sold under the right-to-buy scheme and let out privately could be rented out for £150, £200 or £300 a week. Often, that is paid by housing benefit. House A, which receives housing benefit, might cost £80 a week, but house B could cost us, the community, two or three times as much because the right to buy was exercised some years ago. Private rented one-bedroom flats cost £150 week, and houses £400 a week. Through the rent deregulation introduced by the Tories, the housing benefit system is creating property millionaires through public sector expenditure.

I look to my right hon. Friend the Secretary of State to do something about that. He must be prepared seriously to consider the reintroduction of rent controls and the need for investment in good-quality public sector housing. We are pouring money into the pockets of landlords when we ought to be putting it into bricks and mortar to house people in desperate need. Those issues are extremely important.

[Mr. Jeremy Corbyn]

I have spent many years working with the Islington Pensioners Forum and am pleased to have been able to do so. I work also with the Greater London Pensioners Association and the Greater London Forum for the Elderly, which meets quarterly in the House. When one considers history, one sees the great determination of 110 or 120 years ago which eventually led to the introduction of the state old-age pension in the Lloyd George Budget. *[Interruption.]* Before the Liberals get completely carried away, I have in my possession a book entitled "No Thanks to Lloyd George: the Introduction of the State Old-Age Pension", which was presented to me by the Highbury Pensioners Forum. Apparently, the old charlatan had to be driven to it at the last moment; he had not the slightest intention of doing it. I shall leave that for a Liberal Democrat history workshop. I should be happy to come along and discuss the whole question with them. We could have a fascinating debate.

The old-age pension was introduced about 100 years ago—essentially as a result of pressure from radical groups such as Churches, trade unions and elements of the Liberal party—and began fairly modestly. As a proportion of average earnings, it fell at various times and at one point was worth very little indeed. The great reforms in the pension system occurred in 1975 when Barbara Castle and Brian O'Malley introduced a Bill that linked the state pension with earnings and recognised that a large number of people in work were not eligible to enter an occupational pension scheme because they were part-time, on short-term contracts, or working for a company that did not have such a scheme. SERPS was developed to take over from previous schemes that were meant to mop up those who were not covered.

The incoming Tory Government inherited a good situation. By 1980, the state pension was rising in line with earnings and the number of people with access to either a low or a nil-contribution occupational pension was very high indeed. Former Chancellor Geoffrey Howe described the abolition of the link between the state pension and earnings in 1980 as his greatest achievement. A great achievement it certainly was: as a result of that single act, the state pension as a proportion of earnings has been reduced from about 24 per cent. in 1980–81 to about 14 per cent. at present—if my memory serves me correctly.

A Bill that the right hon. Member for Huntingdon (Mr. Major)—the former Prime Minister—helped to guide through the House as a junior Social Security Minister in 1986 falsely claimed that SERPS was unsustainable, and therefore must be revalued. The purpose of that Bill—which became the Social Security Act 1986—was to create a market for the private pensions industry.

After 18 years of Tory Government, we have a state pension linked to prices rather than earnings, which has fallen dramatically in value. We have also seen a massive mis-selling of private pensions as a result of the 1986 legislation. I think there is a good deal of common ground between the Liberal Democrats and Labour: both parties believe that the situation is appalling, and that the poverty of many pensioners must be addressed.

Pensioners whom I meet are extremely angry about their lot. They are angry about their poverty; they are angry about being told that they will receive an increase of 70-odd pence this year; and they are angry—I think they are right to be so—about something else. They have contributed to national insurance-related benefits all their lives, and their generation created the welfare state consensus of the post-war period. They now feel that they are being sold something that they do not want: something that should be very different.

My problem with the Government's pensions strategy does not lie in the adoption of the winter fuel allowance, or with the abolition of payment for eye tests. I welcome those moves. My problem lies in the Government's failure to recognise the high cost of living experienced by many elderly people. The hon. Member for Northavon (Mr. Webb) mentioned a pensioner index. I think that such an index should be adopted officially, because people who buy in small quantities tend to spend more in doing so. Moreover, hidden expenses are involved in the increased cost of many activities in which pensioners want to engage.

In London, following the abolition of the Inner London education authority, adult education has been the victim of a holocaust, and that has been replicated in many other parts of the country. It now costs a great deal to undertake an adult education course. Most people must pay to go to day centres, or to engage a home carer. All those costs have been introduced by stealth over the past decade or so. It is time to recognise that, for many pensioners, life is prohibitively expensive. The day centres that were created for the benefit of specific people are often half empty, or indeed closed, because those people cannot afford to pay what are actually quite small charges.

Mr. David Heath (Somerton and Frome): I agree with much of what the hon. Gentleman has said, especially about the need for a pensioner index. It will be interesting to see whether the Minister responds to that point; he did not do so the other day, when we debated the same issue.

Does the hon. Gentleman agree that one reason for grievance is the fact that people do not differentiate between different parts of government? People who see national Government granting a 75p increase, and know that it will immediately be taken away by local government through either council tax or additional charges for services such as those described by the hon. Gentleman, perceive that as a con trick.

Mr. Corbyn: Absolutely. After last year's pension increase, I attended my local pensioners forum. Having discussed the increase, the pensioners decided that the amount had already gone. Indeed, they calculated that they had been given a "negative rise", because of various other charges and council tax rises.

Pensioners in every part of the country probably rely on local authority services more heavily than the rest of the population, through the very fact of their greater age and needs. Local authorities wishing to reduce the council tax rise that they must impose on the electorate as a whole are often quick to introduce high charges for marginal groups, in order to ameliorate their demand on society generally. In fact, increasing taxation overall is much fairer and cheaper than introducing charges that apply to specific groups.

Let me make a final point about the Government's pensions strategy. I believe in a large state old age pension. I wish that the Government had chosen to revalue

and maintain SERPS, keeping in mind the vision of the 1970s, rather than adopting the idea of stakeholder pensions and the minimum income guarantee. I suspect that there is a problem. The Government believe in universal benefits: they believe in child benefit, the winter fuel allowance and the state pension, none of which are means-tested. In our debates on pensions, the Secretary of State has produced figures showing that many pensioners do not claim income support for various reasons, including poor advice and the stigma that they feel is involved. I suspect that, if we engage in a similar debate in 10 years' time, we shall hear a similar argument—on a larger scale—about the number of pensioners who do not take up the minimum income guarantee because they do not want to negotiate the hurdles involved in applying for it, or are unable to do so.

We are dealing with a generation of people who are now retiring. Many of those people, particularly the men, are on occupational pension schemes, and are, if not well off, then better off than people who retired some years ago. The age profile of the pensioner community shows that the older they get, the poorer they get. The women are poor in the first place, and the oldest female pensioners are often the poorest.

As for those who are now in their 30s, 40s and 50s, they change jobs frequently. Many are in no private scheme, no occupational scheme, no other scheme of any sort. Such people will rely on a state pension, plus any top-ups that they can get. In 20 years' time, a significant number of pensioners will rely heavily on means-tested benefits that are expensive to administer, inefficient in their direction and inefficient generally.

We should instead consider a substantial increase in the basic state pension, and, in principle, a link with average earnings. If it is good enough to link the principle of the minimum income guarantee to average earnings, it ought to be good enough to do the same with the basic state pension. If we at least adopted that principle, pensioners would see that the state pension was beginning to increase in line with the wealth of the rest of the community. That is the vision that Barbara Castle and others had in the mid-1970s, and I think we should have the courage to have it now.

A couple of Members have mentioned overseas pensions. When I was a member of the Social Security Committee in the last Parliament, we examined the whole question of British people living abroad who were eligible for a British pension. It depends where people live: it is a lottery. People move abroad, on or before retirement, for a number of reasons to do with home, family or other factors. There is nothing wrong with that. They have paid for, have worked for, and are eligible for, pensions in this country, and I see no reason for the pensions that they receive not to be linked to what is paid here.

We expect Australia, which has a comprehensive welfare state, to support British pensioners. British pensioners living in South Africa, where there is no such comprehensive welfare state, do very badly. Canada, which has a comprehensive welfare state, gives pensioners strong support, but pensioners living in another country will not receive that support. I think that that is morally wrong, and that we should arrange for the current state pension here to apply to British pensioners wherever they happen to be, provided that they are eligible to receive it.

Mr. Mackinlay: I see the Secretary of State lurking behind the Speaker's Chair, but I hope that the Minister will respond to a question that I asked the Secretary of State earlier, which he did not answer.

When I asked the Secretary of State my question, he said that we must use our resources carefully, and that they must be used in other ways. He did not, however, tell me why there should be a disparity between expatriates in some countries and expatriates in others. It is a logic that I do not understand.

Mr. Corbyn: I do not think it fair to say that the Secretary of State is lurking behind the Speaker's Chair. He seems to be standing beside it with great confidence, and no doubt he will shortly come in and announce that he agrees with everything my hon. Friend and I are saying about the uprating of the overseas pension.

The position is entirely illogical. Those who live in one country will receive the pension, while those living in another country will not. As I have said, people live in countries for a variety of family and related reasons, and I think that we should deal with the moral issue involved.

The House has a chance to do far more for pensioners. As a start, we should agree to link the state pension with earnings again. That would give an awful lot of confidence to an awful lot of pensioners who feel hard done by. They are very angry about the minuscule increase being offered to them from April, and look to politicians of all parties to ensure that in future years they receive a decent increase.

7 pm

Mrs. Jacqui Lait (Beckenham): This debate, like most of our debates, has been not only wide-ranging, but very interesting—I am just grateful that I am not the one who will have to add up the sums requested today by hon. Members on both sides of the Chamber. Those sums would make the sum provided for pensions—which is one third of the social security budget—look very meagre.

I do not follow the hon. Member for Islington, North (Mr. Corbyn)—who certainly committed himself to large sums—but would point out to him that, given the current population structure, his thinking on pensions would be unlikely to produce for him either a state or funded pension on which he could live happily for the rest of his life.

We have been debating some complex but actually rather simple motions to approve the social security uprating orders. Conservative Members will not vote against the motions, and—although I am tempted to deal with some of the many suggestions made in the debate—I shall be brief in my comments. Moreover, I suspect that the Minister and I are still trying to get our heads round clauses 28 and 29 of the Child Support, Pensions and Social Security Bill, which we shall start debating tomorrow in Committee. Some of the matters mentioned in the debate—such as the state second pension—are dealt with also in the Bill.

Although I have not yet tabled them, there will also be amendments to the Bill on annuities and the 75-year rule. I certainly agree with my hon. Friend the Member for Vale of York (Miss McIntosh) that there needs to be substantial change to the rule.

[Mrs. Jacqui Lait]

I was sad to see that, on Friday, the Department of Social Security felt it necessary to slip out a consultation paper on indexation of annuities. The paper has not yet reached either the Vote Office or the Library, although it is available on the internet—which is perhaps where, in future, we shall receive our information, rather than receiving it in the usual manner in the House. Nevertheless, I give the Minister notice that the annuity issue will undoubtedly arise in our consideration of the Bill in Committee.

As many hon. Members have said, pensioners believe that the 75p increase is measly. The Government have regularly made the point that pensioners have access to the minimum income guarantee. Nevertheless, the guarantee is merely a part of the income support system, but with a splendid new name. As hon. Members have said, support provided as part of the guarantee is means-tested. The guarantee is also not being taken up with great enthusiasm. I think that it is really a bit of a cruel trick to play on pensioners.

I look forward to hearing the Government's proposals on how they will try to increase take-up. Although many attempts have been made on many occasions to improve take-up, no one has yet succeeded. Perhaps Ministers, in the Government's new world of spin doctors, will find the key and ensure increased take-up of the minimum income guarantee.

I look forward also to hearing the Government's statement on widows' inheritance and the state earnings-related pension scheme. Earlier today, I was slightly surprised by the Minister's reply to my question on when a decision on those matters is likely to be made, and on whether we shall have to wait for a decision until 2002—when one will be made also on pensions—or might expect one a bit sooner.

I shall not take up more of the House's time on the motions. As I said, on the pensions Bill, it is cold-towel time for the Minister and me. I reiterate, however, that Conservative Members will not vote against the motions.

7.4 pm

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I believe that—other than at today's Question Time—this has been the first time that the hon. Member for Beckenham (Mrs. Lait) has replied to a debate since being given her new portfolio.

Mrs. Lait: It was the first time in the House.

Mr. Rooker: Yes. It has reminded me of when my right hon. and noble Friend Lord Orme first allowed me a run at the Dispatch Box. It was in a social security debate, but at a low-key moment, after 10 o'clock at night, so that it would not matter if things went wrong.

We have had a very interesting debate. Although there is no way in which I shall be able to reply to all the points made by hon. Members, I shall try to reply to some of them.

Some thoughtful speeches—some short and thoughtful, others long and thoughtful—have been made, and the Government have been asked many questions, not to mention the four issues that were raised by Liberal Democrat Members, who will be voting against the uprating.

I tell Liberal Democrat Members now that, when the general election comes, it will be no good complaining that every Labour candidate is highlighting how the Liberal Democrats voted at the end of this debate. Liberal Democrat Members will be voting against an increase in child benefit, in disability benefit and in pensions, and no amount of pontificating outside the Chamber—*[Interruption.]* No. In the heat of a general election, when Liberal Democrat Members try to explain to local journalists the rules and procedures of the House, it will not wash. The message will get across that they simply voted against the increases.

I shall deal with the speeches in reverse order. My hon. Friend the Member for Islington, North (Mr. Corbyn), who—I know; he told me them—had extremely good reasons for not attending the early part of the debate, made a point on overseas pensioners and expatriates. The point was dealt with earlier today. I believe that £300 million was mentioned as the sum necessary to address the issue as some hon. Members would like it addressed. Frankly, we have other and better ways of spending £300 million. Before people leave the country, they fully know the rules on how pensions are uprated around the world. There is no secret about the countries with which we have international treaties. International treaties are the main factor, and there really should not be any argument about that.

I made my second intervention on the speech of the hon. Member for St. Ives (Mr. George) because I felt that I owed him an apology for the way in which I made my first intervention, on his point on attendance allowance. I misunderstood the point that he was making. He was rightly raising the serious issue of attendance allowance take-up. All the evidence shows that take-up of the allowance by pensioners is not as great as research indicates that it should be. However, it is difficult to target attendance allowance, and we certainly could not run the same type of targeting campaign as we shall soon be running on the minimum income guarantee. For a start, attendance allowance is not means-tested. The reasons for low take-up in the two benefits are not the same.

Ignorance is one element in low take-up of attendance allowance. Some pensioners may think, "I'm a pensioner; I can't get attendance allowance," but that is not correct. I have come across cases in which people in the medical profession think that pensioner patients are not eligible. It is simply not true.

There is scope for working on take-up of attendance allowance—which is one way of getting money to the pensioner population. The allowance is not means-tested; based on circumstances, it is theirs as of right. I agree entirely that there is work to do on the issue.

The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who is Chairman of the Social Security Committee, made a long and thoughtful speech—which is not a criticism. I shall not drop myself in problems, but at the end of his speech, he concentrated on earnings limits and gave two examples, one of which was the long-standing £50 earning limit for those receiving invalid care allowance.

On Friday, I raised that very issue both with constituents, and—strangely enough, in the context of the national minimum wage—on a live radio phone-in, in

the midlands. A husband rang up about his wife, who was the carer, but was also doing a little job on the side that she wanted to continue doing. The caller said that many of the people with whom his wife worked benefited from the minimum wage. Although that is a real plus, ultimately, to continue receiving the allowance, the wife would have to cut her hours.

With a £50 threshold, the danger is that one might have to cut hours to such an extent that an employer will say, "If you can work only 13 hours, don't bother coming in—it's not worth it." Earning limits for carers are a real issue.

The Government wish to encourage carers, and we have long wished to enable people to remain in their own homes for longer than they have hitherto been able to. Accomplishing both those goals is part of the difficulty of giving an early response to the royal commission. Nevertheless, we shall give that response by this summer. Although there is nothing new in those comments on earnings limits, the hon. Member for Roxburgh and Berwickshire raised the issue, and it is an absolutely valid one.

My hon. Friend the Member for Gedling (Mr. Coaker) made a robust and honest speech. I should like to think that he might have done what I have done when faced with 200 or 300 quite angry and vociferous pensioners. I have said, "Hands up anyone here living on £66.75." To date, no one has put their hands up. I am talking about big groups, one of which had been addressed by my noble Friend Baroness Castle, my right hon. Friend the Member for Chesterfield (Mr. Benn), Jack Jones and Rodney Bickerstaffe; there were seven or eight of them. I was the last to do so.

I made it a central point that we were targeting our resources on the poorest pensioners in the land. There is an issue about who is being missed out—hence the research. We cannot be certain about the figures. There is a broad spread of figures; they come from the general household survey. We do not know where those people are. It is not as precise as the hon. Member for Northavon (Mr. Webb) says. We have an idea, and that will be part of our take-up campaign.

These people may, in the main, live in other people's households. The chances are that they will not be single and living alone in their own household; otherwise we would have, if you like, caught them by now, or they would have needed the extra help. That, too, will be part of our take-up campaign.

Following the Benefits Agency work, we estimate that the figure is a little over 2 million. Those people will be targeted in three tranches anyway. There will be television and press advertising. We will make an early announcement about the way in which we intend to go forward; we certainly will make the announcement before the end of this month. There will then be a large Government-sponsored take-up campaign, with a telephone national line and television advertising.

The work has been done, in the sense that we have seen the scripts and literature, with "minimum guarantee" on leaflets and drafts. At present, there are no posters or leaflets with minimum income guarantee on them. There are no documents, but there will be: we have seen the proofs. To that extent, we are on the verge of being able to launch that campaign. It is important that we get the money to the people who deserve it.

Several hon. Members raised the issue of winter fuel payments. Some said thanks, but not many. They said, "It is nice to have it, but it should have been on the pension." That was not the option. Everyone knows that. My right hon. Friend the Chancellor has made it clear that we have to pay it every year from now on. That is a big advance. Payment went up fivefold. Because of European Court judgments, it will be paid to men and women aged 60. That will change progressively as the retirement age goes up to 65—we make no secret of that.

The hon. Member for Vale of York (Miss McIntosh) was carping again, basically. I was aware of the press cuttings that she was reading from. It is true that, in trying to put it across that winter fuel payments were not tied to being a pensioner—they are not following that court judgment; they are tied to the age of 60-plus—I made that bold statement about every person in the country. Okay, I did not say that people in prison and people who were not 60 before the relevant date in September were excluded. All right hon. and hon. Members should know that. If we had not done it in that way, they would make another point.

Miss McIntosh: Will the Minister give way?

Mr. Rooker: I will not. We had the cut-off point of the date in September because we guaranteed to get the winter fuel cash in hand before Christmas. I regret to say that, with the old technology that we have inherited, it takes us a long time to do it; we have to have a long run-in to do the work. This year's date will probably be a similar one.

In the meantime, we have to do the work to find the people who, for the past two years, have missed out following the court judgment.

Miss McIntosh: Will the Minister give way?

Mr. Rooker: I will in a moment. I want to finish the point about the winter fuel payment.

We have to find those males aged 60-plus who did not have a spouse who was receiving the winter fuel payment; it is per household, not per person. We estimate that there are 1.5 million such males. Many will not be receiving any benefit. They will be at work. We do not have direct day-to-day contact with them, other than the fact that they pay national insurance contributions. We do not have a database from which to drum the information up, so it will take time to put together. Some of the 1.5 million-plus will have a spouse who received the £100. Obviously, the date of birth is relevant; it could have been before or after 20 September.

The European Court judgment might have made it look a simple matter of paying everyone from 60, rather than at our state retirement ages, but life is not as simple as that. We will do our best to get the backdated payments of about £100—it could be £20, or £140 to £170—to those people as soon as possible. However, it is as important to get our database correct—so that they receive their winter fuel payments before Christmas this year—as it is to pay the arrears.

Miss McIntosh: I am sure that the right hon. Gentleman would agree that I am not known for carping in this place. I am trying to be helpful. What advice would

[Miss McIntosh]

he give my constituents who have not been paid winter fuel payments for 1998, let alone 1999? Should they wait, or apply now?

Mr. Rooker: If those people have not received the payment for last year and the year before, obviously something is seriously wrong, and we should be provided with the details. There has been a telephone helpline. There have been facilities for people to be able to do that. If the hon. Lady provides information, we will ensure that the matter is dealt with immediately. I have made the point about winter fuel payments because it was said that we were being lethargic in the way in which we were dealing with the matter.

On capital limits, I repeat what the Secretary of State said. They will be reviewed in the current Parliament. We will make an announcement as quickly as possible. They will be reviewed more quickly than the period for which they have been frozen. The last time that there was an increase was 1990—from £6,000 to £8,000.

On inherited SERPS, the definition of "shortly" and "as soon as possible" is not as long as a piece of string, because we are obliged to do the work. Obviously, there have been inquiries by the parliamentary commissioner as well. The decision is not far off as to which way we shall proceed, but I repeat, although I should not have to do so any more: no change will take place this April. The reduction to 50 per cent. will not occur this April, so there will be no change. We have already said that in the legislation that was passed last year.

I do not think that it can be said that no decision is imminent on the major issues of winter fuel payment take-up, SERPS and the capital limits; decisions are imminent. We will announce them to the House as quickly as we can—that is what we will seek to do.

My hon. Friend the Member for Bedford (Mr. Hall) made an extremely articulate speech, as others have, regarding the position of pensioners who feel hard done by because of the 75p increase. As I said at Social Security Question Time, the only people who will get the 75p will be those who receive only £66.75. Hon. Members might shake their heads. The fact is that net average pensioner income for a single person in 1997–98 was £132. We cannot ignore SERPS. As Opposition Members have rightly said, the build-ups of occupational pensions in the 1960s and 1970s, and of SERPS, which is part and parcel of the same thing, during the 1980s, have dramatically changed total pensioner incomes. It would be stupid to ignore the position. The increase follows on into those pensions, on top of the 75p addition to the £66.75. Of course that is the average figure, and averages can be misleading. However, we make no apology for targeting those who have not achieved anywhere near those averages, such as those who are on the means test of the minimum income guarantee. We must make sure that we do our best for them.

Reference was made to the pensioner price index, as if there were not such an index. The Office for National Statistics still operates a pensioner price index, which reflects a basket of goods used by most pensioners. However, comparing the pensioner price index with the retail prices index over the past 20 years produces a significant reduction in the basic state pension of over £10 a week, so I do not think that we will be offering to use that index for the foreseeable future.

The pensioner price index excludes housing costs, including council tax. Pensioners on the minimum income guarantee, and just above it, can claim all or part of their housing costs or council tax. It is not as if they are deprived of help with their housing costs. Some will get all of their housing costs met, while others can get much of their costs met. I make no apology for the increases in the orders, which I commend to the House.

Question put:—

The House divided: Ayes 284, Noes 31.

Division No. 64] **[7.21 pm**

AYES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith

Hinchliffe, David
Hoey, Kate
Hope, Phil
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Mike Hall.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Hughes, Simon *(Southwark N)*
Kirkwood, Archy
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Sanders, Adrian
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Noes:
Mr. Bob Russell and
Mr. David Heath.

Question accordingly agreed to.

Resolved,

That the draft Social Security Benefits Up-rating Order 2000, which was laid before this House on 31st January, be approved.

SOCIAL SECURITY (PENSIONS)

Resolved,

That the draft Guaranteed Minimum Pensions Increase Order 2000, which was laid before this House on 31st January, be approved.—*[Mr. Rooker.]*

Sexual Offences (Amendment) Bill (Procedure)

7.34 pm

The Minister of State, Home Office (Mr. Paul Boateng): I beg to move,

That, if the Sexual Offences (Amendment) Bill be read a second time, no Order shall be made for the committal of the Bill and it shall be ordered to be read a third time upon a future day; and upon a Motion being made for Third Reading the Question thereon shall be put forthwith and may be decided, though opposed, after the expiration of the time for opposed business.

I shall be happy to answer any questions that arise.

Mr. David Lidington (Aylesbury): As I understand the motion, it is to provide a special and accelerated procedure for our proceedings on the Sexual Offences (Amendment) Bill later this week, and the intention is to comply with the provision of the Parliament Acts that the Bill, when it leaves the Commons, must be identical in virtually every respect to the Bill previously enacted here.

The precedents for the motion are somewhat scarce. Unusually, my researches unearthed precedents set by Liberal Governments, which suggests that we are trespassing on what might mark the political boundary between history and archaeology.

Miss Anne McIntosh (Vale of York): Has my hon. Friend found any precedent for such a motion on a matter of conscience that goes to the heart of people's behaviour?

Mr. Lidington: That is a good point. It is true that such a motion has been used previously to enact measures of intense party controversy and that it was employed on the War Crimes Bill in 1991—a measure that, although the subject of fierce controversy, was given a free vote in both Houses of Parliament—but I do not believe that there is a precedent for a Bill to be dealt with under the Parliament Acts that deals with a matter of personal moral and religious beliefs.

I hope that the Minister will be able to explain in a little more detail than he has yet been willing to do what the Government's motives are for using the Parliament Acts and not at least trying out the opinion of the newly reformed other place, and why they are employing this precise motion to give effect to those Parliament Act procedures.

I was surprised that the Government, having told the House that the removal of the hereditary peers was essential to get rid of what they regarded as a tremendous injustice, should now apparently have so little confidence in their reformed Chamber that they are unwilling to put the Bill to the test of a vote in it.

I question the need for the motion. The precedents are limited. In 1913 and 1914, Parliament Act motions of this kind were introduced for the Government of Ireland Bill, the Established Church (Wales) Bill and the Plural Voting Bill. It is perhaps worth noting that the incumbent Prime Minister, Mr. Asquith, moved those motions; those were days when Prime Ministers were rather more keen on appearances at the Dispatch Box.

The motion provides that, after Second Reading, there will be no Committee stage and that, although there may be a motion for Third Reading—and my understanding is that it could be voted on—there will be no debate on that motion.

Miss McIntosh: I have just been to the Public Bill Office to try to table an amendment to the Bill, and I was told that, if the motion is approved this evening, no hon. Member will be permitted to table one. That is deeply regrettable. The House will not be allowed the opportunity to consider an amendment to equalise the age of consent at 18, which would be entirely in keeping with European law.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady should not attempt to make a speech in an intervention.

Mr. Lidington: Questions arise over the removal of the Committee stage and the possibility of debate on Third Reading. The Government's argument is that, in order to comply with the procedures laid down in the Parliament Acts, we cannot have a Committee stage. However, I find it strange that a Government with a majority of about 180 should be so nervous of the normal Committee procedure.

The Government have plenty of weapons available. They have a comfortable majority and, although such Bills have always been decided—and will be decided this Thursday—on a free vote, there is a big majority in the House as now constituted for the principle behind the Bill. The Government also have available the normal procedures to manage business, including closure motions and guillotines.

Mr. Gordon Marsden (Blackpool, South): I am listening carefully to the hon. Gentleman's constitutional arguments. If we were to have a Committee stage during which—heaven forfend—Conservative Members attempted to filibuster and the Government had to move a closure motion, may I take it from what he has just said that the Conservatives would not then jump up and down and scream and shout about the curtailment of democracy?

Mr. Lidington: On all proceedings in previous Sessions on the Sexual Offences (Amendment) Bill, the Conservative party has operated a free vote, without the application of party Whips. That applies to the motion tonight and would apply to any vote held on the substance of the Bill or any other procedural motions relating to it. In free votes, as the hon. Gentleman knows, my Front-Bench colleagues take different views, depending on their personal opinions. That is how it should be with a Bill of this nature and that is how we will continue to operate.

The Government's argument, as I have said, is that to comply with the Parliament Acts, it is necessary to have no Committee stage. Those arguments were made by the Liberal Government in 1913 and 1914, by the Labour Government in 1948 and by the Conservative Government in 1991. However, there is an alternative available to the Government that has not previously—as far as I am aware—been mentioned and that is explicitly provided for in section 2(4) of the Parliament Act 1911. That Act,

while it states clearly that the Bill sent from the House of Commons must be the same as that which was passed in the previous Session, also states that

"the House of Commons may, if they think fit, on the passage of such a Bill through the House . . . suggest any further amendments without inserting the amendments in the Bill, and any such suggested amendments shall be considered by the House of Lords, and if agreed to by that House, shall be treated as amendments made by the House of Lords, and agreed to by the House of Commons; but the exercise of this power by the House of Commons shall not affect the operation of this section in the event of the Bill being rejected by the House of Lords."

The provision was designed to retain for the House of Commons the right to consider possible amendments to a Bill being brought forward under the Parliament Acts, without that compromising its ultimate rights to overrule the House of Lords and insist that the will of the Commons should prevail. When the Minister winds up, I hope that he will tell us whether the Government will provide for what is sometimes termed the suggestions procedure to operate in respect of the Bill.

The precedents show that no less a figure than Winston Churchill, at the time a Cabinet Minister in a Liberal Government, said:

"The Suggestion stage is . . . to enable either small points which are oversights to be set right by general agreement or to enable suggestions of compromise to be put forward and debated. The root principle of the Parliament Act is that every Amendment which makes for agreement, and for a change in a Bill which tends to lessen disagreement, can be incorporated in the Bill without depriving it of the advantages of the . . . Parliament Act."—[*Official Report*, 23 June 1913; Vol. LIV, c. 843.]

We should ponder carefully before we agree to a procedural motion that would considerably curtail the rights of every Back Bencher to debate the Bill and to suggest ways in which it could be improved. Of course, once Second Reading had taken place, any amendments would have to comply with the overall purpose of the Bill.

Mr. Keith Darvill (Upminster): Is the hon. Gentleman arguing that the House has not already had sufficient time for debate on the Bill in the previous Session?

Mr. Lidington: One thing that I have learned in my relatively brief time here is that almost every piece of legislation introduced by any Government benefits from debate and amendment. Too often, I have seen Governments introduce legislation, curtail debate by procedural devices and then, a couple of years later, discover that it is far from perfect. The courts have to try to sort it out or it has to be amended through further legislation.

The motions that were debated in 1913 and 1949 said that suggestions should be made in the form of a motion on the Order Paper tabled between Second Reading and Third Reading. If we are not to have a Committee stage, it would still be possible for the House to follow the procedures laid down in the Parliament Acts, provided that there was a gap between Second and Third Readings. I would be grateful if the Minister would explain whether the Government intend to proceed to Third Reading on Thursday immediately after Second Reading or whether they will set a further day for the formal motion of Third Reading. If the suggested procedure is to be followed, who is to decide whether a particular motion is selected for the debate? Will it be the Government, will it be Madam Speaker, or will there be a discussion through the usual channels?

I am also concerned that the Government have decided against allowing any time for Third Reading. This was, as I have acknowledged, part of the 1991 resolution of the House, but the previous precedents for measures of this type in 1913, 1914 and 1949, while curtailing the possibility of amendments being moved in Committee, allowed the House time for a full debate and a Division on Third Reading as well as on Second Reading. So there is a difference between the way in which the Government are choosing to proceed this week and the way in which previous Governments have approached the powers given to them under the Parliament Acts.

My conclusion is that the only explanation for the Government's conduct is that they are fearful and embarrassed about the prospect of their Bill being debated in detail and at proper length in the Chamber. It is a great pity that they should choose not to rely on the good sense of individual Members to debate this measure with the maturity and judgment that I think has characterised debate on the Bill. It is a pity that they should propose a procedural motion that severely restricts the right of the House of Commons to debate an important measure on which many of our constituents have strong opinions. The Government owe the House a more detailed and compelling explanation than Ministers have provided so far.

7.52 pm

Mr. Paul Tyler (North Cornwall): I share with the hon. Member for Aylesbury (Mr. Lidington) the hope that there will be a fuller explanation from the Minister in a few minutes. I do not wish to delay him, so I shall be extremely brief.

It was unfortunate that, instead of putting options to the Opposition parties, the Government decided to proceed with one option because, as has been said, there are several. One would have been a guillotine motion, and Liberal Democrats would have resisted that firmly as being inappropriate. I hope, too, that the Conservatives would have recognised that as inappropriate to this measure, which is an issue of conscience on which we all believe that a free vote is appropriate. It would have been helpful if we had been given the opportunity to consider the Parliament Act procedure under which suggested amendments can be brought forward without pre-judging whether the Act could be used. It is unfortunate that we do not have such an opportunity

Issues still need to be discussed properly in both Houses, and I hope that there will be opportunities to do so. I hope that the debate on Second Reading will be as wide ranging as it should be. I hope in particular that Ministers will consider some of the issues that still cause concern, such as the abuse of a position of trust. There are anomalies that need to be cleared up. Even if they cannot be cleared up in the Bill, some assurance by the Minister introducing the Second Reading debate is desirable.

We have reached a point where perception is as important as substance. The perception is that if this House, or the other place, puts major obstacles in the passage of the Bill, there will be a widespread view that Parliament is yet again dragging its heels over an issue on which there is a settled view. My colleagues and I have considered the precedents carefully, as has the hon. Member for Aylesbury. We accept that there is a good case for proceeding with this motion and we will therefore support it.

7.54 pm

The Minister of State, Home Office (Mr. Paul Boateng): The motion tonight is a purely procedural one. The substance of the matter and the Bill to be considered on Second Reading on Thursday has been debated at length—exhaustively—with some good speeches from both sides and some that were, quite frankly, best forgotten. All in all, we have had an opportunity, time and again, to consider the substance of the debate and a settled view has been arrived at by the House, as hon. Members have said in this debate.

Let me outline briefly why we have alighted on this procedure. It is important, in so doing, to look briefly at the Bill's unhappy history, particularly at the sorry account of the treatment of these proposals in another place. In accordance with the Government's agreement, reached on the cases before the European Court of Human Rights of Sutherland and Morris, the House was given an opportunity to consider the equalisation of the age of consent as an amendment to the Crime and Disorder Bill as long ago as 22 June 1998. Concern was voiced in that debate about the need to protect young people from abuse of trust. Nevertheless, the House agreed the amendment, on a free vote, by 336 votes to 129. However, on 22 July, the amendment was rejected, on a free vote, in another place. When the Bill returned to the House on 28 July, my right hon. Friend the Home Secretary made it clear that we would not press the amendment but would reintroduce the legislation in the 1998–99 Session. The House then agreed not to reinstate the amendment in that Bill.

In accordance with that commitment, the Sexual Offences (Amendment) Bill was introduced on 16 December 1998, this time containing provisions on both the age of consent and on abuse of trust. The Bill was overwhelmingly supported by the House, on a free vote, on Second Reading, by 313 votes to 130. It was then considered in detail in Committee. There are some hon. Members present tonight who participated in that detailed and useful consideration, as a result of which an amendment was accepted which, if my memory serves me well, came initially from the Opposition. The Bill was considered in detail in Committee, including on the Floor of the House, for 12 hours and 56 minutes. On Third Reading, the Bill was passed by 281 votes to 82, and was sent to another place, where it was refused a Second Reading, again on a free vote, by 222 votes to 146.

We subsequently concluded that it was right to give Parliament a further opportunity to consider the issue. In response to a question tabled by my hon. Friend the Member for Brentford and Isleworth (Ann Keen) on 23 July, my right hon. Friend the Home Secretary announced that the Government had, with the agreement of the applicants, sought a further extension of the European Court of Human Rights cases of Sutherland and Morris. As part of that application, we undertook to the court to reintroduce the Sexual Offences (Amendment) Bill this Session and said that, if necessary, the Parliament Acts would be used to secure its passage. That decision was reaffirmed in the Gracious Speech.

I have listened to the hon. Member for Aylesbury (Mr. Lidington), but tonight's motion can hardly have come as a surprise to him. The suggestion that this is in some way a curtailment of the rights of Back Benchers does not bear examination. I think that, in the cold light of day, even he would accept that.

Mr. Simon Hughes (Southwark, North and Bermondsey): I have two simple factual questions for the Minister. Can he confirm that, if the Bill goes through this House on Thursday and goes to the other place, his colleagues there will have a free vote on Second Reading? Can he also confirm that the Lords will then be free to look, for the first time, at the abuse of positions of trust provisions if they want to?

Mr. Boateng: These are all matters of conscience; they are matters for a free vote. It is not for me to speak of what will occur in the other place—that would be presumptuous.

Mr. Tyler: Go on—why change the habits of a lifetime?

Mr. Boateng: Do not tempt me—I must resist. The tradition has been that these should be seen as matters of conscience.

In bringing the Bill back before Parliament, we have made it clear that we will resort to the Parliament Acts 1911 and 1949 if another attempt is made in another place to reject the Bill. We do not do that lightly. We understand that beliefs on the age of consent are strongly held, and we respect them. However, the Parliament Acts exist for a reason—to resolve disputes between the two Houses, such as the present one, in which the will of the elected House has been repeatedly frustrated by the unelected Chamber.

The view of the House of Commons has been clear on every occasion on which the issues of the Bill has been debated. If it receives on Thursday the same overwhelming endorsement that it won in the previous Session, the repeated expressed will of the elected representatives of the people must ultimately prevail, in a democracy, over that of the unelected Chamber.

Dr. Evan Harris (Oxford, West and Abingdon): The right hon. Gentleman said a moment ago that he did not wish to be tempted, but I should like to draw him slightly forward because I proposed the amendment that the Government graciously accepted in the previous Session. Does he agree that the Bill is of precisely the type that could benefit if the other place agreed to hold a Committee stage, although, of course, the other place must not ultimately reject the Bill or delay its passage?

Mr. Boateng: No, I shall not be tempted. My experience of the hon. Gentleman tells me that it unwise ever to be tempted by him on anything.

Let me deal briefly with the constitutional principles surrounding use of the Parliament Acts. The hon. Member for Aylesbury suggested that our use of the Acts was some sort of innovation. It is not so; the War Crimes Act 1991 was a similar issue of conscience and morality on which different views were honestly held and persuasive arguments made on both sides. In that case, the Conservative Administration saw no constitutional impediment to using the Parliament Acts to enforce the will

of the House of Commons to enact a Bill on which there had been a free vote in both Houses. It is the same with the Sexual Offences (Amendment) Bill.

The hon. Gentleman suggested that the other House would be free to consider any amendment that we might choose to attach to the Bill, under what he described as the "suggestions" procedure. We see no need to offer suggested amendments. We take the view that the Bill was thoroughly considered and amended during the previous Session, and we see no need for further amendment. The House thought it appropriate to send the Bill to the other place, and we believe that we should send it again. Between that date and this, nothing has changed that would affect the provisions then agreed. Of course, it remains open to the House of Lords to suggest any amendment. The Bill would then return to this place for our consideration.

Against that background, I commend the procedural motion. The principles of the Bill are clear. It was considered exhaustively by the House during the previous session. We spent 23 hours and 15 minutes considering it. We do not need the formality of Committee or Report stages; nor do we need another Third Reading debate. The motion provides that no order should be made for the Bill's committal in the event of its receiving a Second Reading, and that it should be read the Third time with the Question being put forthwith, and decided, if opposed, "after the expiration of time for opposed business."

The Bill deals with serious issues, but those issues have been repeatedly and exhaustively aired. No new issues have been raised in the Bill, which is identical to that sent to the other place in the previous Session. However, the House will have the opportunity on Thursday to discuss the substantive issue and to give its opinion on the Bill. We shall hear a wide range of opinion on the matter. If, as I am sure that it will, the House continues to believe that the Bill should proceed, that should happen as soon as possible without any need for additional and fruitless stages. I commend the motion to the House.

Question put and agreed to.

Resolved,

That, if the Sexual Offences (Amendment) Bill be read a second time, no Order shall be made for the committal of the Bill and it shall be ordered to be read a third time upon a future day; and upon a Motion being made for Third Reading the Question thereon shall be put forthwith and may be decided, though opposed, after the expiration of the time for opposed business.

Census

Motion made, and Question put forthwith, pursuant to Order [25 January],

That the words in item 1 'indicating whether an individual form is being completed by that member', the words in item 2 'and relationship to householder or joint householder or to the first person mentioned in the return, and, as the case may be, where there are 5 or less persons in the household, the relationship to each of the previous persons mentioned in the return and where there are 6 or more persons in the household, the relationship of the sixth and subsequent persons to the two previously mentioned persons in the return', the words in item 6 'and if married whether first or subsequent subsisting marriage', items 7, 10, 11, 12, 13, 14, the words in item 15 'or was on a Government sponsored training scheme', items 16, 18(c), 25, 26, 27, 28 and 29 of Schedule 2, and items 1, 2 and 3 of Schedule 3 to the draft Census Order 2000, which was laid before this House on 10th January, be approved.—*[Mr. Kevin Hughes.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

COMPETITION

That the draft Competition Act 1998 (Land and Vertical Agreements Exclusion) Order 2000, which was laid before this House on 19th January, be approved.

That the draft Competition Act 1998 (Determination of Turnover for Penalties) Order 2000, which was laid before this House on 19th January, be approved.—*[Mr. Kevin Hughes.]*

Question agreed to.

Aluminium Recycling

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

8.4 pm

Ms Helen Southworth (Warrington, South): I am grateful for the opportunity to discuss both the effects of Treasury fiscal policy on the recycling of aluminium and concerns that the climate change levy may create a perverse incentive that makes aluminium recycling economically less competitive.

In my constituency, Latchford recycling plant—Europe's first dedicated aluminium can recycling facility—clearly demonstrates that aluminium recycling is one of the success stories of greening business. Commissioned in 1991, with investment of £28 million, it has sufficient capacity to recycle every aluminium can in the United Kingdom. Since 1991, the plant's output has grown by 40 per cent., and it recycles more than 4.5 billion cans a year. It provides employment for 143 people in Warrington.

At the other side of the constituency lies one of the UK's biggest landfill sites, a huge hole in the countryside that consumes waste from a wide area, including greater Manchester. Unsurprisingly, local residents do not like being neighbours to a landfill site. They want people to sort at source and to recycle their waste rather than dump it.

Last year, a local community association charged an entry fee of one aluminium can for recycling at its summer fair, recognising the crucial relationship between aluminium's intrinsic value and the fact that recycling can release that value and reduce landfill waste. Around 4.2 billion aluminium drinks cans were sold in the UK in 1998. If every can used in the UK were recycled, 13.5 million fewer dustbins would go into landfill. We would also save 280,000 tonnes of carbon dioxide.

Aluminium is the most widely used non-ferrous metal in the world. Annual production of primary aluminium amounts to 20 million tonnes, which gives some idea of the size of the global market. It has a wealth of applications from transport to packaging, and from construction to engineering.

Perhaps the most important point is that aluminium enjoys significant environmental advantages in comparison with similar materials. The low weight of aluminium frames used in cars and other vehicles means that the energy required to power them is significantly lower than would be the case for most other metals. A life cycle analysis of aluminium—taking into account the product's environmental impacts from cradle to grave rather than just its manufacturing costs—shows that a vehicle with an aluminium chassis may be 100 kg lighter, meaning a reduction in fuel consumption of 0.6 litres for every 100 km travelled. A tonne of aluminium used in place of steel would save 20 tonnes of carbon dioxide emissions over the lifetime of a car.

That environmental advantage was, no doubt, considered when the Government took their welcome decision to exempt energy use for electrolysis in primary aluminium smelting from the new climate change levy. By its nature, aluminium electrolysis has extremely limited scope for reductions in carbon dioxide emissions. The Government's decision was an important step towards safeguarding the competitiveness of the UK aluminium industry. Given the savings in energy that can result from use of aluminium rather than other metals, that was a wise decision, making environmental and economic sense.

Generations of children know that the way to a "Blue Peter" badge lies in collecting aluminium milk bottle tops. Aluminium is infinitely recyclable, and it therefore has a high intrinsic value. Scrap metal can be refined or re-melted to make new aluminium products with virtually no degradation in quality. It can be recycled again and again, almost limitlessly.

It is important to climate change that the energy required for secondary aluminium production amounts to just 5 per cent. of that needed for the primary product. Primary aluminium consumes 148,000 MJ of electricity per tonne of output. Secondary aluminium uses just 8,100 MJ for the same output. Recycling aluminium is a green activity.

Secondary aluminium production has made enormous strides in the improvement of its energy efficiency. Part of that has been achieved simply by better housekeeping, but the industry has made a large investment in improving efficiency—£170 million over the past nine years. That has included sophisticated melting technology, new furnace design technology, burner design, energy recovery projects and fume arrestment equipment. Many producers have also been audited by bodies such as the energy technology support unit under the energy best practice programme.

The industry plans to invest similar amounts over the next nine years, in order to make further efficiency improvements. It is a green industry with an environmental conscience.

Most important, the industry has invested heavily not only in the infrastructure required to collect material for recycling, but in the educational programmes that encourage consumers to recycle—to change their normal practices. That has been at no cost to the taxpayer. It means that more aluminium is now recycled in Britain than ever before, in an increasingly energy efficient manner.

In 1990, 503,000 tonnes of aluminium were recycled in the UK but, by 1998, as a result of the investment programme, the amount had increased to 858,300 tonnes—a 71 per cent. increase. To produce that amount of aluminium by recycling instead of by producing primary material effectively prevents 4 million tonnes of carbon dioxide emission. That is a significant amount; not least because it is more than the whole UK annual commitment under the Kyoto protocol.

Recycling rates are now as high as 90 per cent. in the transport sector and more than 70 per cent. in the building and construction sector. Even the packaging sector—the most important sector for my constituency—which has innate problems due to the logistics of recovering small quantities of used packaging from millions of households throughout the country, has now built up to a recycling rate of 36 per cent. for used drinks cans. That is the most recycled post-consumer beverage package in the UK.

Higher rates of recycling mean that there is less demand for alumina and thus a correspondingly lower demand for bauxite ore. Recycling means that there is less need for bauxite to be mined in the first place, thus offering environmental protection. Nationally, aluminium

packaging recycling is a booming business in its own right. There are now five million recycling transactions every year. There are 50,000 collection groups nationally—20,000 of which are schools and colleges, which are recycling money back into their own operations. Britain has 400 aluminium recycling centres, as well as 120 collection programmes run by community groups. The industry provides jobs—at least 750 new jobs in aluminium packaging, collection and reprocessing in the past decade.

Aluminium scrap has a high value. Collecting aluminium packaging to sell as scrap to secondary aluminium producers provides funds to numerous charities and local community groups—£10 million for local communities and charities every year. In 1998–99, the "Blue Peter" appeal collected 500 tonnes of aluminium, providing funds to build three new schools in Mozambique.

Aluminium foil and can recycling has become a core activity for a growing number of social employment projects that provide skills and personal development training in a workshop setting. There are almost 40 projects providing aluminium recycling services for 70 local authority areas. Many of those are part of the new deal programme; not only do they produce valuable income, they give unemployed young people independence, self-esteem and structured work patterns and the opportunity to gain qualifications that lead to outside employment.

Such projects combine environmental and social benefits and encourage the public to donate aluminium to benefit directly their local communities. It is no exaggeration to say that aluminium recycling proves that there can be a triple bottom line that works simultaneously in the economic, social and environmental spheres. For example, not only would the cans and foil currently recycled each year fill the dome, they would be worth more than £10 million to collectors. Perhaps more disconcertingly, we could still recycle another two domes-full—products worth £25 million are currently going into landfill.

The competitiveness of secondary aluminium producers is finely balanced. The price of scrap metal is high and the infrastructure required to collect it is expensive. The costs of changing public behaviour to promote recycling are largely borne by the industry. Over the past 10 years, more than £40 million has been spent on the marketing, promotion and collection infrastructure in cans and foils alone.

Recycled aluminium competes with primary aluminium in a market in which end prices are determined internationally. Currently, the cost of each is similar. As British primary aluminium electrolysis is made exempt from the climate change levy, recycled aluminium could be at a disadvantage. It is not only potentially anti-competitive, but illogical, to tax recycling as part of a levy whose stated purpose is to encourage energy saving and environmental best practice.

Another key consideration is that scrap might be contaminated with paint, grease, oxides, plastics and so on. The more impurities that are present in the metal being recycled, the more energy is required to re-purify it. As the recycling of scrap metal increases, the greater proportion of impurities in the scrap means that it becomes more expensive to produce, and recycled aluminium becomes less competitive against aluminium produced from bauxite.

Companies aiming for stringent targets in energy consumption, under the negotiated agreements, are likely to refuse to process low-grade scraps, with low metal yield and contamination that must be removed—for example, coated foil. Those materials will end up as landfill—as waste. That is the precise opposite, environmentally, of what the climate change levy intends.

The Government's decision to exempt the energy used by the electrolysis of primary aluminium is sensible and welcome; it safeguards the competitiveness of British industry within an overall framework of making the market work for the environment through incentivising energy efficiency. The Government's integrated climate change policies make them a pathfinder in European environmental policy, and we can justly be proud of that.

At the same time, the Government have also shown that environmental policy can be sensitive to the needs of business and to the imperatives of competitiveness. The decision, announced in the pre-Budget statement, to increase the level of rebate to 80 per cent. for those businesses that have made negotiated agreements shows clearly that the Government's approach is environmentally and economically sensible, and was arrived at by listening to responsible industry voices.

However, there is a danger that secondary aluminium will face a blow to its competitiveness by having to pay the climate change levy, while primary aluminium—due to the electrolysis exemption—receives a cost advantage. That situation would upset the fine balance of competitiveness between primary and secondary aluminium.

It would be most inappropriate if the levy were inadvertently to penalise the aluminium recycling sector, which is one of the success stories of greening business. There is a real risk that the climate change levy could make the use of recycled aluminium more costly than that of primary aluminium and thus undermine the levy's environmental intentions.

What might happen if secondary aluminium production is liable for the climate change levy, but electrolysis in primary aluminium smelting is not? Secondary aluminium would rapidly become less competitive than its primary counterpart. Demand for scrap metal in the UK would fall as the cost base increased. Aluminium scrap would then be exported to other countries.

However, Britain would be exporting much more than scrap metal. Jobs in the secondary aluminium industry would also be exported and, given that a company producing 25,000 tonnes of aluminium ingot employs between 70 and 100 people, the number of jobs lost would be substantial. If companies have to relocate to places where energy costs are cheaper, Britain would also be exporting the tax revenues of those companies. The total annual value of the annual production of recycled aluminium from the UK's 60 reprocessing companies is £1.1 billion.

Perhaps most ironically, Britain would be exporting the energy savings that can be made by the secondary aluminium industry. We have already seen how much less energy-intensive secondary aluminium production is than primary aluminium. If Britain inadvertently pushes secondary aluminium abroad because of the unintended effect of an environmental tax, we shall have made a grave error in terms of unemployment and lost a great opportunity

[Ms Helen Southworth]

for energy savings that would count towards our Kyoto targets and our national contribution to safeguarding our planet's future.

Secondary aluminium is an expanding industry. It fulfils a necessary and positive economic and environmental role. It is high-tech and saves energy, raw materials and waste to landfill. It provides 2,500 jobs and is investing for the future. It is an industry with added social value, allowing innumerable charities and community groups to raise vital funds.

Aluminium recycling is an industry that Britain needs to encourage—and the best possible way to do that is to exempt the industry, and aluminium recycling, from the climate change levy.

8.20 pm

The Minister for Competitiveness (Mr. Alan Johnson): I congratulate my hon. Friend the Member for Warrington, South (Ms Southworth) on securing the debate and on her thoughtful and well-informed speech. I am aware of the tireless efforts that she has made to ensure that the importance of the United Kingdom aluminium industry and its products are properly recognised by the Government and others, especially through her role as chair of the all-party parliamentary group for the aluminium industry and through her membership of the Select Committee on Trade and Industry. I am also grateful to her for giving me advance notice of the issues that she has just brought to the attention of the House.

The subject of the debate is important, as recycling is one of the key ways in which the metals industry can contribute to the greater goal of sustainable development. The Government are keen to work with the aluminium industry to find efficient ways of recycling this important material. The effective management of waste is central to achieving sustainable development. The Government are committed to achieving substantial increases in recycling rates. Our draft waste strategy, published last year, set out our goals of recycling or composting 25 per cent. of household waste by 2005 and, by the same date, reducing the amount of industrial and commercial waste that we landfill by 15 per cent. as compared with 1998 levels.

Increasing recycling rates will help reduce the environmental impact of using primary raw materials and energy, and disposing of waste. It also offers a competitive opportunity to those businesses that can supply and use recycled materials.

We have in place a number of measures to encourage increased recycling rates. The landfill tax encourages greater diversion of waste from landfill, and the standard rate is going up by £1 a tonne each year until a review in 2004. The producer responsibility initiative means that several industry sectors—including the packaging sector—are taking action to increase re-use, recovery and recycling rates. A Department of Trade and Industry recycling programme announced last October will tackle the market and technical barriers to increasing the use of recycled materials by manufacturing industry. Following that, the DTI and the Department of the Environment, Transport and the Regions are jointly developing proposals for a programme to promote more sustainable waste management and expand the market for secondary raw materials.

The Government are grateful to the UK aluminium industry for the commitment that it has shown in its negotiations with DETR on an agreement to reduce energy consumption and emissions of greenhouse gases. I understand that the Aluminium Federation is at the forefront of the energy-intensive sectors involved in these discussions, and that it expects to be one of the first trade associations to sign heads of agreement during the coming weeks. Once a full agreement has been concluded, eligible sites within the sector will be able to benefit from an 80 per cent. discount in the rate of the climate change levy.

It is useful to have my hon. Friend's views on the climate change levy. I emphasise that the Government are seeking to design and implement the levy in a way that maximises the environmental benefits and safeguards competitiveness. We have been trying to work with business as much as possible on the design of the levy, and we have been listening to its views.

My right hon. Friend the Chancellor responded to concerns expressed by business about the impact of the levy on competitiveness by announcing, in his 9 November pre-Budget report, a number of refinements to the original proposals. My right hon. Friend announced a discount of 80 per cent. for those sectors entering energy use agreements with the Government, and reconfirmed the exemption of electricity used in the primary smelting of aluminium. Those are moves to safeguard the competitiveness of energy-intensive sectors of industry exposed to international competitive pressures. However, there was much more in the pre-Budget report announcements for all sectors of business which, in the context of aluminium, means both primary and secondary producers.

All sectors will benefit from the proposed reduction in the main rates of the levy from those published at the time of the 1999 Budget. All sectors will gain from the trebling of Government assistance to business for energy efficiency measures, including the introduction of a new system of enhanced capital allowances. All sectors can lower their levy liabilities by using electricity generated in good-quality heat-and-power plants or from new forms of renewable electricity.

I acknowledge the concerns that my hon. Friend the Member for Warrington, South expressed so eloquently about the impact of the climate change levy on aluminium recycling. I emphasise that we take that issue very seriously. We are working to ensure that the climate change levy should not cut across other environmental policy objectives. We certainly do not want to discourage aluminium recycling, which is one of the success stories of greening business, as my hon. Friend said. The Government are trying to deal with this issue in the context of the negotiated agreements. We are giving careful consideration to proposals on this issue which have been made by the Aluminium Federation.

The question of eligibility for the climate change negotiated agreements has also been raised. Not all businesses engaged in aluminium recycling are eligible. We have said that eligibility will be determined on the basis of regulation under the European Union integrated pollution prevention and control directive. Installations covered by IPPC will be legally identifiable and subject to a regulatory requirement, in terms of having to operate in an energy-efficient manner, to which other non-IPPC sites will not be subject.

IPPC captures the main energy-intensive sectors of industry. However, the Chancellor said in his pre-Budget report that the Government would still be prepared to consider suggestions from business for alternative approaches to IPPC, provided those targeted the discount on energy-intensive sectors exposed to international competition. However, any alternative proposals would have to meet certain criteria: they would have to have a clear rationale, provide legal certainty, have administrative simplicity and be consistent with EU state aid rules.

I know that several industry trade associations have made representations on this issue—and that the Aluminium Federation is a party to one proposal, put forward jointly by a group of trade associations. We shall give fair consideration to all other suggestions received—in advance of the forthcoming Budget.

However, I believe that it is important to make clear exactly what is at stake. The Government are offering the 80 per cent. levy to those in negotiated agreements but in return for commitment to challenging energy use targets, which will entail significant investments. The result should be environmental and competitiveness gains.

The Alcan recycling plant, which is in my hon. Friend's constituency, is a key part of the infrastructure in the UK for achieving the recovery and recycling targets in the EC directive on packaging and packaging waste. The directive requires us to recover 50 per cent. of all packaging waste and to recycle 25 per cent. in 2001. They are particularly challenging targets for us in the UK because we have started from a lower base than many of our European neighbours.

We are committed to achieving the targets in the EC directive through the UK's packaging waste regulations. These form part of the UK's producer responsibility initiative, in which a number of sectors are taking action to increase their levels of re-use, recovery and recycling.

In recent years, there has been increasing awareness that market failures may affect the expansion and development of the UK's recycling activities. New and proposed EU legislation on waste, and the review of the waste strategy for England and Wales, have highlighted the issue.

The market development group set up by Department of the Environment, Transport and the Regions in July 1998 has investigated the barriers to expanding the markets for recycled goods. The group's key recommendation was that the identification and development of new markets for recycled goods should be taken forward as a priority measure. In the case of aluminium, though, the group found that the main barriers to increased recycling were the quality and quantity of the metal collected: more metal could be recycled if it could be collected economically. There did not appear to be any failure in demand; the key issue, therefore, was one of supply.

In line with the commitment given in our draft waste strategy for England and Wales, the Government are now considering options for establishing a joint DETR-DTI sustainable waste action programme. The joint programme would promote an integrated approach to materials resource use and waste management.

Valuable lessons are being learned from the DTI's own one-year recycling programme, which is being seen as the precursor to the joint programme. The DTI programme expects to attract a number of worthwhile projects designed to create demand for recycled materials by overcoming technical and market barriers.

Local authority waste collection authorities are under a duty to collect household waste, including recyclables. Many provide kerbside facilities to facilitate recycling and therefore encourage the public to recycle. Waste collection authorities are also under a duty to draw up and implement waste recycling plans. The DETR issued guidance in March 1998 on "Preparing and Revising Local Authority Recycling Strategies and Recycling Plans", and asked waste collection authorities to investigate whether their plans needed updating. Most authorities have undertaken the investigation and are revising their recycling plans.

Waste disposal authorities have to provide recycling facilities in the form of civic amenity sites. The provision of such sites encourages residents to recycle. Historically, there has been an operational role for both private sector companies and the public sector in waste disposal.

Waste collection authorities and waste disposal authorities are being encouraged to work together on integrated waste management to promote recycling more effectively through the use of joint waste management strategies. The Government expect waste disposal authorities and waste collection authorities to work as one in the delivery of waste management services—encouraging, for example, joint municipal waste strategies and joint waste management contracts under best value where appropriate.

Co-operation and good communication between collection and disposal authorities, waste planners, the Environment Agency, industries and voluntary organisations provide maximum benefits from an integrated approach to municipal waste management. Local authorities also promote recycling through education—for example by giving presentations to schools. The Government also work with the local authority recycling advisory committee, which has a major influence on recycling, with meetings and activities taking place nationally and regionally.

In summary, aluminium, like the other major non-ferrous metals, is infinitely recyclable and therefore well placed to make a valuable contribution to sustainability and a better quality of life for all. The Government will continue to work closely with the industry to ensure that policy continues to improve the recycling performance of aluminium. The Government are keen to keep up the momentum generated by these events so that the global benefits of continuing to use and reuse these metals are available for future generations.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes to Nine o'clock.

House of Commons

Tuesday 8 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREENHAM AND CROOKHAM COMMONS BILL (*By Order*)

Order for Second Reading read.

To be read a Second time on Tuesday 15 February.

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

New Deal

1. **Ms Oona King** (Bethnal Green and Bow): If he will make a statement on the progress of the new deal for communities. [107305]

8. **Mr. Peter Snape** (West Bromwich, East): What steps the Government are taking to provide a new deal for local communities. [107313]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): We have now made offers of funding to 10 new deal for communities pathfinder partnerships to help them to deliver sustainable change for some of our poorest neighbourhoods. Seven more pathfinders will submit their proposals at the end of March. The success of the pathfinders has encouraged us to launch a second round of the programme in 22 further areas of England.

Ms King: I welcome that statement. My right hon. Friend the Minister will be aware that Tower Hamlets is one of those pathfinder areas. Will she be able to issue guidance to other Departments—in particular, the Benefits Agency—so that they can work more closely together in delivering the objectives of the new deal?

Ms Armstrong: I congratulate my hon. Friend on the close interest that she is taking in the new deal for communities in her constituency on the Ocean estate, a community that has had many difficulties. She has agreed to chair the partnership and is working very hard to pull all the different groups together, for which she is to be commended. I reassure her that the Government take the fact that it is a whole Government programme very seriously—it is not simply a programme from our Department. I chair a ministerial committee on which all Departments have a representative to deal with the wide range of issues that the new deal areas cover. I assure her that the Department of Social Security is represented on that committee and we are working with it to seek new ways forward.

Mr. Snape: I thank the Minister for the £56 million recently received for the Greets Green area of the borough of Sandwell. Together with the funding for the new bus station and the town centre redevelopment in West Bromwich, it will go a long way to making up for nearly two decades of neglect in Sandwell. I am sure that I speak for you, too, Madam Speaker, when I say that making up for those years of urban decline and poverty in a town such as West Bromwich will require similar initiatives in future and we shall press the Minister along those lines again.

Ms Armstrong: My hon. Friend is right. We offered the Greets Green partnership £56 million to implement its long-term strategy over the next 10 years. It is a good strategy backed with a real determination to increase the number of jobs; to improve the skills and educational attainment of people living in the area; to reduce ill health; and to tackle crime. I hope that he continues to take a close interest and ensure that we do whatever possible to turn the area round and make people proud to live and bring up their families there.

Mr. Archie Norman (Tunbridge Wells): It is a particular pleasure to stand in front of the Deputy Prime Minister, and I look forward to maintaining the tradition of robust exchanges established by my illustrious predecessor. In the light of the last few days' revelations regarding my interests, I wish to make an apology. I apologise for the fact that my 20 years of real-world experience of planning, the environment and transport means that I have some practical grasp of the subject, which is not a problem that afflicts the Deputy Prime Minister.

As the new deal for communities is the Government's flagship programme to tackle deprivation in our cities, can the Minister tell the House whether the number of priority homeless cases has fallen under Labour; whether brownfield development in our cities has risen under Labour; what happened to inner-city crime last year; and how much hard cash has been delivered to the communities after nearly three years of Labour government?

Ms Armstrong: I welcome the hon. Gentleman to the Dispatch Box. We, too, have real-world experience. Mine has been in working in areas of deprivation to build up local communities and work with them. Under the previous Government, that was an extremely difficult task. We are determined on all those issues to give the right sort of support to enable local communities to work effectively to turn their areas round. I wish to goodness that his Government had been slightly interested in that.

Mr. Norman: Now we know what the hon. Member for Liverpool, Walton (Mr. Kilfoyle) meant when he said of the Government that minor functionaries give a wholly erroneous impression of what is going on. Are not the facts that under this Government, homelessness has risen by 3,500, brownfield development in our cities has fallen and crime is rising? Is it not also true that less money is

being spent under the new deal than was spent on urban regeneration by the previous Conservative Government? When I read on Saturday that there was a vacuum at the heart of new Labour, little did I expect to find it sitting opposite me on the Government Front Bench. Is not the truth that Labour has abandoned the north and the inner cities, and is that not why its Ministers are abandoning the Government?

Ms Armstrong: I am sure that the hon. Gentleman will learn to work out what questions mean. These questions are about the new deal for communities. It is one of our regeneration programmes; there are many others. Perhaps he would like to add them up—then he might get the right figures. This Government, unlike his, will work for the whole country: north and south, east and west, rural and urban. If he really is worried about the north, why did he support the closure of steelworks, pits and shipyards that did far more to undermine the north than anything else that his Government did?

Mr. Hilary Benn (Leeds, Central): Will my right hon. Friend join me in extending an invitation to the hon. Member for Tunbridge Wells (Mr. Norman) to visit my constituency to see the real-world deprivation that exists, largely as a consequence of his party's policies for 18 years? In that respect, will she review the eligibility criteria for the new deal for communities so that some parts of my constituency can put in bids for the new deal communities? They would like to benefit from the fortune that places such as West Bromwich are enjoying.

Ms Armstrong: I echo my hon. Friend's concern about the lack of knowledge of Opposition Front Benchers about some of our northern cities. Perhaps some day they will learn about them. I am sure that he will be pleased to know that Leeds is in fact able to bid for the new deal for communities in the next round.

National Air Traffic Services

2. **Mr. James Clappison** (Hertsmere): If he will make a statement on the timetable for the partial privatisation of National Air Traffic Services. [107306]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Powers to create the public-private partnership for NATS are being sought in the Transport Bill. We intend to secure the benefits of the public-private partnership soon after those powers have been granted. This could be as early as 2001.

Mr. Clappison: Can the Secretary of State assure the House that the Government's proposed golden share in the public-private partnership for NATS is legal under European law?

Mr. Prescott: Yes.

Mr. Tam Dalyell (Linlithgow): If we were to go ahead without the acquiescence of the airline pilots, the British Air Line Pilots Association and the Institution of Professionals, Managers and Specialists, which represents the air traffic controllers, and unfortunately there was a smash-up—let alone a mid-air collision—before any public inquiry could possibly report, who does the Deputy Prime Minister think would get the blame?

Mr. Prescott: Those who were guilty, and I do not necessarily accept my hon. Friend's assumptions.

Mr. Bernard Jenkin (North Essex): Can the Deputy Prime Minister confirm that, contrary to the assurances that he has given to his Back Benchers, the so-called public-private partnership envisages that NATS may be split up at some future point? Will he confirm that several different companies may provide air traffic services and that there will be several strategic partners? Will he confirm that the Government's shareholding could be reduced to 25 per cent, a point that has just been included in the Transport Bill? Will he confirm that the Government envisage circumstances in which NATS could be floated?

The Deputy Prime Minister ducked the question put by my hon. Friend the Member for Hertsmere (Mr. Clappison), so will he now confirm that he has received an opinion from the European Commission that suggests that the golden share in BAA is illegal? That implies that the golden share in NATS will also be illegal. Does he deny the existence of that opinion, and will he come clean on his negotiations with the Commission on this crucial matter? Will he confirm that the opinion suggests that the concepts of national security and national interest are not recognised by the European Commission?

Mr. Prescott: I am surprised that the hon. Gentleman continues to misunderstand the situation, just as he does in the Standing Committee on the Transport Bill. The BAA case is not the same as that of NATS, and that is why I was so easily able to tell the hon. Member for Hertsmere (Mr. Clappison) that there was no conflict. The PPP, involving a strategic relationship with a private partner, is the best way to go. We have explained to the Standing Committee—and will continue to explain on Report—that it will mean long-term investment, that safety will be properly maintained and that the advances and growth that we require from NATS will occur.

Regional Development Agencies

3. **Mr. Ian Pearson** (Dudley, South): What steps the Government are taking to promote economic development in the west midlands through regional development agencies. [107308]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Advantage West Midlands has produced a well-balanced regional strategy for economic development in the region. We await detailed action plans and look forward to working with the organisation as we begin to implement the strategy.

Mr. Pearson: I pay tribute to my right hon. Friend for his long-standing commitment to the regions. All the signs suggest that Advantage West Midlands will make a big impact. Does he agree that one cannot download a fridge or a hi-fi, and that we therefore need to ensure that goods ordered through dotcom companies are manufactured in areas such as the west midlands? Does he agree that we

need the world-class infrastructure—road and rail links—that would allow those goods to be delivered quickly to the market? Will he ask his Department to examine conditions in the west midlands, where the transport infrastructure is clearly the worst around any major conurbation in Europe?

Mr. Prescott: I agree with a great deal of what my hon. Friend said. In particular, I believe that regional development agencies play an important part in developing prosperity in the regions. Such agencies were successful in Scotland and Wales, and we cannot see why the English regions should be denied them. They will play an important part in the transport strategies being developed with regional planning bodies and assemblies. I accept that transport could improve a lot in Birmingham, and we are giving that point considerable attention and taking advice from people in the regions.

I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on his appointment. He is my third shadow in less than three years, and I hope that he stays in post a little longer than his predecessors did, although his first appearance suggests that that might not be so. We shall wait and see. The job's previous occupant came out with a flurry of punches, but did not last long.

May I ask the hon. Gentleman to confirm the statement that I read in the—

Madam Speaker: Order. Question Time is for the Opposition.

Mr. Prescott: It is Question Time, Madam Speaker, but my hon. Friend the Member for Dudley, South (Mr. Pearson) asked about regional development agencies, and the Conservatives, having previously stated that they would abolish RDAs, have said today that they intend to keep them. Perhaps the hon. Member for Tunbridge Wells could let the House know what the Tory position is.

Mr. Peter Luff (Mid-Worcestershire): The Deputy Prime Minister will know that I am no fan of regionalism. May I ask him carefully to consider the strategy produced by Advantage West Midlands? It is written in incomprehensible English, and is so bad that the Plain English Campaign criticised the agency for falsely claiming that it had the campaign's blessing. It is also a facile document that contains no substance. He should consider what that says about the quality of the agencies that he has, in my view mistakenly, put in place.

Mr. Prescott: I cannot agree with the hon. Gentleman. Wide consultations were held with people in the regions, including Tory councillors and the local authorities, all of whom played a major part in the development of the strategy. It has now been refined by the Government to determine priorities. Perhaps he will tell the House whether he still believes that the RDAs should continue to play a part in the regions.

Housing

4. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on Government policy in respect of housing directly managed by local authorities. [107309]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): The Government continue to attach the highest priority to housing and are committed to a policy that promotes decent and affordable housing for everyone. Local authority housing is an essential resource in achieving that objective.

Dr. Iddon: As Bolton is a band 1 housing authority, and in view of recent press rumours, will my hon. Friend say whether well-managed housing authorities will be able to continue to manage their local stock as they always have done? More important, will adequate funds be made available for the maintenance and management of that stock?

Mr. Mullin: I can give my hon. Friend that assurance. The recent press reports are inaccurate. It is up to each local authority, in consultation with its tenants—I emphasise that point—to decide on the best way to manage its housing stock. There are some advantages to voluntary transfers that we should expect local authorities to consider, but the process is not compulsory.

As for resources, the Government have already provided £5 billion extra for housing during this Parliament, so we have made quite a good start.

Mr. Nigel Waterson (Eastbourne): Will the Minister confirm that the housing Green Paper has been delayed yet again? It was due to appear last autumn and then this spring. Will he confirm that it will now appear in July? After almost three years, is it not time that the Government had a proper housing strategy? As the Green Paper will not appear until after the comprehensive spending review, does not that mean that, yet again, the Treasury has scored a victory over his Department and that he and his colleagues have backed away from any meaningful reform of housing benefit?

Mr. Mullin: It is not true that the Green Paper has been delayed, because we gave no undertaking on when it would be published. However, it will be published shortly and will set out a clear statement of our vision for housing policy. As I pointed out, we have already committed an extra £5 billion for housing during this Parliament, so no one can say that we are neglecting the subject.

Dr. Lynne Jones (Birmingham, Selly Oak): Will my hon. Friend explain why the Government continue to treat local councils differently from registered social landlords when it comes to raising commercial investment for improvements in the same housing occupied by the same people?

Mr. Mullin: We are anxious to encourage local authorities to consider the best ways to manage their housing stock and not to think that there is only one way of doing so. We want them seriously to examine the possibility of transfers. However, as I pointed out to my hon. Friend the Member for Bolton, South-East (Dr. Iddon), there is no compulsion and they must always consult their tenants.

London Underground

6. **Mr. Tom Brake** (Carshalton and Wallington): If he will make a statement on progress in achieving a public-private partnership for London Underground. [107311]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): Excellent progress has been made, which will enable us to tackle the £1.2 billion investment backlog on the tube that we inherited from the previous Tory Government, and to achieve our objective of a massive £8 billion of new investment to modernise London's underground network.

Bids for the two deep-tube public-private partnership contracts are due back by the end of next month. There has been strong interest in the sub-surface lines and property PPP competitions as well. Submissions to pre-qualify for those contracts are due back later this month.

Mr. Brake: I thank the Minister for his response. Has he read the report by University college, London on the funding of the tube? Does he agree with its findings that the PPP will cost £1 billion more than a bond issue to raise the investment that is needed? Does he agree that the PPP will not allow for expansion of the tube network, that it will leave a shortfall between passenger fares and the infrastructure service charges of between £110 million and £175 million per year, and that that will have to be funded either by the Government or by the mayor and the Greater London Assembly?

Mr. Hill: I know that the hon. Gentleman follows these matters carefully, but he must not believe everything that he reads in academic reports. The academics have got it wrong again. If the PPP competition leaves a funding gap, that will be allowed for in the grant that we pay the mayor; we shall not leave London to pick up the bill. The PPP is all about obtaining best value. Public sector bonds would cost £4.5 billion more over 15 years.

Mr. John Wilkinson (Ruislip-Northwood): The travelling public in London do not need to read academic reports to know that they have been short-changed by the Government. Their manifesto promises are no nearer to being realised now than they were almost three years ago. Is it not the case that daily the delays persist and that there is no sign of the investment that was promised at the last general election? In other words, Labour's promises were fraudulent.

Mr. Hill: The hon. Gentleman might bear it in mind that the Government have invested hundreds of millions of pounds more in the tube system than was ever planned for by the Conservative Administration. Currently, £1.8 billion of new investment is going into the tube system overall. Let me also remind him that in the autumn, the Government announced a massive extra £50 million for London's bus system.

Housing

7. **Kali Mountford** (Colne Valley): What assessment he has made of steps taken by local authorities to improve the quality of housing since 1997. [107312]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Good quality housing is a right not a privilege. We are taking a great many measures to help local authorities improve the quality of their housing. They include a number of actions to raise building standards, the increased involvement of tenants and a new regime of Government funding that will release a massive £5 billion increase in the resources available for housing, a factor that the hon. Member for Tunbridge Wells (Mr. Norman) should take into account.

Kali Mountford: I am pleased to hear what my right hon. Friend has said about cowboy developers. He will know that my constituency, which is rural, has had significant problems with rogue developers. My constituents will be pleased to know that we are dealing with those problems. Will he also say how many council homes he expects to be improved as a result of his measures? He is right that council tenants deserve good quality homes.

Mr. Prescott: We faced a backlog of about £10 billion in housing, and the £5 billion that we have devoted to it over the life of this Parliament is a major step towards improving it. So far, we have improved 300,000 council homes and we plan for an additional 1.5 million council homes to be improved over the three years of the comprehensive spending review expenditure programme.

Miss Anne McIntosh (Vale of York): Is the Secretary of State taking a keen interest in the reform of housing benefits? Will he assure the House that local housing associations will not lose their income under the housing benefit reforms?

Mr. Prescott: These are very important issues. We are considering them and changes will be set out in the Green Paper. Housing benefit support is an important issue in regard to sustaining the existing agreements on housing. However, it also needs reform and we intend to cover that in the Green Paper.

Mr. Bill Rammell (Harlow): I welcome my right hon. Friend's commitment to council housing. Does he agree that no area of public expenditure was cut as much under the previous Government as housing? Although the release of capital receipts has been wholly welcome, we need sustained year-on-year increases to undo the damage done by the vandalism in the 18 years of the Conservative Government.

Mr. Prescott: Yes, quite apart from leaving a backlog, the previous Administration cut their housing programme between 1992-93 and 1997-98 by half—from £1.5 billion to £751 million a year. That was their order of priorities. Another dividing line between the two parties is that we

choose to use the money from capital receipts to refurbish housing and to make the investment that should have been made rather than keeping it in the banks earning interest.

Mr. Simon Hughes (Southwark, North and Bermondsey): Will the Secretary of State assess himself the policy of Labour-run Southwark council, which proposes to demolish perfectly good council housing that was built in about 1980 near Tower bridge and replace it with a smaller amount of council housing and private housing so that it can raise money from land sales? Other estates are much worse and, on any basis, they should be demolished, but they have not been included in the scheme. Will he ensure that all policy has the agreement of the residents first and that it is consistent with keeping sustainable communities?

Mr. Prescott: I am not aware of exactly what has happened in the hon. Gentleman's constituency, but social housing is an important matter. It is about mixed development and obtaining the agreement of tenants. I am sure that, in all cases, councils try to achieve that, but, in areas where there are differences of opinion, decisions have to be made. However, I am conscious of the importance of putting social housing at the top of the list.

Mr. Andrew Love (Edmonton): I welcome the £5 billion of investment that will improve 1.5 million homes over the next three years, which is in complete contrast to the failures of the 18 years of the previous Government. Will the Secretary of State ensure the critical involvement of tenants in the use of that investment, which will improve their estates and their lives, so that the compacts that will come into operation from April will ensure local democracy?

Mr. Prescott: I agree with my hon. Friend. That agreement will come in from 1 April, along with best value. We intend to improve the services provided by local authorities. It is important to do that as well as providing extra resources. That shows the Government's comprehensive approach to housing compared with that of the previous Administration. It is a pity that the hon. Member for Tunbridge Wells (Mr. Norman) was concerned not about housing but simply about building on greenfield land. He has experience of that because he has spent most of his time building on it.

Green Belt

9. **Sir Sydney Chapman** (Chipping Barnet): If he will make a statement about the protection of established greenbelt land, and the acreage of it that has been approved for non–conforming use for development during the past 33 months. [107314]

The Minister for Housing and Planning (Mr. Nick Raynsford): The Government are entirely committed to the green belt as a method of restricting urban sprawl. The area of green belt has been increased under this Government by around 30,000 hectares. As I have already indicated in a written answer to the hon. Gentleman, information on inappropriate uses in the green belt is not held centrally.

Sir Sydney Chapman: The integrity of our greenbelt policy depends entirely on no part of it being built on. Is it not spurious to allow development on greenbelt land and then say that the problem is overcome by adding more land to the green belt elsewhere—land that would not in any case be built on?

Mr. Raynsford: The hon. Gentleman will know from his background in planning that it is always important to keep policies under review and that there are circumstances in which policies that might appear to be unduly rigid may need some modification to achieve a more sustainable outcome. That should always be allowed for. The Government whom he supported consistently allowed development on greenfield and greenbelt land up until their last year in office when the then Secretary of State released 1,200 hectares of greenbelt land for development. That was a shameful record, and this Government are protecting the green belt.

Mrs. Alice Mahon (Halifax): Northowram hospital in my constituency, which is in the green belt and has beautiful lands, is due for closure. My hon. Friend will know that NHS Estates is essentially the landowner. Is there anything that he can do to prevent NHS Estates from going for the easy option of more housing in an already crowded village and make it consider alternatives for that beautiful site?

Mr. Raynsford: Inappropriate development in the green belt is a strong prima facie ground for refusal of planning permission. Certainly, any concerns that my hon. Friend has about an inappropriate proposal for development in her green belt should be referred to the local authority, which should be guided by PPG2, the relevant planning policy guidance note, which makes it clear that inappropriate development in such circumstances should be refused.

Mr. Peter Lilley (Hitchin and Harpenden): Does the Minister recall justifying last week his approval of the building of 10,000 houses in the green belt in my constituency on the basis that the land is near the transport links of the A1 and the railway? Does he recognise that planning in this country works on precedent, and will he admit that the precedent that he has created gives the green light to ribbon development along motorways and railways, even when they go through greenbelt land? Will he remove that precedent by lifting his approval for the monstrous building of 10,000 houses on greenbelt land in my constituency?

Mr. Raynsford: No. As the right hon. Gentleman ought to know by now—he has heard it often enough from the Dispatch Box—the decision was properly made by the local authority in his area, which felt that it was better to concentrate development in one area with good access to transport links rather than to allow sprawl throughout the surrounding rural area. That was a decision properly reached by democratically elected local representatives who were facing up to their responsibilities rather than uttering cheap soundbites, of which he should be ashamed.

Dr. Alan Whitehead (Southampton, Test): Does my hon. Friend acknowledge that, under the previous Conservative Government, substantial development, particularly ribbon and dormitory development, took place outside the green belt, with a consequent impact on

transport and services? Does he accept that a sane and rational planning policy must take account of that, and that the Government must plan accordingly for the future?

Mr. Raynsford: My hon. Friend is right to highlight the appalling record of the previous Government in permitting consistent and profligate use of greenfield land, including the nibbling away of the green belt, for inappropriate housing developments. We have adopted a different approach. We are seeking to ensure that the principles of sustainability are at the top of the agenda and that greenfield land is protected wherever possible, to ensure that the bulk of development is concentrated in our cities and on brownfield sites.

Mr. Damian Green (Ashford): The House and the country will be alarmed to hear the Minister say, as he did a couple of minutes ago, that greenbelt land is under review. Will he give us a commitment today that if the Government adopt any part of the Crow report, which disgracefully advocates concreting over large parts of the south-east, no greenbelt land will be lost? Does he agree that the Government's failure to protect the green belt has led to comments such as the one in this month's *Environment and Planning Review*, which states that

"considering Labour's pre-election pledge that the party would form the 'greenest ever Government'",

environmentalists have every right to feel let down? Is not that exactly right?

Mr. Raynsford: The hon. Gentleman is wrong on all three counts. First, he misinterpreted my comments about the need to take a serious approach towards policy, and not to be utterly rigid when circumstances suggest that there are real gains to be made from an adjustment of policy. That occurs in certain cases, and any sensible, serious Government recognise that.

Secondly, the hon. Gentleman is quite wrong to suggest that the Government favour concreting over the countryside. As I pointed out in response to an earlier question, it was his party that allowed so much of rural England to be built on in a shameless and disgraceful way.

Thirdly, if we are speaking of the merits of individual hon. Members in terms of their environmental credentials, perhaps he will record that his right hon. Friend the Member for Wokingham (Mr. Redwood), the former shadow Secretary of State, recently received the award for being the least green of all Members. That is a pretty shameful comment on the Opposition Front-Bench team.

Regeneration

10. **Mr. Clive Efford** (Eltham): What factors he will take into consideration in determining regional quotas for the allocation of future regeneration funds; and if he will make a statement. [107315]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): The 2000 spending review that is currently under way will determine funding levels from 2001–02 to 2003–04 for all domestic regeneration programmes. Factors that will be taken into account in deciding regional spread will depend on the objectives and priorities agreed for the programmes, together with our policies for economic development and renewal, social inclusion and urban renaissance.

Mr. Efford: I thank my hon. Friend for that answer. She will be aware of the concern that some areas have taken precedence over others that show high levels of deprivation and social need. To clarify the position, will she undertake to publish the data used in drawing up the new indicators of social need, and the way in which the indicators have been weighted?

Ms Hughes: As my hon. Friend knows, there has been heavy criticism of the methodology used for the current index, which is why we propose to change it. We need a better indication of small pockets of deprivation and of disadvantage in rural as well as urban areas. However, we recognise that no index is perfect and that an index cannot provide a measure of absolute deprivation, so it is important to use the index sensitively and flexibly in deciding future regeneration resources. We shall look into the question that my hon. Friend raises in relation to the data.

Mr. Owen Paterson (North Shropshire): Why did the Government allow the European Union to cut Britain's allocation of EU regeneration funds last July?

Ms Hughes: The English regions will receive some £4 billion of European structural funds from the Commission this year. That, together with the £5.5 billion that the Government have committed to regeneration in our English regions, demonstrates how serious we are about tackling social exclusion, wherever it occurs. It is the legacy of the previous Government that social exclusion and deprivation exist in every region of the country.

National Bus Company (Pensions)

11. **Ms Rosie Winterton** (Doncaster, Central): If he will make a statement on the latest position regarding the bus employees' superannuation trust scheme and the National Bus Company pension fund scheme. [107316]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I have made it clear to the National Bus Company pension trustees that the Government understand and share the concern of NBC pensioners about the time it is taking to distribute the settlement sum we paid last July. I was pleased to be able to say in a written answer yesterday to a question from my hon. Friend that I understand that the trustees intend to make initial payments to some 8,000 older pensioners in March and April, and that they are also urgently investigating the feasibility of making an initial payment to other pensioners as soon as possible.

Ms Winterton: I thank my hon. Friend for his reply, and the Government for taking steps to right the injustice that the previous Tory Administration inflicted on NBC pensioners. The initial payment is welcome, but those pensioners are again at the mercy of lawyers, who despite having all the evidence, have failed to return to the High Court to get the final go-ahead for paying pensioners what

they are owed. Will my hon. Friend take up the matter with the trustees urgently and tell them to get their act together? Fifty thousand pensioners should not spend their twilight years feeling like characters in "Bleak House".

Mr. Hill: My hon. Friend has done NBC pensioners a good service in highlighting possible delay in instituting further court proceedings. I shall pursue the matter with the chairman of the trustees when I meet her shortly.

My recollection of the case of Jarndyce *v.* Jarndyce in "Bleak House" is that it was never resolved. That will not happen to the NBC pensioners. After the Tory years of plunder and procrastination, the Government have made possible the distribution of the £350 million pension fund surplus to those pensioners. We are determined that that distribution will take place as quickly as possible.

Regional Assemblies

12. **Mr. A. J. Beith** (Berwick-upon-Tweed): When he will set a date for a referendum on the setting up of a regional assembly for the north-east of England. [107318]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): The Government are committed to moving to directly elected regional government in England, demonstrated in a referendum. The north-east is strengthening its regional presence through the work of ONE NorthEast, the north-east regional assembly, and other regional stakeholders.

Mr. Beith: Does the Minister recognise the need for those bodies to have some democratic accountability, and the desire of people in the north-east to have a strong regional voice, which can press for the sort of funding that Scotland receives for its public services? Am I to conclude from the fact that she, not the Deputy Prime Minister, is answering the question, that the right hon. Gentleman is believed to have gone too far over the top in insisting that the Prime Minister has not gone off the idea and that we will have a referendum on a Parliament for the north-east in a reasonable period of time?

Ms Armstrong: There is no division between us. We, as a Government, are determined to move forward with regional policy. The right hon. Gentleman knows that we established the Northern Development Company and our own regional assembly in the north-east more than 10 years ago. We did that in the face of opposition by the previous Tory Government. It would be interesting to know what the Tories would do in the north-east, where the institutions that I mentioned were developed by people in the region. Conservative Members continue to say that they will get rid of them. Will they really do that?

Mr. Jim Cousins (Newcastle upon Tyne, Central): I welcome my right hon. Friend's repetition of the pledge that we are moving towards democratic government in the north-east and, hopefully, other regions. People like me have campaigned passionately for that for more than 20 years because we want to tackle the long-term economic, health and education inequalities of our region. We do not do it because we want to break Britain up, but because we want to bring it closer together.

Ms Armstrong: I know that. I have campaigned alongside my hon. Friend for many years for a decent regional policy. The Government are committed to that. We shall continue to develop our policy because we want the regions of this country to have the sustainable growth that will enable the whole country to develop steadier and more sustainable growth. That will mean that all people, wherever they live, will get the opportunities that they deserve.

Mr. David Prior (North Norfolk): Will the Minister explain the impact of that wholly unnecessary layer of government on traditional and existing local government?

Ms Armstrong: I suspect that the hon. Gentleman has not recognised or realised that local government very much supports regional development and the Local Government Association is holding hearings on precisely that issue. Indeed, 105 Tory councillors are involved in regional assemblies and many of them are also involved in regional development agencies. They support it; their party does not.

Town Centres

13. **Mr. Christopher Leslie** (Shipley): If he will make a statement on Government support for the location of new retail outlets in existing town centres. [107319]

The Minister for Housing and Planning (Mr. Nick Raynsford): Our policy is set out in planning policy guidance note 6, entitled, "Town Centres and Retail Developments". We have strengthened the guidance by requiring applicants for out-of-town centres to demonstrate that there is a need for the store and by making it clear that extensions to existing out-of-town developments are subject to a sequential test.

Mr. Leslie: I welcome the strong stance taken by the Government. Is my hon. Friend aware that retail shopkeepers in the town of Bingley in my constituency were threatened by an out-of-town shopping proposal, which the local council was able to stand firm against and reject thanks to the strong guidance given by the Government? Will he send a strong message to those who have profited from the plundering of town centres, including certain Conservative Members, that the Government will stand firm in fighting for the viability of our town centres?

Mr. Raynsford: I strongly endorse my hon. Friend's comments and simply add that there was an explosion of out-of-town shopping under the Conservatives. No fewer than 7.7 million sq m of out-of-town shopping centres and retail parks were built between 1979 and 1997. That involved serious damage to many existing town centres. We are determined to concentrate development in existing centres and delighted that the bulk of retailers—including,

I believe, Asda Wal-Mart—have recognised that their future developments should be located primarily in town centres.

Mr. Geoffrey Clifton-Brown (Cotswold): If that is indeed Government policy, will the Minister undertake to talk to his colleagues in the Treasury with responsibility for the district valuers office and see whether the uniform business rate can be adjusted so that out-of-town supermarkets have a more sensible rate and in-town shops can compete with them?

Mr. Raynsford: The hon. Gentleman raises an interesting point about the need to achieve a level playing field wherever possible. My evidence to the Select Committee stressed the Government's objective of ensuring that there is—as far as possible—a level playing field, not perverse incentives that make it easier to develop in unsustainable locations. I cannot give the specific commitment that he seeks because he appears to want an increased rate in certain areas. I am not sure that that would be an appropriate solution, but I can assure him of the Government's commitment to the principle of achieving a more level playing field.

Environmental Services

14. **Gillian Merron** (Lincoln): What steps he is taking to encourage initiatives by local authorities to improve the quality of their environmental services. [107320]

The Minister for the Environment (Mr. Michael Meacher): The Local Government Act 1999 imposes a duty of best value on local authorities. It requires them to secure continuous improvement in the quality and effectiveness of their services and provides them with a major opportunity to drive up standards, including those for environmental services.

Gillian Merron: Will the Minister join me in congratulating Lincoln city council on its excellent initiative in establishing a graffiti hotline, which actions the removal of offensive and racist graffiti within 24 hours? What plans has he for ensuring that that best practice and determined action is mirrored across the country?

Mr. Meacher: I am aware of the good example that Lincoln has set by establishing a 24-hour telephone anti-graffiti service and a policy of removing offensive graffiti—particularly racist graffiti—within 24 hours, which my hon. Friend described. That is another good example of a Labour-controlled council improving local environment services and driving up standards.

We are keen to disseminate best practice. This is a good example of precisely how it can be done better. The Government regard graffiti vandalism very seriously. There are significant penalties, particularly where the damage is severe, in excess of £2,000, with a maximum penalty of up to 10 years. We want to see that enforced.

Mr. Nick St. Aubyn (Guildford): If the Minister is serious about giving local authorities a bigger role in improving their local environment, will he make sure that they have more power and more say over the allocation of new housing within their boroughs?

Mr. Meacher: We are concerned about ensuring that local authorities have greater control over all their services. That is why this Government have made a major change compared with the previous Government, in releasing local authorities from the excessive and unreasonable bureaucratic controls that they had under that Government. That is why we have made a change, in particular, from compulsory competitive tendering to best value, which enables local people to have much greater control over the quality and cost of services, including housing services.

Mr. Peter L. Pike (Burnley): Has any environmental services department yet come forward with a solution to the problem of discarded chewing gum that we experience everywhere? It really needs to be solved.

Mr. Meacher: I am certainly not stuck up on these kinds of problems.

Depositing chewing gum on pavements, or on any surfaces, is a particularly disgusting habit. We intend in both the urban and rural White Papers to come forward with proposals to deal with litter as well as graffiti. I am in touch with one of the major manufacturers of chewing gum to see whether it can find a way of producing biodegradable chewing gum.

Traffic Congestion

15. **Mr. Stephen O'Brien** (Eddisbury): If he will make a statement on the levels of traffic congestion in Great Britain *(a)* today, *(b)* a year ago and *(c)* two years ago. [107321]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): It will be of interest for the House to learn that no Government of any political hue have ever published a measure of congestion. The answer to the hon. Gentleman's question, therefore, is that no estimates of congestion currently available would allow an assessment to be made of changes year on year. However, since the general election, this Government have begun work on measures of congestion, which could be used to monitor these changes in the future. Although we may not yet be able to measure congestion, we clearly know that it exists. Our report, "Tackling Congestion and Pollution", published last month, showed that, with widespread support from local authorities, businesses and the general public for the measures in our integrated transport White Paper and Transport Bill, currently before the House, we can reduce congestion over the next decade.

Mr. O'Brien: With the glaring evidence before you, Madam Speaker, and indeed all hon. Members, of the most appalling traffic congestion daily in Parliament square, it is no comfort to hear from the Minister's answer that the present Government accept that they have failed to deliver yet another pre-election pledge, to

"reduce and then reverse traffic growth".

Will the Minister confirm that the Government's failure is because they have slashed the roads programme while cutting spending on public transport? Does he now realise that most people in this country use their car out of necessity? Is not the Government's failure yet another example of the great Labour lie?

Mr. Hill: At least the hon. Gentleman had one good point, about traffic congestion in Parliament square. The House may be interested to learn that we have been informed that the work in Parliament square is scheduled to take two weeks, but I can assure the House that the Government are bearing down heavily on the companies undertaking that work.

The hon. Gentleman said that there was no evidence of a reduction in traffic growth. That is simply not true. The evidence is that we are beginning to turn the corner on traffic growth. Last year in London, for example, the number of people entering the central area by car in the morning peak decreased by 2 per cent. Moreover, for the country as a whole, provisional traffic statistics suggest that since 1997 the volume of traffic has grown by about half the rate it did during the 18 years of Tory rule. That is a remarkable achievement in a period of strong economic growth. The trends are moving in the right direction, and will be reinforced by the Government's policies for reducing congestion and increasing public transport use.

Fiona Mactaggart (Slough): Is the Minister aware that the busiest road junction in Europe—the junction between the M4 and the M25—is on the edge of my constituency? Is he aware of the application for the building of a so-called rail freight transport station there, and is he aware that 80 per cent. of movements will be by road? When the proposal is submitted to him, will he consider it carefully with a view to saying no, in the light of the impact that such a development would have on the M3, the M4, the M25 and the M40, which are already congested?

Mr. Hill: My hon. Friend is, as ever, an outstanding advocate for her constituency, but I am afraid that quasi-judiciality prevents me from making any comment about that specific proposal.

Mr. Don Foster (Bath): Does the Minister agree that one way of reducing traffic congestion would be to take robust action in respect of tour buses? Especially at the height of winter, such buses travel around historic cities such as Oxford, Chester, York and, indeed, Bath, clogging the roads, when almost or completely empty. The only purpose of the drivers is to make themselves eligible for the fuel duty rebate. Will the Minister conduct a review of the rebate as it applies to such vehicles?

Mr. Hill: I am tempted to ask whether the hon. Gentleman is talking about the Liberal battle bus, empty as usual; but I appreciate his concern. As he will know, the traffic commissioners have certain powers in this respect, which are strengthened by the current transport legislation. Moreover, the fuel duty rebate is paid only on the basis of compliance with a number of conditions. The Department carries out checks from time to time to ensure that those conditions are met, and, in fact, may well be doing so at around this time.

The Commission for Integrated Transport is currently conducting an inquiry into bus subsidies, and we await with interest the report that it will produce later in the year.

Mr. Alan Simpson (Nottingham, South): I am sure that the Minister realises that far more people are stuck up in traffic each day than are stuck up in chewing gum. Will he consider, in particular, the number of vehicles carrying goods in transit, often travelling through cities two or three times before the goods end up back in the shops? Will he and his ministerial colleagues give thought to specific measures that might encourage a reduction in food miles? Perhaps local partnerships could be established between urban consumption centres and rural producers, both to shorten food miles and to strengthen and shorten lines of food accountability.

Mr. Hill: I assure my hon. Friend that the Department is doing a great deal of work on precisely those issues. I shall ensure that his observations form part of its considerations.

Brownfield Sites

16. **Mr. Crispin Blunt** (Reigate): What assessment he has made of the potential for development on brownfield sites in the south-east. [107322]

The Minister for Housing and Planning (Mr. Nick Raynsford): The Government are fully committed to the re-use of land for development in preference to greenfield sites, and have set a national target that 60 per cent. of additional housing should be built on previously developed land. Over 50 per cent. of dwellings are already built on recycled land in the south-east. Our national land use database indicates that over 10,000 hectares of land are available for recycling in the region.

Mr. Blunt: Is not the harsh truth that in Surrey, for example, there simply are not enough brownfield sites to meet the Government's 60 per cent. target, if they accept the Serplan figures or, worst of all, the Crow report figures for the number of houses to be built in the south-east? Unless the Government attack the factors underlying the household growth projection figures and change those figures, the Minister's policy can end only in the concreting over of the countryside.

Mr. Raynsford: Concreting over the countryside is a phenomenon that the hon. Gentleman will be well familiar with because it took place repeatedly throughout the 18 years of Conservative Government, when there was a laissez-faire approach to private developers building houses throughout that area. It is sad and sobering that, until the Government were elected, there was no record of how much brownfield land was available. Until our national land use database was published, no one knew the potential for achieving what the Government are determined to achieve: a focus on development on brownfield sites within not just the south-east, but the whole region.

Points of Order

3.30 pm

Mr. Andrew MacKay (Bracknell): On a point of order, Madam Speaker. As the House will be aware, all stages of the Northern Ireland Bill are shortly to be considered by the House. To paraphrase the Bill, it is to bring direct rule back to Northern Ireland, the reason being that there is apparently no decommissioning of illegally held arms or explosives by the relevant paramilitary groups. To help the House to decide whether there has been any decommissioning, surely it is essential that General de Chastelain's report be published. Have you had any indication from the Secretary of State for Northern Ireland that it is to be published, or do you believe that, even at this last moment, it will be placed in the Vote Office for the benefit of Members?

Madam Speaker: I have had no indication about the availability of the report. I am aware that, only yesterday, one of the right hon. Gentleman's colleagues, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), raised the issue with the Leader of the House in the hope that the report might be available. It is a Government report. I am afraid that I have no responsibility for it. I am not certain when it will be made available.

Mrs. Alice Mahon (Halifax): On a point of order, Madam Speaker. Yesterday, my hon. Friend the Member for Linlithgow (Mr. Dalyell) raised a point of order with you concerning the recent outbreak of violence against United Nations forces in Mitrovica in Kosovo. Since the last statement, more than 200,000 members of ethnic minorities have been expelled from Kosovo and hundreds killed. I wonder whether there is anything that you could do, or whether it is in your power to get the Foreign Secretary to make a statement on what is a deteriorating position.

Madam Speaker: I have no power to instruct the Secretary of State or any Minister to come to the House to make a statement. I understand the hon. Lady's concern and, of course, I recall very well the point of order that was raised with me yesterday. I indicate to the Government Front-Bench team the interest that there is in the matter, in the hope that it will be reported to the appropriate quarter.

Petrol Tax (Promulgation)

3.32 pm

Mr. Tony Baldry (Banbury): I beg to move,

That leave be given to bring in a Bill to impose an obligation on petrol retailers to display prominently at the point of sale of petrol a notice showing the percentage and amount of the cost of a litre of petrol which go to the Exchequer by way of tax and duty.

The Bill will make it a statutory obligation that, at petrol pumps, the amount of tax per litre is clearly displayed. Rightly, over the years, Parliament has sought to ensure that, as far as possible, consumers have available the greatest possible information, on the basis of which they can make sensible judgments. Clearly, critical information for consumers is the true price of goods.

That is why, for example, at petrol stations, for a long time, there has been a clear indicator on petrol pumps of the equivalent cost of petrol in gallons and litres, so that consumers do not become confused. However, the Government are increasingly raising revenue by stealth taxes. It must be right that consumers, as both purchasers and taxpayers, have a full understanding of what they are actually paying to the Treasury and how much of what they are spending is going in tax. It is no good the Government trumpeting that they are not increasing the standard rate of income tax if they are simply increasing by stealth indirect taxes, often to the disproportionate cost of poorer members of the community.

Recent research by the AA showed that huge numbers of motorists are still unaware of how much of the price of a litre of petrol goes to the Government. Even after an intensive campaign last year, the AA estimated that only about one motorist in three is aware of that. It is plausible that those figures have tailed off further since and that, even if they have not, the vast majority of drivers are still completely in the dark. The Bill will bring to the attention of all motorists the substantial proportion of the cost of a litre of petrol that goes straight to the Treasury and Government.

The latest figures from the European Union weekly oil bulletin, compiled from petrol prices and tax rates in every member state, show that the UK petrol pump price is the highest in Europe. In most comparisons, it is considerably higher.

As I am sure hon. Members are aware, in this country, one pays at the pumps on average 73p for a litre of petrol. A litre would cost 64p in France, and only 60p in Germany. In Greece, a litre would be almost half our cost. In Europe generally, on average, it would be 14p per litre less than it is here.

The considerable price difference is not the fault of petrol distributors. Indeed, as we are one of the few European countries whose pre-tax price is less than the European Union average, the absurd price difference is even more perplexing. The fact is that our pre-tax petrol price is the second lowest in Europe but, despite that, the petrol price paid by United Kingdom motorists is twice that paid by motorists in Greece, for example.

As our pre-tax price is one of the lowest, it seems reasonable to expect the pump price here to be lower. That substantial difference is the fault not of retailers but of the Government, who force prices sky high with 80 per cent. taxation. A staggering £8 of every £10 spent on petrol goes in tax. Consequently, Britain's petrol tax rate is

almost 10 per cent. higher than that of all our European Union neighbours. Another consequence is that we end up with crazy situations in which Britain's retailers might pay one quarter less for petrol in Holland, yet our Exchequer takes a disproportionate 10 per cent. more in tax. The only reason for the difference is the need to fill the Exchequer's coffers and the Chancellor's election war chest.

As the first step towards bringing us into line with Europe, it would be fair to make the public fully aware of the amount of tax being paid. My Bill would bring to the attention of all motorists just how high a proportion of the cost of petrol is paid in tax. It would also bring to motorists' attention the fact that petrol tax now costs them more than £15 billion annually, and that—because of increases imposed since 1997, in the past three Budgets—petrol tax costs each motorist a further £150 per year.

If retailers have to raise prices to try to make a profit, the consequence for motorists is serious. Last month, the cost of unleaded petrol increased by more than 7p a litre, which is an additional burden created soley by the Government and forced directly on the motorist. It is clear that the vast majority of motorists are completely unaware—although they need to be made aware—that the burden is a burden simply because of the Government.

It is obvious, too, that the burden hurts most those who are least well-off and those who live in rural areas. The Government's tax on petrol is a double blow to those who live in the countryside. Those people have to contend not only with excessively high petrol costs but with a cost that will increase even further, when petrol is distributed to rural areas. Clearly, small rural filling stations have to pay a significant premium because of the distribution cost of petrol. The premium adversely affects the price of rural forecourts' petrol, with some prices as much as 10 per cent. higher. That only makes life more expensive for the rural driver.

As an extensive and detailed paper by the Institute for Fiscal Studies recently showed, one small increase in petrol tax can have a hugely distorted effect on a household's cost of living. That effect can only increase for those living in rural areas. Consequently, the situation can be very difficult if one is a less affluent rural driver.

Moreover, rural motorists tend to use their cars the most, simply because they have to use their cars the most. According to the Department of the Environment, Transport and the Regions, 85 per cent. of those who live in the countryside own a car, compared with the national average of 69 per cent. The Department also estimates that annual car mileage in the countryside is one third more than it is in urban areas. The reason for that difference is that, invariably, in the countryside, there is no viable alternative to the car.

Those who live in rural areas simply cannot rely on a bus service that is "Not Saturdays" or "Fridays and Saturdays Only". In some parts of my constituency, on a Friday, if one wants to catch a bus from a village to Banbury, one will have to do so before 5.30 pm or wait until Monday. It is a familiar situation that, as a recent survey by the Rural Development Commission revealed, must be reflected in many rural constituencies. The survey confirmed just how insufficient public transport is in the countryside, and discovered that, in the past decade, the number of parishes with absolutely no bus service had steadily increased, to almost one quarter of all villages.

The survey also found that, even in rural areas that did have some sort of service, another quarter of villages were without a daily service. A necessary conclusion must be that, at the very least, half of Britain's rural communities have to live without remotely sufficient public transport. The commission found an even poorer situation in rail services in rural areas. The truly astonishing fact is that, for 97 per cent. of those areas, there is no rail service at all.

Public transport provision is inadequate or non-existent for many people who live in the countryside. That is why so many of them have to use a car. The Department of the Environment, Transport and the Regions estimates that the number of journeys involving public transport is a quarter lower in the countryside than elsewhere. That should be blamed not on local councils, but on the Government, who have made less than 5 per cent. of the revenue generated from petrol tax available for public transport.

A bad situation is made even worse by Government policies, including the likely relaxation of planning policy guidance notes, which will create more out-of-town shopping centres away from residential areas and force drivers to use cars more. Even if public transport services were more reliable, those centres would be inaccessible. The south-east regional planning guidance looks likely to mean more housing and more travelling, mostly by car.

It is not surprising that rural motorists are hurt most by the Government's petrol tax. The Bill would make it clear why the tax was hurting by making it clear how much tax motorists were paying. That is only fair to motorists as consumers and taxpayers. Neither is it surprising that the amount of petrol consumed has risen. The Department of Trade and Industry estimates that 5 per cent. more petrol is being consumed since the general election. The increases in petrol tax, generating around £2 billion in revenue for every increase above inflation, have clearly not been introduced because of a loss in revenue from lower sales. That is all the more galling for motorists who have been unfairly penalised.

The Chancellor has announced plans in the pre-Budget report, after considerable pressure from the Conservatives, to abandon the fuel tax escalator. Even if he keeps that pledge, it will only put a stop to the automatic rise in petrol tax and will not remove the rises that the Government have already put in place. Neither will it alter the purpose of the Bill. The first and fairest step for all consumers must surely be a full public understanding of how much the Government are syphoning off in tax on petrol.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tony Baldry, Mr. David Curry, Sir Peter Emery, Mr. John Gummer, Mr. Robert Jackson, Mr. Michael Mates, Miss Anne McIntosh, Mr. Nicholas Soames.

Petrol Tax (Promulgation)

Mr. Tony Baldry accordingly presented a Bill to impose an obligation on petrol retailers to display prominently at the point of sale of petrol a notice showing the percentage and amount of the cost of a litre of petrol which go to the Exchequer by way of tax and duty: And the same was read the First time; and ordered to be read a Second time on Friday 7 April, and to be printed [Bill 62].

Northern Ireland Bill (Programme)

3.42 pm

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I beg to move,

That the following provisions shall apply to proceedings on the Northern Ireland Bill:—

Timing of proceedings

1.—(1) Proceedings on the Bill shall be completed at today's sitting.

(2) Proceedings on Second Reading shall, if not previously concluded, be brought to a conclusion four hours after the commencement of proceedings on this Motion.

(3) Proceedings in Committee shall, if not previously concluded, be brought to a conclusion six hours after the commencement of proceedings on this Motion.

(4) Remaining proceedings on the Bill shall, if not previously concluded, be brought to a conclusion seven hours after the commencement of proceedings on this Motion.

2.—(1) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put,

(b) proceedings on the Bill shall stand postponed while the Question is put, in accordance with Standing Order No. 52(1) (Money resolutions and ways and means resolutions in connection with bills), on any financial resolution relating to the Bill,

(c) on the conclusion of proceedings on any financial resolution relating to the Bill, proceedings on the Bill shall be resumed and the Speaker shall leave the Chair whether or not notice of an instruction has been given.

(2) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Questions to be put

3.—(1) For the purposes of bringing any proceedings to a conclusion in accordance with paragraph 1 the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion for a new Clause or Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) If two or more Questions would otherwise fall to be put by the Chairman or Speaker under sub-paragraph (1)(d) in relation to successive provisions of the Bill, the Chairman or Speaker shall instead put a single Question in relation to those provisions.

Lords Amendments

4.—(1) Any Lords amendments to the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on Consideration of Lords Amendments shall be brought to a conclusion, if not previously concluded, one hour after their commencement.

5.—(1) This paragraph applies for the purpose of concluding in accordance with paragraph 4 any proceedings on any message received from the Lords relating to the Bill.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) the Question on any further amendment of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other Amendment which is moved by a Minister of the Crown and relevant to the Lords Amendment.

Subsequent Stages

6.—(1) Any further Message from the Lords on the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

7.—(1) This paragraph applies for the purposes of bringing any proceedings to a conclusion in accordance with paragraph 6.

(2) The Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on any item.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee

8.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

Miscellaneous

9.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then.

(2) Proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

10.—(1) No Motion shall be made to alter the order in which any proceedings on the Bill are taken.

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(2) No dilatory Motion with respect to, or in the course of, proceedings to which this Order applies shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

(3) No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any Amendment.

11. Standing Order No. 82 (Business Committee) shall not apply to this Order.

12.—(1) The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith.

(2) Standing Order No. 15(1) (Exempted business) shall apply to the proceedings to which this Order applies.

(3) If the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under paragraph 1, 4 or 6, no notice shall be required of a Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order.

13. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

I am grateful for the co-operation of the Opposition and other parties in taking the Bill through its Commons stages today. The whole House will appreciate the reasons for the urgency with which the Government are acting. We are dealing with a serious situation. Over the next two days or so, critical decisions will need to be taken about the immediate future of devolved government in Northern Ireland. Without a substantive change in the situation, there may in a very short time be insufficient cross-community basis and support to sustain the institutions of devolved government in Northern Ireland, which is why we are bringing forward the Bill.

Mr. Michael Howard (Folkestone and Hythe): Would not the House have an even greater appreciation of the urgency of the legislation if it had sight of the de Chastelain report? Why will not the Secretary of State make it available to the House?

Mr. Mandelson: As I explained to the House in my statement last Thursday, when I described the de Chastelain report in full terms, it is the property not simply of the British Government, but of both the Irish and British Governments. It is reasonable for me to repeat the assurance that I have already given the House that, in the event of a further report being issued by General de Chastelain and his colleagues, I shall ensure that the original report is published alongside it so that right hon. and hon. Members may draw any comparison that they wish.

Mr. Howard: If the Secretary of State is in a position to ensure that the de Chastelain report is published in the circumstances that he just identified, why on earth is he not in a position to ensure that report is made available to the House now?

Mr. Mandelson: For this reason: the report's usefulness to the House—bearing in mind that it is a report to the two Governments, not simply the British Government—would arise in the event of a further report being issued by General de Chastelain's decommissioning body. In those circumstances, I would judge that it would be appropriate and necessary to publish both the original and further report, so that the House could see them.

Mr. John Bercow (Buckingham) *rose—*

Mr. Mandelson: I think that I have dealt with the issue to most people's satisfaction. [HON. MEMBERS: "No!"] Certainly to my own satisfaction. *[Interruption.]* If hon. Members will excuse me, I will complete my remarks about the programme motion.

In these circumstances, the Government must act, and possibly act very quickly if conditions demand. Through the Bill, we are seeking to take power to suspend the operation of the Executive and all the associated institutions that were set up following the implementation of the Good Friday agreement. It is essential that the Government have that power and should be in a position to exercise it, if necessary, by the end of this week.

That provides the essential reason for the urgency, should circumstances demand that I act quickly—in two or three days. I hope that hon. Members will use the time that we have available today for a full and thorough debate of the important issues at stake. The terms of the programme motion—which have been agreed through the usual channels—are such that there is generous time available at each stage of our proceedings for full and thorough consideration of every aspect of the Bill.

3.47 pm

Mr. Andrew MacKay (Bracknell): You will be aware, Madam Speaker, that, for some weeks, as decommissioning has increasingly seemed unlikely, my colleagues and I have called for the suspension of the Executive and the Assembly. We believe that it is essential that that happens by the end of this week. To suspend, there has to be legislation that brings back direct rule. In those circumstances, we very much support the Secretary of State's business motion.

Without wishing to trespass unduly on your time, Madam Speaker, and reiterating my point of order, I emphasise the point made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). It is difficult for the House properly to consider the merits of decommissioning and whether it is right—as I believe—to suspend the Executive unless we know what is said in the general's report. If not an abuse of the House, it is certainly riding roughshod over the House for that report not to be available.

If the Secretary of State were to say that there are security-sensitive matters in the report, it would be wrong to insist that the whole report be published. If he were to say that, I would fall back on the argument that at least the report's conclusions should be published. We want them published now, while the House is debating these matters. When we pass the timetable motion, the Bill will go through all its stages during the course of today. On the assumption that it is not amended in the other place, there will be no other chance for us to deliberate on these matters. We have to do so without all the facts being available to us, and that is an unsatisfactory state of affairs.

Mr. Andrew Robathan (Blaby): Some of us are concerned that the Government are not prepared to

[Mr. Andrew Robathan]

publish the de Chastelain report because it is so damning of terrorist organisations. Would my right hon. Friend care to comment on that?

Mr. MacKay: No, I would not, as it is unhelpful to speculate. However, if the Secretary of State does not publish the report, inevitably there will be speculation in a variety of quarters, which could be damaging. It is precisely for that reason that I am urging him to publish the report in full if he feels able, but, if it is security-sensitive, at least its conclusions. We can then reach our own conclusions, as it is important for the House to do. Even at this late stage, I call upon the right hon. Gentleman to place in the Vote Office this report or its conclusions so that we can deliberate properly.

3.50 pm

Mr. Paul Tyler (North Cornwall): As the Secretary of State will be aware, this is the first programme motion agreed this Session. I regret that it takes an emergency of this sort for us to be able to handle our business in this sensible way, and that we do not have more such motions.

We support the motion, but a serious point, to which the right hon. Member for Bracknell (Mr. MacKay) has just referred, must be addressed. Clearly, it is not just a question of dealing with an emergency in a vacuum. We are dealing with an emergency in a complicated context. The more the House can be informed about that context, the better our deliberations on the measure will be. I hope that, in the discussions that will continue and in terms of any further back-up information that may be available, the Secretary of State will bear that in mind.

It is important that we do not have a knee-jerk reaction, and we must think carefully about what will happen next. I am sure that that is uppermost in the Secretary of State's mind. However, it is important for the whole House to be as fully informed as possible in taking decisions. We must have a measured timing of our debate, and it must be as fully informed as possible.

We hope that the debate will be as well balanced as it can be. We support the motion, and hope that it will go through without dissent.

3.52 pm

Mr. Eric Forth (Bromley and Chislehurst): Since the Secretary of State was so coy about giving way and giving us the full story behind this matter, it might help the House enormously, in deciding whether we want to approve this timetable motion, if he would tell us more about the role of the Irish Government. As far as I know, this is the first time that reference has been made to the role of the Irish Government at this stage in these proceedings. The Secretary of State has rather teasingly said that the de Chastelain report belongs jointly to Her Majesty's Government and the Government of Ireland.

What is not clear is whether the Secretary of State is bursting to share the report with the House, but has been prevented from doing so by the Irish Government. We do not know whether he has asked the Irish Government if they would agree to the publication of the report. We do not know what response the Irish Government might have given him. It is not unreasonable for us to get some more information from the Secretary of State, either to let himself off the hook—so that we would not dream of accusing him of withholding information from the House—or to establish the relationship between Her Majesty's Government and the Irish Government in the crucial matter of what most of us regard as vital information not being shared with the House.

Mr. Crispin Blunt (Reigate): During the Secretary of State's statement last week, my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) asked him whether the Irish Government supported the proposed actions of the British Government. The answer was somewhat opaque. In reinforcing the point that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is making, we need to be clear on the attitude of the Irish Government to not only the publication of the de Chastelain report but the process on which we are embarking this afternoon.

Mr. Forth: My hon. Friend is quite right. One of the reasons why the House needs to know this in the context of a timetable motion—which is urging us to allow this matter to be dealt with expeditiously—must be the availability of required information to the House at this point in our proceedings. Our decision will have to be whether we feel that we can agree to this expedited procedure without having available vital information. All I am asking the Secretary of State is to tell us more about why he feels unable to bring the contents of the report forward—or, as my right hon. Friend the Member for Bracknell (Mr. MacKay) said, even the summary of the report. We are not asking for all sorts of confidential security information—we simply believe that, to make a judgment about whether we agree to the timetable and then the substance of the Bill, we must have available all relevant information. The de Chastelain report is a key part of that.

I hope that the Secretary of State will feel able, when he replies to this brief debate on the timetable motion, to tell us much more than he has hitherto. Simply saying in his charming way, "Trust me, it will all be all right and there might be another report in the future," is not good enough.

3.55 pm

Rev. Ian Paisley (North Antrim): When the Minister made his statement last week, I asked him whether we would have the report before this debate, because this debate would not be taking place if the general's report had not been issued. It seems to me unfair and unjust that some people in a part of Ireland who are not under the United Kingdom can have knowledge of the report, while the Parliament of the United Kingdom is having a debate in which none of us, except the Government, are privy to what is in it. That is outrageous. I wonder how the people of Scotland, Wales or England would like that to happen to them. It is behaviour that could not be tolerated in a proper democracy.

The people of Northern Ireland should know why we are in the House today and why this debate is taking place. We do not know the real reason, because the real reason is the report. As was said earlier, it is important to know the attitude of the southern Government to the issue. Do they not want the people of Northern Ireland to know what is in the report? Is it being withheld because the Minister is not free to give the information to the House?

If, as was suggested earlier, the report contains sensitive security matters, we do not need to have them, but we do need the end of the report, including the main reasons for certain findings. The people of Northern Ireland deserve to have those made known so that we can debate the issue in the House today.

3.57 pm

Mr. Richard Shepherd (Aldridge-Brownhills): Even more curious is the fact that the Secretary of State invokes the fact that the report has gone to two Governments and then tells us that, should there be another report, he will ensure that it is made available to the House. There is a profound contradiction somewhere in that. In truth, we are asked to accept what would be—in ordinary circumstances—a draconian guillotine motion, which includes reducing to one hour the consideration of Lords amendments, should there be any. That would roll up the entire production into a debate that could reduce consideration to three hours.

The Secretary of State should bring the de Chastelain report to the House. Some hon. Members have speculated about what the report might contain, but my right hon. Friend the Member for Bracknell (Mr. MacKay) said that he did not wish to do so. However, the Secretary of State is creating the circumstances in which the wildest speculations accrue around his proposition. To carry this motion with the confidence of the House, the Secretary of State should ensure that the de Chastelain report is made available to the House. If he cannot, he should tell us whether it is because the Irish Government have expressed a wish that it should not be revealed.

It is not only a question of the people of Ulster being informed, as the hon. Member for North Antrim (Rev. Ian Paisley) has just said, because it is also a question of the House of Commons being informed. Today, we will undo that which we have made only recently, so, at this late stage, I urge the Secretary of State to place the de Chastelain report in the Library.

Question put and agreed to.

Orders of the Day

Northern Ireland Bill

Order for Second Reading read.

4 pm

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I beg to move, That the Bill be now read a Second time.

I have to acquaint the House that I have it in command from the Queen to acquaint the House that Her Majesty, having been informed of the purport of the Bill, has consented to place her prerogative and interest, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.

This is a Bill that I had hoped very much not to have to introduce. I still hope that it will prove unnecessary to implement it, but that depends on changes and developments which have not yet taken place but which would need to take place speedily, and certainly over the next two or three days, to prove it unnecessary.

Last Thursday I made a statement to the House in response to the latest report of the Independent International Commission on Decommissioning. I think that I said enough about that report last Thursday for the entire House to understand that what was significant about de Chastelain's report was more what it did not say had happened than what it was able to describe had happened since the previous occasion in December when General de Chastelain had reported.

In summary, General de Chastelain and his colleagues reported that, as far as the IRA is concerned, to date they had received no information from the IRA as to when decommissioning will start.

Mr. Andrew Hunter (Basingstoke): Will the right hon. Gentleman give way?

Mr. Mandelson: I should like to make some progress. I said then that if further information came to light which rendered my statement out of date, I would of course inform the House. Intensive discussions continue, and there remains the possibility of a further report by General de Chastelain and his colleagues on the international body.

Mr. Hunter: Will the right hon. Gentleman give way?

Mr. Mandelson: In a moment. At present, I have no further substantive progress to report. It is therefore necessary to put this legislation in place, so that if it remains necessary because cross-community confidence has been undermined, we can create a pause in the operation of Northern Ireland's devolved political institutions from the end of this week.

Mr. Hunter: I am grateful to the Secretary of State for giving way. In dealing with the report, will he address a point that has been put from the Opposition Benches? Have the Irish Government expressed the opinion that the report should not be made public or available to the House?

Mr. Mandelson: Both Governments have agreed that for the time being, no further useful purpose is served by

[Mr. Mandelson]

publishing the report because it does not contain additional information, other than that which I have already given the House, that would inform the House. We have, however, said that in the event of a further report being delivered to the two Governments by General de Chastelain, we shall publish both so that they can be seen alongside each other.

Mr. John Bercow (Buckingham): Will the Secretary of State give way?

Mr. Mandelson: No, if the hon. Gentleman does not mind. There is no doubt in my mind that the necessary cross-community consensus which has existed, which supported the establishment of the Executive and of the institutions in Northern Ireland and north and south across the island of Ireland, and which is essential in creating those institutions and sustaining their existence, has been severely dented by the absence of credible progress on decommissioning—indeed, the absence of an unequivocal commitment to decommission, or a specific time frame in which decommissioning will occur.

Mr. David Winnick (Walsall, North): Has my right hon. Friend seen the remarkable article in today's edition of *The Irish Times* by my hon. Friend the Member for Foyle (Mr. Hume), in which he pleads with the IRA to start decommissioning and explains why that is so essential? Can my right hon. Friend give the House a guarantee that, whatever the circumstances, he will continue to do his utmost to work closely with the Irish Government on decommissioning and other aspects of the Good Friday agreement?

Mr. Mandelson: I have read the article by the hon. Member for Foyle (Mr. Hume) in *The Irish Times* today, and I heard his statements at the end of last week. I shall refer to what he has said later in my speech, but, for now, suffice it to say that I have absolutely no doubt that his remarks speak for the overwhelming mass of nationalist opinion in both Northern Ireland and southern Ireland.

Mr. Bercow: Will the Secretary of State give way?

Mr. Eric Forth (Bromley and Chislehurst): Will the Secretary of State give way?

Mr. Mandelson: If right hon. and hon. Members do not mind, I should like to make a little progress.

One reason why the hon. Member for Foyle has expressed his views and his impatience on decommissioning is that, like the rest of us, he has derived enormous satisfaction from the implementation of the Good Friday agreement. On every other front, the agreement has brought a better way of life for the population as a whole than Northern Ireland has ever known before. It has brought an inclusive Executive, responsible to a locally elected Assembly. There are no longer any outsiders—no more second-class citizens—in the administration of Northern Ireland.

The agreement places the principle of consent at the heart of the Northern Ireland constitution, and the Irish constitution has been amended to reflect that fact. The agreement has enabled serious, practical north-south co-operation, which has benefited all parts of the island. It has strengthened ties within the United Kingdom and has built a new and vigorous relationship with the rest of the island of Ireland.

The devolved institutions are functioning effectively, proving that it is best to apply local minds to local problems. The agreement has brought Ministers together from different parties of hitherto highly conflicting views. Indeed, those views still conflict strongly in many respects, yet the new Ministers are working together, irrespective of the traditions from which they come, in good faith and in the interests of all the people of Northern Ireland.

The new Ministers are working co-operatively with their counterparts in Dublin, London, Edinburgh and Cardiff. The vigour that they have applied to their new responsibilities proves conclusively that self-rule is far and away the best form of government for Northern Ireland. In addition, there are all the new institutions, and we must spare no effort to ensure their long-term survival.

However, the Good Friday agreement was a finely judged deal. Every detail and every word was included in it for a reason and contributes to its overall balance. That is why every other part of the agreement has been implemented, is in the process of being implemented or has a plan in existence for its implementation in the near future. We must acknowledge the importance of having all parts of the agreement go forward together. Each part is interdependent. To maintain confidence in the agreement as a whole, it is necessary that each part moves forward.

Alongside the new Executive, north-south ministerial and implementation bodies have been set up. Human rights and equality commissions have been established. Reform of policing and of criminal justice are moving forward. Prisoner releases continue—causing, I must say, understandable anguish among many victims' families, but going ahead none the less. Normalisation of security arrangements grows as the security threat subsides.

All those things are happening, and much else besides. All of it is necessary if we are to build confidence in the peace process. However, confidence building is not a one-way street.

Mr. Malcolm Savidge (Aberdeen, North): Will my right hon. Friend confirm that the Good Friday agreement commits all parties to work in good faith for the fulfilment of all parts of the agreement, including decommissioning?

Mr. Mandelson: I can confirm that. As recently as the Mitchell review and its outcome, Sinn Fein again recorded its view that decommissioning is an essential part of the peace process. That is most important, because members of both traditions need to feel that their commitment is reciprocated, but, at present, that confidence has slumped.

Mr. Crispin Blunt (Reigate): Will the right hon. Gentleman give way?

Mr. Mandelson: I will in a moment.

Actual, verifiable decommissioning is vital if we are to retain the faith of all parties in the Good Friday agreement—not just decommissioning by the IRA, but by all the paramilitary organisations. Each of them has

an obligation; we must see decommissioning being undertaken by all of them, if the agreement as a whole is to be properly and effectively implemented.

Mr. Blunt: Will the right hon. Gentleman give way?

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Mandelson: I give way to the hon. Member for Reigate (Mr. Blunt).

Mr. Blunt: I am grateful to the Secretary of State for giving way. Was it not implicit throughout all the negotiations for the Good Friday agreement that Adams and McGuinness spoke for the IRA? Indeed, it was reported in *The Sunday Times* that McGuinness made explicit the fact that he spoke for the IRA. That is why we are in our present pass. Will the Secretary of State confirm that? Will he tell us whether the Irish Government support the legal process that we are about to put in train?

Mr. Mandelson: The hon. Gentleman will forgive me if I do not get drawn into the intricacies of the relationships between different parts of the republican movement—I am not an expert on that subject. I only note that it was significant that, at the conclusion of the Mitchell review, the IRA issued a statement in which it pointed out, among other things, that it acknowledged the leadership of Sinn Fein in those matters. Implicit in that was an acceptance of the strategy, the policies and, indeed, the expressed positions that had been taken by Sinn Fein. I shall deal with the hon. Gentleman's question about the Irish Government in a moment.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Mandelson: I am going to save up the hon. Gentleman's interventions. It would be an enormous shame if I were to take them all in a rush at the outset of my remarks, because I should have nothing to look forward to later.

It is important to note what George Mitchell—

Mr. Bercow: I am not going away.

Mr. Mandelson: I know that.

In December last year, when George Mitchell celebrated the success of his review of the agreement, he said:

"I believe that the basis now exists for devolution to occur, for the institutions to be established, and for decommissioning to take place as soon as possible."

He concluded that

"there is no other way forward".

He was absolutely right.

Against that background, Ulster Unionists always made it clear that, if there was no progress on decommissioning by the end of January, it would be very difficult for them to remain in the Executive. No commitments or guarantees were made on the other side. I have always made that clear; I have never claimed that anyone guaranteed that anything would happen by any particular date. Indeed, Sinn Fein made it clear that premature public deadlines made its task—of persuading the IRA to move—all the more difficult. Nor do I think, in that connection, that it helps matters for anyone to accuse anyone else of acting in bad faith. Nobody has a monopoly of good intentions in this situation.

None the less, it was made clear to all those involved in the Mitchell review that substantive, tangible progress in decommissioning would be needed to sustain Unionist commitment to the Executive beyond the end of January.

Mr. Dale Campbell-Savours (Workington): I recognise that the Independent International Commission on Decommissioning has ruled out the possibility of the purchase of decommissioned equipment. Will that proposal still be on the agenda in the difficult months that now face us?

Mr. Mandelson: I am not conscious of that proposal ever having been placed prominently on the agenda. However, in so far as it was being considered, it may still be considered in its proper place and by the appropriate people—the international decommissioning body and its three commissioners headed by General John de Chastelain.

Whatever the virtue of that proposal, it is not simply the continued absence of actual decommissioning that is causing the current difficulty. It is the uncertainty about whether decommissioning will ever happen and, if so, when and on what terms it will take place. When I say, "on what terms," I do not mean British terms and I do not mean Unionist terms, either. It is not for the British Government, the Ulster Unionist party or any other group to impose on any other organisation the terms on which it voluntarily carries out actions of arms' decommissioning. It is, however, a matter for those organisations to engage properly with the de Chastelain commission and to agree with it—within the terms of the Northern Ireland Decommissioning Act 1997—how decommissioning will take place and within what acceptable time frame. All that remains, I am afraid, unclear, despite the availability of the de Chastelain commission to take matters forward.

Of course, I applaud the fact that the Provisional IRA's guns are silent. Everyone in Northern Ireland is enormously relieved that those guns are silent. Its ceasefire during the past two and a half years has been an indispensable condition for politics to work in Northern Ireland. I welcome its expressed desire for a permanent peace. The absence of the word "permanent", as some hon. Members and certain right hon. Members are aware, was once an insuperable obstacle to progress. Now it has been said and the obstacle has been surmounted.

If the war is over, we have to ask the Provisional IRA why arms still need to be retained. If violence is a thing of the past, why cannot weapons of violence be put permanently beyond use, as they should be, and as the Good Friday agreement lays down that they should be? I know of absolutely no section of nationalist opinion anywhere that disagrees with that sentiment. Of course—*[Interruption.]* Perhaps the hon. Gentleman knows of a section of nationalist opinion that disagrees with that sentiment.

Mr. Andrew Robathan (Blaby): I thank the right hon. Gentleman for giving way at last. He has said some extraordinary things. Does he not think that, possibly,

[Mr. Andrew Robathan]

Sinn Fein might be a section of that opinion that does not wish to give up weapons because Sinn Fein and the IRA, as his own Prime Minister has said, are inextricably linked? Surely, the right hon. Gentleman therefore realises that, if the IRA does not want to give up weapons, Sinn Fein does not want to give up weapons, either.

Mr. Mandelson: As the hon. Gentleman will acknowledge, I was referring not to republican opinion but to nationalist opinion, and the key point stands. Anything that smacks of surrender is unjustified; nobody is seeking to humiliate anyone in these circumstances. I cannot think of anything that would be more destructive.

Any cause or sentiment that unites the Irish Government, the American Government, editorial writers in Dublin, Cork, Boston, Washington and New York, the leadership and rank and file of the SDLP and public opinion in the north and south of Ireland surely cannot be wrong. All that coalition—that breadth and wealth of opinion—has stated unambiguously that the time for decommissioning is now, and that a start must be made by the Provisional IRA. Yet, as matters stand, a way forward continues to elude us.

Mr. Robert McCartney (North Down): Is the Secretary of State aware that after the atrocities at Enniskillen, Omagh and Canary Wharf, world opinion expressed much the same sentiment as is now being expressed, but inevitably gravitated back towards support for Sinn Fein and their aims?

Mr. Mandelson: Public opinion was right then and it remains right—decommissioning needs to start. I was disappointed and slightly taken aback that, when my hon. Friend the Member for Foyle the other day supported an early token act of decommissioning, his intervention was dismissed as inappropriate by the chairman of Sinn Fein. That is a lordly and arrogant rebuff to someone who has committed much to the peace process and who has been rewarded with a Nobel peace prize for his efforts.

As I said in my statement last week, the circumstances mean that the cross-community support necessary for the institutions to operate successfully is, I am afraid, fast ebbing away. I hope that the circumstances will yet change, but that requires clarity about whether decommissioning will happen, how it will happen and when it will begin. Without such clarity, the current loss of cross-community confidence is so serious that the Executive would simply fall apart. Where that is clearly foreseeable, we must ensure that good government for all the people of Northern Ireland continues.

Mr. Bercow *rose—*

Mr. Tony Benn (Chesterfield): Will my right hon. Friend give way?

Mr. Mandelson: I give way first to my right hon. Friend.

Mr. Benn: Given what my right hon. Friend has said, and the broad measure of world support for decommissioning and the process, why is he terminating the north-south links and the intergovernmental links, when nobody could possibly blame the Irish Government for having played any part whatever in delaying decommissioning and when, indeed, they have been entirely positive in their contribution to the agreement?

Mr. Mandelson: I shall come to that in a moment. It is enormously regrettable that we have to suspend the north-south institutions and the implementation bodies, not least because already in their short time they are making a valuable contribution to life in the island of Ireland. However, all those institutions are interdependent; they are all interlocked in terms of the Good Friday agreement, to which we have all been signatories.

I give way to the hon. Member for Buckingham (Mr. Bercow) before resuming my speech.

Mr. Bercow: My patience is rewarded, and I am immensely grateful to the right hon. Gentleman for giving way. There is much good will towards him in the Chamber today, but I hope that he will not risk sapping that good will by continuing to try to imitate Kafka in the opaqueness of his statements. Will he state categorically to the House how he believes that confidence, about which he rightly talked, is increased by non-publication of the de Chastelain report?

Mr. Mandelson: If the hon. Gentleman lived in Northern Ireland and had lived through the enormous encouragement and excitement that people in Northern Ireland have experienced with the establishment of those institutions, as well as through the disappointment and demoralisation that they feel now that those institutions are threatened, he would be focusing on something else, and something frankly more significant than a single report by General de Chastelain. The hon. Gentleman says that his patience has paid dividends. I must express my disappointment in him. Unless he comes up with rather more substantive interventions, I may not be tempted to give way again.

Rev. Martin Smyth (Belfast, South): The Secretary of State should give way. It was emphasised in the House last week that we were discussing the Belfast agreement. In the light of the Secretary of State's answer to his right hon. Friend the Member for Chesterfield (Mr. Benn), may I point out that the only link with Good Friday is that the innocent are suffering with the guilty, whereas it should be the guilty who suffer?

Mr. Mandelson: The House has heard the hon. Gentleman's point and will evaluate it.

Some people have said to me—indeed, some of my hon. Friends have remarked—that we should not be taking an axe to the institutions, that we should sustain them and keep them going, and that the last thing that anyone in Northern Ireland needs is for the very successful Executive and institutions to be suspended, as may well be the case at the end of the week, unless circumstances change.

However, those people are posing a false choice. The choice before us is not between institutions being suspended and institutions which, if they were left alone, would continue to perform successfully in the future.

as they have done to date. We are not faced with the choice between suspension and imperfect continuation of the Executive.

We are faced with a very different choice. It is a choice between suspending the institutions, or seeing them progressively and quite rapidly collapse because confidence in them has plummeted. In other words, it is not a choice between suspension and carrying on as we are. It is a choice between pause or bust in the institutions.

Mr. Hunter *rose—*

Mr. Mandelson: If the hon. Gentleman does not mind, I have already given way to him.

It is in no one's interest for those fragile institutions to be allowed to shatter irreversibly, simply because it is too hard or too painful to take the necessary action to forestall that now.

Delay in acting will not buy us time in the present circumstances. If we delay, it will only make the landing harder, unless between now and the end of the week a substantial turnround of events occurs and we have answers to the essential decommissioning questions—whether it will take place and when.

A pause in the operation of the institutions, far from allowing them to collapse, will preserve them, save them for the future and enable them to be revived at a future date. It will allow all our efforts to focus on finding a way forward, through a review that would ensue following a suspension—a way, I hope quickly, to restore the institutions and make progress on decommissioning and all the other aspects of the agreement.

Dr. Norman A. Godman (Greenock and Inverclyde): I am grateful to my right hon. Friend. Last Thursday I urged him to ensure that if suspension must take place, the period of suspension will be as short as possible. Will he confirm that the review will be treated as a matter of urgency? Who is to conduct the review? Is it likely to be jointly chaired by my right hon. Friend and Mr. Cowen of the Irish Government?

Mr. Mandelson: Those are important details, which I need to consider with the Irish Government under the terms of paragraph 7 of the Good Friday agreement. We will do that speedily. It is important that every hon. Member understands the imperative for and urgency of our actions. If we do not put the operation of the institutions on hold, subsequent events would so severely compromise and shatter their operation, that they would rapidly and irreversibly unravel. No hon. Member should doubt—I do not believe that any hon. Member will doubt—that the First Minister and his colleagues would resign their positions in view of the loss of confidence in the Executive and the institutions.

We must be clear about what would ensue if we lost the First Minister from his position. First, the Deputy First Minister would automatically cease to hold office at the same time. I cannot choose, or wave a magic wand, to change that. As sure as night follows day, consequences would follow. No other credible candidates would secure a majority of Unionists and a majority of nationalists in the Assembly. An alternative First Minister and Deputy First Minister would have to do that if they were to stand any chance of election. The cross-community majority would not exist for another ticket.

In such circumstances, I would be obliged within six weeks to call fresh Assembly elections. At best, those elections would cement the existing stalemate. At worst, they would further polarise the divisions that have emerged, and make conducting a successful review almost impossible—let alone reverting to the existing Executive and institutions. The last thing to emerge from those circumstances would be another consensual, cross-party Government in Northern Ireland. The Government of Northern Ireland would simply cease to operate. I will not let that Government simply collapse into a black hole. That would happen if we allowed events to unfold—as they certainly would—without taking the necessary action before reaching that point at the end of week.

Mr. Peter Robinson (Belfast, East): If the Secretary of State intends to comment on the point that I am about to make later in his speech, I am happy to wait until then. What is the ingredient that is required for reinstating devolution? For the Secretary of State, is it simply a statement from the Provisional IRA that it intends to decommission and that it has a timetable, or will he ask for product up front?

Mr. Mandelson: It is not me who has to be satisfied. First, General de Chastelain and his commission have to be satisfied that all the paramilitary organisations are properly and effectively engaging not only with the principle of decommissioning, but with the modalities of how it will be achieved. More important than satisfying General de Chastelain and his colleagues, the community and public opinion in Northern Ireland must be satisfied. That means that both traditions in Northern Ireland must be satisfied that decommissioning is taking place on an acceptable, effective basis. Unless both traditions are equally satisfied, and confidence in the implementation of all aspects of the Good Friday agreement is properly rebuilt, the Executive and institutions will not be able to resume their current operation. That is the bottom line.

Mr. Gordon Prentice (Pendle): Is it not the case that not only the IRA, but the loyalists are not decommissioning? How does my right hon. Friend address Sinn Fein's point that the British Government are responding to an artificial deadline imposed by the Ulster Unionists? The real deadline is a couple of months down the road, in May.

Mr. Mandelson: I am sure that my hon. Friend was present at the beginning of my speech when I addressed that point by saying that the problem we face is indecision or reluctance to decommission not only on the part of the Provisional IRA but on the part of all the paramilitary organisations. De Chastelain has obtained from certain of the loyalist paramilitaries an undertaking that they would follow if the Provisional IRA were to decommission. That is progress—something we can tuck under our belt—but we have to be absolutely realistic, as I am sure my hon. Friend will be. The biggest such stumbling block is the Provisional IRA's inability even to address the need to give a clear and unequivocal indication of its intention to decommission, let alone when and how it will do so. Without any sense of recrimination, threat, anger or anything else, I say that that is what we need to make progress, and for confidence in the institutions to be rebuilt.

Mrs. Maria Fyfe (Glasgow, Maryhill): As that is such a massive problem, what does my right hon. Friend think

[Mrs. Maria Fyfe]

of a national day of reconciliation on which all relevant bodies might act together to provide reassurance to the others?

Mr. Mandelson: That is a creative and imaginative suggestion. I have always said—without in any way conceding an equivalence between legally and illegally held weapons—that normalisation of the security profile and elimination of the threat should go hand in hand. I am very willing to give further thought to those general ideas.

Let me quickly run through the contents of the Bill. It enables what I hope—if it proves necessary—will be the temporary return to Northern Ireland of direct rule. Under clause 1, while the institutions, including the Executive, are on hold, neither the Assembly nor its Committees will meet. All Northern Ireland Ministers and the Chairmen and Deputy Chairmen of Statutory Committees will cease to hold office, although under clause 3 all Ministers and other office holders who lost office but are still eligible are automatically reappointed to their previous office when the institutions are restored.

Clause 2 allows the Secretary of State for Northern Ireland to make a restoration order to end the suspension, taking into account the outcome of the review. The schedule sets out that executive responsibility will return to the Secretary of State and the Northern Ireland Departments acting under the direction of the Secretary of State. Legislation that would normally be made by the Assembly will be made by Order in Council approved by Parliament. A restoration order and its revocation must, under clause 7, be approved by both Houses of Parliament. Clause 5 requires the Secretary of State to return the functions of the implementation bodies to the relevant Northern Ireland Departments, in line with arrangements agreed with the Irish Government. That reflects the underlying principle of the agreement that all these institutions are interlocking and interdependent.

Those are serious steps, but in the absence of any progress they will, I believe, preserve the institutions from collapse and enable us to revive them at the earliest possible date. May I say this to the House in conclusion? The bomb attack in Fermanagh on Sunday reminds us that, tragically, there are still people in Northern Ireland who prefer violence and chaos to peace and stability. My sympathy goes out to all those in Irvinestown whose property has been destroyed and whose peace has been shattered.

These futile, cowardly assaults on the overwhelming will of the people are what the Good Friday Agreement sought to end. I believe it is the duty of the British Government, and, indeed, of the Irish Government, and of all the political parties, to deliver the people's will and put this process back on track.

There will never be a better agreement than this. The Good Friday Agreement is a replete and robust agreement. It is a near perfect settlement, and I believe that if we were to scrap it and start negotiating it from scratch what we then ended up with would be very, very similar indeed to what we have at present. I really do not think there will be a better agreement than this. With this Bill the Government are moving to guard its integrity and the confidence of all sides in it.

I hope that all hon. Members will feel able to give us and the Bill their support, so that we can preserve and save what we have, in order to revive it another day, if it should prove necessary, as I hope it will not, to put on pause the operation of the institutions at the end of this week.

4.41 pm

Mr. Andrew MacKay (Bracknell): I should like immediately to associate the Opposition with the Secretary of State's remarks about the people of Irvinestown. It was a devastating blow to that small and peaceful community when, at 7.20 on Sunday evening, a bomb exploded in the town and caused such damage. Can we as a House send one absolutely clear message to the men of violence, wherever they happen to come from? They will never succeed in their objectives by such dastardly actions, which are always, without exception, completely counter-productive.

We strongly support the Bill and shall vote for it if need be. We support it for a very simple reason: ever since it became clear that it was most unlikely that any substantial decommissioning would take place, we have believed that the only way forward was for the Secretary of State to suspend the Executive, the Assembly and the other relevant institutions. Clearly, for that to be done we must put direct rule back in place. That, basically, is what this legislation is all about.

Before I go into detail on the Bill, I hope that I shall be forgiven if I return for a final time to what I think has been a dreadful mistake by the Secretary of State. I believe that the House was owed an explanation as to why the de Chastelain report has not been published. The House has been put in an unenviable position, having to take decisions tonight on direct rule without knowing what the general said in that report.

I repeat again to the Secretary of State that I fully accept that there might be sensitive, particularly security-sensitive, items in that report. By all means exclude those, but we need to see the conclusions. Even at this late hour, I hope he will reconsider and, before we vote on Second Reading or on any of the amendments, will place the report, or at least its conclusions, in the Library or the Vote Office.

Mr. Steve McCabe (Birmingham, Hall Green): The right hon. Gentleman overstates his case. He has already told us twice today that he welcomes the Bill. He has been calling for this suspension for weeks. Whether he sees the report has no bearing on his judgment; he has made it absolutely clear where he stands. Surely there is no point in pursuing this.

Mr. MacKay: I think that the hon. Gentleman has missed the point. The House must have the maximum information available before reaching a decision: that is how it works. The Secretary of State rightly referred to the report both today and in his statement on Thursday, and, as right hon. and hon. Members have said—not just Conservatives, but Liberal Democrats and Unionists—if a report has been referred to, it is only proper for the information to be placed before the House so that all Members can reach a decision.

I willingly acknowledge that—as the Secretary of State has heard me say a number of times, from the Dispatch Box and elsewhere—I believe suspension to be right. I am not convinced that all Members share my views at this stage, but they might if they saw what was in the

report. I believe that the report should be published, but I will not dwell on the issue. I leave the Secretary of State to reflect on it further as the debate proceeds.

This is an extremely sad day for the people of Northern Ireland. They, naturally, yearn for a lasting peace, and they have hoped and prayed for decommissioning. They have been dreadfully let down. Over the past few weeks, they have enjoyed having their own Executive and elected Assembly. The democratic deficit that I consider to have been so damaging to the body politic in Northern Ireland had been eradicated, and we saw Northern Ireland's elected politicians taking responsibility for much that happened in the Province. That was healthy, right and proper. As the Secretary of State willingly acknowledged, it is the first and best option for the present and future governance of Northern Ireland. It was working, and I believe that it would have continued to work.

A number of distinguished past office holders are present—Members who have served in the Northern Ireland Office as Secretaries of State, Ministers of State and Under-Secretaries of State. I know they would agree that the alternative, direct rule, is very much second best. Although it will now be necessary, it is a great pity that it had to happen at all.

It is worth reflecting on why the Secretary of State has introduced this Bill, and why it is gaining support on the Opposition Benches. I believe that, towards the end of last year, the right hon. Member for Upper Bann (Mr. Trimble) was courageous in agreeing to serve on the Executive along with his Unionist colleagues, although there had been no decommissioning by the Provisional IRA, and to serve with Sinn Fein Ministers. It was a brave decision, but it was also the right decision—a decision that I have consistently and strongly supported. That decision was made, however, because there was an understanding that, once the Executive had been set up, decommissioning would commence in a matter of weeks. The Secretary of State confirmed that to me at the Dispatch Box on Thursday.

I do not wish to apportion blame unduly, but I think that we must be clear about this. The simple truth is that the First Minister, the Secretary of State and I, along with the whole House, have been let down by Sinn Fein and the Provisional IRA. They have failed to deliver the decommissioning that it was understood would happen once the Executive was in place. It must be said that with the paramilitaries, whether republican or so-called loyalist, it has been all take and, to date, absolutely no give.

As the Secretary of State rightly pointed out, every other aspect of the Belfast agreement has been implemented, or is being implemented. In other words, the two Governments, British and Irish, and the constitutional parties, Unionist and nationalist, have fulfilled all their obligations. The only people who have not fulfilled their obligations under the Belfast agreement are the paramilitaries, republican and loyalist: they have failed to decommission any of their illegally held arms and explosives.

I want to address the arguments presented by Mr. Adams, Mr. McGuinness and some of the so-called loyalist paramilitary leaders. They say, "All that the Belfast agreement stated was that over a two-year period, concluding on 22 May, all illegally held arms and explosives must be decommissioned; so why the rush? We do not have to do it yet." Looking at the situation and knowing that all illegally held arms and explosives have to be decommissioned over a two-year period by 22 May, any reasonable person would conclude that, 21 months on, the fact that not one gun or ounce of Semtex has been handed in by any of the parties that signed up to the agreement shows that they are not fulfilling their obligations. That is why it is absolutely essential that decommissioning commences before the Executive and the Assembly can be reinstated.

As the Secretary of State confirmed, prisoner releases are a sensitive issue. If we go back to the summer of 1998, when the House passed the Northern Ireland (Sentences) Bill, initially, we understood why the Government released terrorist prisoners early back on to the streets of Belfast. It was right—in fact, it was essential—that the Government showed their good will to the paramilitaries and moved first. However, by the autumn of 1998, it was clear that a large number of prisoners, republican and loyalist, had been released early, yet there had been no decommissioning whatever.

It was at that point that we said clearly that we believed that no further prisoners should be released until there had been genuine progress on decommissioning. We have repeated that again and again in the House. We have the reprehensible situation today that more than 300 terrorist prisoners have been released early, but still not one gun, or ounce of Semtex, has been decommissioned.

I want to say in the gentlest way possible to the relatively new Secretary of State that we sincerely and deeply believe that, had we been listened to in the autumn of 1998 and thereafter, when we said, "Stop prisoner releases until there is some decommissioning," we would not be in the position today of finding no decommissioning and of having to suspend both the Executive and the Assembly. That is regrettable. I will not dwell further on the matter, but it is important that the point be made.

Mr. Winnick *rose—*

Mr. Nigel Beard (Bexleyheath and Crayford) *rose—*

Mr. MacKay: I give way to the hon. Member for Walsall, North (Mr. Winnick).

Mr. Winnick: Does the right hon. Gentleman accept that there is a different view? The reason why the republicans, and certainly the IRA, are so isolated today is because we have honoured the Good Friday agreement. If we had not, if prisoner releases had been stopped and the rest of it, they would have had an excuse. They would have said, "Look. The British have not done what they claimed they would do." It is precisely because we have honoured the Good Friday agreement and the IRA has not even issued a statement on decommissioning that it is isolated, not us. That is recognised internationally.

Mr. MacKay: I beg to differ with the hon. Gentleman because I sincerely and deeply believe that, had we stopped prisoner releases earlier, decommissioning would have started. The reason why the paramilitaries are isolated today is because of the courage of the First Minister, the right hon. Member for Upper Bann, and of his colleagues in going into that Executive and testing

[Mr. MacKay]

whether they were prepared to decommission and be of their word. Sadly, we have found that that is not the case. It is deeply regrettable.

As to the future, I have some observations and some questions for the Secretary of State, which I hope he will find helpful and to which I hope the Under-Secretary of State for Northern Ireland will respond at the end of the debate. If pressure is brought to bear on the paramilitaries, it will be essential—I agree with the hon. Member for Pendle (Mr. Prentice)—that both loyalist and republican paramilitaries decommission. The reason why we emphasise the role of the Provisional IRA is simply because, as the Prime Minister has rightly told us, it is inextricably linked to Sinn Fein and it is Sinn Fein that holds ministerial office in the Executive. However, to achieve lasting progress, we shall have to have decommissioning in full, quickly, by all the paramilitaries—from both the republican and the loyalist wings—who signed up to the agreement.

If we do get decommissioning moving to the satisfaction of General de Chastelain—I emphasise again to the Secretary of State our confidence in the general and his international commission—may we have an undertaking that the suspension of the Executive and the Assembly will be immediately lifted? I think that the Secretary of State shares my view that direct rule is very much second best, and that we shall be anxious to return to an Executive and an Assembly as soon as possible.

It seems to me essential that, if the legislation proceeds through both Houses—as I hope and believe that it will this week—it should receive Royal Assent on Friday. Subsequently, it will be within the Secretary of State's power to suspend as and when he sees fit. On the assumption—I hope that it is a false assumption, but fear that it is a realistic one—that there is no substantial decommissioning of illegally held arms and explosives by the Provisional IRA to the general's satisfaction, may I have an absolute undertaking that the Executive and Assembly will be suspended by the end of this week? For reasons that are self-evident and that I do not wish to dwell upon, it would be most unwise to delay any longer, as that could be extremely damaging to the process.

I hope that, when the Under-Secretary replies to the debate, he will be able to give me positive replies on those points.

Mr. Seamus Mallon (Newry and Armagh): I note the seriousness of the point that the right hon. Gentleman is making. Perhaps that seriousness would be reinforced if he gave us the reasons why he feels that it is essential that that should be done by this Friday.

Mr. MacKay: It is essential—as I think the hon. Gentleman, the Deputy First Minister, will be aware—because, in a democratic, civilised society, it is not right, practical or possible for people to share ministerial office for any length of time with those who have not completely renounced violence for good. If anyone is inextricably linked to the Provisional IRA—as Sinn Fein is—and if the Provisional IRA has failed to decommission any of its illegally held arms or explosives, it would not be right or proper for him or her to be in ministerial office for any length of time with other Ministers.

Mr. Mallon *rose—*

Mr. MacKay: The hon. Gentleman did ask me a question. Although I should be very happy to allow him to intervene again, I should do him the justice of completing my answer. I shall then be only too pleased to give way to him again.

I believe that, in those circumstances, it is inevitable, right and proper that others who hold ministerial office would be forced to resign those offices, bringing down the Executive. I think that that would be the wrong way forward. The Secretary of State knows that I believe that, at the end of this week, if there has not been a proper start to decommissioning, the right way forward would be for him to suspend the Executive and Assembly. That would be in the Province's best interests and in everyone's best interests.

I hope that that satisfies the Deputy First Minister on my position. I should be very happy to give way, if he wishes to cross-examine me further.

Mr. Mallon: I thank the right hon. Gentleman. My questions are asked only in the interests of clarity, which is so important in these issues. If I were to suggest that it should happen on Monday, Tuesday or Wednesday—in the hope that that would provide time to achieve the type of movement on decommissioning that could prevent a suspension—would the right hon. Gentleman agree that it would be wrong to do it on Friday? Does he agree that we should provide that time, if there is a hope that it might work?

Mr. MacKay: I would need a huge amount of convincing. Time and again the paramilitaries and their political friends have broken timetables and assurances, and failed to abide by understandings. The only way forward is either—as I hope—for decommissioning to have commenced to the satisfaction of the general by the end of the week or for the Secretary of State to suspend. I do not think that there is any other option.

Mr. Tony Benn: I have listened intently to the right hon. Gentleman. Why does he think that a Minister should take away the rights of the electors in Northern Ireland? Ministers come and go and can be sacked, moved or defeated even in this country, but the characteristic of the Belfast agreement was that it gave the people of Northern Ireland the right to decide. The right hon. Gentleman is now saying that he wants their electoral rights taken away by Friday. When Assemblies are dissolved there are further elections. What makes him so sure that the Government should abolish the democratic electoral rights of the people of Northern Ireland? What gain would that bring to anyone?

Mr. MacKay: It will be up to the House to decide what happens in a vote or a series of votes later tonight. I have told the Secretary of State clearly that he has my full support in introducing the Bill. I have confidence in his making the right decision and suspending on Friday because, as I said in answer to the Deputy First Minister a few moments ago, I believe that in a free, democratic,

civilised, liberal democracy, people who fail to decommission their illegally held arms and explosives cannot hold ministerial office. It may be acceptable for them to hold office for a short time to encourage them to decommission. That is why I supported the establishment of the Executive and backed the right hon. Member for Upper Bann and his colleagues when they entered into office with Sinn Fein. There was an understanding when they did so that there would be decommissioning within weeks. As we all know, after more than just a few weeks—we are now well into February—that has not happened. It is deeply regrettable, but that is the position that the Secretary of State and the House are in.

Mr. Brian Cotter (Weston-super-Mare): Does the right hon. Gentleman believe that, if General de Chastelain and the commission were to say that a few more days after Friday could produce a result, that would be enough for a possible route forward?

Mr. MacKay: I would need to study carefully the text of what General de Chastelain said. As we do not have the current report and we are not getting very far with his text today, I am not confident. I repeat what I said to the hon. Member for Newry and Armagh (Mr. Mallon). The people of Northern Ireland, the House and world opinion have been let down time and again. We have been strung along with promises, understandings and timetables that have not been kept. I hope that the hon. Gentleman will forgive me if I am not confident of believing anything short of decommissioning. I would need an awful lot of convincing, even from a report from the general—even if the Secretary of State chose to publish it.

Mr. Robert McCartney: Does the right hon. Gentleman agree that, from its inception with the Downing street declaration, the understanding that only parties totally committed to peaceful and democratic methods could be included has been inherent in the process? From then on there has been a continuous resiling from that principle. It is perfectly in order for the democratic majority in Northern Ireland to say that we are not going to sit down in an institution of government that claims to be democratic with the political representatives of a paramilitary terrorist group.

Mr. MacKay: Over the past 18 months, the hon. and learned Member for North Down (Mr. McCartney) and I have clashed and disagreed over the Belfast agreement and its implementation, but on the point that he raises, we are probably as one. For no sustainable period can one have people who are inextricably linked to paramilitaries who are not decommissioning being Ministers in any part of a civilised democracy, such as the United Kingdom and Northern Ireland. I like to think that I can carry the whole House with that view. That is precisely why we are supporting the Bill and why I have—for some weeks, after it became abundantly clear that decommissioning was unlikely—been urging the Secretary of State to suspend the Executive and the Assembly.

I hope that suspension will be for the shortest period possible and that pressure will be put on the paramilitaries—so-called loyalist and republican—to decommission. I hope also that the House will send a clear and unanimous message to the men of violence that there is no way they will ever achieve their objectives; the right way forward is through the democratic process; and that they have real opportunities, through the Assembly and the Executive, to be part of that process at last. They will not easily be forgiven by the people of Northern Ireland if they do not grasp that opportunity quickly. The eyes of the world will be on them. I hope and pray that they are listening.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Many right hon. and hon. Members requested at a late stage to speak in this debate. I therefore make the plea for contributions to be brief.

5.6 pm

Mr. John Major (Huntingdon): During the last 10 years or so, this House of democrats has taken a great deal on trust from the present Government and its predecessor Government over Northern Ireland. It is clear from the Secretary of State's speech that we must take a certain amount on trust again today. In the present circumstances, I hope that the House will be prepared to do so.

This is a Bill that no one wished to see. Over the years, great progress has been made—old hatreds disentangled and old opponents working together in a way quite unprecedented at any time during recent years in Ireland. Nationalism and Unionism have learned a great deal, one about the other, as they have worked together over the past months. As a result, for a period the guns have been silenced, peace has had a chance, and for many everyday people of Northern Ireland a hope was born that previously was not there. Almost at the final hurdle, there is a stumble and optimism turns to despair.

There are three possible outcomes to the present impasse. The happy outcome is that there will be a change of heart and decommissioning will begin. I hope for that outcome profoundly, but it is unlikely in the short term. I certainly do not expect it in the next few days.

The unhappy outcome is that the old antagonisms will return in full flood and the murder, mayhem, killing and bombing will recommence. I do not expect that outcome either, although fringe groups—as, tragically, we have seen over the past few days—may return to violence, as they may have done even if the process had continued and proved successful. There have always been those wishing the process to fail for political reasons. There have always been those wishing it to fail because they hide straightforward criminality under the guise of a political struggle.

The third possible outcome is the one that I expect. There will be an uneasy time ahead—while political effort continues in London, Belfast and Dublin—as a way out of the box in which we find ourselves is sought. Today's decision by the House will offer time for that work to go ahead.

The box is well understood by all right hon. and hon. Members. Arms are not being decommissioned. Why not? If it is because the paramilitaries—and on this occasion, I mean especially the IRA—have an undiminished appetite for a united Ireland at all costs and by any means, the future is a good deal more uncertain than anyone in the House would wish it to be. However, they must have realised—or this process would not have made the

[Mr. John Major]

progress that it has—that 25 years of violence have not delivered to them the objectives that they sought. There have been enough signs that there are those in the IRA and Sinn Fein who seek a political path for the future, not a violent path.

The sensible democrat helps the embryonic democrat to find the way to democracy. That is what London, Dublin and Belfast have been doing for years, with the active involvement of the democratic political parties on both sides of the divide in Northern Ireland. I hope, at this moment of difficulty, that we do not underestimate the progress that has been made, or what exists still to build upon, even if our present ambitions fall apart in our hands. It is at least possible—and there were times when I thought that it was not possible but probable—that the leaders of Sinn Fein and the IRA are prepared to begin decommissioning, but do not know how, or do not have the courage, the confidence or the support of their movements at this moment to do so.

Some time ago, when we heard from the Government talk of a seismic shift, I assumed that private commitments had been given. That was a reasonable assumption that I was not alone in making. Either that was careless talk, which I doubt, or the Government were misled. In either event, it is clear that, sadly, the seismic shift has not taken place. Let us consider why that might be. It is not an easy proposition, but I invite hon. Members to try to put themselves in the minds of the IRA to appreciate the dilemma as the IRA sees it. It may be instructive to do so. This House of democrats does not agree with the IRA, but it is instructive to try to understand its perspective, for it is always useful to see into the mind of the people with whom one is dealing. Understanding of that sort is never pointless.

Decommissioning is not just the decision of one or two leaders of Sinn Fein or the IRA; it is a much more difficult decision to obtain. It requires the consent of the army council of the IRA and a full meeting of so-called volunteers—including those whom I mentioned a moment ago for whom criminality has been a way of life for the best part of the last quarter of a century. That is a difficult proposition to deliver, although it is absolutely necessary and we must continue to demand it.

It is for that reason that, last week, I asked the Secretary of State if the leaders of Sinn Fein or the IRA had been invited by the Government or anyone else to place a proposal for decommissioning before the army council of the IRA, so that we could see the response. To be diplomatic, the Secretary of State was opaque in the answer that he declined to give me. That is a pity, although I do not press him again, as his silence was eloquent enough. It is a pity, because his answer would have been informative to those of us having to take a decision today in considering the correct policies to follow tomorrow.

The great need, after today, is to stick the glue around what has been achieved and to make sure that it does not slip away even though the final hurdle at the moment has not been jumped. It may be that the leaders of the IRA never intended to disarm at all. If that is the case, in my judgment they misled the nationalist community as well as everybody else. Decommissioning does matter, because both traditions in Northern Ireland need the assurance of peace in the long term that only decommissioning can bring. It is a tragedy that it is not at present being delivered.

Now, of course, the leaders of Sinn Fein say that decommissioning was never offered as part of the Belfast agreement, and even have the temerity to be offensive to the Secretary of State when he speaks critically of their position. The right hon. Gentleman will have to bear the occasional criticism, because, as I can tell him, it goes with the job. He had better learn to like it, because it will continue to do so. When the leaders of Sinn Fein or the IRA speak in that fashion, we should bear in mind that they are addressing their hardliners as much as they are addressing everybody else. We should not fall into the trap of giving those hardliners the opportunity of making life even more difficult for the leaders and hence for the process.

Mr. Robert McCartney: Does the right hon. Gentleman forget that the highest echelons of security information state that at least four high-ranking members of Sinn Fein are also members of the seven-man IRA military council?

Mr. Major: I am well aware of the inter-relationship. I neither confirm nor deny security information, and the hon. and learned Gentleman must stand on his own comments. Suffice it to say that the interrelationship between Sinn Fein and the IRA is long-standing. We cannot, even the hon. and learned Gentleman cannot—I wish we could—see into the minds of those people and know truly what their objectives are and whether they are seeking to bring a movement towards peace or seeking to pull the wool over our eyes. I do not know the answer to that and neither does the hon. and learned Gentleman. He may have his suspicions—we all do—but we do not know. If there is no intention of disarming, we will have to continue to look for other ways to deal with the problem, and that will become apparent in the weeks and months ahead.

Mr. Tony Benn: Will the right hon. Gentleman consider one other possibility? Whatever Semtex is handed in, those we are dealing with would want more. If they gave everything in, they could cancel the agreement and we would be back where we started. In looking into the minds of those we are dealing with, we have to consider the possibility of obstacle after obstacle being raised and none of them being satisfied. Therefore, there may be an element of suspicion apart from the desire to reunite Ireland, which nobody thinks is possible, because neither the north or south wants it.

Mr. Major: I am familiar with the argument that people could go out and buy more Semtex, but one of the aspects of a wholesale decommissioning is that the IRA disarmed is not a sustainable organisation. The disarmament of the IRA amounts to its disbandment. Other fringe groups, such as Continuity IRA—the present IRA is, after all, a fringe group of an earlier body—may return to violence, but once there is wholesale disarmament we will be in a different position, including politically. In that case, no one could doubt that there was no sympathy in any part of any community—as in the past there has been—for the activities of the men of violence. It would be straightforward criminality in

everyone's mind, not just in the minds of democrats such as the right hon. Gentleman and other right hon. and hon. Members, and it could be dealt with in that fashion. Once there is a general level of decommissioning, there would be a complete sea change, even if some people then moved to fringe groups and rearmed themselves.

The question we must face is where we go from the present situation. The Bill establishes the power to adopt direct rule which, sadly, is inevitable and will, barring some extraordinary turn of events, be adopted by the House today and brought into effect over the next few days. Many gloomy words have been said and written about the present impasse and I share the despair that the Bill is necessary and that the promises we thought were made have not been kept. However, even as we despair over that, I hope that we do not carry our despair too far. In our own interests and those of Northern Ireland, we should seek to preserve the gains of recent years, which are substantial.

London and Dublin working together is a sharp change from what happened in the past. The end of the sterile debate of the past is another welcome change. The much greater political engagement across the board that has been brought about is, again, of immeasurable proportions in our understanding, especially when one considers how much distrust and fear have fuelled Northern Irish politics for so long. We need to ensure that the political process continues in some state—albeit, perhaps, abbreviated. Talks should certainly continue, to cement the improved relationship and prevent a return to the political barricades.

Even if this process does, for the time being, falter, as it seems about to do, in parallel with moves to resurrect it the Government are not powerless in the measures that they can take to continue to give hope and optimism to Northern Ireland. Very serious pockets of economic difficulty exist on both sides of the divide, in Unionist and Catholic areas, and they should continue to be tackled vigorously. Often, the grievance that has sustained the paramilitaries has been an economic grievance of people who felt that they were outside the system and believed that they were being represented best by men who were actually representing only their own violent interests. Removing that grievance would deny them the oxygen of support.

In the absence of an Executive, if that is to be a continuing position—which I profoundly hope it is not—the Government might wish to look at the devolution of more powers directly to local government. The concrete achievements of the past decade can certainly be built on.

Mr. Douglas Hogg (Sleaford and North Hykeham): My right hon. Friend has talked about things that we can do to give a positive sense of movement. Would he also consider the alternative approach of imposing sanctions? I refer to the release of prisoners. It seems hard to continue with that policy while the IRA refuses to disarm in any sense.

Mr. Major: My right hon. and learned Friend approaches the point that I was about to make, albeit slightly differently. The Secretary of State spoke of confidence building and the role of prisoner release. He may also—I cannot remember—have mentioned the proposed reforms of the Royal Ulster Constabulary. As the right hon. Gentleman said—and I agree with him on this point—confidence building is two-way; it is not one-way. Democracy cannot continue to offer incentives if there is no response to the incentives that are being offered. Without decommissioning, the concessions that have been made by democracy will have to be re-examined to see whether they are still appropriate in the changed circumstance of there being no decommissioning and no immediate sign that decommissioning will commence in the short term.

We should pass the Bill today, without enthusiasm, but we should pass it none the less. As we do so, it is important in the language used here, which finds its echoes outside, that we do not return, and do not encourage other people to return, to the trenches of the past. The message that I hope will go out from the House today is that, notwithstanding the difficulties and disappointments that we are facing, we are still looking for a durable peace that will offer Northern Ireland the ease of mind and security that we on the mainland so easily take for granted. As the Secretary of State searches for that, he deserves our tolerance and support, and I hope that he will receive it.

5.24 pm

Mr. David Trimble (Upper Bann): Like the right hon. Member for Huntingdon (Mr. Major), I had hoped that it would not be necessary to bring a Bill such as this before the House. Obviously, when we took the risks that we took at the end of November, we hoped that they would wholly succeed. I am disappointed that we are facing the consequences of the failure of the hopes with which we embarked just over two months ago.

Since last March, there has been an effective stalemate in the development of the political process in Northern Ireland and the implementation of the Good Friday agreement on an issue that is not only about guns, but is, at heart, about whether people are genuinely committed to peaceful means and the democratic process. Last March, Mr. Adams, the person returned to serve as the Member for Belfast, West, but who has not done so, coined the phrase that we should "jump together". In subsequent months, we tried many times to explore with him precisely what he meant. In the event, we never achieved absolute clarity on that point.

None the less, towards the end of the Mitchell review, and in light of the discussions and the understandings arrived at during that process, we decided to jump first. That was not an easy decision to make. One of the great, and soundly based, fears of members of my party and of people in Northern Ireland who have seen what has happened over the years was that they would be sucked into a process and strung along again and again. It became clear to me as we approached the decision taken by the Ulster Unionist council on 27 November that we should not achieve a positive decision unless we addressed that fear of being strung along. We would not achieve a positive decision unless some clear floor were placed beneath the process. That we did, in the letters written by me and my ministerial colleagues and in the council's decision to reconvene to take a final decision.

Mr. Jeremy Corbyn (Islington, North): Will the right hon. Gentleman give way?

Mr. Trimble: No.

[Mr. Trimble]

That resolution to meet again in February did not set a precondition or a deadline. It was simply the decision of a democratic party to meet to consider the situation. We put no precise requirement in front of anyone, and we did not say, "You must do this or that." As a democratic party, we exercised our right to meet and consider the situation.

February was chosen for the simple reason that a clear understanding existed following the Mitchell review that the sequence being put in train would run until January. The existence of that clear understanding was brought into the public domain when, on 12 December, General de Chastelain issued his second report, which, I am happy to say, the Government published within a matter of minutes of receiving it. In that report, General de Chastelain said that he would make a further report in January.

That sequence could not have surprised anyone. It was basically the same as the sequence contained in the Prime Minister's proposals of last July—"The Way Forward". Those proposals were underpinned by exactly the same arrangements and expectations with regard to decommissioning as were contained in the Mitchell review.

Mr. Hogg: The right hon. Gentleman is better able than most to answer the question that I wish to ask. The IRA has made it plain, in terms, that it has no present intent to decommission. Yet the right hon. Gentleman and many others believe that they were at some stage given undertakings to the contrary. What undertakings were given to him on decommissioning, and by whom?

Mr. Trimble: I do not know that it would be helpful to explore that question in detail, but I shall do so in general terms. It was clearly said to us that, by jumping first, we would create the best possible circumstances in which to achieve decommissioning. That assurance was given in a statement issued by Sinn Fein, which said that it was committed to achieving it. The IRA issued a statement—in the public domain—accepting the leadership of Sinn Fein. No concrete guarantee was given. None the less, we were told that those were the best circumstances in which to achieve decommissioning.

In turn, we responded by saying that, if we moved first—to create the optimum conditions—we could sustain that for only a limited period. The capacity of the parties to move and to sustain what they were doing was discussed at great length. There was no misunderstanding about that whatever; if we took the initiative, we could sustain it only for a limited period. There was a clear understanding by all the parties that that time would run out by the end of January. On that, there was, and can be, no misunderstanding at all.

It was further expressly agreed—indeed, the proposition was first put by the republicans themselves—that, if we went forward in that way only to see things collapse a few months later, it would be a bad outcome. I took that to be a clear indication of their intent to proceed. In that situation, we knew that we were giving people an opportunity—in their own description, it was the best opportunity—but one that carried a challenge and a test.

I am amazed that, when we reached the end of January, not only had no actual decommissioning occurred, but no concrete gesture had been made at all by the republican movement. No one can be sure until we see the detail of the de Chastelain report, but, as far as I am aware, nothing of substance was put on the table; that continues to be the case. I was, and continue to be, amazed that, having encouraged us to create the situation, the republican movement made no positive response.

Given the situation that existed at the end of November and the beginning of December, the republicans can have been in no doubt—nor could any reasonable person—that reciprocation formed part of the understandings; that it was expected; and that the failure to reciprocate would carry consequences. We proceeded "to jump first", but we did so on the basis of certain understandings. The failure of events to develop as we had hoped has falsified the basis on which we proceeded, and clearly makes it impossible for us to continue in the false position in which we now find ourselves. It is, therefore, necessary to reconsider and unwind the matter.

The Secretary of State will remember the statements that he made in November, when he made it clear that, in the event of a failure by republicans to reciprocate, the Government would intervene. He knows the extent to which we relied on those assurances at that time. Similar assurances were forthcoming from the Irish Government; the right hon. Gentleman repeated them in his statement to the House last Thursday. The Irish Government know the extent to which we relied on their assurances when we took our decision.

We have reached the end of January and seen no reciprocation, so it is necessary that the assurances given by the British and Irish Governments are put in train. That would have to be done irrespective of the meetings that will take place on Saturday. Indeed, one might argue that the assurances should have been put in train sooner than this; the reason that nothing was done sooner is that the Irish Government are hoping against hope that something will emerge.

In case my comment sounds a little ungracious, I give the Irish Government credit for the massive efforts being made by Ministers and officials to persuade the republicans to do something—even at this last stage. However, I have to add some cautionary words. It is my understanding that the Irish Government are pressing the republican movement to give a commitment to decommission, and to say when it will do so. Those are the questions put by my colleague, the hon. Member for Newry and Armagh (Mr. Mallon), in the House last Thursday. He asked the IRA to say whether it would decommission and when. The Irish Government are pressing for that commitment, but, as the Secretary of State said last Thursday, words are not enough; it is necessary to go beyond words.

Some people in the press are saying that, in the past, the method used by the IRA in similar situations was to dump their arms. It has been suggested that that might be sufficient in the present circumstances. However, may I say to the Secretary of State—in case he is not fully aware of it—that some very misleading impressions have been given about the dumping of arms? The instruction issued by the leadership of the IRA in, I think, 1925 to its members to dump arms was not an instruction to disarm, and no disarmament occurred. Arms were put in dumps, but they were put in them for future use.

I recommend that those who have any doubts about that read, or reread—I am sure that all hon. Members with an interest in such matters have already read it—

Mr. Sean O'Callaghan's book on the subject. It is not necessary to read beyond the first chapter in which he describes how, in the late 1960s at the outset of civil disorder in Northern Ireland, he and a number of friends and relatives gathered together in a barn, got out their spades and shovels and proceeded to dig up the weapons that had been dumped a few decades ago. They discovered that they had not rusted—weapons do not rust if they are carefully stored—and they proceeded to clean them and dispatch them for murderous use in Northern Ireland. Dumping arms is a chimera.

Reality is the only thing that matters. We have legislation, we have schemes and we have a framework through the international commission. It was agreed in the Mitchell review that decommissioning should take place in and through the Independent International Commission on Decommissioning and that that was the only way that it should be done.

There is excellent advice on the subject. Reference has been made to the fact that sources of the media, which in the past were favourable to republicanism, are now taking a different view. The Secretary of State referred to various editorials, and excellent advice appears in today's editorial in the *Pittsburgh Post-Gazette*. It asks why the IRA has not made a gesture and quotes one observer who said that, in the IRA's eyes,

"such a gesture would be symbolic of their being the bad guys".

The *Pittsburgh Post-Gazette* adds that the right of the people of Northern Ireland to live in peace

"matters more than a fear by the IRA that disarmament might send the wrong signal. If these 'hard men' are worried about being perceived as the bad guys, they should live up to the spirit as well as the letter of the Good Friday Agreement and give up the guns."

It is as simple as that.

On the other hand, I was glad to see that, in the IRA's statement issued on Saturday, it says that it poses no threat to the peace at present. I hope that that continues to be the case. We are, of course, disturbed by the explosion in Fermanagh and the fact that Continuity IRA, which had been thought to be quiescent, was responsible for that. I had the impression that the main threat from dissident republicans came from the Real IRA elements around Dundalk, but we now see that the elements around Fermanagh are also a threat. That underlines—as my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) would have reminded the Secretary of State had my hon. Friend been able to be here today—the need to maintain vigilance in Fermanagh. I am glad to see from the Secretary of State's reaction that he understands precisely the point that I make.

There is a serious threat not just from dissident republicans, but from other paramilitaries. May I commend to the Secretary of State the words on that point of the Irish Prime Minister, Mr. Ahern? In November last year in the Dail, he contemplated just this situation. If it became evident that people would not desist from their violence, he said that

"the only way to counteract such activity is to enforce the legislation in the toughest possible manner."

The legislation to which the Taoiseach referred was emergency legislation in the Irish Republic that was duplicated by the United Kingdom. Since then, it has simply not been utilised at all. It is quite remarkable that we passed emergency legislation that has remained dormant even though there has been a clear need for it in some circumstances.

For a few minutes, I should like to look to the future. We are now faced with restoring direct rule. In doing that, we are doing two things. First, we are ending devolution. Secondly, we are introducing direct rule. That is not the second-best option, but the third because, between the first decision and the second, another option has been missed out, which is simply, after the end of devolution, to treat Northern Ireland as it ought to be treated in the procedures of the House, which is in the same way as anywhere else.

The status quo to which we should return is the status quo before devolution, which was one of normality. It is not desirable to reintroduce abnormal direct rule, which is not a healthy state of affairs for the operation of Northern Ireland.

Mr. Tony Benn: Is the right hon. Gentleman recommending to the House that the preferred option of his party is to go back to the old Stormont rule, before the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) suspended it and introduced direct rule?

Mr. Trimble: The right hon. Gentleman makes a mistake: Stormont was also devolution. If we are to go back to before devolution, we must go back to pre-1920, when Northern Ireland was treated in the House in exactly the same way as England, Wales and Scotland, as of course it ought to be. As a democrat, he would support a situation in which all citizens of the United Kingdom are treated equally. That is the only democratic course.

There are of course times when the exigencies of the situation mean that we have to agree on and operate procedures that are less than ideal, and we hope that this return to a less-than-ideal system will be limited. I referred to first-best, second-best and third-best options, and to avoid any doubt that the right hon. Gentleman might have, I make it clear that direct rule is the third-best option and treating Northern Ireland properly is the second best. The best of all is to see devolution succeed within the United Kingdom, and that is what we tried to do through the Belfast agreement and its implementation.

Mr. William Thompson (West Tyrone): Does my right hon. Friend agree that the process of returning to direct rule, as set out in the Bill, will again make citizens of Northern Ireland second-class citizens within the United Kingdom? In addition, it actively encourages those who wish to take Northern Ireland out of the United Kingdom to believe that Britain is not terribly committed to the Union and that they should keep going because eventually they will succeed.

Mr. Trimble: If my hon. Friend will allow me, I would prefer to describe the situation by saying that direct rule is inefficient and unresponsive to the interests and wishes of those who are being ruled. That has been clearly established by the way in which direct rule operated, and it is likely to be the case in future. We all hope that the interruption of devolution is temporary, but we must all be conscious of the fact that we are returning to the third-best option.

I remind the Secretary of State of the remarks that he made in Victoria college in November, when he said that, during any period of suspension, he would like to see what he could do to keep alive the spirit of devolution

[Mr. Trimble]

and to maintain some degree of political continuity between the devolution that we enjoy at present and that which we hope that we will enjoy again in the not-too-distant future.

In the meantime, while we are suspending the operation of devolution, it is right, as other hon. Members have said, to suspend other aspects of the agreement. As the Secretary of State knows, the suspension must apply not only to the Assembly, but to the associated North-South Ministerial Council and British-Irish Council.

The suspension ought also, however, to relate to matters such as prisoner release and the Patten report. The Secretary of State knows that confidence in Northern Ireland was tremendously damaged by the Patten commission's ill-judged report on certain matters. People in Northern Ireland, particularly those whom I represent, will find it incomprehensible if the default by the republicans is glossed over and radical, deeply wounding changes to appease them continue to be introduced as if nothing has happened. I say to the Secretary of State that people will find inaction on that front and failure to suspend incomprehensible. He needs to think seriously about that in the coming weeks and months.

Hon. Members and others outside should make no mistake about our objective. While we consider it necessary to suspend the operation of the institutions and other aspects of the agreement, it is not our intention in any way to depart from the substance of that agreement. Indeed, we are acting in this way in order to preserve it, because failure so to act will lead to the entire agreement unravelling. The only way to ensure that the agreement is implemented in its entirety and its integrity is to take the present action.

If we proceed now to a review, my objective, and that of the Ulster Unionist party, will be to work for the restoration of devolution and the Executive on a sound basis, and that means resolving the present difficulty. That will be the objective towards which we shall work. In determining whether we can restore devolution on a sound basis, I and my colleagues will exercise our own judgment.

Just as we asked the Ulster Unionist council for approval before jumping first in November, we are asking the Ulster Unionist council to consider the situation and give its view on the matters on Saturday. Although I will not anticipate what the council may say and do on Saturday, it would be reasonable for it to say that, in the event of any move back to devolution, it will exercise its judgment on that as well.

People should not regard the present situation as a crisis. It is a difficulty. They should regard it not as the end of the hopes that the agreement engendered, but just as a problem that we will work through. It is important that we retain confidence in our ability to work through the problem. We should retain confidence that the hopes contained in the agreement will be fully realised.

I was heartened by words that I read in the *Irish News* this morning. I do not often refer to that paper with approval, but I do on this occasion. Beside the editorial, it had printed some words from Seamus Heaney, who wrote:

"There is a cynical definition of peace which says it is merely the suspension of war.

One of the paradoxical blessings of the past two-and-a-half decades of Northern Ireland's history has been an emergent vision of peace as a creative condition in which cultural, political and doctrinal differences can be actively confessed and intelligently contested."

It is the cynics who have used that distortion of peace and who are frustrating the development of the creative condition to which Mr. Heaney refers. It is our intention to try to develop that creative condition as well and as fast as we can.

5.48 pm

Mr. Seamus Mallon (Newry and Armagh): I want to begin where the right hon. Member for Upper Bann (Mr. Trimble) left off. In its definition of peace, that quotation from Seamus Heaney owes something to Spinoza, but I would go a little further. Peace is not just the absence of war. It is an attitude of mind—a disposition towards benevolence, confidence and justice. Those three factors are worth remembering when we are seeking a definition of peace.

I am tempted to give my own definition of peace. It would be much less poetic and much less philosophical. It would be very basic: it would refer to the fact that we have been able to wake up each morning without having to listen to the bad news about who was killed the night before, how many were killed and where they were killed. That is my simple definition of peace.

I was impressed when the right hon. Member for Huntingdon (Mr. Major) asked us to do something that we seldom do: to try to get into the minds of other people. It is a worthwhile exercise, and I should like briefly to continue it. It is dangerous to ask rhetorical questions, but I want to pose one because I should like to gain an insight into people's minds. If there was not a Unionist party meeting scheduled for this weekend, and if resignation letters had not been written with that in mind, would the Bill be before the House now? I do not expect an answer, but I anticipate that most people who assess the question honestly will realise that, without those circumstances, we would not be considering the Bill, irrespective of the strong views in all parts of the House on decommissioning. That is the nub of the problem. I shall speak against suspension, despite the fact that I want decommissioning; indeed, I want it to happen as much as, and perhaps more than, other people.

I have been an elected politician in South Armagh for 30 years. I know at first hand the effects of guns and bombs, and the difficulties that such problems cause. I also have experience, going back 30 years, of suspensions. I was a Member of the Northern Ireland Assembly that was "put on hold"—or, if one prefers not to use the euphemism, suspended. It was suspended on the understanding that it could be resumed. It was resumed; it took a quarter of a century to do it. We should all bear in mind the fact that suspension or putting on hold do not guarantee a speedy resolution of the problem.

I oppose suspension because things are different now. The institutions are beginning to work. Let me give an anecdote to illustrate that. I stood at a window in Stormont last week and watched droves of farmers driving up to the building for a mass meeting to lobby the Executive about agriculture and the problems of agriculture. Twenty-six years ago, a similar mass lobby took place—with some of the same people and even some of the same tractors and

lorries: except that those people came then to topple the devolution that existed. The two lobbies encapsulate the change that has occurred.

For good or ill, we are dicing with those changes. I do not want to pre-empt anything, but the mental image of those farmers, many of them the same people who participated in the last lobby, and of the change that has taken place, makes me wonder whether the arguments for suspension are sustainable.

Mr. Thompson: Perhaps the hon. Gentleman remembers that there was a similar farmers' demonstration to Stormont 25 years ago. Different sections of the community spoke to them then.

Mr. Mallon: It is ingrained on my memory. It happened during the pig crisis. As a result of it, I, with others, came to the Palace of Westminster to lobby the then Agriculture Minister on behalf of the pig industry. I made a quiet resolution that day that I would never return here to lobby an Agriculture Minister because we were treated so dismissively. We now have a Minister of Agriculture and Rural Development in Northern Ireland, and we are dicing with the potential that that creates.

My second main reason for opposing suspension is that it seems abundantly clear that the chances of decommissioning will be greatly reduced if the institutions do not exist or function. I am not considering who will win the argument, who will lose or not lose face, but the achievement of decommissioning. If suspension occurs, and the institutions are not in place, will decommissioning not be immeasurably more difficult to obtain?

The Secretary of State and other hon. Members referred to George Mitchell's review. On his last day in Northern Ireland after the review, Senator Mitchell said that we could guarantee one thing: without the political institutions, decommissioning would not occur. Those are George Mitchell's words, not those of anyone in the nationalist community. It is incumbent on people to answer the following question: if the institutions are removed, how will the process towards decommissioning take place? I shall return to that point later.

The third reason for opposing suspension is that it plays into the hands of those who oppose the agreement. Many of them are present in the Chamber; some are members of the party led by the right hon. Member for Upper Bann. Those people will gain satisfaction from suspension. I would never suggest that they might gloat about it, but they would wear the sort of smile that I can already see. Will that help the Ulster Unionist party, the right hon. Member for Upper Bann or the process in which we are all involved?

My fourth point about suspension is that there is no such thing as a soft landing. That is a fact of political life, and I have experienced enough hard landings to know it. However contrived, and whatever the machinations, when a governmental institution comes to an end, there is no such thing as a soft landing, and we should not assume that putting such an institution on hold will create one. Some people cling to and propagate the notion that suspension will not really be suspension, that the word is used only for parliamentary purposes, that the event will be feather-bedded in some way and that all sorts of contrivances will sustain the institution. The harsh reality of life is that it cannot and it will not. People will find that out fairly quickly and I believe that we would all be well advised to realise that while we are making this decision.

Mr. Hunter: I am following the hon. Gentleman's argument clearly, although I do not necessarily agree with it. However, if he wants the structures and institutions of devolution to be maintained, why is he not basing his case on section 23 of the Northern Ireland Act 1998 whereby, with cross-community support, there could be exclusion rather than suspension?

Mr. Mallon: I thank the hon. Gentleman for his intrusion. I mean to use that word, because he is suggesting once again that we tear up the Good Friday or Belfast agreement—whichever people want to call it—and do away with inclusiveness.

This goes to the heart of the hon. Gentleman's question: a reason why we are talking about suspension is that the right hon. Member for Upper Bann—or, to be impersonal, the First Minister—and the Deputy First Minister would not be returned on the basis of cross-community support in the Northern Ireland Assembly. The reason for that is that there are those in the Ulster Unionist party who would not vote for the First Minister. I can reasonably assume that if they would not vote for their own party leader they would not vote for a nationalist nominee for Deputy First Minister

I may be wrong of course, but I would dearly like to put that to the test for this reason: the right hon. Gentleman and I have had a very difficult two years—especially on that issue, which I shall come to—but the only people outside extreme Unionism in all parties who did not vote for either of us when we were elected First Minister and Deputy First Minister were supporters of Sinn Fein. People keep forgetting that, but I would like to challenge Sinn Fein and those in the Ulster Unionist party and other parties who have taken that stance and go back into the Assembly on the strength of a mandate that could never again be challenged. That is what is at stake here; that is what we are doing.

May I refer to last Sunday's bomb in Irvinestown? I am speaking at a public meeting there on Friday night. I am glad that the hotel is still there. This is not the first occasion; it has been bombed many times. I say to the House, with all the power of conviction that I have, that in a political vacuum those who carry out that type of activity thrive, and nihilism comes to the fore. I fully understand the profound disappointment and impatience of Members of the House. I share it. I share the views of the right hon. Gentleman, my colleague, and many in his party, but I ask them to understand that decommissioning is not a Unionist issue or a Conservative party issue. It is an issue for all who want a new future. I believe that we should all bear in mind the fact that that is being said not only by the Social Democratic and Labour party, but by every party in the Republic of Ireland—every one. Every party that I have been in touch with and know well shares that view. It is the position of the Government here, the Government in Dublin, the Government of the United States and the Government of every single country in Europe.

In the run-up to the signing of the Good Friday agreement, we had a remarkably long debate about the right of self-determination of the Irish people. They have

[Mr. Mallon]

self-determined that no group on the island of Ireland should hold illegal weapons. Who has the right to stand in the way of the voice of the Irish people when they have self-determined that issue? I repeat that I appreciate that members of the Ulster Unionist party and the wider Unionist community who have supported the agreement all along believe that they have been placed unfairly in a very difficult position. I believe that they have. I believe that they are right to think that. Most people in Northern Ireland with an ounce of common sense believe that, too, but I ask them again coolly to assess—even at this point of difficulty—where their deepest interests lie. Suspension by freezing the institutions will also, I am afraid, freeze our hope of ever resolving this issue.

I want to sound a note of caution. To me, suspension means just that, and no feather-bedding. When we are all suspended, if we are, who will remain key players—the key players? Who will come to the doors of the Prime Minister, the Taoiseach and the President? Not the ex-Deputy First Minister and, after a short time, not the ex-First Minister nor any Member of the House. I offer one guess, and they will not be knocking—they will be invited. Whatever the context, this issue has to be resolved. Whether we like it or not, George Mitchell was right in his review and Patrick Mayhew was right when he said the same thing in the House: decommissioning is a voluntary act and will only be done voluntarily. That is the harsh reality that we all have to live with, but it is a fact. Ultimately, in a political vacuum, those who carry the guns carry with them the type of influence that politics and politicians do not have.

Mr. Tony McWalter (Hemel Hempstead): I am grateful to the hon. Gentleman for giving way because I want to extract some additional wisdom from him before he finishes his speech. Can the Government do anything to give additional impetus to the decommissioning process, bearing in mind that his constituency contains many of those who are most eloquent about their deficiencies in facilitating it, or is there nothing we can do to move it on?

Mr. Mallon: I thank the hon. Gentleman for that pertinent question, which I admit is difficult to answer. Let me answer in these terms: the last thing I would do is let those who hold the arms off the hook. They are under pressure, but please do not overestimate the power of public opinion here, in Ireland or abroad. It swings like a pendulum. Why are they under pressure? Because there is a General de Chastelain, an international decommissioning body and pressure to have this issue dealt with. My answer to the hon. Gentleman is "Don't throw away that card."

A second answer is that even the IRA thesis and the Sinn Fein thesis is that only in the full workings of the institutions will the voluntary act of decommissioning be made. If we take away the workings of those institutions, do we not substantially leave them with the main plank of their argument? I do not want to see those who hold arms having the freedom to move outside of either the political process or the requirement to deal with the Independent International Commission on Decommissioning.

Mr. Tam Dalyell (Linlithgow): The hon. Gentleman may recall that it is 30 years since a group of younger Labour MPs went to see him in Northern Ireland, long before he became an MP. Is he speaking for most of his serious constituents in what he says?

Mr. Mallon: I have no doubt that I am speaking on behalf of the vast majority of people who would be termed "nationalists" within the island of Ireland. I am not speaking on behalf of those within the republican movement who somehow or other see merit in holding illegal arms, nor do I wish to speak on their behalf. But I suggest I am speaking on behalf of some republicans, perhaps many, who want this issue resolved as much as we do, and have not the capacity to do it.

I appreciate the extraordinary difficulties that we all face in the current situation. I know that the Secretary of State and all hon. Members are acting in good faith, confronted as we are with a terrible dilemma. I appreciate the work which has been done by the Secretary of State, the Prime Minister, the Taoiseach and the Minister for Foreign Affairs on this issue, and which will continue to be done. We should all think very carefully, and be very honest with ourselves, when we look at the issue of suspension. I would also urge the republican leadership to take the initiative, by allowing General de Chastelain to report meaningful progress to resolve this crisis. We all share a collective responsibility for doing so, but they hold the key.

I should like to pose one or two questions to the Secretary of State so that I may be given information in his winding-up speech. The answers are not clear from the legislation itself—nor could I be clear about the discretionary powers of the Secretary of State that are not in the legislation.

The first question concerns the north-south implementation bodies. Has a treaty been negotiated with the Irish Government regarding them? If so, may we be informed of the nature of that treaty? Could it be made available to Members of this House and Members of the Assembly?

My second question is posed without any rancour, because I agree with the Secretary of State that publishing the de Chastelain report as of now would not be the most beneficial thing to do. Obviously, it is deficient. My question has three parts. Is default, in relation to decommissioning, default of the terms of the Good Friday agreement, default of an Ulster Unionist party deadline, or default of the terms of the Mitchell review? The answer might be the first, second or third, but if we had it, we would at least be clear where the default lies, if there is default definable—and I mean "definable".

How will any review subsequent to suspension be structured? By whom will it be chaired? Will it be chaired by the two Governments? Will it be chaired by one Government? Its structure and how it is handled will be crucially important, because we cannot—and I will not on behalf of our party—have the same type of circumstances as we had in the last review. I have spoken to the Secretary of State privately about that, and will do so again.

The remit of General de Chastelain's commission ends on 22 May this year. Will it be extended? Will he and the other commissioners agree to remain? That is a crucial question for all of us. Or does the Secretary of State envisage another agency—any agency other than the international commission—to carry out this work? Those questions go to the heart of the problem.

I finish with a salutary reminder to all of us. The document that I hold in my hand is the Good Friday agreement. Let nothing that we do in this House deviate from it or damage it. Let it not be played with—before a review, during a review or after a review—because playing with it would mean that we were playing not just with the present but with the welfare of the future.

6.16 pm

Mr. Lembit Öpik (Montgomeryshire): The peace process was never going to be easy—we all knew that—so, although disappointing, it is not all that surprising that we are here again discussing the matter today. One thing that has defined the last two years in Northern Ireland's history is the regularity with which core issues have been brought forward and had to be faced, sometimes for the first time.

The right hon. Member for Huntingdon (Mr. Major) said that optimism turns to despair. I have a slightly different view. I think that, in Northern Ireland, optimism turns to frustration, because if Northern Ireland has one quality in abundance it is passion, energy and enthusiasm. The challenge now is to make sure that what we are discussing today does not convert that passion into something that has a negative impact on the process as a whole. Both the challenge and the reward of the process are that it has forced us to focus on key problems that have been around for decades—or even centuries in some cases.

Decommissioning is the issue on the agenda, but I ask the House to recall the context. We have had similar very heated debates about relations between the north and the south of the island of Ireland, relations between Dublin and Westminster, the status of Northern Ireland in the UK, prisoner releases and, indeed, the use of violence itself. It is not new for us to have these tremendously challenging impasses, nor is it new for us to find a way forward.

In that context, we need to recognise that this does not need to be an insuperable barrier. Recent statements from those speaking for the IRA would indicate that the ceasefire is intact and robust, and is set to remain so, despite the horrendous actions of some dissident hardliners in recent days.

The process of peace continues. This is a vital element in any assessment of where we must go from here. As we have seen many times before, it takes some pretty tough talking to make progress at times like this. If there is one thing that hon. Members and Ministers have learned, it is that one cannot bluff Northern Ireland politicians; one must say what one means and do what one says. Sometimes when there has been an element of brinkmanship, the House has come off worse. That is why we are debating the Bill today.

The Liberal Democrats have consistently been enthusiastic and, I hope, constructive supporters of the Good Friday agreement. We have worked in a co-operative, cross-party way both here and in Northern Ireland to try to achieve its full implementation. As I told the House in November, I have considered it a great honour to be here at this time, as power has been devolved to the Province. It is also very saddening that, only 10 weeks later, we are in the Chamber again—this time to see the making of decisions that effectively suspend the devolved institution. This also shows that there can be no doubt of the importance of decommissioning and that, as we approach the second anniversary of the Good Friday agreement referendum, the problem will have to be resolved. I agree with something that the Secretary of State said earlier: that this is an elegant solution to the political challenges facing Northern Ireland. The elegant solution, however, can work only if we get past a very inelegant and almost intractable problem.

Throughout the peace process, the Liberal Democrats have never accepted that the process of decommissioning should be a precondition for anything else. I take issue with something said by the right hon. Member for Bracknell (Mr. MacKay), who is not present now. He said that we would be much further down the track had we listened to his views on the link between prisoner releases and decommissioning. He is entitled to that opinion, as is his party, but I do not agree. I feel that linking releases with decommissioning constitutes a renegotiation of the Good Friday agreement.

That point is debatable. It is not primarily a point of principle; it is a question of looking at the Good Friday agreement and establishing the facts. It would not be helpful to debate the point at this stage. We must move forward and establish that there is no link, and that we should view decommissioning in the context of the promises made in the Good Friday agreement and of the 22 May deadline.

Let me turn to a much more important issue. The right hon. Member for Upper Bann (Mr. Trimble) described his own problem very lucidly. It seems to me that the strong perception of the Unionists is that they jump first and they jump far, and at this point they need something back. The right hon. Member for Upper Bann certainly feels that he needs something back. He has taken his party on an awesome strategic journey, way beyond what I thought possible a couple of years ago. However, as all Members know, one of the basic rules of politics is that it is possible to go only so far: one can build a bridge only so far across a river before the whole thing is in danger of collapsing into the water. That is one reason why it is important for the Unionists to see the bridge being extended further from the other side of the river.

The hon. Member for Newry and Armagh (Mr. Mallon) rightly said that huge steps had been taken by the republican movement. We now see a gap in the middle—a gap that I would call decommissioning. That, however, does not detract from the fact that the right hon. Member for Upper Bann has said, in effect, "I really cannot go any further until we see a profound and substantial breakthrough on decommissioning".

The problem is that, at this stage, people are not confident that decommissioning will take place by 22 May. We need a guarantee that that is the game plan. I do not believe that the guns themselves are as important as the commitment that violence has gone for good. It could be said that the whole debate is less about the decommissioning of guns and bombs than about the decommissioning of an attitude. That is my interpretation, and all sides appear to agree with it. Indeed, all sides seem to agree that the guns and bombs are the vehicle for a resolution of the issue.

On 16 November last year, Gerry Adams issued the following statement:

"Sinn Fein accepts that decommissioning is an essential part of the peace process".

There are many other examples of republican spokespeople reaffirming their commitment to the decommissioning process. Most importantly, however,

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the people of Ireland, north and south, have expressed their desire for decommissioning in their vote and in subsequent statements.

Given that nearly everyone agrees that peace is the way forward, and that the decommissioning of guns and bombs is symbolic of the acceptance of peaceful progress, the question must be "What are we waiting for?" What is the key objection? Notwithstanding all the claims that this or that paramilitary organisation did not personally sign the Good Friday agreement, we need to live in the real world. The connections exist: they have already been described in the House, and we are all well aware of them. We need to acknowledge that many speaking for the paramilitary organisations have accepted in spirit that, sooner or later, the guns must go. If that analysis is correct, we are arguing not about whether to decommission but about when, and about the process that is necessary to achieve that end.

One or two speakers have pointed out that the Good Friday agreement featured no process for decommissioning, and that we should put one in place now. This debate must be about achieving decommissioning within the terms of the Good Friday agreement, which means full decommissioning by 22 May; to say more than that could fairly be called renegotiation. Again, the sticking point is attitude. Unless we see some movement now, people will continue not to feel confident about the achievement of the 22 May deadline.

It has been claimed that there have been eight or 10 weeks for progress to be made. In this regard, however, there has been some movement. My view is slightly different from that of earlier speakers. During the review process, de Chastelain stressed that if decommissioning was to be completed by May, it would need to begin as soon as possible. The IRA appointed an official representative to liaise with the Independent International Commission on Decommissioning immediately after devolution, at the beginning of December. Two months later, we would expect that, if actual decommissioning had not occurred, the discussions would be at an advanced stage, but as far as I know they have not gone as far as many of us would like. If we are to pass the Bill, we must be satisfied that it will help not just in raising the issue of decommissioning, but in resolving the problem of decommissioning in the medium term.

Let me return to some important points made by the hon. Member for Newry and Armagh, who clearly considers that passing the Bill would be detrimental. He spoke of his fears about the potential ending of devolution and the possibility that, if we suspend the Assembly, it will never return. The community that he represents may share his view. Those people probably genuinely feel that if the institutions stop, they will not start again. Not everyone will feel that, but a proportion will. They fear that the whole devolution process—the whole Good Friday agreement—will have succeeded in repealing articles 2 and 3 of the Irish constitution, but will have achieved nothing of substance for the nationalist and republican communities and their aspirations. They probably fear that it is all about to end.

I remember seeing frightening political developments on the television in about 1974, when I was a kid. I was frightened, without fully understanding the dynamics, because I did not know where Northern Ireland was going, and I lived there. I was scared for myself, and for my parents. Whether or not we agree with the analysis of the hon. Member for Newry and Armagh, we must respect the fact that people in Northern Ireland have genuine fears. Unless the Government handle those fears sensitively, there may be a political cost, as well as a social cost in the creation of stress and other negative emotions.

We are probably doing the right thing by passing the Bill, but, to me, the crucial import of the speech of the hon. Member for Newry and Armagh was that the Government must not ride roughshod over the concerns expressed in those communities. I ask the Minister and the Government to consider seriously what confidence measures they can take if they decide to revoke the Bill. If they do not take such measures, there may well be a negative repercussion in terms of support for the whole process in some nationalist and republican communities.

We embarked on an important and interesting thought experiment today. Both the right hon. Member for Huntingdon and the hon. Member for Newry and Armagh encouraged us to see the situation from the perspective of the republican paramilitaries. In a political sense, we have not done enough of that. We do not have to agree with someone to try to understand their point of view, but we have to understand someone's point of view before we can move to agreements with those people.

Many of the people involved in paramilitary activity are individuals of strong character and tremendous spirit in terms of making hard decisions. Perhaps what we are really asking them to do today is to make a decision in a different way from in the past. It is only human for them to think about the risks of decommissioning and to feel uncomfortable about the symbolism that it involves, but I hope that they will recognise that there is a cost to their communities personally in not decommissioning.

Those people will have worries. We all have worries when we make such decisions, but it is almost as if, at this point in the process, a set of master keys has been passed around the various bodies, organisations and leading politicians in Northern Ireland. Now the master key that must be used is in the hands of those very people—the former terrorists in Northern Ireland. The Unionists have had to unlock many gates and so have the nationalists. Now the key rests in the hands of those republicans. Most worrying, there is no other way to the next stage. We all wait at the gate, unable to move further until that key is turned.

Therefore, my message to the paramilitaries, who no doubt assiduously read our debates in *Hansard*, is to think about whether they can muster the same courage that they have displayed in other areas of their activities and to do it in a different way. Yes, they will feel fear about what is being called for, but I ask them to do it anyway.

The right hon. Member for Huntingdon and the hon. Member for Newry and Armagh made a very interesting point about where we might be heading in the next few weeks. It was about despair. We can avoid the despair and everything that goes with it if the people who have prompted us to have this debate decide to act courageously. I know that some of these terrorists have genuinely regarded themselves as freedom fighters, as defenders of their communities. I do not have to condone their actions to acknowledge that a number of those people also display those great strengths, but, if they can

see the sense of purpose that led them to those activities and if they can remember why they did it in the first place—I am talking not about the criminals, but about those who would genuinely claim that they were politically motivated—I ask them to have the courage to try a new way. They can make the Bill irrelevant and ensure that it is never enacted, if they act swiftly and provide the sort of guarantees that clearly are needed by members of the Northern Ireland community. In that sense, they can convert themselves from being cold war warriors—an echo of a distant way of doing things in Northern Ireland—to sentinels for a more peaceful future.

I understand why we have got here, but I do not like the Bill and I hope that the Government never have to enact it. I hope that, if they do end up enacting it, they take seriously the sensitivities of the communities that I have described, which are extremely nervous about the measure. Above all, I hope that the Bill is made irrelevant by those cold war warriors finally deciding that it is worth their while to take the sort of risk that everyone has to take as well, and to finish the bridge from where we were to where we will be. I can promise that they will then be regarded as heroes by many people, both in the Chamber and in their communities.

6.34 pm

Mr. Tom King (Bridgwater): I have a certain deep feeling as I stand here. As someone who, for four years, had responsibility for direct rule in Northern Ireland and had to suspend the previous Assembly, I take no pleasure whatever in contributing to the debate on the Bill. I am under no illusions that what we are being asked to approve tonight is a thoroughly unattractive alternative and that it would be infinitely preferable if, even in the last remaining hours or days, a way could be found in which to meet the legitimate concerns of those who are concerned about decommissioning and to keep the Assembly, which has been so painfully and carefully constructed over all these years—one cannot calculate how many years of work have contributed to where we have got to now. Clearly, it took a major shock to the system before the Government, who, like the previous Government, have worked hard to get an Assembly, introduced such a measure.

We had a not entirely satisfactory exchange with the Secretary of State about the de Chastelain report. Initially, it was suggested that it was not just British property; it was Irish property as well. Subsequently, it emerged that it was jointly agreed not to publish it and that it would not have been helpful.

I do not think there is any great secret in the House about the report. The Secretary of State made the position clear. He asked what the answers were to the three questions: whether, when and by what means there should be decommissioning. I think that his actual words were that there was no certainty, or there was uncertainty, on all those issues. The hon. Member for Montgomeryshire (Mr. Öpik) was concerned about the matter.

The only point that I disagreed with in the speech by the hon. Member for Newry and Armagh (Mr. Mallon) was his suggestion that the remarks of George Mitchell showed the way forward. The remarks of George Mitchell preceded General de Chastelain's second or third report. His third report is clearly the blockbuster because it has raised again all the fears as to whether there is any intention whatever to decommission.

It is not that we have reached 21 months and have been slow starting, but that, at the 21-month point, there is still not even any knowledge about whether there will be any decommissioning at all. That is the gravity of the present situation and the feeling. It comes as no surprise to me.

Some Members may have been at the British-Irish Inter-Parliamentary Body on the day that the Downing street declaration was signed. The issue came up in the afternoon. In the general welcome that was given by British and Irish Members on that occasion, I raised the issue of decommissioning. I suppose it was four years ago. Every British Member thought that that was the most obvious and sensible point; every Irish Member thought that it was a thoroughly unhelpful contribution to the debate. One saw then that it was going to be the issue.

Anyone who cares to read the interesting autobiography by my right hon. Friend the Member for Huntingdon (Mr. Major) should read the chapter on Ireland—the exchanges with Albert Reynolds and how, at the last minute before the signing, there were issues about clarity on decommissioning, on which the Irish Government needed some persuasion, but were then persuaded. They should read those chapters and understand how difficult the issue is.

That is the feeling when we listen to some of the exchanges. As I understand the Good Friday agreement, Sinn Fein has undertaken to be a persuader. It is committed to seeking to persuade the IRA on the merits of decommissioning. It is that uncertainty which comes out of quoted comments.

I heard Mr. Gerry Adams, I think three days ago, say, "Who could expect an undefeated army to hand over its weapons?" He is supposed to be the persuader. He is supposed to be the person who has already accepted the argument for decommissioning, yet he appears at this moment to be repeating the arguments of those who do not want decommissioning.

I think that all of us took encouragement when the interlocutor was appointed; the hon. Member for Montgomeryshire claimed that he felt there was progress. He is entitled to feel that. There were a number of meetings. With the greatest respect to General John de Chastelain, whom I know from my work with NATO and other experiences, and for whom I have great respect, one wonders what on earth he has been talking about to a number of people for a very long time because, at the moment, as I understand it, the last report is a nil return. Obviously, that adds to the concerns and uncertainty.

A fairly telling cartoon in *The Daily Telegraph* today leaves one with a certain sense of understanding. It consists of a picture of the men in balaclavas, who, when there is a cry for clarity, say:

"What part of No don't you understand?"

Nevertheless, as we are now in that type of situation, it is essential to determine whether we can achieve some movement. If we cannot, absolutely no confidence will be felt by Ulster Unionist party members or by the right hon. Member for Upper Bann (Mr. Trimble) that movement will come.

We are therefore left with this desperate appeal, but also with a feeling that there has been so much progress. So much of the Good Friday agreement has run ahead of expectations. I do not think that many people in the republican movement expected the speed with which

[Mr. Tom King]

prisoners have been released. In so many aspects of the process, there has been no suggestion of a breach of faith; if anything, there has been an improvement on what they might have expected. That is what makes the decommissioning issue so disappointing.

I strongly and totally endorse the comments of the hon. Member for Newry and Armagh on decommissioning. No civilised, democratic country can accept arms dumps around its countryside. Decommissioning is therefore not simply a Unionist or a Conservative party issue. It is not even a solely British issue. I have spoken to Irish Ministers, and—in the fullness of time, away from the bright lights of the current problems—they will not tolerate arms dumps in their country, which is where I think the dumps are principally located. Irish Ministers will not leave the dumps there, to be pinched by the Continuity IRA and other dissident bodies who gain access to them. Recently, there was a report of Semtex being transported by the Continuity IRA, clearly out of a Provisional IRA dump. That is the threat—the warning on the packet—that arms dumps pose to democratic, legitimate government throughout the island of Ireland.

I use the expression "throughout the island of Ireland" because the referendums were one of the constructs of the Good Friday agreement. If one wants to take the most republican, united Ireland position on the decommissioning issue, one could point out that the Irish people have spoken on it. By an overwhelming majority, the Irish people have said what they wish to happen. Therefore, whatever the ambitions and dreams of republicans may be, if they are loyal Irishmen and believe in the right of the Irish people to self-determination, they cannot insist on maintaining weapons and a programme of violence. The Irish people—the people on the island of Ireland—have spoken on the issue in the clearest possible terms.

We are faced again with an Irish situation and with a Bill containing provisions that we hope never to have to implement. However, this is not the first time that that has happened in Northern Ireland affairs. Nevertheless, although we find ourselves here again, our prayer must be that the message of hope gets through. With good will, we wish for the Good Friday agreement to be implemented. We want devolution and real power progressively to be transferred.

I tell those who have served in the Northern Ireland Executive and Assembly that, in their early days, devolution was being implemented very impressively. We want that process, and decommissioning, to continue.

6.43 pm

Mr. Tony Benn (Chesterfield): I hope that the House will listen to me if I argue the case against supporting the Bill. I do not feel able to go into the Lobby to support it today, and I want to tell the House why.

I begin by saying what I said to the Secretary of State when he made his statement last week: I think that the Government's handling of the situation in Northern Ireland has been absolutely brilliant. I have sat here a long time, and I have heard many statements—some of the former Secretaries of State for Northern Ireland are in the Chamber, but I do not blame them—and I recall all of the obstacles that have been put in the way of progress. When there was a ceasefire, the reply was, "We can't talk to you because it isn't permanent." When it was permanent, there was a gag on the Sinn Fein leaders, and the hon. Member for Belfast, West (Mr. Adams) was not allowed to broadcast. There was also prevention of terrorism legislation, but it did not work.

A new Government were elected—I pay a personal tribute to the Prime Minister, the previous Secretary of State, now the Minister for the Cabinet Office, the current Secretary of State and all the Ministers in his Department—and things began to move, partly because they used correct language. We have been fighting a war with the Irish Republican Army. People never use those words—they say "the IRA", although many people do not even know what that means. We have been fighting a war with the Irish Republican Army.

When the former Secretary of State went to the Maze and spoke about prisoners of war, she was using real language. The release of the prisoners has been the release of prisoners of war that occurs at the end of a war. The result of it was a flowing in of confidence that brought some prospect of success.

If, 10 or 20 years ago, I had been able to say, "I must tell the House that, on the future of Northern Ireland, everyone—the Prime Minister and the House of Commons; the Taoiseach and the Dail; two Nobel prize winners, the right hon. Member for Upper Bann (Mr. Trimble) and the hon. Member for Foyle (Mr. Hume); the hon. Member for Newry and Armagh (Mr. Mallon); two other Members, the hon. Members for Belfast, West and for Mid-Ulster (Mr. McGuinness) from Sinn Fein—is agreed: they all want the Good Friday agreement to work", people would not have believed it. That is the real guarantee of progress.

The whole House agrees that we want decommissioning. There is not a single hon. Member who would have any doubt whatever of the need for decommissioning. The question is whether decommissioning is really the obstacle to progress under the Good Friday agreement. Is it or is it not? In the absence of killing, there is a type of peace. However, the matter goes further than the absence of killing, because the desire to use the weapons has gone. I think that that is the best guarantee for the future.

There is a strange alliance between the opponents of the Good Friday agreement on both sides of the argument. Continuity IRA does not like the Good Friday agreement because it does not provide whatever its long-term objective is—the unity of Ireland by force. It does not like it, but neither do many Ulster Unionists like it—they think that it gave Sinn Fein far too much. Therefore, there is a type of coalescence of the rejectionists. They feed on each other.

Mr. Thompson: Does the right hon. Gentleman agree that there is a vast difference between paramilitaries who are against the Belfast agreement and those of us who are democrats and against the Belfast agreement? We are entitled to be against it, and we do not need to use arms to defeat it.

Mr. Benn: Whatever the difference of method, the objective is identical: the hon. Gentleman and Continuity IRA want to see the Belfast agreement killed. I put it like that not to suggest that the hon. Gentleman has a gun in his pocket—of course not; he has something much more

difficult to deal with: a veto in his pocket to bring the whole Assembly and Executive to a halt. The fact is that those two sides feed on each other, and that the real contemporary political division in Northern Ireland is not between the Unionists and nationalists, but between those who are for peace and the Belfast agreement and those who are against peace.

If Continuity IRA were to drop a bomb, the hon. Member for West Tyrone (Mr. Thompson) and his colleagues would say, "There you are—it proves that the Belfast agreement is a failure." If the Executive were to be suspended, Continuity IRA would say, "Yes—that proves it. They would never let us continue." The two feed on each other. My fear about the Bill is that it represents a victory for the rejectionists. I know that it would be a reluctant victory for them, but it would feed both.

The Bill is being considered eight weeks after the new machinery was set up. One would have thought that, if the Government had thought that it might collapse, they would have included a provision in the original legislation, but they did not do so at all. I shall not go over the history of Bills that have been passed in one day, but I can think of quite a few Bills that have been passed in a day that have not exactly been legislative triumphs.

What are we going back to? We have not given the new agreement a chance to succeed, but instead are going back to a system that everyone knows failed. I am not blaming anyone, but, my God, I remember the arguments on various provisions. Partition failed; Stormont failed; internment without trial failed; supergrass trials failed; and Diplock courts, plastic bullets, strip searching and broadcast bans all failed. I am not blaming anyone for trying them, but we have tried all the methods of dealing with terrorism trumpeted by the hon. Member for North Antrim (Rev. Ian Paisley). I was in the Cabinet in 1969 when we sent the troops in. We were told that that would solve the problem. If my view is different now, it is because we have tried direct rule and it failed.

The opponents of the Good Friday agreement like the old system. The hon. Member for West Tyrone says that he has a democratic mandate, but he does not have a mandate for opposing the Good Friday agreement because that was put to the people in a referendum. Those Unionists who used to say that they represented the majority of the people in Northern Ireland, which they did on many issues, do not represent the majority on the implementation of the Good Friday agreement. I have been in a minority before, so I am not blaming them for being in a minority, but even the reverend gentleman the hon. Member for North Antrim is not a representative of the majority of the people of the north for whom he speaks. In the past, the Unionists proclaimed their loyalty to London and to the British flag, but all that they wanted was British troops to help them when they had trouble in repressing the nationalist community. That settlement has led to years of violence.

What alternatives were open to the Secretary of State and the Cabinet? What would have happened if we had not suspended the Executive when the First Minister, the right hon. Member for Upper Bann resigned? Would the Executive and Assembly necessarily have been brought down simply by his decision to go? People resign; it is not uncommon in politics. Usually, they are replaced. Sometimes deputies succeed their leaders. I am not saying that that would have happened in Northern Ireland, but it is not unknown. I do not believe that it is in the power of the right hon. Member for Upper Bann to bring down the Belfast agreement by resigning to satisfy a difficult Unionist council, because the people of Northern Ireland want the agreement.

Mr. Thompson *indicated dissent.*

Mr. Benn: The hon. Gentleman shakes his head. He may represent a majority of the population on a religious or historical basis, but he does not represent the majority on the agreement. If the First Minister had resigned to keep in tune with his party—that still happens occasionally, although not very often these days—he would have lost touch with the people whom he represented. I do not think for a moment that we shall go back to the violence of the past, because so much has been achieved through the desire to make the agreement work, but there will be a damaging sullen atmosphere.

One issue made up my mind on whether I could vote for the Bill. Having set up an elective mechanism to produce an Assembly, the Government are now saying that if one of the leaders of the Assembly resigns they will destroy the whole democracy. None of us has the automatic right to be in Parliament or the Assembly, but the people who elected us have the right to have somebody here. Usually, if people resign from an Assembly there is a by-election. If the whole Assembly resigned in a huff, there would be a general election. For the Government to threaten to take away the votes of Unionists because the IRA will not submit weapons is saying, "We banned your bullets and now we'll ban your ballots. If they won't give up their bullets, we'll take away your ballots." That is not a proposal that a democratic House can endorse.

I find it hard enough that we do not let the hon. Members for Belfast, West and for Mid-Ulster sit here unless they swear an Oath of Allegiance to the Queen. We expect them to deny their political history and faith to sit on the green Benches and then we lecture them on democracy. Now we are saying that if they cannot get on with the Assembly, we will cancel the whole thing. The Government can suspend it, then bring it back, then suspend it again—and so on for ever. We are being asked to pass permanent suspensory legislation. My hon. Friend the Member for Newry and Armagh will admit that the suspension could be lifted and reimposed indefinitely.

Democracy is being put in the hands of the Secretary of State. My right hon. Friend is a very good Secretary of State and I am not saying anything against him, but I do not believe that the House should accept legislation on that basis. It is an error of judgment that I cannot support—I wish that I could. Even if the Bill goes through—

Mr. William Ross (East Londonderry) *rose—*

Mr. Benn: I am on my last sentence, but if the hon. Gentleman wants to prolong my speech that is always welcome.

Mr. Ross: I have in my hand a copy of the Northern Ireland Act 1998, which I believe the right hon. Gentleman supported in the House. Section 16(7) allows

[Mr. Ross]

for the possibility of the First Minister bringing down the whole structure. Why did the right hon. Gentleman vote for that if he does not agree with it?

Mr. Benn: If that Act was effective, we would not need the Bill. I am not a lawyer and I would not dream of embarking on a dispute with one, because I would be out of my depth.

A nation that pretends to teach the Irish about democracy will not be believed if its first action is to take away the new democracy. It would be better if we gave matters a little longer to develop. Perhaps the right hon. Member for Upper Bann, who got a Nobel prize for his work for peace, would not then be so ready to resign his position while we are still within the time scale allowed for decommissioning, even though it has not occurred yet. The real hope lies in the desire of the people of Northern Ireland to build a better future.

6.56 pm

Sir Brian Mawhinney (North-West Cambridgeshire): I hope that the right hon. Member for Chesterfield (Mr. Benn) will not misunderstand me if I find myself in the invidious position of having to defend his Front Bench against some of the allegations that he has just made. It is not a job that comes naturally to me. To talk about banning bullets and banning ballots is to misrepresent the Bill. To accuse the right hon. Member for Upper Bann (Mr. Trimble) of trying to destroy the democratic process is not remotely connected with the serious issues that we have been considering since 3.30 pm. Like everyone else who has spoken, I regret the need for the debate. I share the Secretary of State's analysis of the urgency of introducing the Bill. I do not want to rehearse history and old tit-for-tat arguments. We have had a little of that, but not much.

Bearing it in mind that we are going to have a review, it is worth reflecting for a moment on the agreement to inform the future. The House knows that I have always supported the Belfast agreement from the day that it was signed. That has also been the view of my right hon. Friend the Member for Bracknell (Mr. MacKay), representing the Opposition officially, although it has not always been the view of all my hon. Friends. I share the importance that the hon. Member for Newry and Armagh (Mr. Mallon) attaches to the agreement.

The agreement was hugely welcomed when it was signed, but it always had a potential defect at its heart. That defect has best been summed up by those commentators who have referred to its creative ambiguity. That was never more evident than on decommissioning. There were those who said that creative ambiguity was brilliant because it allowed each party to interpret the difficult parts of the agreement in a way that permitted them to move the argument forward. In that sense it created momentum. Others said that that creative ambiguity was potentially lethal, because it formed the basis for criticism. For the second time in my speech, I am not going to criticise the Government.

The Government were in an extremely difficult position, as were the other parties to the agreement. They had only two choices. They could try in advance, in a political vacuum, to agree every nut and bolt. The reality is they would never have succeeded and there would have been no agreement. The other choice was an element of creative ambiguity, to allow matters to move forward to create a degree of political momentum—hoping that would be sufficient to get the various parties over the really big hurdles that everyone understood had to be jumped. If the clock could be turned back and we were sitting on the Government Benches, we would probably have taken the same view as this Government. The downside is that the momentum might deal with the easier issues but not be sufficient to deal with the really hard issue and leave it isolated. That is the position in which we find ourselves.

We have dealt, in some anguish, with a number of issues, yet 10 years ago that might have been thought inconceivable—the right hon. Member for Chesterfield was right on that point—but we are still left with decommissioning. It has been made more difficult by the creative ambiguity of the relationship between the paramilitaries and the political parties that purport to speak for them. It was in everyone's interest to create the impression, and be willing to believe, that the politicians were speaking authoritatively for the paramilitaries. We are discovering that is not entirely true.

Only two judgments can be passed. One is that a genuine debate is going on that has not been concluded; the other is that certain politicians deliberately and maliciously pull the wool over the eyes of everyone else. I have never had the opportunity to discuss those matters with the hon. Member for Belfast, West (Mr. Adams), so I have not had the opportunity to form a personal judgment. I surprise myself slightly by saying that I am willing to give him the benefit of the doubt. I believe that he does want change in a peaceful, democratic direction. I do not believe that is true of all his associates and I do not believe that that is true of all the IRA—if it were, we would not need this debate.

I can understand another problem for the leadership of Sinn Fein and the IRA. The history of Ireland is replete with examples of republican movements that have split to the enormous detriment—as they would see it—of the republican cause and have consequently resulted in a good deal of bloodshed to boot. The hon. Member for Belfast, West and others do not have to look further back than 1969 and the traumas of their taking over from the Official IRA. When they look back and then to the future, I can understand the importance they attach to not splitting the movement.

Perhaps the most important message of the referendums on the self-determination of the Irish people of which the hon. Member for Newry and Armagh spoke, is not that they represented a great agreement, but that the broad mass of sensible people in the island of Ireland were willing to contemplate splits in both the Unionist and nationalist republican movements to build a better future.

There have been splits in the Unionist community; there have not been any overtly evident splits thus far in the nationalist republican movements. It may be that the greatest leadership that can be provided is to contemplate the need to split on both sides, to allow the mass of the people to move forward. That challenge has already been faced by the right hon. Member for Upper Bann. The House can legitimately ask the hon. Member for Belfast, West when he will face up to a similar challenge.

The bomb on Sunday was an evil act. I choose to believe that it was more—that those in the republican movement were saying to the hon. Gentleman, "Careful. If you split the movement, you will get more of this." It will take great political courage to put the interests of the people of the island of Ireland ahead of that threat. This House is saying that he and his colleagues must do so.

I pay tribute to the Taoiseach and his Ministers for their continuing hard work. Mr. Ahern said at the weekend that clarity is really needed. That is not what I think. We have clarity but we have no decommissioning. We need product. That will be difficult to deliver because it is hard for people not to feel let down by the new revelations in the de Chastelain report. It is hard for the Unionists not to feel that they have given, but have not received, commensurately in return. It is already hard to avoid recrimination and the instinct of people on all sides to use the coming review to start a new shopping list of demands.

Recrimination will make a difficult review process even harder. For that reason if no other, the hon. Member for Newry and Armagh and I part company on that issue. The sooner we are into that review, choke off recrimination and engage again in the constructive dialogue necessary to get devolution and decommissioning running in parallel—as George Mitchell said they should—the better. The fact that the guns are silent is not an adequate substitute for decommissioning. In the absence of any constructive alternative from Sinn Fein or the IRA or both—if such an alternative exists—I support the Bill. Not as an end in itself but as a necessary means to a better end.

7.9 pm

Dr. Norman A. Godman (Greenock and Inverclyde): This has been a bleak and dismal debate. That is not surprising because, in a few days, we may see the dismantling or suspension of political devolution in Northern Ireland. I am saddened but not surprised by the powerful but pessimistic speech by my hon. Friend the Member for Newry and Armagh (Mr. Mallon). I can well understand his sadness and anger over the bleak prospect of the suspension of the remarkable institutions created by the agreement—the Executive, the Assembly, the north-south bodies and the British-Irish Council. The last was debated the other day in the Scottish Parliament and every speaker supported it, with some arguing that it should have a Parliamentary Assembly.

At the weekend, I was asked by a group of young constituents whether the Northern Ireland Assembly was anything like our Scottish Parliament. Was it akin to the Scottish Executive? I ought to be careful here, because I recently criticised Scottish National party Members for being day-trippers here. However, I told my constituents that I had a day trip to Stormont last week. I saw the farmers' lobby, with 2,000 to 3,000 farmers being addressed by Members of the Legislative Assembly. I think I am right in saying that the motion seeking help for the farming industry was moved by an MLA by the name of Paisley, and the motion was supported by every party in the Assembly.

I met a number of Ministers and talked to them about their work—Mark Durkan, Michael McGimpsey and Mr. McGuinness. I spoke to many Back Benchers, and I had the good fortune—some might say the misfortune—to bump into the hon. Member for North Antrim (Rev. Ian Paisley). In a comradely way, with his arm draped over my shoulder, he gave me an impromptu lecture on the architecture of Stormont. He has two vocations—preaching and politics. He will never pursue a career as a lecturer in 20th century architecture. It was for me—someone familiar with the Scottish Parliament—a remarkable day out.

Later, there was a debate on disruption in schools. There was an absence of good will among Democratic Unionist party Members and the Minister of Education. I know also that the Health Minister, Barbara de Brún, has not won friends in some quarters as a result of her decision concerning a certain maternity facility. I genuinely believe that we must give every encouragement to that Assembly, the Executive and the other bodies.

I have sympathy with those who believe that the Bill is not helpful to the decommissioning process. As the hon. Member for Newry and Armagh asked, what will happen when suspension takes place? It would be a tragedy if the suspension were to last for a year or more, but there is a danger of that. When are Ministers to meet their counterparts in the Irish Government?

My question to the Secretary of State was voiced by the hon. Member for Newry and Armagh also—who will conduct the review? It is worth thinking that the review be conducted jointly by the Secretary of State and his counterpart in Dublin. I have argued for a definitive timetable for the decommissioning of paramilitary weapons, and I have been supported by the right hon. Member for Bridgwater (Mr. King) in that. I am concerned that there might be a danger of a readjustment of the 22 May deadline. Is that a possibility, or a probability? That is worrying, but I suspect that it will come about.

The two Governments must work closely together on the review. If the period of suspension is inflicted on the institutions and the people of Northern Ireland, it should be as short as humanly possible, and the review must be urgent. I have serious concerns about the Bill, and I share some of the reservations voiced by my right hon. Friend the Member for Chesterfield (Mr. Benn). However, I have sympathy for the Government, and for the right hon. Member for Upper Bann (Mr. Trimble) concerning the difficulties that he faces. It is wrong to offer a simplistic analysis of his difficulties.

I took note of today's editions of the *Irish Times* and the *Irish Independent*. The latter said:

"Suspension is a bleak prospect, but the alternative is worse."

I have some sympathy with the approach adopted by those newspapers.

As a Scottish Member of Parliament long committed to a federal structure for this country and to genuine political devolution, I—unlike some hon. Members—regularly visit Northern Ireland, although I have never lived there. I agree with the right hon. Member for Upper Bann that devolution is far better for all concerned than direct rule.

Mr. Thompson *indicated dissent.*

Dr. Godman: The hon. Gentleman and I are in profound disagreement on the subject of devolution. It is better that we have genuine subsidiarity than direct rule. My sincere hope is that if we are faced with a period of suspension, it is of a short duration and that the review

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[Dr. Godman]

is conducted realistically, sensibly and compassionately, taking the interests of the smaller parties—as well as the larger parties—into consideration.

7.17 pm

Rev. Ian Paisley (North Antrim): I regret that the right hon. Member for Chesterfield (Mr. Benn) is not in the House, but I still have to say that he should get his facts right. I happen to speak for 192,000 people. I fought my election on this very issue and I topped the poll, so I speak with a certain amount of authority. I, at least, am a democrat. I tell the people what I believe in, and I go to the people on the issues.

I and the people of Northern Ireland get frustrated when we are told that the people of Northern Ireland are overwhelmingly for the agreement. The Secretary of State let the cat out of the bag today when he said what would happen if there were an election in five weeks' time. What about all the talk about the referendum, in which everyone was for the agreement? He said that, in five weeks' time, it would all disappear down a black hole. How can he say that all the people from all sections of the community want the agreement, and then say that we must keep them from having an election? Any structure of government that cannot stand up to the results of an election cannot be a proper democratic structure.

The hon. Member for Greenock and Inverclyde (Dr. Godman) should consider this. too. Would he like to belong to a House that could be swept away because of a change in the voting pattern of the people? We need a solid building, and we do not have one. I am surprised that the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) is appealing to Mr. McGuinness to split his party. If he splits his party, would that help? The right hon. Member for Upper Bann (Mr. Trimble) did not want to split his party—he wanted to hold it together—but he departed from his election pledges.

People in Northern Ireland may be different from those in other parts of the United Kingdom, but they expect election pledges to be kept. If they are not kept, the people deal with that at the next election. The right hon. Gentleman often said that he would not join an Executive without decommissioning, and that he would not sit down with the IRA and Sinn Fein until there was decommissioning. Eventually, he did the very things he said he would not do. Have not the people a right to take him to task in those circumstances? His own party are doing so, and they are democrats. They are entitled to do so.

We heard the Secretary of State today praise the glories of the agreement. Some of his claims that everyone is enjoying the current situation are far-fetched. Where does he live? He should go and ask the victims of terrorists whether they are enjoying the so-called agreement, when they see the person who murdered their nearest and dearest walking in the street, or past their house, or when they are doing their shopping. Is there any joy for them? There is no joy for the victims of terrorism and those who mourn their loved ones. Little has been said about the Royal Ulster Constabulary by Front Benchers tonight, but the guillotine hangs over the RUC.

We talk about the arguments over decommissioning, but what Mr. Adams thinks about decommissioning and what the majority of right hon. and hon. Members think about it are not the same. IRA/Sinn Fein believes that the guns should be taken from every soldier, every policeman and all the individuals who have personal weapons because the police think that they are in danger of being shot. IRA/Sinn Fein is not talking only about the decommissioning of illegal arms but about the prevention of the holding of all arms.

The Secretary of State then tells us that it would not be justified to demand that the terrorists hand in their weapons, because they must do so mutually. They must come to a voluntary arrangement. Well, the House and the Prime Minister did not say that after the killing of the children at the school in Scotland. They did not tell people who had held arms for many years and only used them for sport that they could voluntarily hand in their arms. They were commanded to hand them in and they were faced with imprisonment and heavy fines if they did not do so. Why should they be treated in that way while terrorists, whose hands are dripping with the blood of the innocent victims of their crimes, are not dealt with similarly? It is said that that is not possible, but it has never been tried.

All the programmes that have failed were thought up by Governments without any consideration for the people of Northern Ireland. How many times have I said that the House will reap what it sows? That is what is happening tonight, because of a flawed agreement that could not work. The hon. Member for Newry and Armagh (Mr. Mallon) resigned. His resignation was indicated from the Dispatch Box by the Secretary of State, but then it was discovered that if the hon. Member for Newry and Armagh came back he would not get cross-community support. It was then discovered that he had not resigned.

We are having this debate tonight because the Secretary of State said that, in his opinion, there was no way for the First Minister and his deputy to be re-elected in a new Assembly. Why should they be re-elected? If the Assembly had lost confidence in them, it should have the right to say no to them.

Mr. Mallon: I wish to make it clear for the umpteenth time, first, that I did resign; secondly, that I never said that I did otherwise; and thirdly, that I stand by everything I did, because I did it for a reason and I am pleased to say it was successful.

Rev. Ian Paisley: I never said that the hon. Gentleman did not resign, and he knows that. It was a resignation, but the point is that people cannot say, "This is the agreement", and then, when it no longer suits them, say, "This is not the agreement." The agreement has not been abided by: it has been departed from.

The matter before the House is serious, because upon it depends the peace and quiet of the minds and hearts of the people of Northern Ireland. They know that the IRA have the best weapons of any terrorists in the western world. The House knows what the IRA did at Canary Wharf. The records in the Library show how much compensation was paid after that bomb. It is nearly as much as the total compensation paid out in the whole of Northern Ireland in all the years of violence. Some people in Northern Ireland say that the trouble is that the Government are afraid of the IRA starting up again in this part of the United Kingdom. The Government are being bullied and blackmailed by that threat.

All I can say is that there is no way forward in the agreement as it stands, but if we are to have a review I want to know what sort of a review it will be. Will we have a narrow review or a proper review? Who will participate in the review—the Members of the Assembly or the members of parties who have representatives in this House or in the Assembly? Who will sit at the table? Who will advise as to what should happen as a result of the review? Who will preside at the meetings?

I have been at every conference but one that the British Government have ever convened on the issue, and we have discovered that the two Governments seem to think that they are there to push elected representatives in the direction they want them to go. We have all to go back to the electorate, and if the Governments want to carry the country, they must carry the representatives who have their people behind them. People cannot be pushed down an undemocratic path.

I saw the writing on the wall written by the Prime Minister, who told us that there would be no men in the Executive who belonged to lawless organisations. He told us that decommissioning would start and that no one would be let out of prison until it did. That is what people voted for in the referendum, but it did not happen. The people voted on promises, and they now say no. I have met hundreds of people who have told me that they voted yes, but that they would vote no today.

There are not many yes voters to be found who say that they want to maintain the agreement. We need only look at the demonstrations on the issue to know how the land lies. I tell the House: if we pull the Assembly down and have a review, let it be a real review and let us face up to the issues realistically and practically, and not be like Mr. Mitchell, sweeping them under the table so that they rise another day to haunt us.

7.30 pm

Mr. John M. Taylor (Solihull): Not for the first time, I find myself at the Dispatch Box when little more needs to be said and, frankly, there is little time in which to say it. Equally, not for the first time, I find myself particularly impressed with the remarks of the hon. Member for Newry and Armagh (Mr. Mallon).

The question has been put to me: what does it matter if they have guns, ammunition and explosives if they do not use them? That is a seductive, but shallow, question. It could be rephrased, "Is it okay if one half of the political process agrees to observe the law and the other half does not?" Adopting the idiom of the geometers of classical times—that is, reductio ad absurdum, or taking an argument to the limits of absurdity—how would it be if we acquiesced in the proposition that Conservative Members could be armed with guns, ammunition and explosives but the Labour Government could not, and the Government said, "That's okay; they haven't used them much recently." We would not fail to recognise that absurdity.

It is the same question in Northern Ireland. Antrim, Armagh, Down, Derry, Fermanagh and Tyrone are as much part of the United Kingdom as Warwickshire, Yorkshire, Aberdeenshire, Powys or Devon. Although Northern Ireland is historically and culturally different, the fact is that we do not allow armed people to participate in the running of our affairs in this kingdom, nor should we.

The Secretary of State said earlier in the debate that not merely was he taking power to resume direct rule in the absence of decommissioning, but that he felt that less damage would be done if he moved promptly than if he did not. We agree.

7.32 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): I should like to respond to one of the points made by the hon. Member for North Antrim (Rev. Ian Paisley) in response to my right hon. Friend the Member for Chesterfield (Mr. Benn). The hon. Gentleman accurately pointed out that, in the previous European elections in Northern Ireland, he topped the poll. He went on, rather modestly, to equate his position in the poll on that occasion with the position that he takes on the Good Friday agreement. It was a big vote, but it was a big vote for a big character, and did not necessarily reflect overall agreement for the hon. Gentleman's position. Events will prove me right or they will prove him right, but I think that he was unduly modest about his position in the poll.

My right hon. Friend the Member for Chesterfield approaches many issues from the position of a democrat. I appreciate that he has a long record as a parliamentarian of viewing issues through the eyes of a democrat. That is perfectly reasonable; in fact, it is a very principled position. He went on to talk about how the Good Friday agreement, the elections to the Assembly and so on, were sacrosanct because of democratic considerations, and that, if anything was to be changed it should, de facto, be done by an election. However, my right hon. Friend overlooked the fact that all the arrangements—the Executive, the north-south bodies, the Assembly itself as well as decommissioning and many of the other issues that form part of the Good Friday agreement—are interlocking. They are interdependent. It is in some respects like a house of cards, although rather more robust. Take away one and the rest no longer make any sense and collapse. There are those who would like to see it collapse, but I do not think that my right hon. Friend is one. However, he needs to understand that the issues are interlocking and interdependent. Therefore, it is not enough to view the Assembly as a body that can be sustained only by further democratic endorsement. That is an over-simplification of the arrangements.

Mr. John McDonnell (Hayes and Harlington): If we are relying on the Belfast agreement as part of the process of interlocking authority, what authority is in the Belfast agreement for the suspension of the Assembly? There is none.

Mr. Howarth: I will cover that point in my due course, and no doubt my hon. Friend will listen with care.

The right hon. Member for Huntingdon (Mr. Major), in a speech that was full of wisdom and insight, was right to say that this was a Bill that most of us in the House, whether Government or Opposition Members, and the majority of people in Ireland, both north and south, hoped would never be needed. It is, however, the only way of sustaining the potential of devolution. The situation has, in the past few weeks, started to blossom into a real and meaningful political project, one that is uniquely suited to the conditions and history of events in Northern Ireland.

[Mr. Howarth]

It serves no purpose to debate the actual decommissioning obligations under the Good Friday agreement or, for that matter, any comments that may have come out of Senator Mitchell's review. The truth is, as the right hon. Members for Bracknell (Mr. MacKay) and for Upper Bann (Mr. Trimble), among others, have rightly said, decommissioning, trust and devolution go hand in hand. For one section of the community, trust is inevitably linked not only to the silence of the guns but to their absence.

Given the continuing difficulties in achieving progress on decommissioning, there are three options, as we see it. First, as my right hon. Friend the Member for Chesterfield suggested, we could have stood to one side and allowed the Assembly and Executive to collapse. For, as sure as night follows day, we would have reached that position sooner rather than later. The second option would have been, by some means, to enable the exclusion of those parties which were considered to be in breach of, or in default of, the obligations to decommission. I do not think that that would have worked either. My hon. Friend the Member for Newry and Armagh (Mr. Mallon) explained eloquently why many delicate relationships exist in the Good Friday agreement and the arrangements that followed it.

That leaves us with the final option—to suspend. We hope that that will lead eventually—sooner rather than later—to progress on decommissioning. By extension, it will enable the political process that is under way to start again. This last option, as my right hon. Friend said, leaves all the parties in a position in which the issues can be debated. There will be a review process and, once the two Governments decide what form that should take, we can then get on with it.

Given that we, our close colleagues in the Irish Government, the pro-agreement parties and most of the Members of this House, remain of the view that the Good Friday agreement is the best way of making progress, any option other than suspension—we all hope that it will be a temporary suspension—would have been counter to the spirit of the agreement. No one is arguing that it was pre-figured in some way in the agreement. That is not the case. This is the best way that we can find to preserve the spirit of the Good Friday agreement. We did not want the Bill, but it represents the best available option.

I hope that the House will send a clear signal tonight that the Good Friday agreement is still in place. Overwhelmingly, we want it to work. On the Government's behalf, I thank both the official Opposition and the Liberal Democrats for making it clear that they support us, and I praise all those parties in Northern Ireland who have taken their courage in their hands to move forward on implementing the agreement.

The agreement remains in place, and we all—nearly all—want it to work. Giving discretion—indeed, power—to my right hon. Friend the Secretary of State demonstrates our support for the agreement. The most important thing that the House can do tonight is to show, by giving my right hon. Friend that power, that we still believe that the Good Friday agreement can be made to work. During the period of suspension, if it happens—we hope that it will not—there will be an opportunity for those who must take action to take that action. Only then can we achieve agreement and get the institutions back on track. That is what the people of Northern Ireland want.

I attended an event recently with the right hon. Member for Upper Bann and others—

It being four hours after the commencement of proceedings on the Bill, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question,* That the Bill be read a Second time—

The House divided: Ayes 352, Noes 11.

Division No. 65] **[7.42 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkinson, David *(Bour'mth E)*
Austin, John
Ballard, Jackie
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beggs, Roy
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benton, Joe
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunt, Crispin
Boswell, Tim
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brooke, Rt Hon Peter
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Ian *(S Dorset)*
Burden, Richard
Burgon, Colin
Burns, Simon
Burstow, Paul
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fabricant, Michael
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flight, Howard
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Fyfe, Maria
Galbraith, Sam
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda

Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Greenway, John
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Hawkins, Nick
Hayes, John
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hogg, Rt Hon Douglas
Hoon, Rt Hon Geoffrey
Hope, Phil
Howard, Rt Hon Michael
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lilley, Rt Hon Peter
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Robert *(N Down)*
McDonagh, Siobhain
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, Rt Hon Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McWalter, Tony
McWilliam, John
Madel, Sir David
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Ottaway, Richard
Paisley, Rev Ian
Paterson, Owen
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
St Aubyn, Nick
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Syms, Robert
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, Rt Hon David
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tyrie, Andrew
Walker, Cecil
Walley, Ms Joan
Waterson, Nigel
Webb, Steve
White, Brian
Whitehead, Dr Alan
Whittingdale, John
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Worthington, Tony

Tellers for the Ayes:
Mr. Greg Pope and
Mr. Tony McNulty.

NOES

Benn, Rt Hon Tony *(Chesterfield)*
Corbyn, Jeremy
Dalyell, Tam
Etherington, Bill
Galloway, George
Llwyd, Elfyn
McGrady, Eddie
Mallon, Seamus
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Thomas, Simon *(Ceredigion)*

Tellers for the Noes:
Mr. Michael Connarty and
Mr. John McDonnell.

Question accordingly agreed to.

Bill read a Second time, and committed to a Committee of the whole House, pursuant to Order [this day].

Further proceedings stood postponed, pursuant to Order [this day].

NORTHERN IRELAND BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Northern Ireland Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(1) any expenditure incurred by the Secretary of State attributable to the Act;

(2) any increase attributable to the Act in the sums payable out of money so provided under any other Act.—*[Mr. McNulty.]*

Question agreed to.

NORTHERN IRELAND BILL

Postponed proceedings resumed.

Bill immediately considered in Committee, pursuant to Order [this day].

7.56 pm

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Before we begin, may I make it clear to hon. Members that we are using two separate amendment papers. Amendments tabled yesterday were printed on pages 949 to 951 of the Vote bundle. Amendments tabled today are on a separate paper, which is available in the Vote Office. We are using the version of that paper which includes amendments tabled as at 4.30 pm today.

In addition, copies of a further, later amendment, tabled by the hon. Members for North Antrim (Rev. Ian Paisley) and for Belfast, East (Mr. Robinson), are also available in the Vote Office. The relevant selection list is the one headed "as at 4.30 pm" and is available in the No Lobby.

Clause 1

SUSPENSION OF DEVOLVED GOVERNMENT IN NORTHERN IRELAND.

Mr. McDonnell: I beg to move amendment No. 2, in page 1, line 13, leave out subsection (5).

The Second Deputy Chairman: With this it will be convenient to discuss amendment No. 3, in page 1, line 16, leave out subsection (6).

Mr. McDonnell: As we covered much ground on Second Reading, I shall be brief; I hope that we shall be able to speak more generally on Third Reading.

The amendments are simple; they would delete subsections (5) and (6) of the clause. They follow on from the point made by my right hon. Friend the Member for Chesterfield (Mr. Benn) on Second Reading: a concern that, in suspending the Assembly, we would also suspend the other institutions established under the Good Friday agreement. We are concerned because those institutions form part of the mechanisms for creating greater understanding between the different traditions on the island of Ireland and between the Six Counties and the Irish Republic.

The dialogue that was developing as a result of those institutions means that there is a continued commitment to the ceasefire and to the peace process. It is beyond understanding that we should penalise those existing, successful institutions through the measure. We are concerned that in doing so, there is a risk of longevity not only for the suspension of the Assembly but for the suspension of that dialogue.

That is the basis on which I introduce the amendments. The process would not be jeopardised if those existing institutions remained. We have been told of the necessity for the scrapping or suspension of the institutions, because of some interlocking authority that derives from the Good Friday agreement. However, the Bill has no authority under the agreement; there is no power given to the British Government to suspend those institutions. As that organisational structure has operated effectively, the institutions should be maintained. On that basis, I ask the Committee to accept the amendments.

Mr. Öpik: I want to make a brief contribution to seek clarification. It seems that clause 1 will allow some Committee Chairmen to carry out their functions without their Committees. Clause 1(3) states that no Committee of the Assembly can hold any meetings or conduct any business during suspension, but clause 1(4) suggests that that only the Chairmen and Deputy Chairmen of the Statutory Committees will not continue to hold office. That seems to be a little illogical, so I would be grateful if the Minister could clarify the position and tell us whether the Government need to introduce anything to sort the matter out.

8 pm

Dr. Godman: I shall also be brief, as I, too, seek clarification. Have discussions about the British-Irish Council taken place with the Scottish Executive, the Welsh Executive and others involved in the council, which held its inaugural meeting a few weeks ago? I think that another meeting is planned for June of this year. Although I realise that discussions continue all the time with the Irish Government, when were the Scottish Executive and the Scottish Parliament and the Welsh Executive and the Welsh Assembly informed of the probability of the suspension of the British-Irish Council?

Mr. George Howarth: I wish to challenge slightly the terminology that my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) used when moving the amendment. I am sure that he will appreciate that the term "suspension" is entirely different from the term "scrapped". I do not want to labour that point, but I think my hon. Friend will recognise that it is important to make that distinction.

A fundamental principle of the Good Friday agreement is that all the institutional arrangements are interlocking and interdependent. My hon. Friend acknowledged that, but he took issue with the context in which we have used that argument in the Bill. However, he will know that the concept is set out in the declaration of support at the beginning of the agreement.

If suspension is called, it will inevitably impact on all the institutions. In particular, the agreement recognises that the Assembly and the North-South Ministerial Council are so closely interrelated that the success of each depends on that of the other. When we talk about interdependence and interlocking, that is precisely what we mean.

During any suspension, the Assembly and the Executive will be suspended. All Northern Ireland Ministers will cease to hold office. In practice, that will mean that the North-South Ministerial Council simply will not be able to function in the absence of representation from the Northern Ireland devolved Administration.

As my hon. Friend suggested, clause 1(5) and (6) provide that, during a suspension, the functions conferred on the First Minister and the Deputy First Minister by the Northern Ireland Act 1998 cannot be exercised. That means that the Secretary of State cannot nominate people

to take the place of Northern Ireland Ministers on those bodies. It would be frankly inappropriate for him to do so given that the institutions are interdependent.

I realise that my hon. Friend's amendment is designed to preserve some of the good developments that have taken place in the recent past—and we should acknowledge that huge strides have been taken. We have recognised where there is common purpose between Northern Ireland, the Government in southern Ireland and ourselves. As my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) made clear, some institutions also involve Scotland, Wales and other parts of the British isles. Clearly, therefore, consultation will be necessary on the implications, and they will rightly take place in the coming period.

However, it would be inappropriate to carry on as if all the institutions were still in place and as if nothing had happened during the period of suspension. I repeat what I said earlier: we hope that the Bill becomes unnecessary, that the institutions carry on and that the Executive and the Assembly will be able to continue. However, if, over the next few days, it becomes clear that that is impossible without everything collapsing under its own momentum, it will sadly be inappropriate for us to carry on as though nothing had happened.

I assure my hon. Friend the Member for Hayes and Harlington that the close working relationship that we have with the Irish Government will continue. On matters on which we clearly have a continuing interest—not least the continued implementation and, if suspension takes place, re-implementation of the Good Friday agreement—that relationship will continue at Government level. I hope that we shall be able to work our way through the problems.

Rev. Martin Smyth: The Secretary of State was opaque on occasions this afternoon. I can understand why the two Governments must have relationships with one another, but will the Minister clarify whether the suspension of ministerial bodies will also include the suspension of implementation bodies, or was I misled when I heard that they will come under Ministers in the Northern Ireland Office?

Mr. Howarth: The powers of the implementation bodies transfer to my right hon. Friend the Secretary of State. It is for him to decide where it is appropriate for those powers to be used. I emphasise that we consider it inappropriate to carry on as if nothing had happened; that would simply be flying in the face of reality if a suspension were to take place.

Mr. Winnick: I am not aware that the Irish Government in any way dispute what my hon. Friend the Minister has said. The institutions can hardly continue to survive if a suspension of the Executive and Assembly occurs. Will my hon. Friend reaffirm what he has just touched on? If, unfortunately, there is a period of suspension, will he confirm that close ministerial contacts will continue between the two Governments? In view of the circumstances, the contacts in some areas will be even closer than they were before the Good Friday agreement. Everyone on the Opposition Benches should understand that.

Mr. Howarth: I am grateful to my hon. Friend for raising that point, which enables me to make the position absolutely clear. We simply would not have got as far as we have without the close co-operation and understanding of Ministers in the Irish Government, the Taoiseach and of Irish politicians, from various parties and holding various principles. It would be inconceivable that we could continue our work if that relationship did not still exist.

My hon. Friend is right. Contacts will continue to take place at an official level and, over the next few days, they will intensify. They will involve Ministers and they might involve the Prime Minister and the Taoiseach. When things are difficult, it is important that relationships are maintained. We can make progress only through those contacts and if we have an understanding of the difficulties that the parties in Northern Ireland face. If we ignore such factors, we will find ourselves running out of road. It is important that we maintain all those relationships.

Mr. Corbyn: I am pleased to hear that the Minister intends to continue to have the closest possible contact with the Irish Government, but I do not understand why he finds it necessary to suspend the workings of the North-South Ministerial Council, when it ought to be possible to continue them by ministerial contact, despite the suspension of other activities.

Mr. Howarth: I have used well-chosen terms to explain why that situation should pertain and, without being disrespectful to my hon. Friend, I think it would be tedious to the Committee if I were to repeat that explanation. This is a delicate situation, and I have made what I thought were sensible remarks about it. If I were to enter into negotiation across the Chamber, that might undermine discussions taking place elsewhere, and I know that my hon. Friend would not want me to do that.

I hope that my hon. Friends the Members for Hayes and Harlington and for Islington, North (Mr. Corbyn), will appreciate that although I realise that they tabled the amendment in a constructive spirit, hoping to maintain a close working relationship between the two Governments, it would in the current circumstances be inappropriate for the amendment to be carried. I hope that they will recognise also that we shall use all other available means to try to work as closely as possible with our Irish counterparts, and that on that basis they will feel able to withdraw the amendment.

Rev. Ian Paisley: Is the Minister saying that the bodies will also be put on hold?

Mr. Howarth: I think that the hon. Gentleman was in his seat when I made my speech, and it would be unnecessary and difficult for me to become involved in a detailed discussion about the matter. There are issues that have still to be discussed. No one has yet agreed to suspend any of the institutions, and we hope that suspension can be avoided. In the Bill we are taking a power, which my right hon. Friend the Secretary of State will exercise if things go wrong over the next few days, to suspend devolved government, and everything that depends on devolution will necessarily cease if devolution does not continue. I hope that the hon. Gentleman finds that a suitable explanation. I repeat my hope that my hon. Friends will feel that it is appropriate to withdraw their amendment.

Mr. McDonnell: Our hopes are that if suspension takes place, it will continue for a short period. We have been

[Mr. McDonnell]

given an assurance that if it continues for a long time, there will be a continuing dialogue between the Governments, and structures to enable the co-operative working relationship that has been established to be maintained. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1

Question proposed, That the clause stand part of the Bill.

Mr. Michael Howard (Folkestone and Hythe): I begin my contribution by returning to a matter that was raised earlier. I deplore the fact that we have had to consider the Bill without having available to us the de Chastelain report. The Secretary of State has come to Parliament to ask us to approve this legislation on an emergency basis. The only reason that he has done so is the de Chastelain report. Astonishingly, when one of my hon. Friends made that point earlier, the Secretary of State rebuked him and told him that he ought to be talking about something more significant than the de Chastelain report. In this context there could hardly be anything more significant than the report.

We in the House are not to be shown the report. That is an outrage. The Government proclaim themselves devoted to open government. One could hardly have a more eloquent example of their failure in that respect and of their arrogant contempt for Parliament than their failure to allow us to see the report.

8.15 pm

Having looked at "Erskine May", I find that the attitude of the Secretary of State and the Government appears to be clearly in breach of the statement on page 387, which says:

"A Minister of the Crown may not read or quote from a despatch or other State paper not before the House, unless he is prepared to lay it upon the Table."

I ask you, Mr. Lord, for a considered ruling on whether the Secretary of State has complied with his obligations.

The Second Deputy Chairman: As far as I am aware, the Secretary of State has neither read nor quoted directly from the report in question, but I understand that the right hon. and learned Gentleman's point is very important and I will undertake to ensure that it is given further consideration.

Mr. Howard: I am most grateful to you, Mr. Lord. I asked for a considered ruling, rather than an immediate one, because you and Madam Speaker will have carefully to read *Hansard* from today and last Thursday to find out to what extent the Secretary of State quoted from the report. My impression is that a careful reading of what he said today and on Thursday will disclose that he quoted from the report.

The Secretary of State did not improve matters with the explanation that he gave when we raised the matter earlier today. He appeared to rely on the fact that the report was made to the Irish Government as well as to the UK Government as a reason for not disclosing it. The clear implication was that pressure from the Irish Government was the reason why the report was not to be made available to the House. I do not know whether the Secretary of State had thought through that justification and its implications, but it seems to me that it has most unfortunate consequences.

There are many areas in which it would be desirable for the UK Government to co-operate closely with the Government of the Irish Republic, and such co-operation would have the enthusiastic support of the House, but if the consequence of that co-operation is that the Irish Government will be able to exercise a veto on the disclosure of information to the House, that will inevitably give hon. Members pause before they support such co-operation in future.

I have no doubt that, when the House was originally told that the de Chastelain report would be submitted jointly to the Irish Government and the UK Government, no one thought that it was a matter of concern. That would have been regarded as an entirely appropriate step, and so far as I am aware, no one in the House registered an objection to that course. Had we known, however, that it meant that the Irish Government would have a veto on whether or not the content of the report could be disclosed to the House, even when the House is being asked to approve emergency legislation on the basis of the report, the attitude of many hon. Members would have been different. That would have been unfortunate.

The explanation that was, in the end, dragged out of the Secretary of State earlier today has unfortunate, far-reaching implications. I hope that he will reflect on those implications when he considers the course that he has taken and the way in which he has kept from the House the contents of that report.

Mr. Hunter: I am grateful to my right hon. and learned Friend. His argument is strengthened if he shares my understanding that the decommissioning commission was established by legislation from this place and is accountable to this place. There was no corresponding legislation in the Parliament of the Republic of Ireland.

Mr. Howard: My hon. Friend makes a valuable point, which reinforces mine. It is a serious argument, on which I hope the Secretary of State will reflect.

I proceed to a more general point on clause 1 stand part. Clause 1 sets out the effects of the suspension of devolution, if and when the Bill comes into force. I support the Bill and share the regret which has been widely expressed that it has become necessary.

When we debated affairs in the Province in July, I posed two questions. If the IRA and other terrorist organisations have indeed given up violence for good—the basic assumption on which the entire peace process rests—why should they need to keep their guns and their bombs? If at some point they will be prepared to give up their guns and their bombs, why not now? I do not believe that there is any answer to those questions, which is why I find it difficult to be optimistic about the process, much though I should like it to succeed.

I shall refer to one aspect of that process, which the Bill directly calls into question. It was touched on earlier, during Second Reading—the release of terrorist prisoners. Many of us found that the most difficult and painful provision in the Belfast agreement. It raises and, indeed, breaches principles that are very dear to us. The provision

impinges directly on my constituents, who would have been victims of the seaside bombing plot in 1984—a plot prevented only by effective action by the police. The release of those responsible for that plot and for terrible deeds of violence which they did commit was a bitter pill to swallow.

We were, however reluctantly, prepared to go along with the provision. In my case at least, the decisive argument was that the prisoners would be the most powerful promoters of the peace. They, we were told, would be the most persuasive advocates within their movements for the abandonment of violence, for the end of terrorism and—an essential part of the process and the agreement—for giving up the guns and the bombs with which such enormous suffering had been inflicted. We were in part persuaded to take that step because the legislation that put the agreement into effect identified with some precision the factors that the Secretary of State must take into account in deciding whether prisoners should be released. Under the existing legislation, one of those factors is the extent to which the organisation to which the prisoners belong is prepared to co-operate in decommissioning.

It is, alas, now clear that our expectations have not been fulfilled, and that calls into question in the most direct way the continuing release of prisoners under the existing legislation.

Dr. Godman: I am grateful to the right hon. and learned Gentleman for showing his characteristic courtesy to me. Can he confirm that more than 200 prisoners were released under 1995 legislation when he was a member of that Administration?

Mr. Howard: The prisoners were released, but the circumstances were entirely different. What happened on that occasion was not some arbitrary shortening of the sentence, as is provided for under the current legislation. I take it that the hon. Gentleman is referring to what happened in Northern Ireland. Is that right?

Dr. Godman *indicated assent.*

Mr. Howard: What happened then was that the provisions that existed at that time in Northern Ireland were brought into line with the provisions that existed in England and Wales. There had been a difference between the provisions for remission in Northern Ireland and those that existed in England and Wales, and on that occasion they were made consistent with each other. That was a set of circumstances far removed from those that exist under the current legislation.

Rev. Martin Smyth: I appreciate the right hon. and learned Gentleman giving way. There are those who will find his argument hard to follow, but is it not summed up by what happened in the courts last week, when two people were convicted of murdering a Roman Catholic and a Protestant, and they showed contempt for the judgment, because they know that they will walk out in July?

Mr. Howard: Yes, the hon. Gentleman is right. I am sorry to hear that he thinks that my argument will be hard to follow. I thought that the argument that I was putting was simple, clear and easy to follow, but we must all be disabused of our pretensions. However, I agree that the example that he cited illustrates my point.

If, as we were told, the prisoners are the most powerful promoters of the peace, an announcement by the Secretary of State under the existing legislation that the release of those who remain in custody will cease until progress is made on decommissioning would put clear pressure on them to do what we were told they would do—to promote the peace. If they cannot or choose not to influence the process, the original justification for their release will not exist.

Either way, prisoner releases should not continue, and I hope that we will have a clear statement from the Minister this evening to that effect.

Dr. Godman: I shall be brief. My contribution to the clause stand part debate centres on my concern for those who are employed in any of the institutions that may face suspension. When my hon. Friend the Minister responds to the debate, can he confirm that the interests of those employees—I have no idea how many people there are in the employment of the Assembly or the Executive, for example—will be protected in accordance with their terms and conditions of employment?

Mr. Hunter: As we know, clause 1 lies at the heart of the Bill and provides for the suspension of devolved government in Northern Ireland. My approach to the Bill is generally supportive, but I have one point of genuine concern, which I hope the Minister can address when he replies.

The House spent tens of hours scrutinising and deliberating on the Northern Ireland Act 1998, and a not inappreciable amount of time considering what became section 30. I do not understand why the Government are introducing the Bill at all. Section 30 of the 1998 Act allows for the exclusion from ministerial office of members of a political party that

"is not committed to non-violence and exclusively peaceful and democratic means".

Many hon. Members opposite understandably said that they wanted the structures and institutions of devolved Government to continue. The 1998 Act provides for that. I do not understand why the Government are introducing the Bill when they can exclude under existing legislation those who are deemed not to be committed to non-violence and exclusively peaceful and democratic methods.

8.30 pm

Mr. Öpik: I reiterate the point that I made in the previous short debate on the amendments. Perhaps it was a bit naughty of me to raise the matter then, because I should have waited until the stand part debate.

Clause 1(4) states:

"No person is to continue to hold office or be elected, nominated or appointed as a Minister or junior Minister, or as a chairman or deputy chairman of a statutory committee."

The provision should read, "statutory or standing committee". Will the Minister clarify whether, technically, the Chairs for the Standing Committees on Standards and Privileges, on Procedure, on Audit, on Public Accounts and the Committee of the Centre can continue to carry out their functions when those Committee cannot meet? If the Bill is used, the Minister must be absolutely clear about whether it affects Standing Committees. If it does not, does he intend to include a provision to correct that as the Bill proceeds?

Mr. Eddie McGrady (South Down): On Second Reading, my hon. Friend the Member for Newry and Armagh (Mr. Mallon) expressed our party's opposition to the Bill and to dismantling a delicate edifice of political institutions, which will be extremely difficult to restore.

I apologise to earlier speakers for my absence, but I have just left what, sadly, may be the last meeting of the Northern Ireland Assembly. I want to stress to the House, and especially to the hon. Member for Basingstoke (Mr. Hunter), that this morning's Order Paper in the Assembly included a motion to exclude Sinn Fein and that it did not receive the necessary number of votes—which is only 30 out of 108—to support it. The Assembly is a cross-party body, and Unionist parties, extreme and moderate, and nationalist parties, extreme and moderate, do not support the exclusion of Sinn Fein at the moment.

That is a lesson to the House about how carefully we handle our delicate political institutions. That is why my party opposes the whole concept of the Bill, the contents of which are mainly embodied in clause 1. We cannot enforce decommissioning by such a measure, which is a slap on the wrists of Northern Ireland politicians. It penalises elected Members of the Northern Ireland Assembly, the vast majority of whom are not culpable through failing to decommission. It is therefore important to put on record that the Assembly, no later than a few hours ago, did not believe it proper to exclude representatives of the IRA from their number. In that case, why should this House do it?

Mr. Peter Robinson: Before we consider clause 1 stand part, I express our sympathy to the hon. Member for South Down (Mr. McGrady). All of us have known him for a long time, and we respect his courage in being here today following the recent tragic murder of his niece. I am sure that he has the sympathy of all hon. Members.

I suppose that I am required to declare an interest when considering clause 1. Several hon. Members who have spoken also have an interest. I am a Member of the Northern Ireland Assembly, and a Minister with responsibility for a Department in that Government. I want to speak against what might be perceived as my interest. I have been a convinced devolutionist for a long time. For the past 21 years in the House, I have frequently argued, from both sides of the House, for devolution in Northern Ireland and for decentralisation of powers. I believe without qualification that no matter how well intentioned Ministers who went from Great Britain to Northern Ireland may have been, in the time that they were there they could not have had the same feel for the needs of people in Northern Ireland. Given their number, it was asking a lot of each Minister, or of any human being, to take charge of what would be four Departments under the present system.

I am not against devolution in principle—I support it—but when I read the Belfast agreement I realised that the price that the people of Northern Ireland were being asked to pay for it was too high. The four principal features of the agreement were the release of terrorist prisoners before their due dates, the destruction of the Royal Ulster Constabulary, the setting up of apparatus that leaned towards a united Ireland—including unaccountable all-Ireland bodies with executive powers—and placing in government those who were still unrepentant and have clear terrorist connections and relationships. To me, that corrupted the democratic process. One might have expected, in a fair and reasonable world, that somebody holding those views might not have been thought unreasonable, but holding them when the Government hold a contrary view can become very unreasonable.

We have been accused of many things over the past months and years, but we made it clear at the beginning that corrupting the democratic process in such a way had sown the seeds of the agreement's destruction. Day by day, it becomes more apparent that having terrorists in a democratic Government is a contradiction in terms. Sooner or later, the leaders of political parties had to recognise that conflict. The right hon. Member for Upper Bann (Mr. Trimble) has attempted over and over and over again to put off the evil day, hoping beyond hope that Sinn Fein-IRA would perhaps be prepared to decommission. There were many to advise him that everything they knew about that organisation's behaviour was such that that would not happen. He has learned the hard way in his party and in his constituency, where he can barely walk the streets. That is the reality of life in Northern Ireland.

If the price of devolution was too high, the Government's suspension of the institutions is hardly the appropriate response, which is the proper exclusion of those who are not committed to

"exclusively peaceful and democratic means".

The hon. Member for South Down responded in some measure to my hon. Friend the Member for Basingstoke (Mr. Hunter). The answer is yes: section 30 of the Northern Ireland Act 1998 contains a power allowing the exclusion of political parties if, for one reason or another, they do not measure up to the standards laid down in the Act, but it can be triggered only by a cross-community vote. Indeed, such a proposal can be put before the Assembly only if 30 people are prepared to stand in their places or sign a motion support it. In the Assembly this morning, 29 people were prepared to support that motion, but in the absence of the 30th it was not even debated. Even if it had been, it is abundantly clear from the comments of members of the Social Democratic and Labour party that it would not have received the cross-community support necessary to exclude Sinn Fein-IRA. In those circumstances, it was a weapon that could not be used.

When the 1998 Act was going through Parliament, many of us on this side of the House argued that it was an ineffective weapon that would not be appropriate when the circumstances required it to be so. It would be far better and more honest if the Government said, "If people are not prepared to play by the rules of democracy, out they go until they are prepared to pay the membership fees of this club." Instead, their answer is to suspend everything and democrats will be punished alongside the terrorists. Indeed, it must be said that the central feature of the failure of the agreement to work has been the issue of decommissioning.

The hon. Member for Newry and Armagh (Mr. Mallon) referred to the silence of the guns. I suspect that if I had pranced across the Floor, put a Smith and Wesson to his ear and asked him to sit down, he would not have been saying to himself "At least the gun is silent. I needn't worry too much about it." I think he would have sat down, and he would have done it very quickly, because the reality is that if one puts a gun to somebody's head it does not matter whether it is silent. It is always silent before it goes off.

The threat is there, and it is that threat which Sinn Fein-IRA rely on to give them their negotiating strength. It is that threat which they rely on to give them a status well beyond that of political parties in Northern Ireland which have greater electoral strength than they have. It is that strength which ultimately Sinn Fein-IRA recognise is their ace card in any negotiations about the future of Northern Ireland.

Many people talk about Sinn Fein and the IRA being inextricably linked. So they are, but it does not quite indicate the nature of their relationship. Sinn Fein is subservient in that relationship; it does what the IRA tells it to do. The IRA does not follow the leadership or instruction of Sinn Fein, which is the junior partner in that relationship.

Mr. Robathan: The hon. Member for South Down (Mr. McGrady) said something that I do not think I have heard said before in the House. He referred to the representatives of Sinn Fein in the Assembly in Northern Ireland as the representatives of the IRA, which we all know is so, but I do not think I have heard it said before.

Mr. Robinson: I often look across the Assembly Chamber at the ranks of Sinn Fein. I see among its membership members of the army council of the IRA—present-day members of the army council of the IRA. With the exception of two Members, every one of them has served in the ranks of the IRA. Most of them have gone through the educational process of the prison system. It is very clear that all of them are supporters of the IRA. All of them come under the whip of the IRA, and when it is cracked they jump. No one should get away with the idea that Sinn Fein can lead the IRA by the nose and require it to do one thing or the other. As my friend the hon. and learned Member for North Down (Mr. McCartney) indicated, the fact that four of the seven members of the IRA army council are also leading Sinn Fein members indicates a close relationship and the fact that there is no division between the views of Sinn Fein and the IRA.

Rev. Martin Smyth: Is not that a significant difference from what happened in the past, when at Sinn Fein conferences a messenger came from the army council? There no longer needs to be a messenger from the army council, because it is at the head of the Sinn Fein movement.

Mr. Robinson: Yes, and I do not need to go into the names. We all know the leading members of Sinn Fein who are members of the IRA army council.

The injustice of the clause is that it does not contain the freezing of certain other elements of the Belfast agreement. The Government's argument is that they have suspended a number of the operations under the clause because they believe that institutions should be frozen because they cannot proceed as a result of the IRA's failure to decommission.

The reality is that if there was ever a linkage in the agreement, the clearest was between prison release and the decommissioning of illegal weaponry. Both were intended to be within a two-year time scale. Neither had an absolute starting date set down, but it was very clear that as soon as the Government proceeded helter-skelter to release prisoners it took the pressure off the IRA to meet its bargain on decommissioning. If the Government simply continue releasing prisoners, it is a win-win situation for the IRA. It will be doing away with Stormont and at the same time continuing to get its prisoners out of jail. It can be disobedient, but be rewarded with the freeing of its prisoners.

8.45 pm

Was it a betrayal to which the Secretary of State referred last week? What kind of situation is this, in which those whom the Government believe to be responsible for a betrayal will be rewarded with the release of prisoners, while the democrats will be punished with the removal of institutions? It strikes me as a topsy-turvy, Alice in Wonderland situation. Moreover, the Government have not indicated so far that they are prepared to suspend any action that they may take to implement the Patten recommendations for the destruction of the Royal Ulster Constabulary. That is another plus for the IRA—another reward for not doing what the community would have it do and decommission its weapons.

The Secretary of State should think long and hard about this. Under the Northern Ireland (Sentences) Act 1998, he has powers to stop the release of prisoners; he should exercise those powers.

Mr. William Ross: Does the hon. Gentleman recall what was said on Thursday during questions to the Secretary of State on his statement? The right hon. Gentleman said:

> "We will not be suspending the Good Friday agreement; therefore, we are not going to put into reverse all those gains and all those changes that have flowed from its implementation."—[*Official Report*, 3 February 2000; Vol. 343, c. 1325.]

In other words, the Secretary of State was telling the IRA, at the very moment that he was announcing the possibility of suspension, that he would continue to reward it.

Mr. Robinson: The hon. Gentleman has drawn attention to an unfortunate message which, no doubt, was picked up by the Provisional IRA.

As the Secretary of State will see, the Northern Ireland (Sentences) Act expressly states that he has the power to stop the release of prisoners if there is not a clear continuation of the commitment of an organisation to exclusively peaceful and democratic means. The Act specifies four areas for the Secretary of State to take into account when judging whether that continuation is taking place, one of which relates to decommissioning. I wonder whether one of the reasons for our not having the report from the decommissioning body is that if the report says that the Provisional IRA has not been complying with the conditions, the 1998 Act requires the Secretary of State to stop any release of terrorist prisoners. It will be interesting to see what happens when the information eventually surfaces—and the Secretary of State will discover that, in Northern Ireland, these things do eventually surface, in one way or another.

I believe that the Secretary of State should have taken the alternative course of excluding those who were not committed to exclusively peaceful and democratic means. I believe that he should also have suspended the implementation of the Patten recommendations and acted differently in regard to prison releases. However,

[Mr. Robinson]

given the limited nature of the Bill, I have no choice but to go for the second-best option that the Government are offering: the suspension of the institutions.

Mr. George Howarth: Along with, I am sure, the rest of the Committee, I join the hon. Member for Belfast, East (Mr. Robinson) in expressing our condolences to the hon. Member for South Down (Mr. McGrady). I have already expressed my condolences privately, but I think it would benefit the hon. Gentleman's family to know that we have expressed ours across the board.

Let me say to the hon. Member for Belfast, East that I suppose my right hon. Friend the Minister of State and I should declare an interest: if the suspension goes ahead, one or other of us will be doing his job next week, although we do not expect to receive any extra pay.

My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) talked about the people who are employed in the institutions. As the Secretary of State and I have said repeatedly, our hope is that the institutions will not need to be suspended, but if they are, as my hon. Friend rightly points out, many of the detailed arrangements will need careful consideration. I assure the Committee that proper regard will be given to the circumstances of people who are employed in any of the bodies. Obviously, we are not at the point where we can give precise details of that, but if suspension goes ahead we will quickly have to turn our attention to my hon. Friend's point.

In an exchange with the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the hon. Member for Basingstoke (Mr. Hunter) raised a question about the status—in terms of agreements between ourselves and the Irish Government—of the decommissioning commission. As he will be aware, the Independent International Commission on Decommissioning was established by an international agreement between the British and Irish Governments. That agreement was followed by parallel legislation in both jurisdictions, so it is from that that the relationship in respect of the commission derives. Therefore, when the Secretary of State refers to the report being the joint property of both Governments, it is because of the parallel legislation in both jurisdictions which led to the establishment of the commission.

The hon. Member for Montgomeryshire (Mr. Öpik) raised a point on which I think I can give some reassurance. Subsection (3) makes it clear that no Committee of the Assembly can meet or conduct any business during a suspension. That includes statutory and all other Committees. All Committees will cease to function for the duration of suspension.

Subsection (4) deals with those individuals who hold statutory office under the Northern Ireland Act 1998, just as clause 3 deals with their reappointment in line with the provisions in that Act. The Bill does not address the various non-statutory appointments, such as chairmen of Standing Committees. Nevertheless, they too will cease to exercise any of their functions during a suspension. Their committee cannot meet or conduct any business. The Secretary of State, who, under the Bill, takes responsibility for salaries and allowances, will ensure that they are treated on a par with the chairmen of statutory committees.

The right hon. and learned Member for Folkestone and Hythe took issue with the Secretary of State's explanation of why he did not feel it was appropriate at this time to publish the General de Chastelain commission's report of a week ago Monday. He went on to discuss precisely what terms the Secretary of State might have used this afternoon. In his observations on the content of General de Chastelain's report, the Secretary of State made it clear that he was summarising what was said.

As regards publication, the right hon. and learned Gentleman has held high office; he was Home Secretary. He knows that, on some occasions, certain issues are highly sensitive and delicately balanced in terms of the relationships between different bodies—in this case, the relationships between ourselves and the Irish Government. I hope that he will accept that it is because of the delicacy of the situation that, at this time, the Secretary of State does not think it appropriate to publish that report. I hope that he will also accept that the Secretary of State has made it clear that, if and when a further report is published, he will undertake to ensure that both are published at the same time.

Mr. Howard: The form of words that the Minister has just used—it was not an explanation; it was simply a form of words—is no more convincing than the very similar form of words used earlier today by the Secretary of State. Will the Minister not recognise that we are here today because of the de Chastelain report? How in those circumstances can he justify not making that report available to the House? When General de Chastelain came forth with a report that contained some relatively good news, the Government were quick to publish it. Surely the Minister should recognise that the Government should be equally quick to publish a report that, most regrettably, contains bad news.

Mr. Howarth: Forgive me, but I think that the right hon. and learned Gentleman is engaging in a little bit of sophistry—he knows the precise situation. My right hon. Friend the Secretary of State has made no secret of the fact that we are considering the Bill today because the progress on decommissioning that everyone rightly expected to be made has not been made—*[Interruption.]* I repeat that insufficient progress has been made.

My right hon. Friend also made it clear that progress is ultimately a matter for General de Chastelain, who will subsequently report on it. However, as I said, at this stage it does no good for us to pore over the entrails of precisely what has happened.

We want decommissioning to occur, so that suspension will never have to be imposed. However, if it is imposed, we want to ensure that we all have confidence—this is about confidence-building—that, at that time, the suspension could be lifted.

Several hon. Members *rose—*

Dr. Godman: Will my hon. Friend give way?

Mr. Howarth: I shall give way to my hon. Friend, and then I must make some progress, as we are running short of time.

Dr. Godman: A moment ago, I sought assurances for those who are employed in the institutions. However, what

will happen to the Bills that were presented to the Assembly at the beginning of last week? One was a fisheries Bill, and another was on social work administration. Presumably those will be taken on board by Ministers?

Mr. Howarth: During a suspension, the Assembly would have no powers to pass any legislation. Progress on legislation during a suspension would have to be made by my right hon. Friend the Minister of State or me. If we decided that passage of the legislation was not appropriate at that time, we would not make progress on it. It is one of the unfortunate consequences of the situation that we are in.

Mr. Nick St. Aubyn (Guildford): Will the Minister give the House an assurance?

Mr. Howarth: I shall give way to the hon. Gentleman, but then really must move towards a conclusion. He must realise that time is limited.

Mr. St. Aubyn: Given that the Secretary of State has told us that he will release both the de Chastelain report and the successor to it, will the Minister assure the House that such release would not at any point depend on the agreement of the Government of southern Ireland, and that they do not effectively hold a veto over the release of such a report—which we are now told will precede re-establishment of the Northern Ireland Assembly?

Mr. Howarth: My right hon. Friend the Secretary of State has made the position as clear as he can. I stand by what he said, and he will stand by what he said.

Mr. St. Aubyn: Will the Minister give way?

Mr. Howarth: I shall not give way. I allowed the hon. Gentleman to intervene—for which he did not have the courtesy to thank me—and he will forgive me if I reply to that intervention in my own way. The situation is precisely as my right hon. Friend the Secretary of State has described it, and the hon. Gentleman should not try playing games to get me to say something different from what my right hon. Friend has said. If he is trying to do that, he will not succeed. We are in a difficult situation. What my right hon. Friend said stands and it is neither useful nor necessary for me to add anything.

9 pm

Clause 1 suspends the operation of the Northern Ireland Assembly for as long as the clause is in force. While it is in force there can be no meetings of the Assembly or any of its committees, nor can any legislation be passed by the Assembly. All Ministers and junior Ministers of the Northern Ireland Executive, including the hon. Member for Belfast, East, will cease to hold office, as will the chairmen and deputy chairmen of statutory committees.

The clause also provides that the powers under section 52 of the Northern Ireland Act 1998 to nominate Ministers to attend the North-South Ministerial Council and the British-Irish Council cannot be exercised during the suspension. Our intention is to suspend those institutions by means of an international agreement with the Irish Government.

Mr. Robathan: I was not going to speak in this debate, but I was moved to do so by the Minister's tortuous and very unconvincing arguments.

The issues covered by the Bill, particularly clause 1, hang on the de Chastelain report. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has made that point particularly well. The Minister failed to explain how it was possible to publish the first de Chastelain report, and why it is not possible to publish the second report if it is possible to publish a subsequent report, should one be produced.

The Minister talks about confidence-building and trust. I agree that we need confidence and trust. He and the Government—and the Government of the Irish Republic if they have anything to do with the publication of the report, although I do not see why they should—ought to take the House into their confidence and trust the British people by publishing the de Chastelain report so that we know all the gruesome details. I fear that the reason for the Government's unwillingness to publish the report is that some of its comments about the attitude of the IRA and Sinn Fein are unpalatable to the Government.

The Secretary of State has the right to stop prisoner releases if parties to the Good Friday agreement are not complying with it. If the de Chastelain report were published, the Minister might have to decide that the IRA—or Sinn Fein; whatever they like to be called—were not complying with the agreement and that prisoner releases should therefore be suspended.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2

ENDING SUSPENSION

Mr. William Ross: I beg to move amendment No. 15, in page 1, line 22, leave out subsection (1).

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 16, in page 2, line 3, leave out subsection (3).

No. 20, in page 2, line 4, at end insert—

'(3A) The Secretary of State shall publish the complete text of a review under the Validation, Implementation and Review section of the Belfast Agreement.

(3B) The Secretary of State shall publish the complete text of any report from the Commission on Decommissioning that may be made in connection with the review conducted under subsection (1).'.

Mr. Ross: I promise not to go on quite as long this evening as I did a week or two ago, because, unfortunately, we have tighter time restrictions.

Amendment No. 15 would delete the lines printed in italics at the bottom of page 1 of the Bill. I do not understand why they are printed in italics, but they say:

"*As soon as is reasonably practicable after section 1 comes into force, the Secretary of State must take steps to initiate a review under the Validation, Implementation and Review section of the Belfast Agreement.*"

Amendment No. 16 would remove from subsection (3) the words:

"Before making a restoration order, the Secretary of State must take into account the result of the review conducted as a result of subsection (1)."

[Mr. Ross]

Several issues cause me concern. At no time during the Secretary of State's statement to the House last week or his answers to the subsequent questions did he refer to a review. The review came out of the blue. It has already been pointed out that the Secretary of State has other powers that he could use, but he has chosen to go for a review.

May we be told why we were not informed last week? Was it because the Bill had to be drawn up at the very last minute? I doubt it. I have been here long enough to know that Governments tend to have all sorts of contingency plans on the shelf, to pull out of a pigeonhole when needed and polished up. If the right hon. Gentleman knew before his statement that he was going to have a review, why did he not tell the House and the people of Northern Ireland? That straightforward question should receive a straightforward answer.

Did the right hon. Gentleman think that the weapons problem could be dealt with some other way—that he could go down another path, which turned out to be blocked? He made it perfectly plain in his answers on 3 February that weapons had to be dealt with or there would not be devolution because the agreement had not been fully implemented. We hear about full implementation when it concerns something of which the terrorist organisations approve but not when it is something of which the law-abiding population might approve. Stopping the release of prisoners and other things to put on pressure are not done.

The Government's one real lever against the IRA was prisoners. They and their families were exerting pressure on the IRA, on the ground. None of those people should have been let out the gate until such time as weapons were given up. That is the view of everyone in Northern Ireland who understands the mentality of those folk. The Government refused to understand. They threw away their strongest card and let out prisoners, so their leverage against the IRA disappeared. I have no doubt, as the release of prisoners is to continue, that it will be played out right up to July, until the very last of those fellows is out through the gate—including the two chaps that my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) mentioned, who were sentenced for a double murder only last week.

There could be no doubt where the Unionist population stand. To them, weapons always have been, and are, the litmus test of whether or not the IRA-Sinn Fein system of terror, murder and intimidation will move to democracy. Weapons are the key. The distance that my hon. Friend has travelled is not a distance that I would have travelled. My experience of those people, given that I live among a fair number of them, is perhaps greater than some of my right hon. and hon. Friends. I know how they think and react. If one wanted to put pressure on those people, it had to be done in a different way than giving in to them.

Mr. Roy Beggs (East Antrim): Does my hon. Friend agree that the hon. Member for Foyle (Mr. Hume) also recognised that point? He said that there should be no guns on the table, under the table or outside the door.

Mr. Ross: Perfectly correct, but that view seems to have vanished into the past. The SDLP, it seems, wants to forget about that. All it wants now is an ounce of Semtex left at the door—token decommissioning. We were told that at the weekend. It is not sufficient for the people of Northern Ireland and certainly not sufficient for the Unionist party. Its position is perfectly clear. After this time, there must be a massive giving up of weapons and explosives—the means of violence and war.

During the speech of the hon. Member for Belfast, East (Mr. Robinson), who has just left his place, I referred to the Secretary of State's words on 3 February, when he was very precise about his intentions. He said that he would not be suspending the agreement—that it would remain intact, as would the consequences of its creation and all its actions.

I am not clear how the Secretary of State intends to proceed with the review. The Belfast agreement contains three conditions under which a review can take place. *[Interruption.]* I understand that the two Ministers on the Front Bench know all about this and do not have to listen. I would like to know which of those three conditions applies in this instance. The agreement states, first:

"Each institution may, at any time, review any problems that may arise in its operation and, where no other institution is affected, take remedial action in consultation as necessary with the relevant Government or Governments. It will be for each institution to determine its own procedures for review."

Under that procedure, the Assembly can take its own decisions and talk only to the Governments as necessary. I assume that the institutions mentioned refer to the two Governments and the Assembly, rather than to the various bodies which flow from the operation of the Assembly.

The second set of circumstances is:

"If there are difficulties in the operation of a particular institution, which have implications for another institution, they may review their operations separately and jointly and agree on remedial action to be taken under their respective authorities."

That would seem to involve a combination of institutions, all having to take separate reviews—followed by a joint review—and then agreeing. That is rather complicated, and I cannot see it meeting with much success if what the Secretary of State said about the frailty of the process and the structure is accurate. A structure that cannot stand another election and still survive has a mighty poor chance of surviving into adulthood.

The third set of circumstances is:

"If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction."

In this case, the two Governments have to take the lead and then consult with the parties in the Assembly. They do not have to get the parties in the Assembly to agree with them—they can go ahead in any case.

Which of those courses of action—or which combination of them—applies in this case? It might be difficult to have a combination, and it may have to be

one. What criteria will the Secretary of State use to make up his mind? When he does make up his mind, will he tell the House which set of criteria he is taking into account and applying? When the review is set up, can we be told what items it will look at? How are the decisions within the review to be reached? Who will make the decisions? What evidence or reasons will be published so people understand what is going on?

Clause 3(2)—which refers to the restoration, as it were—gives the impression that the Secretary of State should not be involved in the review because, if he were, he would have to be not only the investigator and the chairman, but the jury and the judge in regard to whether or not he would restore the Assembly to operation. In those circumstances, we need to know the evidence. We need to know who will chair the review. We need to know the criteria, and the task that the review is being given.

The only reason for this debate is the refusal of the terrorist organisations to hand over their weapons—their firearms and their other means of murdering, blackmailing and intimidating the law-abiding citizens of Northern Ireland, and of this wider nation. If we are to go beyond the weaponry, we must be told why, what steps are to be taken into account and what is to be reviewed in the next few weeks.

9.15 pm

It has already been said that we are here tonight because of the failure of the IRA to decommission and to surrender its weapons to lawful authority in Northern Ireland or in the Irish Republic, and for that reason we should have sight of the de Chastelain reports—both the one that has been completed and any future reports. That is the key. If people could see the report, the debate today would be far more sensible. People would know exactly where they stood and we would not have had all the spin doctoring and the smoke and mirrors of the past week. The lack of precision, the double meaning, the ambiguity, and the nods and winks giving the impression that something is happening when nothing is happening, have been the root cause of the suspicion and anger that we have had in Northern Ireland for so long.

I tell Ministers—not that I expect them to take it on board, but I tell them anyway—that the mere fact that they refuse to publish the de Chastelain report only adds to the anger and suspicion, and makes any settlement far more difficult. It may be that, because Ministers live in the rarefied world of spin doctoring that so many in the House now inhabit, they are incapable of understanding the effect of the refusal to release the report on ordinary men and women in Northern Ireland, but the effect is real and the report should be published.

Mr. Hunter: I tabled amendment No. 20 in the spirit of the words of my hon. Friend the Member for East Londonderry (Mr. Ross) to avoid the ambiguity and obtain the clarification that is lacking. As clause 2 (3) stands, before making a restoration order,

"the Secretary of State must take into account the result of the review conducted".

I submit that a requirement to take into account is wholly inadequate and what is needed is the requirement contained in amendment No. 20. First, the Secretary of State should be required to publish the complete text of the review that has been undertaken and, secondly—and more importantly, in the light of the general thrust of our debate this evening—he should be required to publish the complete text of any report from the commission on decommissioning.

At this stage, with little time left, I shall not rehearse the arguments again, because they have been forcefully presented by many of my right hon. and hon. Friends. The Government have totally failed to convince us as to why the de Chastelain report should not have been made available to the House and amendment No. 20 would ensure that that would never happen again.

Mr. Robathan: I shall not detain the House long, because I merely wish to speak briefly in support of amendment No. 20. I notice Ministers muttering on the Treasury Bench, but perhaps they should consider more fully the implications of what they are doing. The issue of the de Chastelain report is a question of confidence and trust. There can be no trust if we are not allowed to see the report. Perhaps the Minister can tell us whether it refers to the intention of the IRA and Sinn Fein to decommission. We are being asked to legislate without knowing what on earth the report says, but that is leaping hopefully in the dark.

The Secretary of State said on Second Reading that there is no body of opinion in the nationalist community that is opposed to decommissioning. So can the Minister tell us what was in the report? Was there anything to suggest that a body of opinion in the nationalist community—that must include everybody in the nationalist community—is opposed to decommissioning?

If Sinn Fein is inextricably linked to the IRA, we must know about Real Sinn Fein, Continuity Sinn Fein and all the other splinter groups. They were in the IRA about two and a half years ago. Are they really so different? Does the Minister have any information—is there any in the de Chastelain report—about such groups as Real Sinn Fein and their links with the rest of the Provisional IRA? It is as certain as it could be that the leadership of the IRA and of Sinn Fein know who is in Real IRA because they used to have an organisation that included them. That relates also to the prosecution of the Omagh bombers, of whom only one has so far been arrested. Does the report say anything about that? It has been alleged that two Members of this House, Mr. Adams and Mr. McGuinness—not yet hon. Members, because they have not taken the oath—may know who these people are. Have they helped in any way in the prosecution of the Omagh bombers?

We need to see that report so that we can make a judgment on behalf of the people of the United Kingdom. We do not trust Ministers to make it for us.

Mr. St. Aubyn: I, too, do not want to detain the House. However, I was most disappointed at the Minister's earlier suggestion that we were playing some sort of game over this issue, which goes to the heart of the matter. If the report is not published and made known to us, and if we are not given a chance to debate it, how will it be possible to convince Sinn Fein-IRA that this House and our Government are serious about the need for decommissioning? If we are not to have the opportunity to question Ministers on how much movement they require before considering invoking clause 2, how will we know—and how will they know—whether or not the whole process is nothing more than a charade in the eyes of Ministers?

[Mr. St. Aubyn]

Will the Minister clarify again whether the Government have a right to publish the report independent of any permission or agreement from the other Government, who claim that it is their property as well? In the absence of a clear reply, we do not know whether Ministers can activate clause 2 when they believe it appropriate to do so without the prior agreement of the other Government. Neither do we know what change there must be in circumstances, and what criteria the Minister will objectively apply before invoking clause 2.

Mr. Thompson: Clause 2 provides that, after the Assembly is suspended and the Executive members lose their posts, a review has to take place. The review seems to be very limited, as it centres mainly on decommissioning—when it will take place, if it will take place, when weapons will start to be given up and when it will be completed. These matters have been debated on numerous occasions. As a result of understandings reached in the last review, it was assumed that they had been resolved. However, as we have come to see, they have not been resolved. It is unlikely that they will be resolved in any review—certainly not to the satisfaction of the Unionist community in Northern Ireland.

The review should be much wider, taking into account the changes that have taken place in the people of Northern Ireland and their views, especially in the Unionist community. For it is absolutely clear that the majority of people in the Unionist community no longer support the agreement.

We have always been told that any future Government of Northern Ireland and any future Assembly must have the support of the majority of both sides of the community. Support is obviously lacking on the Unionist side of the community. If support were lacking on the nationalist side, we would be told that a wide-ranging review would be needed. However, it seems not to matter when support no longer exists in the Unionist part of the community—it seems that we shall plod on anyway.

I implore Ministers to undertake a wide-ranging review that considers all the issues, rather than just decommissioning. We need a thorough review so that we may achieve proper administration for Northern Ireland that is democratic, accountable and supported by all the people.

Mr. Owen Paterson (North Shropshire): The Secretary of State's explanation of the Government's reasons for not publishing the de Chastelain report are totally unsatisfactory. We have not got to the bottom of the question whether the Irish Government have a veto. We had the bizarre statement that if General de Chastelain produces a third report, it will, even if entirely unpalatable and full of unwelcome news, be published along with the second.

By not publishing the report, the Government have let fly a flurry of speculation. First, there is speculation about what the report contains—and that may be damaging, because rumour builds on rumour, and speculation on speculation. Secondly, there is speculation about why the Government are not publishing it. Their refusal does them no credit, and it does the House no credit given that our whole debate has been triggered by the report and the IRA's refusal to disarm. Hon. Members are grown-ups, and the general public watching our proceedings must find it bizarre that we have not been made party to the critical information that has triggered the debate. I appeal to the Minister to give us a serious and sensible reason why the report has not been published.

Mr. George Howarth: The hon. Member for East Londonderry (Mr. Ross) seeks to remove the requirement for a review. Amendments Nos. 15 and 16 contradict the main purpose of suspension, which will come about only if it becomes clear that the political institutions no longer carry cross-community support and confidence. If that happens, it will be essential to bring the process back on track through discussion and negotiation. In other words, we will need a review.

That fact was recognised during the negotiations that resulted in the Good Friday agreement, which is why the agreement includes a section titled "Validation, implementation and review". If suspension occurred without a subsequent review, we might find ourselves in a dangerous political vacuum, and that could lead to the destruction of everything for which we have worked for so long. Almost certainly, the Good Friday agreement would end, because suspension without a follow-on would end the story.

A desire to see that state of affairs come about may well lie behind the hon. Gentleman's amendments. The Bill is intended not to suspend the agreement, but to save it. Although I know that the hon. Gentleman—he posed a series of questions, but he appears to have left the Chamber—would disagree with me, I hope he would accept that we are being consistent. I am convinced that the twin proposal of suspension followed by review will bring us to a positive outcome. We cannot do that by suspension alone. I cannot in all conscience recommend that we accept amendments Nos. 15 and 16.

9.30 pm

I understand the rationale behind amendment No. 20, tabled by the hon. Member for Basingstoke (Mr. Hunter)—that the review be carried out as openly as possible. The hon. Member for West Tyrone (Mr. Thompson) made a similar point. Given the nature of the discussions that are likely to take place, complete public openness will not always be possible if we are to reach a satisfactory conclusion. Right hon. and hon. Members can envisage circumstances in which some talks would need to take place away from the public gaze. In the past, some talks between parties have taken place in a way that protected the participants and allowed them the space to decide in which direction to move.

However, it is our intention to be as open as possible and to make as much information as possible available to the public, to the House and to anybody else. At present, it is not entirely clear how the review will operate; we do not know who will chair it, or how, when, where or between whom the meetings will take place. Those details will need to be worked out, if and when the institutions are suspended.

The hon. Member for East Londonderry speculated that more detailed arrangements might be in hand, and were ready to be executed. However, in reality, we shall have to cross the bridge, and then my right hon. Friend and others will have to make the arrangements. We cannot give detailed answers at present, because we have not yet crossed that bridge—of deciding on suspension.

Until the shape of the review and its terms of reference are finalised, it is not possible to say whether there will be a report. However, the provision is not one of such import that it should be included in the Bill. It is a marginal issue when compared with provisions elsewhere in the Bill.

The second part of the amendment tabled by the hon. Member for Basingstoke concerns the publication of a decommissioning report during any suspension period. At present, I cannot say whether a further decommissioning commission report will be issued soon. General de Chastelain may have something new to report at any time, but it is within the commission's discretion to decide whether and when to issue such a report. If the general issues another report, I assure the hon. Gentleman that it will be brought to the attention of the House and that its primary findings will be made public. Consequently, I ask the Committee to reject the amendment.

Mr. William Ross: I have been a Member of this place for a fair number of years, Sir Alan. It is rare that a Minister stands at the Dispatch Box and asks hon. Members to accept legislation such that we know not what it will do, nor how, nor why, and we know not who is in charge of it. In the light of the Minister's inadequate response, we must press the matter to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 10, Noes 301.

Division No. 66] **[9.34 pm**

AYES

Beggs, Roy
Flight, Howard
Hunter, Andrew
Maclean, Rt Hon David
Paisley, Rev Ian
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Swayne, Desmond
Thompson, William

Tellers for the Ayes:
Rev. Martin Smyth and
Mr. Andrew Robathan.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug

Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Ta lor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony

Tellers for the Noes:
Mrs. Anne McGuire and Mr. Tony McNulty.

Question accordingly negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour.*

Clauses 2 to 9 ordered to stand part of the Bill.

Schedule agreed to.

Bill reported, without amendment.

Order for Third Reading read.

9.46 pm

Mr. Mandelson: I beg to move, That the Bill be now read the Third time.

Having listened to the debate, I have no doubt how most hon. Members would sum up the views of the House. There are those in the House who reject the entire notion of inclusive government. They would rather not have self-government than share it with those whom they consider beneath contempt.

Those who reject self-government because they cannot bear the idea of sharing it with others do not speak for the majority of people in Northern Ireland, who have demonstrated beyond doubt that they like devolution, they like having their own Executive, and they like having locally elected people who are democratically accountable—local voices taking decisions on local issues, and people with local accents in charge of local affairs.

What unites most of us is not a rejectionist mentality. Most of us, of whatever party or leaning, want the Good Friday agreement to succeed. There are aspects of it that some do not like, but they realise that the agreement stands or falls as a whole. It must be taken as a job lot. It cannot be cherry-picked. It must go forward together or not at all.

Most of us in the House commend the Unionists for letting devolution happen, and we share their disappointment that decommissioning has not followed. I do not believe that any hon. Member would honestly or realistically deny that the original deal following Mitchell was that if the Unionists went first, others would follow, and that following devolution, a start on decommissioning would be made not long afterwards.

What also joins most of us in the House is that we are not obsessed with attaching blame to anyone. We are not interested in spreading recrimination for our current difficulties. We would prefer people to make the agreement work, rather than stand accused of acting in bad faith. Accusing people of bad faith and of letting others down gets us nowhere. I am struck and I feel encouraged by the marked absence of recrimination.

Mr. Thompson *rose—*

Mr. Mandelson: No, I am sorry, I shall make my speech. The hon. Gentleman has had his time.

It is striking that right hon. and hon. Members who contributed to the debate were overwhelmingly positive. They wanted the agreement to succeed. They were not interested in playing some ridiculous, destructive blame game. We can agree thus far. However, we must consider what we should do now that decommissioning has not begun, and what the Ulster Unionists should do in its absence. Most Ulster Unionists are running on empty because of the disappointing lack of progress. Consequently, the Executive is close to collapse, in a matter not of weeks but, tragically, of days. What is the right course of action?

There are no easy options for anyone. Some are marginally less disagreeable than others. Several hon. Members who contributed to today's debate suggested that the Government are motivated simply by a desire to head off a Unionist veto or to deal with Unionist blackmail, and that our actions are determined by a metaphorical Unionist gun, which is pointing at our heads. That is not true. We face a complicated, real-life political predicament, and we must deal with it. People have genuine attitudes and prejudices; they have become genuinely exhausted and despair of the situation. We must face that reality and work out a response to it that preserves our achievements, saves what has been created and ensures the endurance of the possibility that the institutions and the very important Executive will flourish permanently. I am firmly set on that course, not on some short-term manoeuvre or tactics that will simply tide us over the next day or two.

We are not considering any individual. We are not trying to save the skin of the right hon. Member for Upper Bann (Mr. Trimble), although his skin is pretty valuable,

and worth saving if we can. I believe that because he has shown admirable leadership of his party; because we would never have formed the Executive and set up the institutions without him; because he has a great deal of leadership left in him; and because, if he relinquished the leadership of the Ulster Unionist party, I would fear for the consequences for Northern Ireland, given his likely replacement.

We are not considering going back to the bad old days of Stormont, and government by one side of the community. We shall not do that now, later or at any time. Under no circumstances or terms will we entertain for one moment a reversion to that form of government in Northern Ireland.

I appeal to some of my right hon. and hon. Friends, to whatever extent they found the attitudes of some Ulster Unionist Members who contributed to the debate lacking, not to take a similarly one-sided view in their analysis of the situation in Northern Ireland. The new institutions in Northern Ireland cannot function with the support and confidence of one tradition alone. The new Executive needs two legs to walk on. At the moment, one leg is badly disabled and out of action. I do not think that the Unionist leg is out of action permanently, but it is dragging its foot slightly lamely as a result of a collapse in confidence following Unionist disappointment over the lack of decommissioning since the Executive was set up. I regret that and wish things were different. If I were a doctor with a miracle remedy at my disposal, I would apply it to that Unionist leg and hope for an immediate or overnight cure, but I am afraid that one is not available to me.

There is still a chance that we can repair what has gone wrong before the weekend, which I entirely accept is the next watershed that we face. I appeal to the right hon. Member for Upper Bann not to despair and not to turn off, but to remain open to new ideas and new proposals that might yet be canvassed in the coming days and to keep the channels open. We will need all his strength and energy during the review if we are to succeed in resurrecting the Executive and the institutions, should it prove painfully necessary to implement the Bill before the weekend.

I say to my hon. Friends from the Social Democratic and Labour party that I understand only too well why they feel that the option of suspension—putting the Executive and the other institutions on hold—is so very painful. The nationalist people whom they represent in Northern Ireland have been shut out of government for so long through no fault of their own, so it is deeply disappointing—almost too much to bear—to have staked their claim in the ground of the new Executive only to have it so cruelly removed after only eight weeks. I fully understand and deeply sympathise. If I could do anything to avoid that, I would do it. If there is anything that the Government, together with the Irish Government, can do before the end of the week to avoid that, we shall do it.

I understand why the prospect of returning to direct rule is so unattractive and so disagreeable, but, although this may be unfair, perhaps it is all right for the SDLP to indulge itself somewhat by not facing up to the harsh and unpalatable reality of what we have to do. For others, I am afraid that there is no alternative to the heavy lifting that we have to undertake and no alternative to putting the institutions on hold to create a pause to give us time—a breathing space—so that we can work hard with it and with others to resurrect that which we hold so dear.

Mr. Tony Benn: I am grateful to the Secretary of State for that positive statement. May I make a suggestion, which might be helpful? The Bill gives him the right to suspend the Executive and the Assembly. It is an undated cheque. He can suspend them at the end of the week if there is no news—or in a year or two years—without coming back to Parliament, but Parliament has to pass an order for them to be restored. Can he give the assurance, which would be very welcome, that he would come back to the House to make a statement in the light of the contemporary circumstances, which might be quite different, if at any time and for any reason it was necessary to bring the Bill into force, even though there is no legislative provision for that? That would give us an opportunity to consider and endorse his proposals.

Mr. Mandelson: That is a tempting offer by my right hon. Friend, and I fully understand the spirit in which it was made. I am afraid that I may not have that scope; there may not be that flexibility, between now and when I have to act, to come back to the House to make a statement and to give the House a further opportunity to debate the matter. If it were possible, if I had that latitude, I would certainly use it, because I regard it as very important on an issue as important as this, on which there are such strongly held feelings, to give people any and every opportunity to debate it properly in the only place in which democracy—live, open democracy—has been able to operate in relation to Northern Ireland for so long.

I am grateful to everyone who has contributed to this debate. I very much hope that, in the weeks and months ahead, if we have to take this painful decision before the weekend, it will not be too long before I can return to the House with better, more positive and constructive news. I hope that I can show how the parties together, as a result of the review that we intend to make, have been able to chart a new way through these very difficult waters, and how we are able ultimately to get the progress we want, not only in creating proper, democratic, devolved institutions in Northern Ireland, but in having the decommissioning that is an essential part of this peace process, without which the politics in Northern Ireland will not work.

I am confident; I am optimistic. I will certainly use all my energy to make sure that we get out of the dip—the trough—that we have now slipped into. I hope that it will not be too long before I can return to the House and give it better news.

10.2 pm

Mr. Öpik: In view of the Secretary of State's response to his right hon. Friend the Member for Chesterfield (Mr. Benn), I imagine that this is the last time that we shall have a chance to debate this matter before the Bill can be used. That is regrettable because, at the very least, a short debate would have been helpful. I am sorry that he did not feel able to give that guarantee.

Nevertheless, decommissioning has been widely debated tonight, and it is obvious that we are close to a watershed on the whole issue. I have just three short comments to make. First, I re-emphasise how important

[Mr. Öpik]

it is to take seriously the points made by the hon. Member for Newry and Armagh (Mr. Mallon), because he represents a legitimate and considerable body of people in the community in Northern Ireland who will regard the enactment of this Bill—the suspension of the Assembly—as a very negative statement with regard to devolution as a whole. I plead with the Minister to be extremely sensitive to the need to ensure that there are confidence-building measures in place for those communities, a willingness to explain exactly what is going on and an assurance that this is not a one-way walk from the Assembly to a dark place from which we had all sincerely hoped we had moved forward.

Secondly, it is important for us to recognise the potential for division and recrimination, the noise created by this between the communities as all sides blame each other for the potential suspension of the Assembly. The Government must play a part in ensuring that we do not end up with own goals as a result of the implementation of a suspension.

Thirdly, we need to remember that this is an emergency only if we make it so. The Bill is probably right. It is not a matter of principle; it is a matter of political probabilities that we are discussing it at all. However, it is right only so long as we make sure that the political temperature is kept down as it is moved forward. I see the Bill as an attempt to avert an emergency on 22 May, by which time, as we all know, full decommissioning is meant to have taken place. I think that the Government should play it by ear, and listen carefully as the public in Northern Ireland inevitably respond to any suspension.

Let me conclude with an emotional response. I feel very sad about what we have done today. In comparison with where we were, say, five years ago, we have made tremendous and unexpected progress, but it now seems that we are going to take a couple of steps back. In fact, that is not surprising: a characteristic element of the Northern Ireland peace process has been the taking of two steps forward and one step back. I hope that this really is just one step back, and that we shall not allow the process to begin to atrophy or stall just because the difficult decision to suspend the Assembly has been made.

I say to the Government, "Please, please be sensitive to the dangers of the Bill. Please be sensitive to the likely reaction in nationalist and republican communities, who will be very disappointed about the fact that things have gone backwards." I say to the whole House that, given that we have supported the Bill by and large—and we do need to be sombre about what it will do—I sincerely hope that, if implemented, it will be seen as a staging post. Nevertheless, I feel that, having seen sunlight on the Province, we are now walking back into a valley.

10.6 pm

Mr. McDonnell: This has been a sombre debate. I contrast it with the time, nearly two years ago, when we had a sense of hope and a sense of the future. It was then that we realised that the Belfast agreement might give us the opportunity of ensuring that the future of the island of Ireland would be determined not by the gun or the bomb or by British mandate, but by the Irish people themselves.

The agreement gave the Unionists the possibility that their future would be decided neither by some form of brute force nor by a British sell-out. They would be a party to decisions: that is why they would regain the structures of a statelet. For republicans and nationalists, there was the acceptance of the sovereignty of the Irish people as a whole, and the prospect of a mechanism to create a united Ireland. The agreement gave all of us—both traditions—peace and an opportunity to involve ourselves in policy making and governmental structures that would have an impact on the day-to-day lives of the citizens of the Six Counties of Northern Ireland. It offered the chance of a normalisation of politics—of the politics that we have taken for granted on this island: politics that are determined by electoral mandates and policy discussion in a civilised framework.

The agreement gave us the chance of a radical reform programme, the achievement of equality, respect for human rights and, in every area of policy and everyday life, a debate about what the quality of life should be. I am sorry that some quarters have appealed tonight for a retreat from that programme of reform, for it is important that we press on.

For some of us, the agreement provided the hope of a united island of Ireland at some time in the future, on the basis of agreement and mutual respect for different traditions. It provided the hope of an Ireland strengthened by the process of agreement. We accepted that peace was never to be a single act and that there were never to be any armistices. It was a process that would be achieved in stages. There must be incremental steps: lessening violence, removing violence, engaging in dialogue, achieving the appreciation of different perspectives and the understanding of different views, and securing agreement for a way forward.

That is why the Bill is such a step backwards—and it is a major step backwards. It removes the structures of the government of Northern Ireland that would make possible the debate, the process of reform and the dialogue. I am confident that we shall eventually restore those structures and achieve peace, but, as we have heard today, there is a history of structures being abolished or suspended that goes back about a quarter of a century.

I believe that the Bill poses a risk. Some people are trying to use the decommissioning issue to undermine elements in the Good Friday agreement, and some are trying to undermine the agreement overall. Decommissioning has become a weapon in the hands of anti-agreement elements—of rejectionists. It was used first as an excuse to delay the setting up of the Executive; now it is used to put the whole peace process in jeopardy. But what does decommissioning mean? The IRA has not fired weapons or exploded bombs since the restoration of the ceasefire on 20 July 1997. Before that, the ceasefire had lasted from 13 October 1994 to 9 February 1996. With the exception of the tragedy at Canary wharf, the IRA had held a disciplined ceasefire, with weapons out of commission for more than five years.

No one in the 1960s, 1970s or 1980s would have ever been optimistic enough to hope that that could be achieved within that time scale. The weapons are out of commission. We are urged today to suspend the arrangements and structures that have consolidated that ceasefire, that form of decommissioning. Why? Because some want to press some extraordinary process of surrender—and surrender is what it will be viewed as.

Mr. Harry Barnes (North-East Derbyshire): All the hon. Members who have spoken in the debate so far,

including those who voted against Second Reading, have pointed out that they are in favour of decommissioning. Is that a position that my hon. Friend adopts? As he is closer to contacts with Sinn Fein than I will ever be, will he press decommissioning upon them, because it is the friends, or the people who have links with Sinn Fein, who might be able to shift its position?

Mr. McDonnell: Decommissioning has been recognised as a responsibility. That is why the agreement was signed, but decommissioning itself is a process and the achievement for most of us was peace, the lack of bombs and the lack of the use of the gun. That has been achieved. That is an argument of good faith, which has been demonstrated, but the ramifications of pressing the process to its nth degree have already been explained: the risks of splits and jeopardy for all. This week's bomb is a reminder of the problems and of how it is difficult to hold organisations and traditions together.

Mr. Winnick: Most of us were against the IRA campaign of terror, as we were against the so-called loyalists on the other side during those long 30 years. We made our position clear. Will my hon. Friend take into account the article in *The Irish Times* today—which I have already quoted in an intervention—by my friend the hon. Member for Foyle (Mr. Hume), who pleaded with the IRA for some form of decommissioning? We should bear it in mind that it was he who set the peace process in motion in the first place.

Mr. McDonnell: I understand the point that my hon. Friend makes. Of course, we are all pleading with all sides to move forward together on a path to peace and to decommissioning in the end, but let us make it clear that the agreement contains no provision for the suspension of power and did not set a deadline—the deadline has been set as a result of an external intervention by the Unionists. It is the exercise of a Unionist veto on the agreement, a veto that is dangerous.

The Unionist veto was dangerously used in 1975 and 1985. There have been periods when it has undermined the democratic institutions that British Governments have tried to establish in the Six Counties. We are seeing it again now. Why should we allow a timetable to be imposed by one of the parties to the agreement which is not in the agreement?

A lasting peace can be founded only on trust. It is clear that sufficient trust has not been established between the parties to the conflict. The irony of the Bill is that it suspends the operation of the key body that is engendering trust—the Assembly. The Assembly is the key forum, in which representatives from all the constituencies and all the parties are able to meet, mix, discuss and work together on common problems in the interests of their community. That process is a key foundation stone of building trust to secure decommissioning. After only eight weeks' operation, we are asked to suspend that key body of trust and confidence building.

The Bill's wide-ranging powers are shocking. The Secretary of State is able by order not just on this occasion through the Bill, but on future occasions, to suspend the Assembly and all the mechanisms associated with the agreement without full and adequate debate. Orders are never adequately debated in the Chamber. That wide-ranging power does not even contain a review element; there is no review element on revocation or restoration. It is government by order. There is no power in the legislation for consultation with the Irish Government, although I accept Ministers' assurances on that point.

I oppose the Bill. It will not help the peace process; it is dangerous; it is undemocratic; and it cannot be supported. The Belfast agreement was founded on an agreement to secure by consent peace and a future for the island of Ireland. The Bill rides roughshod over the concept of consent, without even consulting the Northern Ireland Assembly or going back to the people of Ireland.

If we are not careful, the Bill will undermine the peace process. I therefore urge care on the Secretary of State. I urge him not to enact the Bill immediately, but to allow more time for discussion and, if necessary, to bring together again the parties that founded the Belfast agreement. This short-term measure could have long-term ramifications, and I urge other hon. Members to vote against it.

10.15 pm

Mr. William Ross: I have occasionally listened to the hon. Member for Hayes and Harlington (Mr. McDonnell) speak on Northern Ireland and Irish affairs, but I rarely find myself in agreement with him. However, I agree with all those who complain about rushed legislation. In the years that I have been in this place, I have seen that every time a new piece of legislation is rushed through, we have lived to regret it in one form or another.

In this case, I believe that the Bill is the inevitable consequence of the IRA failing to live up to the commitments that it appeared to give. IRA spin doctoring did good service. In Northern Ireland, however, people like clarity, and one cannot get away with trying to conceal reality in ambiguous language. Eventually, reality breaks through.

I regret that we have not managed to examine the rest of the Bill's clauses and amendments, few though they are. Various issues were raised in the amendments that should have been debated. I do not believe that this is a happy day for anyone. To some extent, I also regret it. However, my reasons for regretting it are different from those that have been expressed hitherto.

My regrets stem from the fact that we are in this position today because we did not at the very outset address the hard issues of weaponry and IRA objectives. If those issues had been settled initially—three, four or five years ago—we would not be debating this Bill. We would have come up with a totally different agreement and a totally different Northern Ireland Act 1998.

Although we probably would have had something at a much lower level, it would at least have been workable and provided us with a sound foundation for the future in Northern Ireland—with that part of the United Kingdom remaining firmly within this Kingdom. That, of course, is the crux of the matter. Republicans of all stripes seek to destroy the constitutional position of Northern Ireland within this Kingdom. It is around that political and constitutional issue that all the battles have been fought and all the violence has taken place, and from which all the horrors that we have suffered have flowed.

Unless and until certainty is introduced, and unless and until doubt is removed about the long-term political and constitutional future of Northern Ireland, we can expect

[Mr. William Ross]

violence to come back in one form or another. That old, old sermon has been preached in the House for many years by me and by many other hon. Members, but I fear that it has not yet been absorbed. I think that, in any Parliament, we get to the stage when people start to absorb the lesson, learn from it, understand it and accept it. Then, we have a general election and a new group of hon. Members have to be taught all over again. It is a learning process, perhaps, for many right. hon. and hon. Members, but it is a learning process that the people of Ulster have paid for in blood.

10.19 pm

Mr. McGrady: When the Bill is passed today, as I am sure it will be, it will be a very traumatic experience for the political process in Northern Ireland. In 1974, I participated in the formation of the Executive. In the intervening 26 years, we have struggled to re-establish that which we had then. It is true that, at that point, the Executive—that partnership—was brought down by the violence of the loyalist paramilitaries and the extreme loyalist political parties. Times change over a quarter of a century and I thought that we had built an edifice that would withstand the test of the coming weekend.

My party is opposed to the Bill, as we showed by voting against Second Reading. We do not see any merit in it, or even understand the strategy involved. Because the leader of one party gave a pawn ticket to his party that certain things would happen by a certain date, we are condemned to be the unserving elected representatives of Northern Ireland for an indefinite time. As many people have said, in Northern Ireland it is much easier to destroy than to build.

I understand the difficulties and the gamble that the Government are taking, but we think that the gamble is wrong. We do not understand the purpose of the Bill other than to protect the leadership of one of the eight parties in the Assembly. If the Bill, with all that could flow from it, is directed to that one end, as I fear that it is, it does not say much for the Government's understanding of the circumstances of Northern Ireland and our capability—it takes time but it has been well illustrated over the past 24 months—to muddle through our differences somehow and come out again at the other end.

I have experienced 30 years of killing and maiming. I say clearly that weapons should have been decommissioned—indeed, they should never have existed. As my hon. Friend the Member for Newry and Armagh (Mr. Mallon) said many months ago, the process is for the slow learners who failed to understand what Sunningdale was about. I would not like to contemplate the aftermath of the failure of 1974 being repeated.

If the Secretary of State's intention is to achieve decommissioning, I assure him that he is going about it in the wrong way. I sincerely want decommissioning. I have opposed violence all my life. I know that promises and understandings given during the Mitchell review in the last weeks of November have not been fulfilled by Sinn Fein. The question was who was to jump first—would it be devolution or decommissioning? The right hon. Member for Upper Bann (Mr. Trimble) and his party took the courageous step of jumping first. My understanding was that decommissioning would be the second phase and would happen before Christmas. If that had happened, the de Chastelain report of 31 January would have been positive. I understand that it is not, although I have not seen it.

We have been let down yet again by the paramilitaries, but let us pause with this thought: are the IRA and the loyalist paramilitaries—let us not forget that they have not decommissioned either—working together to ensure that the democratic process fails? Do they see the development and success of the Assembly—I assume that its last meeting was held today—as a danger to their programme of violence? Do they see no future for themselves? Is that why they are trying to break the process?

Getting eight different parties to work together has not been easy. Even the members of the Democratic Unionist party, who are opposed to the agreement, are working in all the Committees and other paraphernalia of the Assembly, even if they are in separate rooms from the rest of us. That is an evolutionary process. We have a lot to tolerate in one another and the only way is participation in the Assembly. I fear—virtually dread—that the effects of the Bill will come into force prematurely, without giving us the chance to create our solution to our problem. The Bill is a bad idea.

I understand the sincerity and integrity of the Secretary of State and his ministerial colleagues in presenting the Bill to the House. We must beg to differ on interpretations of what will happen. I hope sincerely that the Government are right and I am wrong.

10.25 pm

Mr. Hunter: Unusually, I find myself supporting the Government. I had no hesitation in voting for the Bill on Second Reading, and in the prevailing circumstances, the Government are taking the right action.

I deeply regret, however, the tone and tenor of the Secretary of State's early comments. As long as he equates opposition to the Belfast agreement with opposition to peace, the right hon. Gentleman will alienate himself increasingly from a significant body of thinking. I have never concealed my personal opposition to the agreement and have incurred much unpopularity for so doing. I do not believe that that agreement will generate or create political stability—without which there can be no lasting peace in Northern Ireland.

Civilised society has core values that include the absolute rule of law, a system of justice free from political intervention and genuinely accountable democratic structures—so the Belfast agreement and the political arrangements that flow from it are ultimately doomed to failure. I demand the right to express that view without being accused of being opposed to peace. Every time the Secretary of State makes such an allegation, he is alienating himself from an important body of thinking in the province of Northern Ireland and Great Britain.

I regret that tonight's debate has been accelerated, although I appreciate the reasons. Only two clauses in this Bill of nine clauses were debated in Committee. It is most unfortunate that so much of the Bill is being passed without detailed consideration by this House. I hope that will be put right in the other place and that there will be amendments, so that our debate can be prolonged.

I particularly regret the fact that we did not debate one of the Bill's deficiencies, in clause 9. The Secretary of State said that the Good Friday agreement stands or

falls together. I only wish that were so. The agreement contains a number of independent strands that are not related. If we had reached clause 9, I had hoped to debate the desirability of linking suspension of the structures and institutions of direct rule with the accelerated release of prisoners. I hope that point will be raised in another place.

I support the Bill but regret that it did not receive more consideration. I regret that the Secretary of State continues to equate those who oppose the Belfast agreement with those who oppose peace.

10.29 pm

Mr. Barnes: Two speeches have expressed fully the view of those who are opposed to the Bill, and they should be responded to—one was from the hon. Member for Newry and Armagh (Mr. Mallon), and the other was from my right hon. Friend the Member for Chesterfield (Mr. Benn). I know and respect both Members, and they speak well and from the heart. However, their arguments were flawed and I wish to try to counter them.

The hon. Member for Newry and Armagh said that things are different now, and he wishes that state of affairs to continue. Everyone can agree with that, and there has been a fantastic change in the nature of Northern Ireland politics. However, we have to ask how that came about. It came about because of all the work done to establish the Belfast agreement, which is still in place.

The Assembly and the Executive extended the arrangements and started to bring people together. As the right hon. Member for Upper Bann (Mr. Trimble) said, the policy was one of jumping first and attempting to take others along afterwards. As that has not occurred, we have a problem. If suspension did not take place and if there were no decommissioning, the Assembly and Executive would go forward on a false prospectus. We must seek to tackle and correct that by the suspension method if decommissioning does not take place.

The second argument of the hon. Member for Newry and Armagh was that the chances of achieving decommissioning were lessened with the suspension. I do not know whether they are lessened or improved, and I doubt whether the hon. Gentleman knows, either. If suspension occurs, we will at least avoid the collapse of the Executive, which would have been much more damaging in terms of decommissioning.

We know that Sinn Fein has many interests in keeping the process on board. Its future in democratic politics is open. It can become a major party within Northern Ireland, and a major party within the Republic of Ireland, holding the balance of power. We should expect Sinn Fein to be involved in decommissioning, to achieve those hopes.

The third argument from the hon. Member for Newry and Armagh was that the suspension played into the hands of those who are against the Belfast agreement. That is entirely wrong. Without the suspension, we would play into the hands of those—especially in the Unionist camp—who wish to see a majority of "no" voters and who wish to stop the developments.

The hon. Member for Newry and Armagh's fourth argument was that there was no such thing as a soft landing. I do not think that anybody is arguing that there is an easy or soft landing; there are many difficulties. The right hon. Member for Huntingdon (Mr. Major) argued that neither decommissioning nor going back to the bombings was on the cards, and that we would need to work carefully in continuing our efforts.

My right hon. Friend the Member for Chesterfield said that the desire to use weapons had gone. If that desire has gone, it seems to me that the circumstances are then much easier for weapons to be handed in. Those two things should go together, and the record of exilings, beatings and other incidents suggests that the desire has not yet gone.

My right hon. Friend the Member for Chesterfield argued that suspension was a victory for the rejectionists—a similar argument to the one used by the hon. Member for Newry and Armagh. My right hon. Friend's major argument, however, was that democracy was taken away from Northern Ireland by the Bill. That is not quite true. Democracy, in some senses, is certainly weakened by having the institutions taken away. There are alternative democratic institutions that will operate—but what is democracy, especially in a context in which people live in fear of guns?

I have just finished reading once more Nye Bevan's book "In Place of Fear", which he wrote in 1952 and in which he talked about the need for democracy. He recognised that democracy was weakened in circumstances in which people were exploited and placed in fear, and he said that democracy could not function properly unless the conditions of exploitation were removed. He directed his remarks mostly at class power and wealth in society, but we can apply the principles in his book to the situation in Northern Ireland. Democracy will be distorted if the gun poses a threat to its operation.

Mr. Kevin McNamara (Hull, North): I have followed my hon. Friend's speech with care. However, how are we likely to be able to persuade Unionism to come back into the Assembly and the Executive, given that the Anglo-Irish agreement has now gone and that articles 2 and 3 are changed—which were the two main points that Unionism wanted to achieve in the negotiations? They have been achieved but there has been no quid pro quo. How will the situation be restored and, in particular, how will we maintain the Irish dimension, which has also now gone?

Mr. Barnes: I believe that the Unionist population will ensure that the politicians respond to those concerns. A change has taken place, as the hon. Member for Newry and Armagh said, and it is a fantastic alteration in Northern Ireland politics that no one wants to let go. The commitment that has been made by the leadership of the Ulster Unionist party means that it is possible to maintain the change. What has to happen is that the rest of the Unionist camp, who are trying to realign and reorganise, have to be outmatched. If we put a little faith in Sinn Fein being able to advance towards decommissioning, we may also put some faith in the Ulster Unionist party and other forces in Northern Ireland—such as the Women's Coalition and other people—in the hope that they will bring about that change.

10.37 pm

Mr. Thompson: Having lived in Northern Ireland all my life, I have listened in amazement to some of the speeches that have been made today. Many of those who have made speeches may have been well meaning, but they have shown that they do not know very much about Northern Ireland.

[Mr. Thompson]

We have tried to press the Secretary of State on why he has not produced the de Chastelain document. I suggest that he is embarrassed to do so, because there is nothing in the document. The former Secretary of State and the Prime Minister assured us that there was a tremendous change happening in the IRA and that it would decommission. Indeed, we have heard this evening from the hon. Member for South Down (Mr. McGrady) that he expected to see decommissioning. Many reporters also expected to see decommissioning. The fact is that they have all—including the Government—been fooled by the IRA because it does not intend to give up any of its arms. It is an embarrassment to the Government to have to acknowledge that, especially to the Prime Minister.

We have listened to many speeches in praise of the wonderful Assembly and all the good things that are supposed to be happening in Northern Ireland. The Secretary of State waxed so eloquent on the subject that he was carried away by his own enthusiasm, oratory and spin doctoring. Then he had to tell us that the situation was on the brink of disaster and that it no longer had the support of the Unionist community, which it does not. He also told us that a crisis would develop at the weekend unless he took action. He told us that if the leader of the Ulster Unionist party resigned, the whole thing would collapse. He said that there could be another election, but that would be a disaster because a majority would not be returned supporting the agreement, so the only alternative was to suspend the agreement.

Thirdly, as the Secretary of State spoke from the Dispatch Box this evening, I noticed the change of tone from last week, when he told us that Sinn Fein had betrayed the Ulster Unionist people and the people of Ulster by not decommissioning. *[Interruption.]* The right hon. Gentleman talked about all the people of Ireland, in fact.

Mr. Mandelson: Will the hon. Gentleman way?

Mr. Thompson: No, I will not give way.

Mr. Mandelson: Will the hon. Gentleman give way and allow me to correct what he said?

Hon. Members: Give way.

Mr. Thompson: I will not give way.

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman clearly is not going to give way.

Mr. Thompson: A tremendous change was signalled by the right hon. Gentleman's statement this evening, when he said that we must not blame anybody. He has said very little about the IRA this evening, but he has been very patronising to the members of the Ulster Unionist party. Let me say this to the Secretary of State for Northern Ireland: he should not ignore the views or the decisions of the Ulster Unionist people because, ultimately, nothing can work in Northern Ireland without their consent.

This has to come—there has to be suspension. But in any review, let the Secretary of State recognise that he must satisfy the views of the majority of the people of Northern Ireland if there is to be eventual peace in Northern Ireland.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 326, Noes 7.

Division No. 67] **[10.42 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beggs, Roy
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burns, Simon
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cox, Tom
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Evans, Nigel
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galbraith, Sam
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*

Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lansley, Andrew
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lidington, David
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
MacKay, Rt Hon Andrew
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Paisley, Rev Ian
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
St Aubyn, Nick
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steen, Anthony
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mrs. Anne McGuire and
Mr. David Jamieson.

NOES

Connarty, Michael
Corbyn, Jeremy
Dalyell, Tam
Galloway, George
McGrady, Eddie
McNamara, Kevin
Skinner, Dennis

Tellers for the Noes:
Mr. John McDonnell and
Mr. Tony Benn.

Question accordingly agreed to.

Bill read the Third time, and passed.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on 10th February, the House shall not adjourn until the Speaker shall have reported the Royal Assent to any Act agreed upon by both Houses.—*[Mr. Dowd.]*

Flood Defences (South-west)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10.54 pm

Mr. Anthony Steen (Totnes): It is suitable that the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food is in the Chamber, because he has responsibility for fish. As we are talking about water, storms and rain, one would expect to see a bit of fish, so the Minister's presence is appropriate. However, I am not quite sure why he will respond to the debate, unless he also has responsibility for flood defences.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley) *indicated assent.*

Mr. Steen: It is nice to know that the hon. Gentleman has that responsibility. I am glad to see him at such a reasonable hour.

During the days of the previous Labour Government, the south-west was hit by a series of droughts and water shortages. As a result, the Avon dam, on Dartmoor, in my constituency, almost dried up. Standpipes became commonplace on street corners, car washes were forbidden and the then Minister for water, Denis Howell, was deployed from Whitehall to the west country like an old 19th century rainmaker in the American west to pray for rain. That was very successful.

Paradoxically, it seems that, under the current Labour Government, the long dry sunny days of the 1970s have been eclipsed by unpredictable weather patterns resulting in torrential downpours of such intensity that rivers have burst their banks, tributaries have become raging torrents and roads have become streams of water as the result of run-off from the steep fields of the west country. Where once we had regular amounts of rainfall over a month, some parts of the west country now receive the same amount over a few days. Not surprisingly, the water table has risen and floods have become commonplace. Instead of a Minister for water, we perhaps now need a Minister for sunshine. That would fit into new Labour's raison d'etre—clear blue skies and a few white clouds, which is just how they would like us to picture its brave new world.

Devon has not before seen the scale nor the scope of the flash floods that have occurred in the past few months. Over Christmas—on 18, 23 and 24 December—the west country suffered some of the worst floods that it has had for decades. Hundreds of houses were flooded and miles of roads were awash, with rivers reaching danger points and others flooding everything around them.

Tragically, the floods resulted in the death of my constituent, Mr. Winchester from the hamlet of Galmpton near Brixham, who was drowned after a seven-foot wave swept into his home. Because he suffered from Parkinson's disease and was in a wheelchair, he was unable to swim and, sadly, he died in his home.

Residents in Churston village, who were also flooded, believe that the massive earthworks at Brokenbury quarry were responsible and there is evidence that the house-building programme of 90,000 new homes for Devon in the next 11 years could contribute to further flooding if they are built on flood plains. As the Minister will know, much of the building in Devon is on flood plains, which in the past have not erupted. However, because of the high water tables, the area has become much easier to flood. Weather patterns suggest a climatic change, particularly as the south-west peninsula juts out into the Atlantic and faces the brunt of nature's onslaught.

At Harbertonford, the River Harburn not only burst its banks, but reached its highest level for 70 years, which caused widespread flooding with 50 homes affected. Harbertonford was flooded several times over Christmas and, in spite of 30 tonnes of sandbags supplied by South Hams district council, several feet of water swept into the public bar of the local pub and gumboots were provided.

The serious conditions in Harbertonford coincided with the arrival of the parliamentary spokesperson, as she calls herself, of the Liberal Democrats. She has made as much party political capital as she can over these natural disasters. I deeply regret that, and there is a level of arrogance for someone to call herself a parliamentary spokesperson when she has not even been elected by the electorate to that role. Unfortunately, she has her facts all wrong—and that is not a good start for a parliamentary spokesperson. She has misunderstood the district council's responsibilities, which is not surprising because it is a Conservative district council. It provided well in excess of its duties with the chief executive visiting the village twice just before Christmas to ensure that what could be done was being done by the labour force.

The parliamentary spokesperson would have done better to talk to the Liberal Democrat county councillors in Exeter who have responsibility for flood defence. They have failed again to provide minimum funding for the Environment Agency and the south-west regional flood defence committee. The message is clear: if the burghers of Harbertonford want to avoid further flooding, they should ensure that the parliamentary spokesperson is moved to higher ground.

The question now is what the response should be. There are those who believe that we should be ultra-cautious and that public money should not be gambled on flood defences since the weather is unpredictable and it may turn out to be a waste of time and effort. The dry, sunny weather with white clouds may come back. At the other extreme are those who shout for more money to be spent, no matter what the cost or the risk of future flooding. Both views gamble with lives and public finances, and those gambles are wrong and unnecessary.

A balanced approach to flood defence is needed. A review is under way on the structure of flood defence provisions in England and Wales, and I hope that the Minister will talk about that and tell us when the review will be complete. Flood defences in the south-west have been weakened by a number of financial setbacks in recent years. The south-west regional flood defence committee is underfunded, and I pay particular tribute to the work of its chairman, Deborah Clark, who faces a difficult task and has done very well.

The problem is that the county council and unitary authorities in the south-west have responsibility for flood defence, but are failing to discharge that responsibility effectively. The regional flood defence committee would have done much more if the county and unitary authorities had used a £6 million match fund waiting in the Ministry of Agriculture, Fisheries and Food.

Mrs. Angela Browning (Tiverton and Honiton): My hon. Friend will be aware that one of the communities

suffering from the failure to implement that urgently needed flood defence scheme is Ottery St. Mary in my constituency. The town has been flooded out four times in three years to such an extent that many of the shopkeepers cannot get insurance for their premises.

Mr. Steen: I hope that the Minister will deal with Ottery St. Mary because, beyond the three areas that I have mentioned, the flood defence committee is particularly concerned about the capital sum that it will need to raise to deal with Ottery St. Mary. We certainly do not want my hon. Friend to be flooded or washed away.

There seems to be a failure by certain county and unitary authorities to discharge their responsibilities.

Mr. Adrian Sanders (Torbay): I gave notice to the hon. Gentleman that I wanted to intervene. Will he join me in paying tribute to the emergency services who waded through the flood waters in Galmpton and assisted in that operation? That needs to be put on the record.

The unitary authority of Torbay pays into the Environment Agency, contrary to comments that have been made in the press, but the difficulty is that there is not a statutory responsibility to match fund the agency's expenditure, as there is with social services and education. The money has to come from the council this year, when it does not have it, and it must claim it back later. The Government need to consider that matter.

Mr. Steen: I welcome the hon. Gentleman's interventions because he always sticks up for his own party, even when it has got it wrong. In this case, I pay tribute to the services that came to Galmpton and dealt with an unpleasant, difficult situation.

I understand the hon. Gentleman's point, even though I do not agree with it. I am sure that the Minister will pick up his point that, although Torbay's unitary authority could spend more money to trigger the MAFF money, it does not have the money and it is not allowed to borrow it, even though it would get it back the following year. I know that the Minister will want to deal with that, and I am glad that it was raised by the hon. Member for Torbay (Mr. Sanders). His constituency has two thirds of the bay, and my constituency has the other third.

Mr. Sanders: We have three quarters.

Mr. Steen: I do not think that we have measured it properly.

The regional flood defence committee would have done much more if the county and unitary authorities had utilised the £6 million match fund waiting in MAFF. That would have been triggered year after year if the county and unitary authorities had put in what was needed. Although the authorities may say that social services, education or highways are more important, they could have done something about flooding but they did not. They chose not to. I understand that, since 1995, the south-west regional flood defence committee has been allowed to increase its levy on the local authorities by only 5 per cent. In effect, it has withheld money given by the Government for flood defence.

Neighbouring Wessex regional flood defence committee has, by comparison, increased its levy not by 5 per cent., but by between 32 and 50 per cent. over the same period. In real terms, the levy for the south-west by the county and unitary authorities is now worth only 89 per cent. of the 1995 value. One can understand why. There have not been many floods before, and the county and unitary authorities thought that it would not matter. They have, in effect, been caught with their trousers down. I am sure the Minister will amplify the point.

The south-west has been facing a funding crisis in flood defence. That must not and need not continue. The problem is not the money. The Minister announced in April last year that funding for flood defence for the next year would total £230 million. The blame lies with the south-west county councils and the unitary authorities—both Plymouth and Torbay must take some of the blame—which failed to put up the money needed. They are putting at risk more property and more lives.

As the south-west regional flood defence committee struggles under the strain of limited resources and greater demand, I urge the Minister to remind the county and unitary authorities in the south-west that they have a duty to provide adequate flood defence now.

Will the Minister also examine the priority score scheme? That is not something to do with cricket. It has to do with flood defence and was introduced by his Ministry. Under the scheme, regional flood defence committees can apply for grants in aid on capital expenditure.

Not surprisingly, the scheme discriminates against the south-west. The criteria on which the grants are based favour urban flood defence, on the grounds that it is more cost compliant, and probably also because there are more Labour voters in urban areas. In evidence before the Select Committee on Agriculture, the National Farmers Union stated that it was

"extremely difficult for a rural scheme to qualify for grant funding".

That view was endorsed by the Environment Agency and the Local Government Association.

The Agriculture Committee recommended in its report that the Ministry introduce priority score criteria to reflect the social and economic disparities within regions, to redress the inequalities in grants in aid. What progress have the Minister and his Department made towards implementing that recommendation? Considering that Devon and Cornwall both suffer from structural economic, geographic and social problems, as highlighted by the granting of objective 1 and objective 2 aid to the region by the European Union, I suggest that that should be reflected in the priority score.

Unless the score criteria are changed, the shortfall in flood protection which has emerged as a result of county and unitary authority intransigence in the south-west will become worse. As matters stand, the Government could understandably be accused of favouring the cities and neglecting the countryside.

The Environment Agency and the south-west regional flood defence committee perform an excellent job in circumstances that are undoubtedly difficult. They deserve our thanks. However, the south-west is not receiving its fair share for flood defence.

The immediate fault may lie with the county and unitary authorities. They would get back money spent now on flood defence through next year's standard spending assessment. Their approach is short-termist, intolerable and shows a wanton disregard for the needs of

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the region as a whole. They would prefer to protect their own coffers to providing adequate flood defence in the south-west.

The county and unitary authorities well understand that the public—and some Members of Parliament—are unaware where responsibility for flood defence lies. That has led to confusion in the South Hams case and ill-judged campaigns orchestrated by Liberal Democrats in the district council chambers, where responsibility for flood defence does not lie. The four Liberal Democrats out of 40 council members in South Hams mounted a debate that was wholly based on false facts which they had been fed.

The Minister should stress to county and unitary authorities the need for flood defence. He should publish his review of flood defence so that the relevant organisations, the public—and the Liberal Democrats—know where responsibility lies. The priority score should reflect the structural deficiencies of Devon and Cornwall so that capital long-term works can be undertaken in the south-west to alleviate the problem of the number of flashpoints in the region—I am told that it runs into hundreds. That would shift the focus of flood defence from large to small-scale projects. Given the frequency of flash floods in the south-west, that is vital for unprotected villages and hamlets the length and breadth of the west country.

I have crammed a lot of information into the short space of 16 minutes. I hope that the Minister, whom I hold in high regard with reference to fish, can keep my attention, and hold us in high regard with reference to flood defence.

11.10 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I congratulate the hon. Member for Totnes (Mr. Steen) on raising an important and topical issue in a well-informed manner. He is right about the division of responsibility for flooding and expenditure.

I understand the point that the hon. Member for Tiverton and Honiton (Mrs. Browning) made about Ottery St. Mary, and I know about its problems. I have read reports about it, and I know that the regional flood defence committee is considering ways in which to tackle the problems. After the debate, I shall find out what progress has been made.

The hon. Member for Totnes is right about weather patterns. In recent years, they have shown shorter, more violent downpours. We do not know whether that trend will continue, but the amount of rainfall has been extreme, and we witnessed its results in the south-west over the Christmas period. I express my sympathy for his constituent's loss of life.

I understand the hon. Gentleman's point about the priority score. However, I believe that it is the right method. As he will appreciate, there are many demands for flood defence projects, and it is right that money should relate to priority. The priority score reflects that in the number of properties, the number of lives at risk, the infrastructure, and the cost-benefit analysis. Urban areas do better because they contain more houses, have greater needs and are at greater risk. That is the nature of the priority score. However, the Government have, for the first time, included environmental issues in the priority score. That helps rural areas. In North Norfolk, some rural areas already receive grant aid for flood defence. They would not have received it without the environmental criteria in the priority score.

I take the hon. Gentleman's points about social disparities. We will review the points system and the priority system. That is right and proper. I shall take his comments into account, and we shall consider them in the review.

Between 17 and 28 December, the south-west of England experienced the most extensive and prolonged flooding for 20 years. It resulted from unusually high rainfall—more than double the average—which fell on catchments that were already saturated by preceding rainfall. Conditions in low-lying areas were aggravated by high tides, especially on 24 and 25 December. Across the south-west peninsula, including the Somerset levels and moors, approximately 300 properties were affected to varying extents, and considerable, persistent flooding of farm land also occurred.

I pay tribute to everyone who was involved in tackling the flooding over the Christmas and new year holidays. They include the Environment Agency, local authorities, which the hon. Gentleman mentioned, and the emergency services. Those people did a sterling job of protecting others, and we owe them a debt of gratitude. I wrote to the new chairman of the Environment Agency to ask him to pass on our appreciation to the staff who worked during that period to tackle the emergency.

No Government can prevent floods, even a Government with such an impressive records as ours. We have our limitations. *[Interruption.]* I shall not go into that. However, we can limit the risks and improve warnings.

The Ministry provides grant aid for capital flood defence and coast protection schemes which are technically sound, economically worth while and environmentally acceptable and which achieve the appropriate priority score. We recognise the importance of sustaining flood defences and coast protection and the outcome of the 1998 comprehensive spending review was an additional £23 million for Ministry funding over this and the next two years, bringing the total available in those three years to £230 million. That is a considerable sum, although it is certainly not enough to meet all the demand.

We recognise that we need to do more, and I was pleased to announce that the allocations for this year involved a reduced priority score threshold for Ministry of Agriculture, Fisheries and Food funding, which means that 30 extra schemes have been included. We are dealing with some of the problems and the south-west regional flood defence committee's capital programme has been given grant aid of £1.3 million. The Ministry provides agency regions and districts with varying grants for flood and coastal defence with the intention of providing higher grant support where needs are high and local resources low. Schemes in the south-west may be in that category. The general principle is that the grant rate may be increased if the capital programme increases, and vice versa.

That brings me to the point about the south-west that the hon. Member for Totnes made. The area's capital programme has been reduced because of the spending problems of the flood defence committee, which means that the grant available has been reduced by 10 per cent.

for 2000–01 to 25 per cent. with a supplement of 20 per cent. payable for tidal and sea defence works. I have set out the position on MAFF support for flood and coastal defence. Put simply, the more money regional flood defence committees raise and the more programmes they suggest, the more money they attract from MAFF in relation to capital grants.

There has been a problem with levies in the south-west. In the current year, the English local authorities will pay £206 million in levies to the agency. Those levies and local authorities' other expenditure on flood and coastal defences are recognised in their standard spending assessments and reflected in the distribution of revenue support grant. In recent years, increases in flood defence SSAs have been above the rate of inflation: 6 per cent. in 1997; 5.1 per cent. in 1998; 6.3 per cent. in 1999–2000—which is way above inflation—and 3.2 per cent. for 2000–01.

The hon. Gentleman is right about the problem of flood defence in the south-west. The difficulty is that the south-west councils have not always provided adequate funding. In particular, they have not always passed on the increases that the Government have made in SSAs. The Environment Agency reports that levies in the south-west region in 2001 will be only 5 per cent. higher than those paid in 1994-95. That compares to a 28 per cent. increase in the SSA over that period, so he is right to point out that shortfall. I was so concerned about the situation in the south-west two years ago that I wrote to all the chief executives of the unitary authorities that make up the south-west regional flood defence committee to express my anxiety about the inadequate funding being passed on to that committee. I have not written to any other council in this country.

I am pleased that in the past couple of years the local authorities have agreed levy increases in line with the increase in SSA. That is welcome, but the problem is the shortfall that has accumulated as a result of the years of underfunding. The authorities are still paying the price for that. Although they have been passing on the full SSA, which is a great improvement, they need to allow for that shortfall if they are to make up the years of underfunding. The Environment Agency calculates that the increase in the south-west for this year should have been 6.9 per cent., not the 3.2 per cent. that was levied.

The hon. Gentleman is right about the problems of underfunding, which, in all fairness, were chronic before the unitary authorities were established. Devon and Cornwall county councils were mainly responsible for the underfunding at that time.

Mr. Steen: I thank the Minister for all that he is saying. It is music to my ears. I hope that it is also music to the local authorities' ears and that they do something about it. Am I right in thinking that district councils have very little role in flood defences, other than sandbags and a few other things?

Mr. Morley: The hon: Gentleman is right. The main responsibility for the levies and deciding the levies lies with the county and unitary authorities, which send representatives who sit on the regional flood defence committee. It is those representatives who are responsible for deciding the levy that the committee raises each year.

Mr. Sanders: Will the Minister confirm that in the lifetime of the unitary authority it has paid over the money it should have paid over, and that the problem lies with the county councils, not the unitary authorities, in the last two years?

Mr. Morley: It is all the councils involved in the area of the south-west regional flood defence committee. I confirm that since there has been a division with the new unitaries they have paid over the full SSA allowance. The problem is that there is chronic underfunding, and there is a black hole in the budget of the regional flood defence committee. Unfortunately, to deal with some of the problems we have been hearing about, it needs to raise some extra money to make up for the years of the underfunding.

As the hon. Member for Totnes rightly says, following on from the 1998 Agriculture Committee report on flood and coastal defences—a very good report—the Government are reviewing those funding mechanisms. The consultation exercise has been completed, and the options arising are being considered with the Department of the Environment, Transport and the Regions. I do not have a date for an announcement. I will make inquiries, and if there is an indication of when it will report I shall write and let him know.

Mr. Nigel Evans (Ribble Valley): Will any regard be given to properties—whether residential or business—that find it difficult to insure because of constant flooding?

Mr. Morley: At present there is no facility for that, because generally speaking floods are an insurable risk. Where there is chronic flooding there could well be insurance problems, but chronic flooding needs to be addressed by the regional flood defence committee. We will look at that sympathetically, in the light of the priority scoring system and the other details that have to be applied.

The matter is being considered very carefully. Another issue that is being considered is whether levies raised by flood defence committees should remain ring-fenced for use only in that committee's area, or whether, as the Select Committee suggested, they should be more flexible and used in the context of national rather than local priorities. I hope that it will be possible to announce preliminary conclusions on that funding review as soon as possible.

Mrs. Browning: Will the Minister give way?

Mr. Morley: I am afraid that I have only one minute left.

I join in the welcome that has been given for the work of the regional flood defence committee. Deborah Clark is doing an excellent job. She is working very hard. I have met her, and members of the committee, on a number of occasions to express my support for the work that they are doing, and to try to work with them to deal with some of the problems that the hon. Gentleman mentioned. In some areas there may well be alternative sources of funding, such

[Mr. Morley]

as EU funds, or discussions about whether partnerships with others or imaginative approaches to projects with multiple functions can yield better value for money. I understand that Deborah Clark has convened a meeting tomorrow, 9 February, to look at ways of raising alternative funds, and I look forward to hearing the outcome.

In conclusion, I congratulate the hon. Gentleman on his knowledge of this issue. I can confirm some of his fears. There are issues to address, and we are prepared to address them, both in relation to reviews of the funding mechanisms and in relation to the priority scoring system and how that applies. I am pleased that more money has been passed on in the last two years in relation to the flood defence committee. That means—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-four minutes past Eleven o'clock.

House of Commons

Wednesday 9 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL (*By Order*)
Order for further consideration, as amended, read.
To be further considered on Wednesday 16 February.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Security

1. **Mr. Tony Clarke** (Northampton, South): What recent progress has been made to create a more normal security environment. [107673]

3. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on the security situation in Northern Ireland. [107675]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The security strategy paper that was published by my right hon. Friend the Secretary of State on 22 December 1999 outlines the progress made and the further steps that the Government intend to take towards achieving normality, depending on the threat level. In assessing that threat level, we will act on the professional advice of the Chief Constable of Northern Ireland and our security advisers. I want to make it clear that we will not relax our guard. The safety of the public remains at all times paramount.

Mr. Clarke: I am grateful to my right hon. Friend for that reply and particularly welcome the publication of the Government's strategy. Following the bomb attack in Irvinestown, will he ensure that, while working towards a more normal security environment, we redouble efforts to ensure that those who are working outside the peace process are swiftly brought to justice?

Mr. Ingram: Obviously, the attack in Irvinestown should be and was rightly condemned by everyone associated with taking forward normalisation in Northern Ireland. It was condemned across the board by political parties and others. In taking forward the process, we must ensure that we do not drop our guard. Even with all the successes of the Garda Siochana in the Republic of Ireland and of the RUC, there are clearly people who are intent on carrying out such actions. We must ensure that they do not succeed in those acts.

Mr. Paterson: The Minister says that the safety of the public remains paramount, but yesterday the Northern Ireland Human Rights Bureau told me that, since the agreement, there have been 13 murders, 147 shootings and 422 beatings, as well as nearly 1,000 armed bank robberies in which 3,000 members of the public were held up at gun point. Is it sensible to continue to plan the break-up of the RUC and to release murdering terrorists?

Mr. Ingram: The hon. Gentleman would do better to rely on official statistics, rather than the source that he quoted. He has got it totally wrong.

Mr. Paterson: Which one is wrong?

Mr. Ingram: The hon. Gentleman could easily ask written questions to gain such information, but I personally undertake to ensure that he is provided with the accurate statistics. It is not the case that we intend to break up the RUC, as the hon. Gentleman says. I remind him that the future of policing in Northern Ireland was part of the Good Friday agreement. I assume that the hon. Gentleman supports that agreement. If so, he should give a fair wind to the difficult decisions that we have to take on the future of policing there.

Mr. David Trimble (Upper Bann): May I refer the Minister to the Irvinestown bomb incident? I am aware that, in official circles, it is thought that the Real IRA, based around Dundalk, is more dangerous than Continuity IRA, which is based around the Fermanagh borders. This is the third bombing in Fermanagh by Continuity IRA. Consequently, there needs to be particular vigilance on the Fermanagh borders. Does the Minister agree that nothing could be more foolish than to decide now to demolish the patrol bases on the Fermanagh border? That incident shows the clear need to retain those patrol bases. The suggestion that the bases should be demolished as a political gesture, which has been made from time to time, should now be dropped entirely.

Mr. Ingram: Any bombing incident or killing by any dissident group has to be condemned whatever happens in Northern Ireland. Of course, we had the tragic circumstances of Omagh and there have been other incidents during the peace since the Good Friday agreement was agreed by the various parties who signed up to it. We have always said that this is not a perfect peace. We have always highlighted the potential dangers contained within it. I take note of what the right hon. Gentleman says, but he will understand that Ministers and the Secretary of State will always act on any matter—either the specific matters that he raised or the wider agenda—on the basis of the best advice from the Chief Constable and our security advisers.

Mr. Eddie McGrady (South Down): Would the Minister agree that the commencement of decommissioning would be a great asset in the pursuance of normal security? Does he also agree that that is the dear and earnest wish of all sections of the community in Northern Ireland and these isles in general? Does he agree

that the default to decommissioning precipitated the suspension of the Northern Ireland Assembly? Can he explain whether, in his opinion, that default is a default in respect of the Good Friday agreement, the Mitchell review or the artificial deadline set by the Ulster Unionist party for its council meeting next Saturday?

Mr. Ingram: We had a very thorough-going debate on that issue yesterday, following last week's statement by the Secretary of State, and my hon. Friend made a significant contribution to that debate. We have a situation that we now have to deal with. Although there is a very real lack of confidence in various aspects of the way forward under the Good Friday agreement, I know that, like me, my hon. Friend believes that decommissioning and normalisation should happen, and that, in many ways, the two will go hand in hand. The more normalised Northern Ireland becomes, the greater will become the pressure on those who want to use the bomb and the bullet not to do so. Their communities will put that pressure on them. I am sure that the issues raised by my hon. Friend will continue to be addressed in the coming days.

Mr. Lembit Öpik (Montgomeryshire): In the context of normalisation, will the Patten recommendations on police be implemented even if the Assembly is suspended?

Mr. Ingram: We have made it clear that the Patten recommendations, which have now been analysed and proposed by the Secretary of State, are part of the Good Friday agreement. We have said that we want to continue with the Good Friday agreement. Therefore, the simple answer to the hon. Gentleman's question is yes.

Mr. Andrew MacKay (Bracknell): Does the Minister accept that, after the bombing at Irvinestown on Sunday, there must be one absolutely clear message from both sides of the House to the men of violence—that they will never, ever succeed, and that what they are doing is totally counterproductive to achieving what they want?

Mr. Ingram: I share that sentiment with the right hon. Gentleman, and I am sure that every hon. Member wants decommissioning. The sentiment was also expressed in the Good Friday agreement. It is also what the people of Northern Ireland and of the Republic of Ireland want. They want a peaceful future and an end to the violence that they have known for the past 30 years.

Mr. MacKay: Does the Minister accept that, after Irvinestown and other incidents, when there is very clearly still a terrorist threat, it would be quite wrong to implement recommendations in the Patten report that are security sensitive? Will he now give a guarantee to the House that those particular recommendations will not be implemented until there is no longer a terrorist threat in Northern Ireland?

Mr. Ingram: I am not so sure that the right hon. Gentleman has heard the answers that have been given by Ministers before; if he has, he has not absorbed them. We have made it clear that the threat level always has to be taken into account. The Secretary of State made that clear in announcing the way forward on the recommendations flowing from the Patten report. Clearly, we have to take the threat level into account, and we do so on the best security advice available. We have to take that advice into account. We are also talking about a specific time scale—immediately, medium term or long term—and judgments will be made as we progress on the issue.

Terrorist and Paramilitary Violence

2. **Helen Jones** (Warrington, North): What discussions he has had with the Office of First and Deputy First Minister relating to victims of terrorist and paramilitary violence. [107674]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I had a constructive and positive meeting with the First and Deputy First Ministers on Monday 31 January to discuss how victims' issues can be best addressed. It was agreed that a co-ordinated approach is essential to ensure that victims are treated with the respect that they deserve.

Helen Jones: I thank my right hon. Friend for that reply. Does he agree that, in the past 30 years, there have been too many victims and too many damaged people, both in Northern Ireland and on this side of the Irish sea? Will he assure those victims and their families that, through this very difficult time, both he and those with whom he is in discussions will redouble their efforts to ensure a lasting peace in Northern Ireland—which is what most of those victims and their families want?

Mr. Ingram: I do not think that I could add very much to the sentiments expressed by my hon. Friend, who has articulated both past events and the problems associated with victims and survivors of the violence. The best way forward is to achieve a lasting peace, so that we have no more such victims or survivors.

Mr. Michael Colvin (Romsey): While I condemn all acts of terrorism in Northern Ireland, may I ask the Minister to acknowledge that much of the money that was collected by the Noraid organisation, in North America, was to help the victims of terrorism in Northern Ireland, but that, more often than not, that aid found its way into the IRA's hands to buy arms, thereby creating victims of terrorism in Northern Ireland? Would there be merit in considering an extra payment to the victims of terrorism in Northern Ireland pro rata for the arms surrendered, thereby giving an incentive to both sides to do so?

Mr. Ingram: We are always prepared to listen to new and innovative ideas, and that suggestion has not been put to me before. It would be hard to quantify that proposal, but, as the Minister with responsibility for this issue, I would be prepared to look at such ideas to see whether there is a practical way forward. I thank the hon. Gentleman for his suggestion.

Mr. Jeffrey Donaldson (Lagan Valley): Does the Minister agree that the best way to ensure real peace in Northern Ireland and to ensure that there are no more victims is to take the arms out of circulation and

to have them decommissioned? In the absence of decommissioning, surely it would be wrong to hurl further insult upon the hurt of the victims of terrorist violence by continuing with the early release of terrorist prisoners, when those terrorist organisations are failing to deliver on their obligations under the agreement.

Mr. Ingram: We have always made it clear that one of the most difficult aspects of the agreement was the early release of prisoners. We always hoped that more progress would be made on a parallel basis on all other aspects of the agreement. It is a vexed and difficult question and, as the Minister who has to deal regularly with victims and survivors of terrible acts, I well understand the sentiments expressed by the hon. Gentleman. I suggest to him that he could serve the interests of those victims and survivors better by working alongside his right hon. Friend the Member for Upper Bann (Mr. Trimble) to bring about a lasting peace in Northern Ireland, and by helping in the efforts that the right hon. Gentleman is making in support of the Good Friday agreement.

Mr. Harry Barnes (North-East Derbyshire): Has the Minister thought beyond decommissioning, as residual punishment beatings, exilings and intimidations will still take place? People will have difficulty in reporting these incidents to the RUC and the state because of fears of intimidation. Would not the setting up of an independent anti-intimidation unit with international support alert us to the problems of continuing gangsterism? Would that be helpful in terms of developing democracy in Northern Ireland?

Mr. Ingram: When we talk about moving towards a normalised society, we do not mean that it will be a criminal-free society, as that is not the nature of any society now. We must ensure that the RUC and the other agencies of the Government with responsibility for tackling violent crime have all the means at their disposal, so that the victims of violence and those who may wish to give evidence against those carrying out such acts have the full protection and support of all the agencies of the state.

Mr. Robert McCartney (North Down): How can the Government's ethical policy towards Austria in relation to the inclusion of Mr. Haider's party in Government be equated with the policy pressurising democrats of all descriptions to serve in an Executive with representatives of a terrorist organisation that remains armed and has murdered 2,500 British citizens?

Mr. Ingram: The hon. and learned Gentleman is not easily pressured. Usually, he takes great umbrage when he is pressured, so I would never seek to pressure him into doing anything. The establishment of the Executive was agreed by the parties that supported the Good Friday agreement, which itself was supported by the vast majority of people in Northern Ireland. I should have thought that he, as a democrat, would be prepared to bow to the wish of the majority.

Thanksgiving Square

4. **Rev. Martin Smyth** (Belfast, South): What discussion he has held with the Ministers and officials of the Northern Ireland Assembly concerning Thanksgiving square. [107676]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): Neither my right hon. Friend the Secretary of State nor I have had any discussions with Ministers or officials of the Assembly regarding this matter.

Rev. Martin Smyth: I am sorry that that was not a more positive response, although I understand the reasons. Does the Minister accept that the Secretary of State for Culture, Media and Sport had appointed a lead person to give the funding? That person claimed to be dealing with the Arts Council, and then—having held those involved spinning for a long time—finally said that there was no money. Was that because the Arts Council is more concerned about performing arts than other arts? Does the Minister accept that Thanksgiving square—proposed by Jews, Muslims, Hindus, Christians and others—would be useful in finishing the waterfront?

Mr. Howarth: While I agree with the hon. Gentleman that the project is undoubtedly very worth while and has the wide support that he describes, matters relating to charities and funding for such projects now fall under the auspices of the devolved Administration. However, I note what he says and I accept entirely that the development would be very desirable.

Decommissioning

5. **Mr. David Ruffley** (Bury St. Edmunds): What progress has been made on the decommissioning of arms and explosives. [107677]

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): The Independent International Commission on Decommissioning made a further report to the British and Irish Governments on Monday 31 January. As I said to the House on 3 February, all the main paramilitary groups on ceasefire are now engaged with the commission, but there has not yet been decommissioning of arms by a major paramilitary group. We and the Irish Government continue to work intensively to secure the further progress on decommissioning that is essential to maintain the confidence required to sustain the devolved institutions.

Mr. Ruffley: Will the Secretary of State end the early release of terrorist prisoners if there is no decommissioning this week and the Assembly is suspended?

Mr. Mandelson: No, I will not, because the issue of prisoner releases is governed by other considerations and other legislation. I am obliged to keep under review permanently the issue of ceasefires, because it is by that that I judge the continuation of the prisoner release scheme.

I can assure the hon. Gentleman and other right hon. and hon. Members that I will keep those ceasefires under constant scrutiny.

Dr. Norman A. Godman (Greenock and Inverclyde): Is my right hon. Friend in a position to estimate when he is likely to receive a second report from General de Chastelain? Will my right hon. Friend say from the Dispatch Box that he will resist the demands made in some quarters that the shelving of the Patten report and its recommendations should be part of the discussions?

Mr. Mandelson: I certainly echo what my right hon. Friend the Minister of State has already said on that subject. The Patten commission's proposals and the decisions that we have taken about them stand on their own merits, and while I will consider the nature and speed of the implementation of Patten's recommendations in accordance with the security threat, as a matter of principle my view is that we should continue with implementation.

In answer to my hon. Friend's first question, there may well—as General de Chastelain and his colleagues have already indicated—be a further report from the decommissioning body before the end of this week. In that context, I would appeal to the leaders of all the political parties in Northern Ireland not to close their minds to any further developments. They should keep alive the chance of a solution to the difficulties we are in, even at this late stage. Nobody wants any of the political parties to walk away from the peace process, because we want this to work. It is their duty to the public whom they represent in Northern Ireland not to extinguish hope that we may yet find a solution, even at this eleventh hour.

Mr. William Thompson (West Tyrone): The Government keep talking about the voluntary act of giving up weapons, but should they not be talking about the mandatory act of giving up weapons? Surely talking about the process being voluntary weakens the Government's whole case. Furthermore, given the good relations that we are told now exist between the British and Irish Governments, what representations have the Government made to the Irish Government to find out what they know about the location of arms dumps in the Republic of Ireland? Have the British Government asked that question? If they have had any positive answers, what representations have they made to the Irish Government to raid those dumps and take out those arms?

Mr. Mandelson: In answer to the hon. Gentleman's first question, I do not have any power to force anyone to do anything. Just as devolution and entering the Executive and institutions were voluntary acts by the political parties, so too is decommissioning. I would just say this to all the paramilitaries, and to the IRA in particular. Nobody is asking for surrender by the IRA; nobody is demanding that humiliation be heaped on the IRA. If politics is to work, and if we are to see the decommissioning that is an essential part of the peace process, there must be certainty and there must be definiteness, if confidence in all the institutions is to be rebuilt. I hope that the IRA will understand this need and, even at this eleventh hour, respond in a constructive way.

Mr. David Winnick (Walsall, North): Will my right hon. Friend make a distinction between those of us who are very much in favour of the Good Friday agreement, who want decommissioning to take place and who understand the difficulties that the British and Irish Governments face, and the political dinosaurs who are totally opposed to the Government and use decommissioning only as a way of trying to destroy an agreement that they never wanted in the first place?

Mr. Mandelson: I have some sympathy with what my hon. Friend says. Everyone realises that if the peace process is to operate properly, if politics in Northern Ireland is to work, that must involve everyone. Everyone has a stake, and everyone's commitment is equally essential. If we are to rebuild the trust and confidence that we need for the institutions to work, they must enjoy the confidence of both traditions in Northern Ireland. We cannot sustain these institutions with the confidence or the support of one tradition alone. That is why I say that it is very important indeed that the Good Friday agreement as a whole must be implemented if confidence in the institutions is to be rebuilt.

Mr. John M. Taylor (Solihull): Will the Secretary of State give an absolute guarantee that if there is no actual decommissioning by the end of this week, he will suspend devolution on Friday?

Mr. Mandelson: I have already made it absolutely clear that if it needs to be done we will, with a very heavy heart, put on hold the operation of the Executive and the institutions. I think that the hon. Gentleman and other Members of the House would agree that most people in Northern Ireland would respond to that with a deep sense of despair. They like their Executive; they like the institutions. I have to say to the hon. Gentleman that if we do not do that, the alternative would be worse. If we simply allow the Executive and the institutions to stagger on without the cross-community support that they need to survive, they are likely to shatter irreversibly. I simply will not stand by and allow that to happen. If it is necessary to do so, we will put these institutions on hold in order to preserve them, not to annul them.

Police Force

6. **Mr. Gordon Prentice** (Pendle): When he plans to meet his policy objective of the Northern Ireland police having broad parity in terms of the religious affiliations of its officers. [107678]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The Government's aim is a police service that is representative of the community in Northern Ireland and enjoys widespread support from that community. The Patten report proposes measures designed to quadruple the proportion of Catholic officers

in the police over a 10-year period. As my right hon. Friend the Secretary of State announced on 19 January, the Government have accepted these measures.

Mr. Prentice: The Secretary of State said just a few moments ago that the Patten recommendations stand on their own merit. That is good, because yesterday the right hon. Member for Upper Bann (Mr. Trimble) gave the impression—and here I paraphrase—that, with the suspension of the Assembly, the Patten report would be put into cold storage. Is it not the case that a situation in which 92 per cent. of police officers in Northern Ireland are Protestant and 8 per cent. are Catholic is not sustainable in the long term, and that we need to implement the Patten recommendations?

Mr. Ingram: I made clear in an earlier answer, and my right hon. Friend has made clear in his answers, the way in which we intend to proceed with the recommendations of the Patten report.

Mr. William Ross (East Londonderry): Is the Minister aware that, as intimidation has declined—*[Interruption.]*

Madam Speaker: Order. The House must come to order. The Minister cannot hear the question. Speak up, Mr. Ross.

Mr. Ross: Is the Minister aware that, as intimidation from terrorist organisations, principally the IRA, has declined, the number of Roman Catholics applying to join the Royal Ulster Constabulary has risen to more than 20 per cent? In the light of that welcome development, and assuming that the quality of applicants is equal, when might broad parity be reached without positive discrimination in favour of Roman Catholic applicants?

Mr. Ingram: I am sure that even the hon. Gentleman wants a police force that represents the wider community. Reaching parity depends on several circumstances, one of which he alluded to. We want to sustain the important developments that have taken place in recent months and to increase the number of people from the minority community who are applying and successfully becoming police officers. That will help to better Northern Ireland society in future.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [107703] **Mrs. Linda Gilroy** (Plymouth, Sutton): If he will list his official engagements for Wednesday 9 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mrs. Gilroy: Does the Prime Minister recollect that many of the hundreds of public servants whom he met in Plymouth last week made it plain that they want more funding for public services? Would a binding policy on tax take for the whole of a Parliament lead to savage cuts in public services? Is that why at least one senior Tory Member has described that policy as mad?

The Prime Minister: Of course that tax guarantee would mean cuts in basic public services, health and schools—*[Interruption.]* There is nothing quite so ludicrous as the push-me-pull-you double act between the Leader of the Opposition and the shadow Chancellor over the past few days. This morning, the shadow Chief Secretary told us unequivocally that they would—

Mr. Stephen Day (Cheadle): It has nothing to do with you.

The Prime Minister: The shadow Chief Secretary said that the tax guarantee stood. That does have something to do with the person sitting opposite me. When he gets up, will he tell us whether the tax guarantee stands? Yes, or no?

Mr. William Hague (Richmond, Yorks): The tax guarantee stands, and it will continue to stand. As the Prime Minister has had a straight answer from me, can we have some straight answers from him? That would be a novelty.

When archbishops, cardinals, the Chief Rabbi, the Muslim Council, Conservative Members of Parliament, many Labour Members, the chief inspector of schools, former Labour Cabinet Ministers, a majority of the Prime Minister's reformed House of Lords and the vast majority of mainstream opinion in the United Kingdom believe that the Government are wrong to abolish section 28, will the right hon. Gentleman listen to them and drop the whole idea?

The Prime Minister: No, I will not, for the reason I shall give in a moment. First, however, let me point out that the previous Government decided in 1994 guidance that section 28 did not apply to schools. The idea that has been put about in parts of the press that repeal is about gay sex lessons in schools and all the rest of it is nonsense.

Section 28 is being repealed because of the information given to us and the pleas made to us by such organisations as the National Children's Bureau, the National Association of Head Teachers, the British Medical Association and the Royal College of Nurses. It has nothing whatever to do with some of the nonsense that we have heard over the past few days. It is intended to ensure that teachers and others are able properly to give children information that they need. Although the right hon. Gentleman may wish to exploit the issue for the Conservative party's purposes, I believe that our country is more tolerant than he gives it credit for.

Mr. Hague: We all believe in a tolerant society. Many of those organisations to which the Prime Minister referred have talked about bullying in schools. However, his own chief inspector of schools said:

"My own experience is that there is no evidence that section 28 has had a negative effect on teachers' ability to deal with bullying. No head teacher has raised it with me in all the school visits I have made."

If section 28 does not prevent teachers from acting, will the Prime Minister answer a question that many people want to ask him? What is it that he wants to see taught in classrooms that cannot be taught now?

The Prime Minister: It is nothing to do with teaching children in classrooms; it is to do with answering their questions. I heard what the chief inspector of schools said, but the evidence presented to us by organisations representing children and representing teachers is that, in some cases, the section did make a difference. We have, therefore, decided to replace it with proper guidance for schools.

There are two different types of concern over this matter. There are those expressed by churches and others—in the House of Lords and elsewhere. We shall listen to those concerns; indeed, we have already done so. My right hon. Friend the Secretary of State for Education has indicated that he will introduce guidance that will address those sensible, legitimate concerns.

Another aspect of the opposition has to do with exploiting anti-gay feelings. Let us be quite open about that. Those are the opponents I intend to take on.

Mr. Hague: In all the nonsense that the right hon. Gentleman has come out with over the past three years, he has never beaten that. If he wants to listen to people, he would drop the idea. The debate has become more than a debate about a clause in a local government Bill; it is about tolerance being a two-way thing in this country. It is about whether millions of parents have the right to determine what their children are taught, and about whether the mainstream majority has the right to have its views and values respected, or whether taxpayers' money can be commandeered by a Government who have no respect for that. Does the right hon. Gentleman not understand that the debate is, indeed, about tolerance? It is about the tolerance demanded by the mainstream majority that its views and values be respected.

The Prime Minister: The right hon. Gentleman may fool some of those sitting on the Opposition Benches with those remarks, but he will not fool many people. As I have just pointed out, since 1994—when he was a member of the then Conservative Government—section 28 does not apply to schools. In relation to sex education, parents are already perfectly entitled—and will remain entitled—to withdraw their children from any of those lessons. Furthermore, teachers and governors will decide what is taught in their individual schools.

All that is clear, although one will not read it in some of the press comment. It has been made clear many times over the past few days. What is also clear, however, is that part of the explanation why this matter is being whipped up has nothing to do with tolerance, or with teaching children properly in schools; it is to exploit the issue for the political reasons that I have given. If the right hon. Gentleman will not listen to me, I would have hoped that he would listen to some of the more tolerant voices—even in his own party.

Q2. [107704] **Mr. Nigel Griffiths** (Edinburgh, South): Will my right hon. Friend confirm that the working families tax credit benefits 1.5 million families by an average of £24 a week? Does he agree that, when the Tories have mastered that simple arithmetic, he can tell Archie to tell Michael to tell William, and that we shall see another U-turn?

The Prime Minister: If anything indicated the extraordinary weakness of the Leader of the Opposition's position, it is that the shadow Chancellor announces their policies on such issues at Question Time. Let us hear some more answers from them. Are they against £100 for the pensioners? Are they against the new deal for the unemployed? Are they against child benefit increases, free eye tests for pensioners or extra money for rural bus services?

Today, the Opposition have recommitted themselves to the tax guarantee; they will be impaled on it at the next election.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Has the Prime Minister had a chance to read the Liberal Democrat early-day motion? *[Interruption.]*

Madam Speaker: Order. Mr. Kennedy, please proceed.

Mr. Kennedy: The spontaneous reaction from those on the Labour Benches confirms that at least 85 Members in the parliamentary Labour party have read the motion—because they signed it. We are very grateful for their support. It describes the 75p uprating for pensioners as inadequate. Will the Prime Minister therefore take this opportunity to tell 85 of his right hon. and hon. Friends why they are wrong and why 75p is adequate?

The Prime Minister: It is not the case that all that pensioners are getting from the Government is a 73p increase. The £100 is an increase that pensioners are getting; the minimum income guarantee helps many of them; and pensioners over the age of 75 will get free television licences from autumn 2000. There are also, of course, free eye tests, the national concessionary bus fares scheme and the many other things that we have done for pensioners in this country.

We have already exposed the Conservatives' tax guarantee. I think that it is about time that we heard from the Liberal Democrats what their tax guarantee is, although the only guarantee that they seem to be making in respect of people's taxes is that they will go up.

Mr. Kennedy: On the issue of guarantees and of pensioners, will the Prime Minister acknowledge, as he did on his visit to the south-west last week, that many pensioners are concerned about the issue that I raised with him last week—the future of the rural post offices? He will recall that he said to me then that subsidy was no way forward for guaranteeing the future of threatened post offices. Yet, 24 hours later, he told the editor of the *Western Daily Press*:

"look, you may need a subsidy to allow this rural post office to function".

It is reasonable to ask what the policy of the Prime Minister is. Is it Wednesday's policy or is it Thursday's policy?

The Prime Minister: It is the same; I did not say that. I said that it would be wrong to stop the switch-over from paying benefits in cash to paying them into a bank account.

It would be absolutely absurd to have the technology to do that, to have invested in it and then to waste that technology. In respect of the rural post offices, I also put forward a number of things that will help them to deal with the new situation. If the Liberal Democrats are really saying that even if we have the technology to pay money direct into people's bank accounts, we should not do so, I disagree with them.

On pensioners, I am delighted that the authoritative source of my right hon. Friend the Secretary of State for Social Security is sitting to the left of me. He tells me that, in the Liberal Democrats' manifesto—a nod or a shake of the head will do—they committed themselves only to uprating the pension in line with prices, not earnings.

Maria Eagle (Liverpool, Garston): While considering the future direction of Government health policy, has my right hon. Friend had an opportunity to read a recent edition of the magazine *Public Finance*, in which an adviser to the Conservative's Front-Bench health team says that

"in the end we may have an NHS only for the poor, a service for the people who earn less than a certain amount."

Will my right hon. Friend assure the House that his Government will rebuild and modernise the NHS while maintaining it as a universal service free at the point of use whereas the Conservative party would privatise it and force people to pay for private medical insurance?

The Prime Minister: We will not privatise the health service; we will rebuild it. My hon. Friend is right to draw attention to the remarks of the Conservatives' adviser. It all stems from the tax guarantee; they cannot make it work unless there are big cuts in health service provision. However, it is not just their adviser who has expressed such a view. Their health service spokesman, when describing their policy, said within the past few days:

"So people would look to the NHS to provide them with service when they had serious life-threatening conditions, and would look to their private insurance to help them with those things where the NHS had to ask them to wait".

This is their Trojan-horse policy, and it is our job to make sure the country knows it.

Q3. [107706] **Sir Archie Hamilton** (Epsom and Ewell): As it was only the strong-arm tactics of the Prime Minister that delivered the job of the First Secretary of the Welsh Assembly, will the Prime Minister now tell him and members of the Welsh Labour party to abide by the decision of the vote of no confidence, whatever the outcome might be?

The Prime Minister: There is a no confidence motion in the Welsh Assembly, but I believe that the Welsh First Secretary is doing an excellent job and so does the Labour party. Let us be clear what the issue is. What we have in the no confidence motion is the nationalists and the Tories joining together.

The leader of the Tory party in Wales is saying that he wants an immediate extra £180 million from the Treasury over and above the Barnett formula. That brings me back to the tax guarantee. When will the Conservatives say whether they want the tax guarantee or the £180 million of extra spending? Their man has not resigned. Which is it—the tax guarantee or the spending? We need an answer.

Q4. [107707] **Mr. Martyn Jones** (Clwyd, South): Is the Prime Minister aware that Carlsberg-Tetley proposes to close the Wrexham Lager Beer Company, which is just outside my constituency? The company was established in 1882 and is the oldest lager brewery in Britain, not much younger than Carlsberg itself. Given that Carlsberg makes great play of its history, does my right hon. Friend agree that if it goes ahead with the closure and does not enter into negotiations with the local council to continue brewing on the site, Carlsberg risks being considered by the people of Wrexham to be probably the worst lager in the world?

The Prime Minister: Of course I am aware of the distress that those job losses may cause, but I know that my hon. Friend is working with others to try to put together a package for his constituents, and I very much hope that it is successful.

Q5. [107708] **Mr. Peter Viggers** (Gosport): Is the Prime Minister personally aware of the depth of the crisis in the defence medical services caused by the closure of the only military hospital, at Haslar in my constituency? Is he aware that, following a massive, vigorous local campaign, the hospital is now to be kept open by the national health service? Will he take the advice of almost all those who have specialist knowledge and retain Haslar as a centre for defence medicine?

The Prime Minister: I would have hoped that the hon. Gentleman would congratulate us on the work that we have done on the matter. We are now considering how to make the appropriate provision of critical care services, and we are spending an extra £140 million over the next five years to help to rebuild the defence medical services. Again, it all comes back to money. People in the hon. Gentleman's constituency have been asking us to spend more money on the health service; we are, but we cannot do that and have a tax guarantee at the same time.

Q6. [107709] **Dan Norris** (Wansdyke): Last Friday, somebody whom I was at school with, who is currently a nurse, was savagely attacked at a Bristol hospital. She is currently critical and unconscious. The day before, a Kent GP was stabbed in the back at his surgery. Other professions—particularly social workers, but also teachers and those who drive buses and taxis—also face dangers in working with the public. What role do the Government have to play in promoting information, training, safeguards and guidelines on how people who work with the public can best ensure their own safety, especially if by the very nature of their job they have to work face to face with the public?

The Prime Minister: That is indeed a serious problem, which is why last October the Government launched a series of initiatives called the NHS zero tolerance zone. We are investing money in accident and emergency departments and modernisation work specifically for improvements to security and safety for hospital staff and patients. We hope that the additional investment will make a difference. We are also establishing a task force

to take forward a programme of work designed to reduce violence against social care workers. This is a serious problem, and our sympathy and our hearts go out to the individual who was attacked last week.

Q7. [107710] **Mr. Peter Luff** (Mid-Worcestershire): The Prime Minister was quick to remove the Whip from the hon. Member for Glasgow, Govan (Mr. Sarwar), when he was the subject of a police investigation. Why has he not acted with the same speed and decisiveness in the case of the hon. Member for Coventry, North-West (Mr. Robinson)?

The Prime Minister: Let us wait and see what the investigation reveals. As with many of the investigations into my right hon. Friend, it was instigated on the basis of allegations made by Conservative Members of Parliament.

Q8. [107711] **Mr. David Borrow** (South Ribble): I am sure that my right hon. Friend saw the Low Pay Commission report this weekend, which demonstrates that there has been no loss of jobs with the introduction of the minimum wage. Will my right hon. Friend welcome the conversion of the Conservative party to support for the minimum wage? Will he also congratulate my constituent, Erica Ledbetter, from Leyland, who won a tribunal case on the minimum wage without being represented by a lawyer or a trade union? Does my right hon. Friend recognise, however, that many of the people who are most vulnerable in respect of the minimum wage need better advice to enable them to take their case to an industrial tribunal?

The Prime Minister: Of course, the Conservatives detest the minimum wage, but they lack the courage of their conviction to get rid of it. A few months ago, the shadow Chancellor called it "an immoral policy", but now they have had to accept it. It is an important reform which we have introduced, and it symbolises a different approach to people in the workplace. We believe that employers can treat their workers fairly and get the best out of them by doing so. That is Labour's way, which the Conservatives now have to accept.

Mr. William Hague (Richmond, Yorks): Will the Prime Minister comment on the fact that within moments of his expressing full confidence in the First Secretary in Wales five or 10 minutes ago, news came through to the House that the First Secretary had resigned, before the vote of confidence had taken place? *[Interruption.]* Will the Prime Minister confirm that that has happened, and if it has, will he confirm also that the next big test of devolution will be the choice of a new First Secretary without any interference whatever from the Prime Minister?

The Prime Minister: The one thing of which we can be sure—*[Interruption.]*—is that that will not be a Tory.

Madam Speaker: Order. I have had enough of hon. Members calling out from sedentary positions.

The Prime Minister: The no confidence motion was not just accepted by the nationalists, but backed by the Conservatives. Perhaps the right hon. Gentleman will explain why his leader in Wales is saying that he has a commitment from the Conservative party to fund £180 million above the Treasury block grant. If that is true, how does he intend funding it?

Mr. Hague: All I want to know is whether the First Secretary in Wales has resigned and, if so, why he did so before the vote of confidence, and whether the Prime Minister will undertake not to interfere in any way in the choice of a new First Secretary.

The Prime Minister: The decision is for people in Wales. *[Interruption.]* What we need to know is why the nationalists and the Tories are in bed with one another—the two wreckers of devolution—one group that wants to separate Wales from the United Kingdom, and the other that supports centralisation. After all the fun and games down at the Assembly are over, the right hon. Gentleman must explain why the Tories are supporting the nationalists' demand for an extra £200 million of public spending.

Mr. Hague: It is no good the Prime Minister dismissing as fun and games serious proceedings in an Assembly which he created and which he campaigned for, about a First Secretary whom he imposed on the Welsh Labour party in the Welsh Assembly. Not only has the Prime Minister forgotten why he imposed the First Secretary—he does not even know whether the First Secretary is in office at this moment. Is the First Secretary still in office? If he is not, will the Prime Minister undertake not to interfere in the election of a successor?

The Prime Minister: The decision is for people in Wales. The fun and games to which I refer is the fact that the Tories and the nationalists are in an alliance together. *[Interruption.]* Yes, they are in alliance together. Once the fun and games have ended, the right hon. Gentleman will have to explain—

Madam Speaker: Order. Some hon. Members seem to be having apoplexy. The House must come to order. I want to hear what is being said.

The Prime Minister: The nationalists and the Tories are now joined together in a demand for extra public spending. That is the truth, which Opposition Members want to shout down. The Conservative party demands that we spend an extra £200 million in Wales. Why does not the right hon. Gentleman explain how he can demand £200 million more, while maintaining a tax guarantee?

Q9. [107712] **Mr. Jim Dobbin** (Heywood and Middleton): Has my right hon. Friend read early-day motion 336 tabled by Tory Members, who want the Government to extend private health insurance? Given that two thirds of day beds are taken by people who are over 65, and that the cost of a hip operation can be as much as £7,800, does he agree that anyone who believes that private health insurance can fund the national health service in this country is simply not living in the real world?

The Prime Minister: The Conservative policy, accurately described as a Trojan horse, will mean that people who are over 60 will have to take out private medical

insurance at a cost to many of them of £60 to £80 a week. *[Interruption.]* Conservative Members can shout as much as they like, but many people will not be able to afford that sort of private medical insurance. It is wrong to expect them to do so. Furthermore, the Conservative policy of giving tax breaks on private medical insurance will mean a deadweight cost that would wipe out the entire nurses' pay claim for next year just for those who already have private medical insurance. People know that that will happen if they vote Tory at the next election.

Q10. [107713] **Mr. Richard Page** (South-West Hertfordshire): A year or so ago, I invited the Prime Minister to visit my constituency to explain the soaring waiting lists in hospitals, but he refused. He solved that problem by having a waiting list for a waiting list. I again invite him to my constituency to visit the governors of some successful former grant-maintained schools, whose budgets are being cut. Can he advise them whether they should sack teachers, or put a levy on parents? After all, I remind the Prime Minister of the importance of education, education, education.

The Prime Minister: That is why we are putting the largest investment ever in education this year and in the next two years. Again, Conservative Members are asking for more money. It is time that they made up their minds about what they want. They ask for more public spending in Wales, on the health service and on schools. In the past week, their defence spokesman asked for more defence money; their agriculture spokesman asked for more agriculture money; and the local government spokesman wants more for local government. The Leader of the Opposition and all Conservative Members will have to decide whether their policy is for a tax guarantee, or a cuts in public services guarantee.

Mr. Chris Pond (Gravesham): Given the rather childlike behaviour we have witnessed in the Chamber, I ask my right hon. Friend about his commitment to halve child poverty in 10 years and to eliminate it in two decades. Given that 4 million of our children were in poverty when he took over, he has set quite a challenge. Is he confident that the Government can fulfil that commitment?

The Prime Minister: I believe that we can fulfil it, partly because of the measures on child benefit, the new deal, which puts young people back in work, and the working families tax credit, which will lift approximately 800,000 children out of poverty. We can already be proud of our record in our first term. The country will be reminded time and again that our measures, such as child benefit, the £100 for pensioners, the new deal and the working families tax credit are opposed and would be taken away by the Conservative party.

Q11. [107714] **Mr. Nigel Evans** (Ribble Valley): I want to ask a simple question. Will the Prime Minister guarantee that neither he nor Millbank will interfere with the selection of the new Labour leader of the National Assembly for Wales?

The Prime Minister: Given the state of the Conservative party, they can leave my party to me. Whatever happens in Wales, questions about public spending have to be answered. The entire case of the nationalists, supported by the Tories, that they cannot afford objective 1 spending is false. Everybody knows that it is false, and that Conservatives and nationalists cannot possibly afford the extra £200 million that they demand. Whatever happens in the next few days, people in Wales would do better to stick to a Labour party that can deliver extra spending rather than a Tory party that would cut it.

Mrs. Louise Ellman (Liverpool, Riverside): How does the Prime Minister intend to increase and publicise the Government's considerable successes in regeneration and employment in inner-city areas such as Liverpool?

The Prime Minister: Long-term youth unemployment has halved under this Government and some 200,000 young people are back in work. Those young people had no hope and opportunity of a job before. They now have a job. Everyone should remember that these policies are fair, but they also improve the state of the economy. As a result of the changes that have been made, we are cutting the costs of economic and social failure from the level we inherited from the Conservatives by £3 billion a year. That is then money we can spend on schools and hospitals. That is the Labour way, not the Tory way of cuts and social exclusion.

Points of Order

3.31 pm

Mr. Nigel Evans (Ribble Valley): On a point of order, Madam Speaker. Given the Prime Minister's inadequate responses today—*[Interruption.]*

Madam Speaker: Order. I decide whether it is a point of order. Let me hear what it has to do with me.

Mr. Evans: The Prime Minister's responses today were inadequate and there may be the implications for the House. It is too soon for you to have received a request from the Secretary of State for Wales to make a statement today on the National Assembly for Wales, but should he make one would you please accede to it as soon as possible so that we may question him about the involvement of the Prime Minister and Millbank in the appointment of a new leader of the Labour party in the Assembly?

Madam Speaker: The hon. Gentleman knows that the Speaker has no authority in respect of whether Secretaries of State want to make statements. They make them when they wish to, without consulting me. They just tell me, and that is how it should be.

Mr. Philip Hammond (Runnymede and Weybridge): On a point of order, Madam Speaker. May I draw your attention to Sessional Order No. 4, which the House passed on Wednesday 17 November 1999? It requires the Commissioner of Police of the Metropolis to keep the roads leading to the House clear and free of obstruction when the House is sitting. You will have noticed the extensive roadworks in Parliament square, which are causing considerable difficulty to Members seeking access to the House. I understand that the Metropolitan police agreed with the contractors that those works should be carried out now without consulting Officers of the House, who were merely informed after the event. Will you instruct the Serjeant at Arms to discuss the matter further with the Metropolitan police to establish whether the Commissioner has carried out the order's requirements?

Madam Speaker: I understand that traffic disruption in and around Parliament square is on account of cabling work. The Serjeant at Arms warned Members of those works and they should be prepared for delays until early March. The Sessional Order to which the hon. Gentleman refers concerns matters such as demonstrations and processions, which come under the responsibility of the Commissioner of Police of the Metropolis. It does not cover roadworks, which are of course the responsibility of Westminster city council. However, I am greatly concerned at the significant disruption in Parliament square and its impact on Members' ability to reach the House expeditiously. I regard it as most important that there is proper liaison, of which the hon. Gentleman spoke, and consultation between the council and our House authorities on such matters. I shall review the current arrangements in that connection so that we have better liaison as to when repairs can be carried out in that area. For example, we could mutually agree that they could be done during a parliamentary recess.

Dr. Phyllis Starkey (Milton Keynes, South-West): On a point of order, Madam Speaker. Is it in order for the hon. Member for Lichfield (Mr. Fabricant) to accuse another hon. Member—in this case, the Prime Minister—of lying in the House?

Madam Speaker: Certainly that is totally unacceptable in the House. I did not hear such a thing, otherwise I would have asked the Member concerned to withdraw it immediately. The hon. Member for Lichfield is here; could he offer me some explanation?

Mr. Michael Fabricant (Lichfield): I made no such statement. If I accused the Prime Minister of lying, of course I withdraw the remark. However, I am not aware of what the hon. Member for Milton Keynes, South-West (Dr. Starkey) is talking about. I can only assume that she is referring to something that occurred during Prime Minister's Question Time. I am sure that the Prime Minister would not have lied, but if he had lied, I would have shouted "Liar".

Madam Speaker: Sometimes tempers in the House are a little more frayed than I would wish them to be. I accept the hon. Gentleman's word.

Mr. William Ross (East Londonderry): On a point of order, Madam Speaker. Although you are aware of the content of questions on the Order Paper, you cannot possibly be aware of the supplementary questions during Prime Minister's Question Time. You will recall that questions were asked today about events in the Welsh Assembly. You will also be aware that the Scottish Assembly—

Dr. Norman A. Godman (Greenock and Inverclyde): Scottish Parliament.

Mr. Ross: The Scottish Parliament and the Northern Ireland Assembly have certain devolved functions that are outwith the competence of this House. Madam Speaker, when a question is bounced on you from Back Benchers, how are you to decide whether the issue raised is a matter for this House or for the devolved institutions? Were the questions put today about the Welsh Assembly devolved matters or matters for this House?

Madam Speaker: The questions today were perfectly in order. I always come to the House prepared in my own mind to deal with such supplementary questions. I have good relations with the Presiding Officers of the Welsh Assembly and the Scottish Parliament. We have arrangements whereby we can deal with such matters daily in the event of them coming before us. I assure the hon. Gentleman that nothing that has been said in this House since those areas were devolved has been out of order. I try to watch these matters carefully.

BILL PRESENTED

Regulation of Investigatory Powers

Mr. Secretary Straw, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Secretary Cook, Mr. Secretary Mandelson, Mr. Secretary Hoon and Mr. Charles Clarke, presented a Bill to make provision for and about the interception of communications, the acquisition and disclosure of data relating to communications, the carrying

out of surveillance, the use of covert human intelligence sources and the acquisition of the means by which electronic data protected by encryption or passwords may be decrypted or accessed; to provide for the establishment of a tribunal with jurisdiction in relation to those matters, to entries on and interferences with property or with wireless telegraphy and to the carrying out of their functions by the Security Service, the Secret Intelligence Service and the Government Communications Headquarters; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed [Bill 64].

Emissions Trading

3.37 pm

Mr. Gareth R. Thomas (Harrow, West): I beg to move,

That leave be given to bring in a Bill to establish emissions trading; to create an emissions trading authority; to require the corporate disclosure of emissions; and for related purposes.

Emissions trading would be good news for the environment, good news for British business, and good news for British workers. It offers a marriage between a crucial environmental imperative—the need to reduce greenhouse emissions—and the business need for efficient, innovative and cost-effective solutions.

The Kyoto protocol signed in December 1997 demands legally binding targets to reduce the emissions of a basket of six greenhouse gases. Having been included in that historic protocol, emissions trading has arrived on the international stage. It is being considered by countries that have little previous experience of this issue. Indeed, the details of an international emissions trading scheme are already being worked on.

The purpose of my Bill is to establish a domestic emissions trading system to work alongside and supplement the climate change levy, which is a new drive to stimulate renewable energy, and other action to reduce our greenhouse gas emissions. The Bill would require Ministers and Parliament to fix an overall cap on emissions, and would enable the distribution of emission permits, equal to the value of the overall agreed level, to participating businesses.

The Bill would allow the trading of permits between businesses, thus ensuring that businesses can trade off the cost of controlling their pollution with the cost of buying other businesses' spare emission permits. It would establish an emissions trading authority, with representatives from business, the City, environmental non-governmental organisations and academic specialists, to oversee the issuing and trading of emissions permits, monitor a robust verification process and impose penalties for non-compliance with the scheme rules.

The Bill would allow Ministers to require all companies over a certain size to calculate and publish the level of their carbon dioxide emissions. Lord Marshall made it clear in his report to the Treasury in November 1998 that the calculation of emissions from fossil fuel use was relatively straightforward.

The current company law review being carried out in the Department of Trade and Industry is considering environmental reporting, and the Department of the Environment, Transport and the Regions has already published "Guidelines for company reporting on greenhouse gas emissions", which are being used by Wessex Water and CGU to disclose their level of emissions. Firms with more than 250 employees have been consistently encouraged to disclose voluntarily their environmental performance, and the need for monitored and audited reporting to help deliver Kyoto targets has been highlighted by a range of investment organisations and environmental non-governmental organisations, not least the excellent World Wide Fund for Nature.

My colleagues in the Department of the Environment, Transport and the Regions have also strongly encouraged environmental reporting. A shift now to require the

[Mr. Gareth R. Thomas]

mandatory disclosure of emissions would undoubtedly stimulate further action by businesses to reduce their emissions of carbon dioxide, improve their cost competitiveness and stimulate participation in emissions trading.

The Intergovernmental Panel on Climate Change calculated that a global reduction in carbon dioxide of about 60 per cent. was needed by the middle of the century to stabilise our climate, with a 70 to 80 per cent. reduction by 2050 likely to be necessary for developed countries. Such a reduction will require careful but considerable change in technology and behaviour. Emissions trading, supported in principle by much of big business, would be an additional policy weapon and be part of a wider climate change strategy.

Crucially, emissions trading allows companies to achieve specified reductions in carbon emissions flexibly and cost-effectively Having been allocated a target for reducing emissions, those that can reduce them at least cost can go further than their target and sell the excess to companies that are finding it more difficult or expensive to reach their target. In turn, those that find it difficult to reduce emissions can buy the extra permits from those that have gone further than they needed to, paying someone else in effect to achieve their reduction in emissions. It allows the more environmentally efficient firms to receive a reward in the form of trading profits, and will inevitably stimulate investment in innovative energy-efficient technology. It would also help British companies to develop expertise in emissions trading prior to the launch of an international emissions trading scheme.

An emissions trading pilot was recommended by Lord Marshall in his report to the Treasury in November 1998. The CBI and the Advisory Committee on Business and the Environment have produced the broad outline of an emissions trading scheme backed by a diverse range of businesses and bodies, from British Steel and the Corporation of London through to Cadbury-Schweppes and the Eastern Group.

There is already evidence around the world of successful emissions trading schemes. The largest such scheme is in the United States, addressing emissions of sulphur dioxide and their role in acid rain. Since the scheme's establishment in 1995 the overall total of controlled sulphur dioxide emissions has fallen to 23 per cent. below allowable emission levels. The flexibility offered by trading is estimated to have reduced total compliance costs by between a third and a half.

Similarly, the regional clean air incentives market, or RECLAIM, came into force in January 1994. It is a trading scheme designed to tackle severe air quality problems in southern California. Total stationary source emissions are capped, with the cap declining each year until targets are met, and with participating facilities receiving and trading emission allowances. The cost reductions from using this trading scheme to achieve environmental targets were forecast to be 42 per cent. over the years 1994 to 2000. The indications are that the scheme is already being highly positive.

Closer to home, BP Amoco established an internal emissions trading system in September 1998, trading emissions between 12 profit centres around the world rather than in one country. The aim is to help the company achieve a voluntary target of a 10 per cent. reduction in greenhouse gas emissions by 2010 compared with 1990 levels. The scheme will be rolled out next year to all the company's business users. The results to date suggest that the environmental benefits can be obtained more cost-effectively than through some other possible measures. Monitoring and tracking are less burdensome than some regulations. Incentives exist within the scheme to achieve more than the minimum, and the scheme has already stimulated more innovation in technology.

In Europe, too, Germany is already engaged in very limited trading schemes. Belgium, Denmark and the Netherlands have also all used a limited form of trading scheme for existing power stations to implement EU limits of sulphur dioxide emissions. The Confederation of Norwegian Business and Industry has also proposed a sulphur trading scheme, in which permits would be allocated to both sulphur emitters and producers of oil products.

Emissions trading is inevitably complex. It poses many difficult questions, not least about how emissions permits are best allocated. But it is increasingly being considered around the world as a serious tool in the drive to lower greenhouse gas emissions. Britain needs to build on the momentum achieved by the work of the CBI and ACBE, and introduce our own focused emissions trading scheme soon.

My Bill would allow businesses to choose whether to join a trading scheme, but, once committed, a business would be committed for a determined length of time, and its participation in the scheme would be on a statutory footing. The scheme would be linked with the climate change levy and the negotiating agreements. A key task of the emissions trading authority would be to ensure that participating companies were delivering sustained reductions in emissions, or paying a price for their eco-inefficiency.

The authority would be required to monitor delivery on emission reduction targets, to enable all organisations to see that the scheme was achieving its environmental objectives. It would be able to commission research to monitor the flexibility and cross-effectiveness enjoyed by participants. It would be required to ensure rigorous monitoring of the quality of emissions data reported by participating companies to maintain the credibility of the scheme.

International emissions trading is coming. Our neighbours and competitors are already being forced to consider introducing it. According to a recent briefing from the Parliamentary Office of Science and Technology,

> "If the UK began a domestic scheme prior to the introduction of an international scheme it might be able to lead the design and implementation of international emissions trading and even to be the location of the brokerage system that would conduct trading".

That would provide a powerful commercial advantage for our business community. In August last year, Ilex, the energy consultancy, suggested that selling carbon emission permits under an international trading scheme could earn the United Kingdom an extra £700 million a year.

Establishing our own emissions trading scheme would give British business a head start in the coming international emissions market. It would also be a

powerful addition to the policy weapons that are available to help us to achieve our necessary reductions in global greenhouse gas emissions.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gareth R. Thomas, Mr. Andrew Love, Mr. Stephen Hesford, Mr. Stephen Twigg, Mr. James Plaskitt, Ms Karen Buck, Mr. Colin Burgon, Mr. Gareth Thomas, Mr. Phil Hope, Gillian Merron and Mr. Jim Fitzpatrick.

EMISSIONS TRADING

Mr. Gareth R. Thomas accordingly presented a Bill to establish emissions trading; to create an emissions trading authority; to require the corporate disclosure of emissions; and for related purposes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 65.].

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. May I seek your guidance—not on the subject of lying, on which you have made the position abundantly clear, but on the subject of Ministers who, no doubt entirely inadvertently, give credence to untruths?

I seek your guidance, Madam Speaker, because of two recent and serious examples. The first occurred this afternoon, when the Prime Minister suggested to the House and the country that 200,000 people were in work today as a result of the new deal, although statistics released by the Department for Education and Employment show otherwise.

Madam Speaker: Order. I will not enter into a political argument with the hon. Gentleman. What is the point of order for me?

Mr. Bercow: The point of order, Madam Speaker, is simply this. Given that the information that the Prime Minister inadvertently gave inaccurately was nevertheless inaccurate, and given that the effect of that inaccuracy is unhelpful to millions of people who were watching on television at home, is there any means whereby you can instruct the Prime Minister to come to the House and apologise to the British people?

Madam Speaker: These are political arguments. I fear that the hon. Gentleman is seeking to prolong Prime Minister's Question Time. If he wishes to pursue the matter, he must do so politically. He must do so through the Order Paper, rather than through the Chair.

Financial Services and Markets Bill (Programme)

Ordered,

That the following provisions shall apply to proceedings on the Financial Services and Markets Bill:—

Timetable

1.—(1) Remaining proceedings on Consideration and proceedings on Third Reading shall be completed at today's sitting.

(2) Proceedings on Consideration shall, if not previously concluded, be brought to a conclusion at Nine o'clock.

(3) Subject to sub-paragraph (2), each part of proceedings on Consideration shall, if not previously concluded, be brought to a conclusion at the time specified in the second column of the Table.

TABLE

Proceedings	Time for conclusion of proceedings
Remaining New Clauses; amendments to Clauses 1 to 9 and 11 to 18	One hour after commencement of proceedings on this Order.
Amendments to Clause 19	Two hours after commencement of proceedings on this Order.
Amendments to Clauses 20 to 51 and 53 to 94	Three hours after commencement of proceedings on this Order.
Amendments to Clauses 95 to 203	Four hours after commencement of proceedings on this Order.
Remaining proceedings on consideration	Five hours after commencement of proceedings on this Order.

(4) Proceedings on Third Reading shall, if not previously concluded, be brought to a conclusion at Ten o'clock.

Questions to be put

2.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) If two or more Questions would otherwise fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then.

(2) Proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

4.—(1) No Motion shall be made to alter the order in which any proceedings on the Bill are taken.

(2) No dilatory Motion with respect to, or in the course of, proceedings to which this Order applies shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

(3) No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any Amendment.

5. Standing Order No. 82 (Business Committee) shall not apply to this Order.

6. Standing Order No. 15(1) (Exempted business) shall apply to the proceedings to which this Order applies.

7. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

Supplemental orders

8.—(1) If any motion is made by a Minister of the Crown to amend this Order so as to provide a greater amount of time for proceedings on the Bill under paragraph 1 of this Order, the Question thereon shall be put forthwith and may be decided, though opposed, at any hour.

(2) If any Motion is made by a Minister of the Crown to supplement the provisions of this Order in respect of proceedings on any Lords Amendments or any subsequent message from the Lords relating to the Bill, such Motion may be proceeded with, though opposed, at any hour and the proceedings shall, if not previously concluded, be brought to a conclusion three quarters of an hour after they have been commenced.

(3) If at any day's sitting the House is adjourned, or if the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.—[*Mr. Dowd.*]

Orders of the Day

Financial Services and Markets Bill

As amended in the Standing Committee, further considered.

New Clause 2

Matters to be included in orders under section 20

".—(1) The Treasury shall specify each of the activities set out in subsection (2) in any order made by it pursuant to section 20.

(2) The activities referred to in subsection (1) are the following—

(a) providing advice to a consumer on the choice of a manager;

(b) providing advice to a consumer on the performance of assets under the management of a manager;

(c) providing advice to a consumer on asset mix or allocation for a fund;

(d) advising on the structuring or reorganisation of a fund.

(3) References in this section to advice and advising do not include the provision of legal advice.

(4) "Consumer" means a person who uses, or may be contemplating using, the services provided by a manager.

(5) "Manager" means a person who performs the regulated activity of managing investments in the United Kingdom.

(6) "Fund" means an occupational pension scheme, or other assets held under trust.

(7) "Occupational pension scheme" means any scheme or arrangement which is comprised in one or more instruments or agreements and which has, or is capable of having, effect in relation to one or more descriptions or categories of employment so as to provide benefits, in the form of pensions or otherwise, payable on termination of service, or on death or retirement, to or in respect of earners with qualifying service in an employment of any such description or category.".—*[Mr. Flight.]*

Brought up, and read the First time.

3.49 pm

Mr. Howard Flight (Arundel and South Downs): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss new clause 34—*Transfer to Financial Services Ombudsman of functions of Pensions Ombudsman*—

".—(1) There shall be transferred to the scheme operator all the functions and powers of the Pensions Ombudsman established under Part X of the Pension Schemes Act 1993 (as amended by the Pensions Act 1995).

(2) The Treasury may by order—

(a) provide for the transfer of any property, rights or liabilities held, enjoyed or incurred by any person in connection with functions transferred under this section;

(b) provide for the carrying on and completion by or under the authority of the scheme operator of any proceedings, investigations or other matters commenced, before the order takes effect, by or under the authority of the Pensions Ombudsman;

(c) make any transitional, incidental or consequential provision which is necessary or expedient as a result of the transfer of functions under this section;

(d) provide for the substitution of the scheme operator for the Pensions Ombudsman in any instrument, contract or legal proceedings made or begun before the order takes effect.

(3) The Treasury may make regulations providing for—

(a) the transfer to the scheme operator of any staff previously employed in the service of the Pensions Ombudsman;

(b) the terms on which any such transfer shall take place; and

(c) the terms on which the employment of any person previously employed in the service of the Pensions Ombudsman may be terminated.

(4) In this section "scheme operator" means the body corporate established under Schedule 14 to operate the disputes resolution procedure referred to in section 200 as "the ombudsman scheme".".

Mr. Flight: New clause 2 is to a substantial extent a probing amendment. Members will be aware that the roles of different parties in the provision of financial services have changed. Typically, pension fund consultants will advise pension funds on the spread and constitution of their assets among bonds, equities, international assets and domestic assets. They will also advise funds on the appointment of fund managers. Accountants provide similar services to companies and to high net worth individuals. Indeed, lawyers are also providing such advice.

The issue is that, under clause 20, the Treasury will need to specify what constitutes a regulated investment activity. I ask the Minister to use this occasion to clarify whether it is intended that the type of activities that I have described will indeed fall within the definition of regulated investment activities. If that is not the case—it was not in the whole sorry saga of pensions over recent years—a major territory of regulation will be omitted. That would be undesirable.

On new clause 34, there is a simple issue: when bringing together all the ombudsmen under one unit under the Financial Services Authority, there is little logic in leaving out just the pensions ombudsman, who is short of resources. Additional actuaries are needed to deal with quite a few complaints. It would be more sensible if all the ombudsmen relating to financial services were brought together under one ombudsman scheme.

Mrs. Jacqui Lait (Beckenham): Like my hon. Friend the Member for Arundel and South Downs (Mr. Flight), I emphasise that new clause 34 is a probing amendment. It is so probing that I managed to forget to include in it the fact that the Occupational Pensions Regulatory Authority should go with the pensions ombudsman.

I thought that it was worth having a debate about the role of the pensions ombudsman in the new structure. It arises because of a constituency case that has raised some complex issues, most of which will be pursued in other ways, but the need to look more closely at the role of the pensions ombudsman was one of the results of that case. I will pursue some of the issues in the Committee that is considering the Child Support, Pensions and Social Security Bill. I emphasise that I tabled the new clause and was interested in it long before I was delighted to take on the pensions spokesman portfolio.

The pensions ombudsman has a good record. Many consumers have been delighted with his decisions, so I emphasise that it is an entirely constitutional legislative issue. It is by no means an attack on his role. There is a debate in the financial world about that role. I do not wish to take part in that debate. He has been so good to so many small consumers that some of the bigger companies have raised issues about him.

Members of pension funds, however, are unlikely to go to the press because they would feel intimidated in doing so. They are not likely to complain publicly. However, I think that complaints have been raised with a number of hon. Members privately. Lawyers are picking up on some of the issues that are emerging. That is where the debate has been in the past. As he has been so successful at resolving many of the easier cases, it is primarily only the complex, and of course the new, cases that remain.

The pensions ombudsman is unique in that he has some judicial powers, one of which is almost equivalent to those of Customs and Excise—he can send in the bailiffs. I am sure that some of the other ombudsmen wish that they had similar powers.

The ombudsman has been criticised over administration and delays. My hon. Friend pointed out that there have been improvements. Last September's annual report showed that fewer cases were waiting at the end of the year. However, we must remember that the poor ombudsman has few staff. He has half a lawyer, one legal adviser, one in-house litigation solicitor and no actuaries. Given that actuaries drive the pensions industry, I should have thought that he needed access to in-house actuarial advice.

I recognise that the pensions ombudsman only looks after occupational pensions. Historically, such pensions have been the prime provider, but life is changing. We have more money purchase and private pension schemes as well as the Government's stakeholder pension. That is where the problem arises. The Financial Services Authority and OPRA, plus two ombudsmen—two different ombudsmen—will have regulatory authority over stakeholder pensions, which points up the absurdity of the present situation.

The Investment and Life Assurance Group pointed out to me the confusion among the bodies that regulate stakeholder pensions. Such pensions are designed for people who earn roughly up to £20,000 a year. With the best will in the world, those are the people who have most need of sensible advice and who may need to have recourse to the regulatory authorities.

The present provision will lead to confused consumers. That is why there is an argument for the pensions ombudsman to come under the umbrella of the FSA in the new set-up. That would make the system simple. Consumers could go to one organisation. That ombudsman would have access to the latest thinking in a structured as opposed to an informal way.

Under the present proposals, the ombudsman is out on a limb, completely independent and without a structural relationship with the FSA. He may hear about best practice and thinking and new forms of help for consumers through the informal net, but he will not do so through the formal structured net, so he is a fairly lonely character in structural terms—robust, but lonely.

The Government must consider whether they are happy that the pensions ombudsman sits outside the FSA. The argument for that, as I understand it, is that the pensions ombudsman deals only with occupational pensions, which are not a financial product in the same way as an insurance policy is. These days, that comes close to deciding how many angels are dancing on the head of a pin. Ordinary consumers, among whom I would count most hon. Members, would not recognise the distinction

[Mrs. Jacqui Lait]

between an occupational pension and a financial services product. On those grounds, we have reason to bring the pensions ombudsman within the FSA structure.

There has never been a move to bring the pensions ombudsman into the FSA fold. As many people are satisfied with the job that he is doing, they have not felt that we need to re-examine his place in the system.

4 pm

In a sense, inertia rules. I feel that there could be a role for the ombudsman within the FSA, and that his relationship with the FSA should at least be more clearly defined. As I said, the matter of who holds responsibility for stakeholder pensions, for example, is very confused, and a clear line of responsibility needs to be established. Another option is to give the pensions ombudsman more power over more pensions products.

Consumers will become confused about pensions, and confused consumers become angry consumers. They will receive little satisfaction from this regulatory system and will be pushed from pillar to post. Moreover, hon. Members will discover that ever more people will visit our advice surgeries or write complex letters to us about pensions. As hon. Members who have dealt with pensions cases will know, constituents often visit us and begin by saying, "It's a long story", before producing several files. We have to help people with pensions complaints to find their way through the pensions maze.

I should hope that the Government will take new clause 34 away and seriously consider whether there is a role for the pensions ombudsman, with more responsibility, outside the structure, or whether he might be better placed within the FSA structure—so that the lives not only of consumers, but of hon. Members might be simplified.

The Economic Secretary to the Treasury (Miss Melanie Johnson): As the new clauses deal with rather different topics, I shall deal first with new clause 2, and then with the points made on new clause 34.

New clause 2 proposes that certain activities must be the subject of a regulated activities order, to be made under clause 20. Currently, however, the Bill does not specify which activities should or should not be subject to such an order, although, in schedule 2, an indicative list is provided of the types of activities that could be covered. The schedule essentially sets the four corners of the scope of financial regulation in the Bill.

Specifying activities in the Bill would not be appropriate, and it would go against the basic structure that we have tried to establish—which is that the detailed activities to be regulated are to be specified in secondary legislation, so that the scope of regulations may be adapted when necessary to take account of the changing needs of the regulatory climate. When it is proposed to extend the scope of regulation under the Bill, affirmative resolution procedure will apply.

Much of new clause 2 touches on advice being given on general matters, not on particular investments. The draft regulated activities order that was published in February 1999 proposed that, if advice was not being given on particular investments, it should not be caught. Therefore, generic advice given on investing in shares rather than bonds, for example, would not be a regulated activity, whereas advice to buy shares in a given company would be a regulated activity.

The new clause seems partly to seek to contradict that position, and potentially to bring new matters within the scope of regulation, which is simply not our intention.

Although I appreciate that the hon. Member for Arundel and South Downs (Mr. Flight) said that the new clause was a probing amendment, I hope that I have explained why we do not think that it is the appropriate way to go.

Mr. Flight: The point of the probing amendment that was debated in Committee was to establish whether the Treasury were proposing to specify in the Bill the various types of investment advice that have developed. I should be grateful if the Minister could answer that.

Miss Johnson: If we specified them, we would do so in secondary legislation which will require an affirmative resolution. In schedule 2, we have indicated only the types of activity that we think could be covered, rather than tied ourselves down on the matter in primary legislation.

New clause 34, proposed by the hon. Member for Beckenham (Mrs. Lait), deals with dispute resolution in connection with operational pensions. It has been our intention where possible and sensible to remove the scope for overlaps and gaps in the arrangements connected with all kinds of financial services, so I cannot deny that there is a certain logic in the proposal.

However, the pensions ombudsman's current role is different from that envisaged under the Bill. The pensions ombudsman can entertain complaints against any trustees or sponsoring employers. That would not be the case under the Bill, because all potential respondents—such as employers—would not need to be authorised by the FSA, and so could not be brought within the compulsory jurisdiction. There is a fundamental difference in terms of the basis of the jurisdiction of the ombudsmen.

Moreover, the financial services ombudsman will generally consider relatively minor complaints—primarily from retail and small business customers about financial services they have bought, their home insurance, a problem with the mortgage and so on—where the nature of the complaint is between customer and service provider.

The pensions ombudsman—as all hon. Members will know—can look at the operation of the pension scheme as a whole, and can even consider complaints by potential respondents such as employers and trustees against each other. The ombudsman needs to be able to deal with the firm, the employees of the firm and the trustees of the firm's pension scheme, and deal with relationships between those people. Accordingly, whereas under the FSA's current proposals the ombudsman will be able to make awards of up to £100,000 per complaint, this would not be a sensible approach for the pensions ombudsman, given the collective nature of occupational pension schemes. There are a number of differences between the two proposals.

Mrs. Lait: Can the Minister clarify where the balance would lie in terms of people who have stakeholder pensions under a trustee system and the many stakeholder

pension schemes that will not have trustees? Would a member of a trustee stakeholder scheme go to the pensions ombudsman? Would someone with a money-purchase stakeholder scheme go to the FSA?

Miss Johnson: That is a matter for the relevant pensions Minister. The hon. Lady said that she will be raising such issues in debates on child support, pensions and social security. That issue should be raised with my colleagues in the Department of Social Security.

I accept that things will not always be clear cut. Clearly there can be cases where a person has a complaint against both an authorised person and the scheme trustees or employer—for example, in relation to a decision to opt out of an employer's scheme and take a personal pension plan recommended by an independent financial adviser. When problems arise, it is not immediately clear where the fault lies.

Sadly, I am not sure that that conflict can ever be resolved entirely. However, I hope that the hon. Member for Beckenham will note that paragraph 14(2)(c) of schedule 14 enables the ombudsman scheme rules to make provision allowing the ombudsman, with the consent of the complainant, to refer the case to another body for resolution by that body. Paragraph 19 provides a similar power for the voluntary jurisdiction, and allows the scheme to perform functions on behalf of a similar body, such as the pensions ombudsman. Those provisions were included with the pensions ombudsman in mind to ensure that the consumer could continue to benefit from an apparently seamless service in relation to pensions questions.

I hope that the hon. Member for Beckenham will agree that although there is no overwhelming single argument against the proposal that she has made, taking the various factors together, there are a number of potential problems that we ought to guard against. I hope that she will find my comments about the relationship between the two schemes reassuring.

Question put and negatived.

Clause 2

THE AUTHORITY'S GENERAL DUTIES

Amendment made: No. 240, in page 2, line 17, leave out paragraph (f) and insert—

"(f) the need to minimise the adverse effects on competition that may arise from any exercise of its general functions;

(g) the desirability of facilitating competition between those who are subject to any form of regulation by the Authority.".—*[Miss Melanie Johnson.]*

Dr. Vincent Cable (Twickenham): I beg to move amendment No. 456, in page 2, line 18, at end insert—

"(g) the need to facilitate access to appropriate financial services for disadvantaged consumers.".

Much of the attention of the Minister and her officials has been directed to the concerns of the City and the lightness of touch of regulation under the FSA, and we have devoted relatively little attention to the retail consumer interests, of which there are several. I raised in Committee the broad category of vulnerable consumers, which is a group of people who could be defined in terms of age, geography, mobility and income. The Minister gave a sympathetic reply, but said that such concerns could be dealt with under the general objective of consumer protection contained in the Bill. I think that she accepted the spirit of the amendment I tabled in Committee, but thought that there was no reason for particular provision to be made.

I return to the issue for one particular reason. In another capacity, I am increasingly involved in the scrutiny of the Utilities Bill, which came before the House a few weeks ago. It contains a clause that specifically deals with disadvantaged consumers, and that represents an evolution in thinking in Government about how regulation should be handled. Until recently, utility regulators took the view that matters of poverty and age were nothing to do with them. The hon. Member for Ochil (Mr. O'Neill), the Chairman of the Select Committee on Trade and Industry, recounts a tale of the time the gas regulator appeared before the Committee and said that poverty had nothing to do with her. She claimed that it was the business of the Department of Social Security and the Treasury and should not be brought to the regulators.

The Department of Trade and Industry now understands that poverty is a regulatory issue and that it has, and should have, direct responsibility for focusing on the distinct problems of disadvantaged consumers. There are strong analogies between regulating utility contracts, which are complex and involve switching costs, and the kind of transactions that many consumers have to deal with in the financial services market. I do not know whether the Department has compared notes with the Treasury, but it seems that the regulation of financial services may be lagging behind the regulation of utilities in that respect. Perhaps some cross-fertilisation could take place.

The issue is important and I wish to press it. We are concerned on behalf of many people who face two sets of problems. The first is the problem of financial exclusion, which is something that the Minister knows about, because the Treasury has led the interdepartmental work on financial exclusion. She will know that some 1.5 million people are effectively shut out of the system of banking and financial intermediation.

The second problem is the exploitation of vulnerable people by financial institutions. We all know of many cases of 75-year-olds who have sought advice from bank branch staff. The old people do not understand that the advice is not independent and they are persuaded to switch large sums of money into an account that yields high commission income for the bank but is not in the interests of the customers. Some of those cases have been highlighted in the *Daily Mail*, which has run a campaign on the issue for some years.

The issue of vulnerable consumers is, therefore, partly a question of access, but also of abuse and consumer protection, which are not sufficiently covered in the Bill. What role can the FSA play, other than in its broad commitment to consumer protection? Well, the FSA could perform various specific functions and there is the possibility of cross-subsidising some of its regulatory activities. Certain kinds of financial institutions, such as credit unions, cater to the financially excluded, and cross-subsidy within the FSA arrangements could permit such work to be given priority, together with the use of information.

Perhaps most important is encouraging or, in some cases, requiring financial institutions to have proper safeguards and codes of conduct on how to deal with

[Dr. Vincent Cable]

disadvantaged consumers. For example, some banks whose branches have brought them bad publicity, such as Lloyds TSB, have adopted codes of good practice. Senior managers must approve investments by customers over the age of 75. Such customers must have an accompanying friend or mentor to advise them; they are encouraged to take away the contract before they sign it, and are not allowed to invest in long-maturing investments. There is a series of provisions that can be, and are, built in by the more forward-looking financial institutions—Nationwide is another one—but which are not common practice. The Financial Services Authority could ensure that such practice is generalised.

4.15 pm

This is an important issue that affects many people but has been omitted from the Bill. I understand that such a provision may previously have been felt to be insufficient. However, given the way in which regulatory thinking in government is advancing, particularly when we consider the Utilities Bill, I should need to be persuaded by the Minister that there were very good reasons for not pressing the amendment to a Division.

Mr. Flight: The issue raises an important subject on which all parties in the House agree—that is, that more than 1.5 million people do not use financial services. However, I think that the thoughts of the hon. Member for Twickenham (Dr. Cable) might have been led up the wrong path by his experience in connection with the Utilities Bill.

With regard to this Bill's objectives, the Government, the Opposition and the FSA have all stressed that they are the key guidelines that the FSA is to follow. I am sure that the hon. Gentleman is not suggesting that in that category of objectives the FSA should be thinking about making rules that were biased towards one particular section of the community.

Many things can be done to address and help those who do not use financial services. The hon. Gentleman cited many voluntary procedures. Credit unions are being encouraged to participate, Barclays bank is doing deals with post offices, and so forth. I think that on reflection the hon. Gentleman would agree that it is not appropriate for the issue to be listed as one of the five key objectives of financial regulation. I suggest that it is playing to the gallery, rather, to raise the point in this context.

We want to hear what other initiatives the Government suggest to help those consumers, and to encourage banks and others to provide services where they do not exist. As has been pointed out, much of that will have to be done on a cross-subsidised basis. Again, it is not really the role of regulation to have an objective telling businesses to cross-subsidise.

As for the right advice and products being provided for older people in particular, that is covered in the Bill under best practice. Under the Bill, it is a sin for advisers or providers to recommend a product to older people which is not suitable for their circumstances, and they can be punished if they do so. The amendment would not add anything in that area. Furthermore, I am sure that the industry is developing codes of good practice, and the FSA can encourage such development under its objective to provide greater education.

There is no disagreement with the spirit of the proposal, but the amendment itself is unsuitable.

Miss Melanie Johnson: As financial exclusion is a matter of concern to the whole House, I share the starting point adopted by the hon. Members for Twickenham (Dr. Cable) and for Arundel and South Downs (Mr. Flight). It is certainly a matter of great concern to the Government. We have focused on the needs of vulnerable consumers in several areas, and I shall touch on them when I come to answer the specific questions put by the hon. Member for Arundel and South Downs about action to help consumers.

Financial exclusion limits the ability of many of the poorest people in society to have access to or enjoy the benefits of an ever-increasing range of financial services. It is often more expensive for them to carry out transactions than it is for those of us with access to such services.

The Bill already contains two important provisions that help us towards our objective. First, there is the consumer awareness objective, set out in clause 4, which gives the Financial Services Authority an important role in providing the public with information. In part, of course, that is about helping those who already use financial services, but the objective is not only current users. It also gives the FSA a role in providing information and promoting the benefits—at least in general terms—of using financial services.

Hon. Members may be aware that the FSA has been working hard on this area. It has issued various consumer-oriented publications, such as its series of mini-guides. It has worked with consumer interest groups and citizens advice bureaux on consumer education initiatives. It has also worked with the Department for Education and Employment on possible topics for inclusion in the national curriculum, which will help young people to participate more actively as customers in the financial services market of the future. I very much welcome those developments, as both hon. Members will.

The consumer protection objective is also relevant. We have carefully sought to define "consumer" widely in clause 5, so that the people whom the FSA is required to protect include those not currently using financial services, but contemplating doing so. The Treasury has given considerable thought to the idea of imposing on the FSA a duty to have regard to financial exclusion, both in the context of the Bill and as part of its wider agenda on the topic. However, our conclusion was that the kind of provision proposed would not be the right way ahead. Indeed, as the hon. Member for Arundel and South Downs said, that was the drift of our argument in Standing Committee A.

As regards the points about action already taken, the main thrust of our announcements has been through policy action team report 14, which included proposals for an improved regulatory framework for credit unions, which have an important role to play; a new central services organisation to support and enhance the role of the credit unions; support for more widespread introduction of insurance-with-rent schemes so that people may have access to home contents insurance; exploring the possibility of widening the role of the social fund to help those in low-paid employment; and greater disclosure by the banks of their provision of services to the socially excluded.

Further steps include deregulation of the industrial insurance business—often known as the home services insurance business—which many insurers see as vital to the provision of door-to-door and locally delivered insurance and savings products. We will also provide greater freedoms for friendly societies. One of our most important initiatives aims at ensuring that people will have access to basic bank accounts, which we are pursuing with the banks and the British Bankers Association. We want to make sure that basic bank accounts are available to everyone who wants one for basic banking purposes. We are also in regular discussion with the industry—both firms and trade associations—about how we can work together.

The hon. Member for Twickenham talked about banks and codes of good practice. The BBA code of practice covers access and the identification required to open a bank account. Most major banks are party to that code. Our initiatives will lead to advances on the issues that concern the hon. Gentleman.

I agree with the hon. Member for Arundel and South Downs that the amendment would not be the right way to advance matters. It would not be sensible to add a further principle to the Bill, as the amendment would do. However, we anticipate that the FSA will consider protecting consumers as part of its general work and will seek to educate and inform consumers. We attach great importance to that principle, and I hope that the hon. Member for Twickenham will withdraw his amendment in the light of my remarks.

Dr. Cable: I thank the Minister for that reply. However, although its tone was helpful, it does not quite answer my concerns. I do not ask for much; we are not trying—as the hon. Member for Arundel and South Downs (Mr. Flight) suggested—to elevate the provision to one of the Bill's key objectives. That is not the point. We realise that consumer protection is the overriding concern.

We want our modest request to be taken into account, however. I do not know why the Government have a problem with it. If I understand the Minister's reply correctly, she said that the Government had been thinking about how they could insert a phrase so that we could have regard to financial exclusion and the difficulties faced by low-income and older consumers. But the Government have not met that requirement—perhaps it will be dealt with in another place. In the absence of a Government provision, the amendment is the only proactive suggestion for handling the matter.

I accept much of what the Minister said. A great deal is happening on the financial exclusion front; I do not want to minimise that. Many good initiatives have been taken and I welcome them. However, we have to confront an environment in which the FSA has a broad remit to examine such problems.

In debates on other clauses, we discussed the problem of what happens under different management. For example, Mr. Howard Davies will move on, and a different cultural environment will develop in which there is no pressure on the FSA management to give those issues the importance that they deserve. That is why it is essential to have some explicit commitment in the measure to oblige the FSA to treat certain issues with some importance—especially education and the prevention of abuse, both of which are serious problems for people on low incomes and for very elderly people.

I therefore ask the House to accept the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 38, Noes 305.

Division No. 68] **[4.27 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Jackie
Beggs, Roy
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cotter, Brian
Donaldson, Jeffrey
George, Andrew *(St Ives)*
Hancock, Mike
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Livsey, Richard
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Smyth, Rev Martin *(Belfast S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thompson, William
Tyler, Paul
Webb, Steve
Welsh, Andrew
Willis, Phil

Tellers for the Ayes:
Mr. Adrian Sanders and
Mr. Tom Brake.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank

Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Hara, Eddie
Organ, Mrs Diana
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. David Clelland.

Question accordingly negatived.

Miss Melanie Johnson: I beg to move amendment No. 241, in page 2, line 23, leave out "advice and" and insert "general".

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Government amendments Nos. 242 to 244, 90, 117, 418, 419, 448, 125, 126, 128 to 134, 449, 454, 138, 141 to 143, 330 and 443.

Miss Johnson: The amendments make minor drafting changes designed to achieve accuracy and consistency in the Bill. I do not propose to speak to any of them, unless hon. Members raise specific questions.

Mr. Flight: Many of the points covered by the amendments were raised by us in Committee. I shall comment on two issues.

In amendment No. 241, the wording limits the general functions in relation to advice and guidance to only general guidance. This is largely a semantic issue, but in our view that is wrong. It is a general function of the FSA to give ad hoc advice and information on an informal basis, and we would not want the amendment to be interpreted in such a way that that was not a general function of the FSA.

Amendments Nos. 448 and 454 empower the FSA to call for specified information and impose requirements on the operations of collective investment schemes outside

the UK in the designated territories, on the same basis as it is empowered to do in relation to schemes run by UK-authorised persons. That is tantamount to claiming an extraterritorial power, which is not appropriate.

Machinery already exists to remove designated status approval if the FSA is not satisfied with the way in which a scheme outside the UK is being run. I trust that the Lords will deal with the matter further. It is not appropriate, as the amendments imply, for the FSA to claim regulatory powers over other countries that have their own regulatory regimes.

Amendment agreed to.

Amendment made: No. 242, in page 2, line 26, at end insert—

"( ) 'General guidance' has the meaning given in section 130(5).".—*[Miss Melanie Johnson.]*

Mr. David Heathcoat-Amory (Wells): I beg to move amendment No. 235, in page 2, line 26, at end insert—

"(4A) The Authority must ensure that its staff responsible for or involved in—

(a) monitoring, investigating or disciplining authorised or approved persons or,

(b) investigating persons suspected of engaging in, or of requiring or encouraging another person to engage in, market abuse or any offence for which it can institute proceedings, and

(c) drafting, or giving instructions to the draftsman of, rules, statements of principle or codes

shall be suitably competent and shall have sufficient knowledge of the relevant financial sector to fulfil their functions.".

I am sorry that we have only a few minutes to debate a rather important issue—the qualifications of FSA staff—as it is a matter of considerable concern to the financial services industry. Although many of those in the industry have faith in the competence and ability of the senior members of the authority, they often have to deal with more junior staff, many of whom lack experience, to put it mildly. A number of the previous regulatory bodies, such as the Personal Investment Authority, achieved a reputation for having staff who did not always exhibit the required professionalism and experience.

The authority will wield substantial discretionary power. Comparatively junior staff will therefore have considerable authority. Even if firms are not frightened of them, they believe that they have a right to expect that staff are properly trained. Many firms and people in the market complain that they spend a great deal of time educating the regulatory staff in basic rules of business. That takes time and is the reason for many of the compliance costs. Will the staff hired and retained by the authority measure up to the standards that they require of others when they become authorised persons?

4.45 pm

I asked the Minister that question in Committee and did not receive an answer. The matter is especially important given that, under the compensation scheme, authority staff will run businesses, or at least make business decisions about firms—for example, when and how they can be compensated. In the case of insurance companies, they can take over businesses and make important decisions about them. It is important that the staff measure up to the standards that they require in others. Will FSA staff be required to be authorised persons? If not, why not?

My other question deals with the adequacy of current staffing in the FSA. On 4 February, *The Times* reported that the authority was still attempting to recruit approximately 150 staff. The article stated:

"An FSA spokesman admitted yesterday that the regulator was still short of the 2,000 staff it needed to carry out its revamped and expanded function, which has been set out in the Bill."

That is worrying. We want an effective regulator, which has not only the right quality of staff but enough of them to discharge the functions that the House is giving it. I hope that the Minister can answer the questions about the training and competence of the staff and their number.

Miss Melanie Johnson: The Joint Committee considered the staffing of the FSA. It rightly concluded that it is important for the FSA to attract appropriately qualified staff, that their salaries need to be competitive and that there is merit in seconding practitioners with up-to-date experience of trading in regulated industries. I am sure that the right hon. Member for Wells (Mr. Heathcoat–Amory) agrees with that. However, the Committee also concluded that staffing is not a matter for the Bill. That is crucial, and I agree whole-heartedly with the Committee. It is not appropriate for a Bill to go into staffing details for an organisation such as the FSA.

The Bill already deals with some of the issues about which the right hon. Gentleman is worried. It makes board members responsible for arrangements for the discharge of its functions, and gives the non-executive members a specific role in reviewing the discharge of the FSA's functions. The board, not members of its staff, will be responsible for discharging its legislative functions.

The FSA will be required to report on the discharge of its functions in its annual report. Its general policies and practices will be subject to scrutiny by the practitioner and consumer panels, as well as by the Government and, through the Treasury Committee, by Parliament. We do not think it is necessary or appropriate for the Bill to tell the FSA, any more than other bodies that exercise public functions, what staff it should employ to meet its responsibilities.

If the FSA fails to deliver its objectives, board members are ultimately accountable, so they will have every incentive to employ the right mix of staff and to make the best use of them—

It being one hour after the commencement of proceedings on consideration of the Bill, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Mr. Deputy Speaker (Sir Alan Haselhurst): I understand that the Government need to move Government amendment No. 405.

Mr. David Kidney (Stafford): On a point of order, Mr. Deputy Speaker. You refer to Government amendment No. 405. Am I wrong to think that that is an Opposition amendment?

Mr. Deputy Speaker: It was originally an Opposition amendment, but it was accepted by the Government. The guillotine has fallen so it has to be proposed by them.

Clause 6

THE REDUCTION OF FINANCIAL CRIME

Amendment made: No. 405, in page 3, line 19, leave out "by a regulated person" and insert—

"(a) by a regulated person, or

(b) in contravention of the general prohibition,".—*[Mr. Allen.]*

Clause 17

THE GENERAL PROHIBITION

Amendment made: No. 67, in page 8, line 7, leave out "in relation to that activity".—*[Mr. Allen.]*

Clause 19

RESTRICTIONS ON FINANCIAL PROMOTION

Mr. Heathcoat-Amory: I beg to move amendment No. 4, in page 8, line 21, leave out from "communicate" to "activity" in line 22 and insert—

"or cause to be communicated—

(a) an invitation to engage in investment activity; or

(b) information which is intended or might reasonably be presumed to be intended to lead directly or indirectly to engagement in such".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: amendment No. 5, in page 8, line 28, leave out

"capable of having an effect"

and insert—

"intended to be acted on by a person".

Amendment No. 185, in page 8, line 34, leave out

"The Treasury may by order specify"

and insert—

"Subsection (1) does not apply in the case of an oral communication which does not constitute an invitation to engage in investment activity and the Treasury may by order specify other".

Government amendment No. 68.

Amendment No. 388, in clause 212, page 108, line 10, after "communicate", insert—

"to a person in the United Kingdom".

Amendment No. 403, in page 108, line 10, leave out from "communicate" to end of line 11 and insert—

", or cause to be communicated, to a person in the United Kingdom—

(a) an invitation to participate in a collective investment scheme; or

(b) information which is intended, or might reasonably be presumed to be intended, to lead directly or indirectly to such participation.".

Amendment No. 404, in page 108, line 15, leave out

"capable of having an effect"

and insert—

"intended to be acted upon by a person".

Amendment No. 389, in clause 214, page 109, line 19, after "communicated", insert—

"and none of the exemptions prescribed by rules made by the Authority under section 212(5) would have applied".

Mr. Heathcoat-Amory: The Minister was cut off in full flow, but I hope that that will not prevent her or her colleagues from returning to the unanswered points, perhaps on Third Reading. She began a little unconvincingly, if I may say so, and perhaps the real answers were further on in her brief. Staff training is sufficiently important to warrant the provision of a little more information. However, under the rules of the House we must pass on to restrictions on financial promotion, which relates to an important part of the Bill.

Clause 19 caused a lot of problems in Committee and we debated it at considerable length. However, I freely concede that the Bill has been greatly improved in this respect. The first stab at restricting financial promotion was absurd, as almost everyone would have been prevented from telling almost anybody about any investment activity whatever. The Government rapidly recognised that as unworkable, if not absurd. I gave an example in Committee that was not contradicted by any Labour Member: if I was not an authorised person, telling my neighbour that he ought to think about taking out a pension would have been a criminal offence. That approach would have completely discredited the law, as it does us no service to have laws that are widely ignored or ridiculed.

The Government have improved that aspect of the Bill, and advice or an invitation to invest must be offered in the course of business. That is a big improvement, but our amendment would improve things further—the clause is still drawn very widely indeed—by importing an element of intention to the activity, or at least strengthening the intention element. The person communicating information must invite the other person to invest or intend to do so. The clause, certainly in some respects, refers to an invitation but also to an inducement. It is not clear whether that provision operates sufficiently in respect of the intention of the person making the offer or issuing the invitation, and it relies too much on effect. It is important to be more explicit about the motives and state of mind of the person issuing the invitation; otherwise, we shall catch those who provide information—it may be acted on by others who may undertake investment activity as a result of reading it or listening to such people—even though they did not intend to issue any sort of invitation whatever.

Amendment No. 5 tackles the issue of communications received from outside the UK. At present, the Bill attempts to criminalise communications that are capable of having an effect in the UK unless they are made by an authorised person. Many people issuing electronic invitations or making information available on websites will not have heard of the FSA and will certainly not be authorised persons.

The provision is far too wide and is liable to catch communications between two people, neither of whom are in the UK, but which nevertheless could be seen and acted on by someone in the UK—for instance, on the internet. An invitation over the internet from someone in Canada to another person in the United States may be freely accessible in this country and could be acted on by someone here, who would be caught by the clause. I think

that that provision is largely unenforceable. If I am wrong, perhaps the Financial Secretary could explain how the clause will operate. Amendment No. 5 would remove the phrase

"capable of having an effect"

and insert the words

"intended to be acted on by a person".

That is an important restriction and a narrowing of the clause, which would give it greater purpose and effect.

Amendment No. 185 would expressly provide that oral communications are allowed. This is more in the nature of a probing amendment, but I hope that it will lead to a short debate on the issue of solicited as against unsolicited communications. As things stand, even a telephone call that is solicited by a client could be caught by the Bill. To give another example, a firm based abroad may be telephoned by someone from this country who has seen some of its promotional literature and wants to know more about the products or services on offer. If the firm responds, it could be guilty of an offence. I should like to know whether that is reasonable, and how it can be enforced. Our amendment tackles that problem and would exclude such oral communications from the prohibition.

Amendment No. 388 concerns collective investment schemes. Clause 122 prohibits authorised firms from marketing unregulated investment schemes. We are not quarrelling with that, but our amendment would restrict that to persons in the United Kingdom; otherwise, firms in this country would be unable to market schemes in other countries where the local regulator had no objection, and we could face the bizarre situation in which the only schemes that could not be marketed in such countries would be United Kingdom schemes, which would put our industry at a competitive disadvantage.

It is wrong in principle that firms in this country should face a double jeopardy. They could be stopped from marketing a certain investment scheme which falls foul of the rules over here, even though the countries to which their marketing effort is directed have no problems. If that happens, the citizens and investors in that country will simply buy from everyone else except the United Kingdom. I do not think that this is compatible with the principle set out in the Bill, which is to try to safeguard the competitiveness of the United Kingdom industry. It is not right that one part of the Bill should conflict with the expressed objectives and principles in another. I shall be interested in the Minister's comments.

5 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): The financial promotion regime dealt with in the clause governs the advertising of financial services and investments. It is important for ensuring that members of the public are not ripped off. The regime that we have developed and enshrined here seeks to bring the law more up to date and to recognise new technologies and different media, such as the internet and digital television.

The guiding principles have been to make the new regime future-proof and technologically neutral. We are committed to doing everything we can to make sure that the UK is in the lead in making the best use of technology in this field, as in all fields. We are also proposing new financial promotion exemptions in secondary legislation to make informal capital-raising by small businesses and start-ups easier.

The financial promotion regime set out here applies to unauthorised persons. Authorised persons will be subject to the rules of the Financial Services Authority. So the clause is unlikely to have a direct effect on the businesses of financial services firms. This is an issue where there has been a good deal of misunderstanding, and the House needs to be clear about it.

Government amendments to the clause and to clause 212 were proposed in Committee in July in response to consultation. As the right hon. Member for Wells (Mr. Heathcoat-Amory) acknowledged, they have gone a long way to meeting the concerns that were expressed at that time.

The amendments did two main things. First, they introduced a business test into the financial promotion prohibition, so that only promotions made in the course of business are caught, and not the discussion between neighbours that the right hon. Gentleman suggested, which could have been caught by the earlier formulation. Secondly, the amendments changed the language of the basic financial promotion prohibition so that the prohibition and offence apply to communications which are more clearly promotional in nature, not just information which might lead to financial services activity.

We have put out two consultation papers on financial promotion. The second included a draft order with exemptions from the basic financial promotion prohibition. The consultation period for the second paper closed very recently. We shall listen carefully to comments on the draft order and to other comments made in relation to the clause. It is important that we do not prejudge at this stage the results of that consultation exercise.

Amendments Nos. 4 and 403 seek to reinstate the previous financial promotion restriction, although they recognise that there should be a business test. It was not clear from what the right hon. Member for Wells said, but it is the case that they propose bringing back the old language, before the July amendments, catching

"information which is intended or might reasonably be presumed to lead directly or indirectly to engagement in investment activity",

with the focus on "information". In the July amendments that was changed to make reference to a prohibition on invitations or inducements to engage in investment activity.

The right hon. Gentleman suggested that the form of words in the amendment enshrined a greater degree of intent than is in the wording of the Bill, but I do not think that that is so. There is clearly in the wording here, "invitation or inducement", greater clarity about what is envisaged than in the old wording, which has appeared again in amendment No. 4.

The changes were made in response to concern expressed in consultation that factual information that was not promotional could be caught by the prohibition as originally drafted. I am surprised that the Opposition should suggest returning to the earlier wording.

Mr. Jim Cousins (Newcastle upon Tyne, Central): I am sure that my hon. Friend has followed the exchanges that have taken place between two of our great popular newspapers over the past 10 days. Allegations have been made—it is not necessary to explore the truth of them here—that journalists responsible for giving investment advice themselves had investments in the companies and enterprises that they were tipping. Do the Government intend activities of that kind to be caught by the clause?

[Mr. Jim Cousins]

If this is a difficult question, I am happy for further thought to be given to it, but we need clarification. The investing public are now very aware of the situation, because of the conflict between the two newspapers.

Mr. Timms: My hon. Friend presents me with an interesting invitation to engage in the crossfire between two august institutions. I shall resist on this occasion, but he has raised a significant point, on which we may be able to comment before the end of the debate.

Amendment No. 5 deals with the territorial scope of the financial promotion prohibition. We discussed that at length in Committee, and it was also dealt with in the two financial promotion consultation papers. Territorial scope is especially important given the increasing use of the internet, whereby overseas providers can easily target UK investors. We want to encourage use of the internet, which should lower costs to consumers and provide consumer choice. It should also give UK businesses better access to a wider range of consumers. It is, however, important for consumers to have appropriate protection as well.

The financial promotion prohibition has a twofold territorial scope. It applies to promotions issued from the UK to places or persons overseas, and also to inward promotions—promotions issued to the UK from outside it. Amendment No. 5 relates to inward promotions, and proposes that promotions that originate overseas but are

"intended to be acted on by a person"—

a UK person—should be caught. The language in the Bill as it stands catches inward promotions that are

"capable of having an effect"

in the UK. I should point out, however, that the draft financial promotion exemptions order, on which we have been consulting, proposes the limitation of that arrangement, so that only communications that are actually directed at the UK will be caught. That may well deal with the concern expressed by the right hon. Member for Wells.

Amendment No. 5 would have a fairly similar effect to that of inserting the "directed at" test—currently in the order—in the Bill. Both the amendment and the clause as currently drafted reflect, to an extent, the principle of so-called host state regulation: regulation in the country in which a promotion is received. We mention in the consultation paper that we have been considering putting the "directed at" test in the Bill, rather as the right hon. Gentleman proposes. We think, however, that it would be inappropriate to make any change along those lines at this stage, for a number of reasons.

First, the consultation has only just ended, and we need to consider it properly. Secondly, we need to view the issue in the light of potential European Union and international developments—and, in particular, a possible move to the "home state" or "country of origin" regulatory principle in respect of financial promotions, if that is provided for in future by EU legislation or other multilateral agreements. We want to ensure that the Bill is future-proof in that respect.

We support the principle of home state regulation that is reflected in the draft European e-commerce directive, although its application is limited in the financial services sector, but we are not currently convinced by the argument for applying solely the home state regulatory principle to financial promotions in advance of appropriate European legislation. We need to bear in mind the importance of the UK acting consistently with other jurisdictions. If the UK applied, say, only home state regulation, but other European economic area jurisdictions applied only host state regulation, there could be undesirable results and gaps in the system. However, it is an important issue. We have been consulting on it. We prefer not to prejudge the results of that consultation by amending the Bill at this stage. The possibility remains of doing so later. I hope that Conservative Members will take some comfort from that.

I move to amendments Nos. 388 and 404. Amendments that would have had a similar effect were debated in Committee, when my hon. Friend the Economic Secretary to the Treasury recognised that there might be a case for applying the territorial scope of the collective investment scheme marketing prohibition differently from that of the clause 19 prohibition. We will continue to reflect on that in the light of consultation responses to the financial promotion consultation paper; again, reflection on that is not yet concluded.

Amendment No. 185 seeks to provide that oral promotions should not be prohibited, unless they amount to an invitation to engage in investment activity. That is not appropriate. First, it reintroduces the concept of oral and other types of communication to the basic prohibition. We have tried to do away with those concepts in the light of developing technology. For example, why should someone be allowed to promote investments orally, but not over the internet, say, via an internet chat room, which to all intents and purposes has similar features to a conversation, in that a chat room effectively allows informal, immediate on-line "conversations"? The distinction is not as clear cut as it should be to be included.

Secondly, there are numerous ways in which a person might promote investments which do not amount to an outright "invitation." Conceivably, quite a hard sell would be involved, but it might not be an invitation. Under amendment No. 5, such a hard sell could be exempt, but we are not seeking to regulate all forms of communication. Seeking to control conversations of all types is not sensible. That is why we have proposed that communications that are not made in the course of business should not be caught. Therefore, a conversation between friends in the pub or neighbours should not be caught, unless it is made in the course of business.

The draft exemptions order proposes various other exemptions that could apply to oral communications: for example, a widespread exemption for calls that are invited by the recipient of the promotion and that are not made as part of a wider selling campaign.

Amendment No. 389 tracks amendment No. 787, which was tabled by the hon. Member for Arundel and South Downs (Mr. Flight) in Committee. The intention behind the clause is that, if an authorised person cannot issue the promotion, an authorised person cannot approve an unauthorised person issuing it either. Beyond that, it will be for the authority to make rules under clause 118 concerning authorised persons' approval of financial promotions. That is the intention. As the Economic Secretary to the Treasury said, we are still considering how well the drafting achieves that. We will come back

to the matter, if necessary, in due course. We will, of course, reflect again on what the right hon. Member for Wells has said.

Government amendment No. 68 is a drafting amendment to improve the clarity of the wording. I commend it to the House.

Mr. Flight: As the Minister will recollect, there were 43 pages of debate on the clause in Committee. Numerous concerns about the clause have been raised by a raft of lawyers, by the communication industry, by the financial services industry and indeed by bureaucrats. It is somewhat strange that we should be on Report with the Government effectively saying at last that they recognise quite a lot of the concerns that we have expressed and will look to deal with them. We are left with a crucial clause that is nowhere near complete.

5.15 pm

We cannot see why the Government have for so long not taken the points, which are clear and straightforward and which our various amendments highlight. Without repeating all the points that were made by my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), there are four different territories. One is simple: we are dealing with a criminal offence. People can go to jail for it and there should be some requirement on the prosecution to prove intent; that the communication was to some extent promotional and intended to attract people potentially to invest.

The issue on the net is the most important. The Government seem to be saying that they will change their mind. The draft exemptions go some way towards that, but as the Government will be aware, there is quite a lot of detail that would lead a lot of businesses to fall foul of the order.

It has been made fairly clear that it would be possible to open EU infringement proceedings. Indeed, there is a question as to whether the Government should have cleared draft legislation with the Commission under the transparency directive before introducing it.

It seems that the Government will move in one form or other to the principle that we have suggested. Ridiculously, the wording

"capable of having an effect in the United Kingdom"

would ensure that almost any form of communication about the world would be covered by UK regulation. The many communications between a business in Tokyo and one in the United States on the net could have an effect if someone looked them up here. The suggestion that the FSA should regulate cyberspace is impractical and indeed damaging to our reputation.

Amendment No. 185 deals with the cold-calling and oral issue. The intention is not to exempt oral communications that were self-evidently fraudulent or designed to promote, but unless our amendment is accepted there will be problems with overseas investment firms that do not have branches in the UK and that would be unlikely to know the detailed requirements under the proposed Treasury orders and to remember to send a second document asking for consent to cold calls. Many breaches could arise in relation to the placement of flotations; United States security houses would naturally want to send offerings about the world by not just oral, but other means of communication. More thought will need to be given if our amendment is not to be accepted in that parameter.

Amendment No. 388 relates to the fact that the Bill prohibits authorised firms from marketing unregulated collective investment schemes. We believe that that prohibition should apply only when the communication is to a person in the UK. Again, there are many instances where schemes may not be regulated. They may be under jurisdictions other than that in the UK; UK firms may be properly promoting in other parts of the world, where there are either no regulations to prohibit them from doing so, or it is normal to do so. As the clause stands, particularly in the venture capital sector, some silliness could result.

We see amendment No. 389 as a correction. Clause 214 imposed a general prohibition on approving marketing materials for unregulated schemes. Our amendments limit that provision to where none of the exemptions prescribed by the FSA rules apply. As the clause is drafted, that may seem implicit, but it certainly is not,

This territory is of crucial importance. It is relevant to the development of the United Kingdom as a leading economy in e-commerce and to the international marketing of products and services by European Union financial services businesses. It concerns a criminal offence. The clause is not right yet, as the Government seem to admit. It is well overdue that it should be and we want to press our amendments.

Mr. Timms: We will certainly reflect on the arguments of the hon. Member for Arundel and South Downs (Mr. Flight) as well as those of the right hon. Member for Wells (Mr. Heathcoat-Amory). The clause has been a good deal improved since it first appeared before the Standing Committee. I am still not clear why Opposition Members are trying to reinstate some of the wording that was removed during the improvement process.

In response to my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins), on the activities of newspapers and journalists, as I said, I would not want to comment on the individual case to which he referred. Alongside the existing criminal offences of insider dealing and market manipulation, new provisions in the Bill will allow the FSA to impose penalties on anyone who abuses markets. Journalists will be in the same position as everyone else. Penalties could be imposed on them if they abuse the markets. Journalists do not at present need authorisation if they give advice in a newspaper or periodical whose principle purpose is not giving investment advice. In the consultation document on regulated activities under the Bill, which was published last year, we proposed that that position should be maintained.

Mr. Heathcoat-Amory: I am grateful to the Minister for his courtesy in at least conceding that we are raising legitimate issues. Our worry is that this has all come so late. Although the Bill was first announced nearly three years ago and has been available in draft since July 1998, the Government are still grappling with some of the concepts. In addition, we discussed clause 19 exhaustively in Committee. By now, the Government should have come to a conclusion about some of these matters. The Bill is not simply for the convenience of the Government or the authority. Outsiders and the industry in general want to know where they stand.

[Mr. Heathcoat-Amory]

The situation is summed up by the stance on amendment No. 5. The Government are saying that the clause goes too wide, catches too many people and will be unenforceable, but that they will use secondary legislation to restrict its provisions. It is wrong to attempt to outlaw something in primary legislation and then authorise it in secondary legislation. People who want to know how the industry is to be regulated, who will be caught and what offences they risk falling foul of, will go to the Bill—it is the Act, as it will then be, that will be scrutinised. The single volume that is publicly available will be the fountainhead of knowledge about the regulatory system, not all the orders, the regulations and the endless flow of secondary legislation.

On the basis of the quality of legislation alone, the Government are condemned. Even now, they have not come to a conclusion on some of these matters. As a mark of that fact and to emphasise the importance that we attach to the matter and that we expect some serious amendments to be made in another place, we shall divide the House on amendment No. 5.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 5, in page 8, line 28, leave out

"capable of having an effect"

and insert

"intended to be acted on by a person".—*[Mr. Heathcoat-Amory.]*

Question put, That the amendment be made:—

The House divided: Ayes 175, Noes 312.

Division No. 69] **[5.25 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Major, Rt Hon John
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londy)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Keith Simpson and Mr. John Randall.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen

Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Clelland and Mr. Kevin Hughes.

Question accordingly negatived.

Amendment made: No. 68, in page 8, line 35, leave out

"rules made under section 118"

and insert "financial promotion rules".—*[Mr. Robert Ainsworth.]*

Clause 20

THE CLASSES OF ACTIVITY AND CATEGORIES OF INVESTMENT

Amendment made: No. 406, in page 9, line 15, after "which" insert

"is carried on by way of business and".—*[Mr. Robert Ainsworth.]*

Clause 24

AGREEMENTS MADE BY UNAUTHORISED PERSONS

Amendment made: No. 243, in page 10, line 30, leave out "('the provider')".—*[Mr. Robert Ainsworth.]*

Clause 26

AGREEMENTS MADE UNENFORCEABLE BY SECTION 24 OR 25

Amendments made: No. 244, in page 11, line 33, leave out "provider" and insert

"person carrying on the regulated activity concerned".

No. 245, in page 11, line 36, leave out from "not" to "that", in line 37, and insert "know".—*[Mr. Robert Ainsworth.]*

Clause 27

ENFORCEABILITY OF AGREEMENTS RESULTING FROM UNLAWFUL COMMUNICATIONS

Amendments made: No. 246, in page 12, line 13, leave out

"as a direct or indirect result"

and insert "in consequence"

No. 247, in page 12, line 20, leave out

"as a direct or indirect result"

and insert "in consequence".

No. 248, in page 12, line 32, leave out from "that" to end of line 4, on page 13, and insert

"the enforcement conditions are met.

( ) The enforcement conditions are that it is just and equitable for the agreement or obligation to be enforced or (as the case may be) for the money or property paid or transferred under the agreement to be retained and—

(a) if the applicant made the unlawful communication, that he reasonably believed that he was not making such a communication; or

(b) if the applicant did not make the unlawful communication, that he did not know that the agreement was entered into in consequence of such a communication.

( ) 'Applicant' means the person seeking to enforce the agreement or obligation or retain the money or property paid or transferred.

( ) Any reference to making a communication includes causing a communication to be made.".—*[Mr. Robert Ainsworth.]*

Clause 28

AUTHORISED PERSONS.

Mr. Flight: I beg to move amendment No. 34, in page 13, line 29, at end insert—

"(cc) a person qualifying for authorisation under Schedule 5,".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 73 to 76, 112 and 121.

Amendment No. 380, in clause 211, page 107, line 5, leave out "on" and insert "under an express".

Amendment No. 65, in page 107, line 15, after "which", insert—

"(otherwise than under other provisions)."

Amendment No. 381, in page 107, line 17, after "repurchased", insert—

"in accordance with the scheme".

Amendment No. 66, in page 107, line 17, leave out

"(otherwise than under other provisions)".

Amendment No. 382, in page 107, line 18, leave out "are" and insert "may be".

Amendment No. 383, in page 107, line 18, after "are", insert—

"at the request of participants".

Amendment No. 384, in page 107, line 21, leave out "related to" and insert "not significantly different from".

Amendment No. 385, in page 107, line 22, at end insert—

"(2A) In subsection (2)(b)(i) participants are only to be regarded as having an entitlement to have their shares or securities redeemed or repurchased in cases where the entitlement is exercisable by the participants".

Amendment No. 386, in page 107, line 27, after "State", insert—

"or such other territory or country outside the United Kingdom as the Treasury may by order specify".

Amendment No. 387, in page 107, line 40, at end insert—

"and in relation to any other collective investment scheme means the person, if any, having responsibility under the arrangements constituting the scheme for the day to day management of the property of the scheme.".

Amendment No. 393, in clause 236, page 118, line 37, after "that", insert—

"it is desirable in order to protect the interests of participants or potential participants that".

Government amendments Nos. 450 to 453, 420, 155, 171 to 177 and 442.

Mr. Flight: Amendment No. 34 deals with the same territory that, apparently, is dealt with by the Government amendments to schedule 5. Before going into the amendments, I would like to ask the Minister whether there are likely to be further Government amendments on this matter when the Bill is in Committee in another place, or whether they believe that they have got this matter into its final form. In Committee, it was clear that many provisions would have unintended effects and needed

changing—particularly in terms of bringing investment trusts formed outside the UK under the collective investment scheme rules under certain circumstances.

Secondly, the new regulations for open-ended investment companies had not been promulgated. Since then, there has been considerable progress on that front. However, this is a practical matter concerned with the industry, and it is not a matter of principle.

Government amendments Nos. 73 to 76, 112 and 121 are not controversial. The main amendments that we stress are Nos. 380 to 387 and 393. Essentially, they repeat issues that we raised in Committee, and cover unit trusts to be constituted under an express trust, open-ended investment companies and the definition of "operator". Clause 236 would be amended for consistency. The most important amendment is No. 383, which requires the participants in an OEIC to request the redemption or repurchase of their interest in the OEIC.

Amendments Nos. 65 and 66 are new amendments to the OEIC definition which we have made to make sure that investment trusts are not caught by it. The amendments move the exemption for the repurchase of shares pursuant to the relevant provisions of the Companies Act 1985, so that it covers both limbs of clause 211(2)(b)(i), and not just the second limb.

Government amendments Nos. 450 to 453 are not controversial, while amendments Nos. 20 and 155, 171, 177 and 442 are all essentially technical and relate to schedule 5.

5.45 pm

Miss Melanie Johnson: Amendment No. 34 raises a point that was discussed in Committee—namely, adding a further class of person requiring authorisation under the Bill to clause 28:

"a person qualifying for authorisation under Schedule 5".

However, we believe that subsection (d) should already include

"a person qualifying for authorisation under Schedule 5"

and so the amendment is unnecessary. I would be grateful if the hon. Member for Arundel and South Downs (Mr. Flight) would consider withdrawing the amendment.

The hon. Gentleman asked whether we thought that there was a need further to amend clause 28. We think that clause 28 is fine as it stands, and we do not expect any further amendments—although one cannot be absolutely certain.

Amendments Nos. 65, 66 and 381 to 387 concern open-ended investment companies. Hon. Members will know that, on 28 January, we issued a consultation draft on the OEIC regulations under clause 237. This particular group of amendments are all aimed at the definition of an OEIC. We debated this issue in Committee, when a number of substantially similar amendments were tabled by the Opposition.

I said at that time that we were considering whether the definition might be improved. We are mindful of the need for greater certainty, and we are working on the definition. Features that we are looking at in bringing forward a definition include whether shareholders expect their shares to be redeemed or repurchased, the regularity of repurchases or redemptions and the proportion of capital in relation to which the right or redemption should apply. This is a technically difficult area, and it is important that we get these matters right in the Bill.

The hon. Gentleman said that he took no exception to a number of the Government amendments, so I shall address amendment No. 393. The amendment was debated in Committee, and I said that we would review the urgent intervention powers in the Bill at a later date, and we will do so. I give a continuing undertaking on that subject. I will not speak to any of the Government amendments unless anyone has any particular queries.

Mr. Flight: I thank the Minister for her comments and, in the light of them, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 30

WITHDRAWAL OF AUTHORISATION BY THE AUTHORITY.

Mr. Timms: I beg to move amendment No. 69, in page 14, line 15, leave out from "person" to end of line 16.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 81, 82, 89 and 98.

Mr. Timms: These amendments remove the existing provision in clause 30 for retaining the authorisation of persons who no longer have permission for any regulated activity. Amendments Nos. 69, 89 and 98 provide instead that, under clauses 39 and 40, the FSA will be able to keep an empty permission in force, but may need to cancel it once it is satisfied that this is no longer necessary.

We are not just talking about preventing wrongdoers from escaping the jurisdiction of the FSA. The power could be used, for example, to suspend an authorised person's activities while an aspect of his business is investigated urgently. Following the investigation, his substantive permissions could be restored without forcing him to make a fresh application under clause 36.

Amendments Nos. 81 and 82 are consequential, and limit clause 36 to fresh applications by persons who are not already authorised under the Bill. The amendments exclude applications from persons who already have a permission under part IV. They can apply instead for a variation of their existing permission under clause 39.

I hope that the amendments will meet with the approval of the House.

Mr. Heathcoat-Amory: I thought that I understood the Bill, but I am a little baffled by the amendment. I think that I see the intention behind it, but as the clause stood, the FSA was to be allowed to maintain someone's status as an authorised person even though the person concerned might not have permission to carry on a regulated activity. From what I understand of the amendment, the authority will be able to keep a permission alive even though the authorised person concerned may not any longer be performing any regulated activities. That is a consequence of the fact that his permission may have been varied.

The amendment would introduce a bizarre concept. Other parts of the Bill might have been drafted by Lewis Carroll, but this seems to break new ground. We were trying, I thought, to make the Bill easy to understand, so perhaps the amendment could have been drafted differently or we could stick with the previous wording,

[Mr. Heathcoat-Amory]

which was at least logically possible. If a permission is to be kept alive when the person to whom it was granted no longer has it because it has been withdrawn or varied, that requires some explanation.

Mr. Timms: The benefit of keeping an empty permission in force is that it will allow the FSA to retain its jurisdiction over the firm involved. For example, it may be investigating a possible disciplinary matter or it may be necessary for the firm to complete a past business review. That is the reason for the need to keep the permission alive.

The amended provision will make it clear that the FSA has to cancel a firm's permission once the FSA is satisfied that it is no longer necessary. The previous formulation in clause 30 only required the FSA to have good reason for not withdrawing a person's authorisation. The FSA's refusal of an application to cancel a firm's permission will be subject to the usual procedural safeguards. It is necessary to have the mechanism contained in the amendment to allow the FSA to retain its jurisdiction for a time while an investigation or other matter is in hand.

Amendment agreed to.

Clause 31

EEA FIRMS

Amendments made: No. 70, in page 14, line 17, after "under" insert "Part II of".

No. 71, in page 14, line 23, leave out "Schedule 3 authorisation" and insert—

"authorisation under Part II of Schedule 3".

No. 72, in page 14, line 25, after "under" insert "Part II of".—*[Miss Melanie Johnson.]*

Clause 33

PART XVI QUALIFIERS

Amendments made: No. 73, in page 14, line 34, leave out "Part XVI qualifier" and insert—

"person authorised as a result of paragraph 1(1) of Schedule 5".

No. 74, in page 14, line 35, leave out "a Part XVI qualifier" and insert "such a person".

No. 75, in page 14, line 36, leave out "Part XVI qualifier" and insert—

"person authorised as a result of paragraph 1(1) of Schedule 5".

No. 76, in page 14, line 37, leave out from "to" to end of line 38 and insert—

"be a person so authorised".—*[Miss Melanie Johnson.]*

Clause 34

EXEMPTION ORDERS

Amendments made: No. 77, in page 15, line 5, leave out

"persons for the purposes of section 17"

and insert "from the general prohibition".

No. 78, in page 15, line 6, leave out from second "person" to end of line 7 and insert—

"as a result of an exemption order if he has a Part IV permission".—*[Miss Melanie Johnson.]*

Mr. Flight: I beg to move amendment No. 199, in page 15, line 14, at end insert—

"(5) No exemption order to which subsection (7) applies may be made unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

(6) An exemption order to which subsection (7) does not apply shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(7) This subsection applies to an exemption order which:

(a) is the first order to be made under this section in respect of a particular person; or

(b) varies an order previously made so as to vary or remove an exemption."

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 427 and 428.

Amendment No. 53, in clause 374, page 195, line 3, after "section", insert "110(6A), 111(6),".

Government amendments Nos. 430 to 436.

Mr. Flight: This is a ragbag group of amendments. Amendment No. 199 requires that Treasury exemption orders in respect of people requiring to be authorised persons should be laid before both Houses, both for any initial exemption and for any variation. Amendment No.53 would add two territories of orders requiring the positive affirmation of both Houses and relates back to points that we stressed earlier about limiting the FSA's powers to regulate non-regulated activities and the activities of regulated UK businesses overseas. In essence, the amendments would require affirmative resolutions of both Houses for any new rules made that related to restrictions on businesses or marketing outside the UK and to any extension of non-regulated activities.

Government amendment No. 427 would grant the Lord Chancellor powers to make rules in respect of the tribunal by statutory instrument. As I understand it, the rest are consequential. The remaining Government amendments would require a draft of regulations to be put before both Houses for affirmative order, and we would certainly support those proposals.

Miss Melanie Johnson: Amendment No. 199 proposes that an exemption order under clause 34 should be made subject to affirmative resolution procedure when it is first made and thereafter when it is replaced and certain exemptions are removed. Clearly, there is a parallel with what is provided for in amendment No. 199 and the provision in the Bill for making the first regulated activities order under clause 20 and subsequently adding to the scope of regulated activities. That is to say that both work together to define the scope of regulation under the Bill. However, the parallel is far from exact.

The effect of the regulated activities order under clause 20 will define the scope of regulation. The effect, therefore, will be to bring within the FSA's remit a wide range of activities and firms. An exemption order will be different. Our intention is to exempt only narrow categories of person whose activities are not generally such as to give rise to risk to consumers. On the one hand there will be bodies such as the Crown and the Bank of

England, who because of their nature, have never been serious candidates for regulation under the financial services legislation.

On the other hand, there will be a series of bodies that do not carry on regulated activities within the normal sense but which do things that just might qualify at the margins as regulated activities. A good example is an organisation such as a trade union or a charitable organisation that raises and invests money for the indirect benefit of its members. The purpose of the exemption in those cases is to make it absolutely clear that they can continue to do those things without fear of committing an offence.

Even to the extent that the activities of such bodies might qualify as regulated activities for the purposes of the Bill, it would happen in a way where there was no potential for consumer detriment. For example, with trade union funds, members contribute to the organisation for a number of reasons, but they do not contribute to make a return on those contributions. Any such benefits would be seen as a bonus.

I am sure that no one would wish to object to our proposals for exemptions in such cases. Regulation is really not necessary. Of course, were a trade union or charity to establish a high street bank as a side line, their exemption would need to be reviewed—and most likely would be withdrawn—in order to ensure the protection of potential depositors.

In my view, the negative resolution procedure provided for in the Bill is the most appropriate for an order of that kind. The Delegated Powers and Deregulation Committee in the other place considered the powers in a draft of the Bill at the same time the Committee chaired by Lord Burns considered the draft more generally. The Delegated Powers and Deregulation Committee did not recommend a different procedure and I therefore propose not to accept this amendment. I hope that the hon. Member for Arundel and South Downs (Mr. Flight) will withdraw his amendment.

The Government amendments in this group, to clauses 373 and 374 are largely technical. The hon. Gentleman raised a point about one particular Government amendment, but I have forgotten which one. If he wishes me to make a response, I would be grateful if he alerted me to which one it was.

Mr. Flight: We did not require a specific response to any of the Government amendments. We are happy to withdraw amendment No. 199, although the territory is tricky and could be subject to further discussion in the other place. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 35

EXEMPTION OF APPOINTED REPRESENTATIVES

Amendments made: No. 79, in page 15, line 15, after "person" insert—

"(other than an authorised person)".

No. 80, in page 15, line 24, leave out "an exempt person" and insert—

"exempt from the general prohibition".—*[Miss Melanie Johnson.]*

Clause 36

APPLICATION FOR PERMISSION

Amendments made: No. 81, in page 16, line 10, after "may" insert "not".

No. 82, in page 16, line 11, leave out "does not have" and insert "has".

No. 83, in page 16, line 14, at end insert—

"(2A) An EEA firm may not apply for permission under this section to carry on a regulated activity which it is, or would be, entitled to carry on in exercise of an EEA right, whether through a United Kingdom branch or by providing services in the United Kingdom.".—*[Miss Melanie Johnson.]*

Clause 37

GIVING PERMISSION

Amendments made: No. 84, in page 16, line 22, at end insert—

"( ) If the applicant—

(a) in relation to a particular regulated activity, is exempt from the general prohibition as a result of section 35(1) or an order made under section 34(1), but

(b) has applied for permission in relation to another regulated activity,

the application is to be treated as relating to all the regulated activities which, if permission is given, he will carry on.

( ) If the applicant—

(a) in relation to a particular regulated activity, is exempt from the general prohibition as a result of section 260(2) or (3), but

(b) has applied for permission in relation to another regulated activity,

the application is to be treated as relating only to that other regulated activity.".

No. 85, in page 16, line 23, leave out subsection (3).—*[Miss Melanie Johnson.]*

Clause 38

IMPOSITION OF REQUIREMENTS

Amendments made: No. 86, in page 16, line 38, leave out from "include" to end of line 40 and insert—

"such requirements as the Authority considers appropriate.".

No. 87, in page 16, line 41, leave out subsection (2).—*[Miss Melanie Johnson.]*

Clause 39

VARIATION ETC AT REQUEST OF AUTHORISED PERSON

Amendment made: No. 88, in page 17, line 20, leave out subsection (2).—*[Miss Melanie Johnson.]*

6 pm

Clause 39

VARIATION ETC AT REQUEST OF AUTHORISED PERSON

Mr. Flight: I beg to move amendment No. 206, in page 17, line 27, after "it", insert "after receiving representations".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 91, 94, 95, 97 and 99 to 103.

Mr. Flight: As the Government will be aware, one of the problematic areas with regulation to date has been the

[Mr. Flight]

approval or turning down of applications to become authorised, and any dispute arising from that. Amendment No. 206 would simply require that the FSA should first receive representations from the relevant applicant before refusing an application. It is designed, in part, to save time and hassle with the complaints investigator which, I repeat, is one of the main areas in which complaints of FSA conduct has arisen.

The other amendments in the group are Government amendments. They seem to redraft clause 40, focusing the FSA's powers regarding cancelling permissions on protective as opposed to punitive measures, specifically on failing

"to satisfy the threshold conditions",

and failing to have carried on a registered activity for 12 months. However, we are not comfortable with those provisions described as generally protecting the interests of consumers or potential consumers in relation to a regulated activity. As we see it, that should be, and is, part of the threshold conditions, and would be better incorporated in the first ground just described. The provisions give the FSA carte blanche to invent a new ground to vary or cancel permission, using its powers under clause 40 in whatever way it sees fit. I cannot think that that is really the Government's intention.

Mr. Timms: The Government's amendments in this group deal with the FSA's own-initiative power to vary or cancel an authorised person's permission under clause 40. Amendments Nos. 91, 94 and 95 redraft clause 40(1), focusing that power on protective measures, as opposed to the punitive measures provided for under part XIII. I think that that move would be generally welcomed.

The grounds for the FSA to take action under the clause to vary or cancel a part IV permission are to be limited to failing, or being likely to fail, to satisfy the threshold conditions, as case A in the text provides; failing to carry on a regulated activity during a period of 12 months, as case B provides; and protecting the interests of consumers or potential consumers in relation to regulated activity, as described in case C. The former grounds of contravening or being likely to contravene a requirement and recklessly or knowingly misleading the FSA, which both came under case B, are now omitted.

Clearly, these matters may inform the FSA's assessment of the extent to which the authorised person meets the threshold conditions or may give grounds for considering that the interest of consumers may be under threat. However, they will not be grounds in their own right for action under this clause. The purpose is to establish a clearer line between the grounds for varying permission and the grounds for taking disciplinary action under part XIII of the Bill. The remaining amendments are consequential or minor drafting amendments.

I listened to the explanation of amendment No. 206. I did not understand immediately whether the amendment's reference to "representations" meant representations from consumers or the applicant, but the hon. Member for Arundel and South Downs (Mr. Flight) made it clear that it refers to the applicant.

The Bill already provides for representations from the applicant—first, when he makes his application; secondly, if the authority proposes to refuse an application, clause 49 ensures that he will have an opportunity to make representations through the warning notice, decision notice mechanism in the usual way. I think that it would be quite a serious constraint if the FSA were not allowed to refuse an application simply because no representations had been forthcoming. I think that we would all agree that that is not right, but it could be implied by the amendment. There is a mechanism through the arrangements under clause 49, and I hope that the hon. Gentleman accepts that that is adequate and feels able, on that basis, to withdraw amendment No. 206.

Mr. Flight: There is a slight issue as to whether clause 49 needs the amendment to tie the two things together. I think that there is a debate as to whether it would be better if the FSA needed to have received representations before declining an applicant—it could save time and hassle. However, on the grounds that the main part of our intent is covered elsewhere, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 89, in page 17, line 31, at end insert—

"( ) If, as a result of a variation of a Part IV permission under this section, there are no longer any regulated activities for which the authorised person concerned has permission, the Authority must, once it is satisfied that it is no longer necessary to keep the permission in force, cancel it.".

No. 90, in page 17, line 32, after "permission" insert "under this section".—*[Miss Melanie Johnson.]*

Clause 40

VARIATION ETC ON THE AUTHORITY"S OWN INITIATIVE

Amendments made: No. 91, in page 17, line 36, leave out from "vary" to "in" and insert—

"a Part IV permission in any of the ways mentioned in section 39(1) or cancel it".

No. 92, in page 17, line 39, leave out from "that" to "in", in line 40, and insert—

"the authorised person is failing, or is likely to fail, to satisfy the threshold conditions".

No. 93, in page 17, line 41, leave out "the authorised person concerned" and insert "he".

No. 94, in page 18, line 3, leave out from beginning to end of line 7.

No. 95, in page 18, line 14, leave out from beginning to end of line 24.

No. 96, in page 18, line 25, leave out subsection (2).

No. 97, in page 18, line 29, leave out subsection (3).

No. 98, in page 18, line 32, at end insert—

"( ) If, as a result of a variation of a Part IV permission under this section, there are no longer any regulated activities for which the authorised person concerned has permission, the Authority must, once it is satisfied that it is no longer necessary to keep the permission in force, cancel it.".

No. 99, in page 18, line 35, leave out "Part IV".

No. 100, in page 18, line 37, leave out subsection (5).—*[Miss Melanie Johnson.]*

Clause 41

VARIATION OF PERMISSION ON ACQUISITION OF CONTROL

Amendments made: No. 101, in page 18, line 42, leave out

"as mentioned in section 150".

No. 102, in page 19, line 7, at end insert—

"( ) Any reference to a person having acquired control is to be read in accordance with Part XI.".—*[Miss Melanie Johnson.]*

Clause 42

EXERCISE OF POWERS IN SUPPORT OF OVERSEAS REGULATOR

Amendment made: No. 103, in page 19, line 25, leave out from "any" to "may", in line 26, and insert—

"case in which the Authority does not consider that the exercise of its own-initiative power is necessary in order to comply with a Community obligation, it"—*[Miss Melanie Johnson.]*

Clause 43

PROHIBITIONS AND RESTRICTIONS

Mr. Timms: I beg to move amendment No. 104, in page 20, line 1, leave out from "Authority" to end of line 12 and insert—

"(a) on giving a person a Part IV permission, imposes an assets requirement on him; or

(b) varies an authorised person's Part IV permission so as to alter an assets requirement imposed on him or impose such a requirement on him.

(1A) A person on whom an assets requirement is imposed is referred to in this section as "A".

(1B) "Assets requirement" means a requirement under section 38—

(a) prohibiting the disposal of, or other dealing with, any of A's assets (whether in the United Kingdom or elsewhere) or restricting such disposals or dealings; or

(b) that all or any of A's assets, or all or any assets belonging to consumers but held by A or to his order, must be transferred to and held by a trustee approved by the Authority.".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: amendment No. 208, in page 20, line 8, after "by", insert "A".

Amendment No. 209, in page 20, line 15, leave out

"in connection with the imposition"

and insert "for the purposes.".

Government amendment No. 106.

Amendment No. 210, in page 20, line 24, after "A", insert—

"or any other duty which it may owe A".

Government amendments Nos. 107 to 109.

Amendment No. 211, in page 20, line 40, after "liquidator", insert "or administrator".

Government amendment No. 110.

Amendment No. 212, in page 20, line 43, after "A", insert "or the Authority".

Amendment No. 213, in page 20, line 46, after "A", insert "or the Authority".

Government amendments Nos. 111 and 127.

Mr. Timms: This group contains a number of drafting amendments to clause 43, which deals with the effect that prohibitions or restrictions imposed as a requirement by the FSA on a firm's dealings or assets may have on third parties, such as the firm's bank.

The Opposition amendments, which are largely drafting amendments, are interesting. We are particularly interested in the suggestion in amendment No. 208 to insert "A". That amendment would be rendered ineffective by amendment No. 104, but the drafting suggestion has now been incorporated in that amendment. Amendment No. 208 was tabled in time for us to do that, and we are grateful to Conservative Members for bringing that suggestion forward.

Amendment No. 209 is also the subject of amendments Nos. 104 and 105 and other consequential amendments, which have the effect of removing the distinction between the main requirement and any connected requirement that amendment No. 209 seeks to clarify. I hope that Conservative Members will be satisfied with that arrangement.

Amendments Nos. 210 to 213 make further interesting drafting suggestions, and we would like to consider them further with the parliamentary draftsman. On that basis, I hope that the amendments will be withdrawn.

Mr. Heathcoat-Amory: I am grateful to the hon. Gentleman for having accepted one of our amendments, or at least incorporating it in one of his. We realise that amendment No. 208 is not exactly the stuff by which Governments rise and fall. Nevertheless, it was an attempt to tidy up the clause and make it a little clearer by ensuring that in referring to A's assets we also include assets belonging to investors but held by A, or to A's order. I think that that phrase is a little clearer than the one that left out one of the A's. The Minister said that that had been graciously accepted.

I should mention a few other amendments. The Minister kindly said that he was interested in them, which is code for saying that he may be minded to accept some of them. Amendment No. 211 was intended to make it clear that references to a liquidator should also include administrators. Today, companies frequently go not into liquidation but into administration in an attempt to keep going and recover assets. I think that we have copied that practice from the United States, although I am no expert. Usually, administration is preferable if there is an opportunity to save the firm concerned. The Minister may consider whether references to the liquidator should include the administrator too.

I am not sure whether the Minister was minded to accept amendment No. 212. If he was, he would be changing the attitude that he and the Economic Secretary adopted in Committee, where they appeared to think the amendment unnecessary. Its purpose is to ensure that assets held by trustees are recoverable for investors; otherwise, someone under investigation could plant assets in the hands of trustees. I assume that that is the reason behind the provision in the Bill, and it is a valid reason.

However, our point is that if the principal fails to give notice to the trustee, the authority should have powers to give written notice to the trustee. There is no great danger here of excessive bureaucracy, or of one body leaving it to the other to issue the written notice. In all cases, I expect that the authority would issue a written notice to

[Mr. Heathcoat-Amory]

the trustee. If the authorised person also wrote, then two pieces of paper would exist—but it is better to be safe than sorry. I urge the Government at least to consider amendment No. 212, possibly with a view to accepting it in the other place.

Mr. Timms: I am grateful to the right hon. Gentleman for those remarks, and we will reconsider amendment No. 212 in the light of what he has said.

Amendment agreed to.

Amendments made: No. 105, in page 20, line 13, leave out subsection (2).

No. 106, in page 20, line 18, leave out "(1)(a)" and insert "(1B)(a)".

No. 107, in page 20, line 34, leave out "(1)(b)" and insert "(1B)(b)".

No. 108, in page 20, line 35, after "released" insert "or dealt with".

No. 109, in page 20, line 37, leave out "(1)(b)" and insert "(1B)(b)".

No. 110, in page 20, line 42, leave out "(1)(b)" and insert "(1B)(b)".

No. 111, in page 21, line 8, leave out "(1)(b)" and insert "(1B)(b)".—*[Miss Melanie Johnson.]*

Clause 45

AUTHORITY'S DUTY TO CONSIDER OTHER PERMISSIONS ETC.

Amendments made: No. 112, in page 21, line 28, leave out "qualifying for authorisation under" and insert

"authorised as a result of".

No. 113, in page 21, line 33, at end insert "and".

No. 114, in page 21, line 34, leave out from "Treaty" to end of line 35.—*[Miss Melanie Johnson.]*

Clause 48

WHEN PERMISSION IS GIVEN

Amendment made: No. 407, in page 22, line 32, leave out clause 48.—*[Miss Melanie Johnson.]*

Clause 53

PROHIBITION ORDERS

Amendment made: No. 116, in page 25, line 1, leave out subsection (7).—*[Miss Melanie Johnson.]*

Clause 58

DETERMINATION OF APPLICATIONS

Amendment made: No. 117, in page 27, line 11, leave out "rules under section 110" and insert "general rules".—*[Miss Melanie Johnson.]*

Clause 61

CONDUCT: STATEMENTS AND CODES

Amendments made: No. 249, in page 28, line 24, after "code" insert 'issued'.

No. 250, in page 28, line 31, at end insert—

"( ) The Authority may at any time alter or replace a statement or code issued under this section.

( ) If a statement or code is altered or replaced, the altered or replacement statement or code must be issued by the Authority.

( ) A statement or code issued under this section must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention to the public.".

No. 251, in page 28, line 32, leave out "issued under subsection (2)" and insert—

"published under this section and in force".

No. 252, in page 28, line 37, at end insert—

"( ) A person is not to be taken to have failed to comply with a statement of principle if he shows that, at the time of the alleged failure, it or its associated code of practice had not been published.

( ) The Authority must, without delay, give the Treasury a copy of any statement or code which it publishes under this section.".

No. 253, in page 28, line 40, leave out "for different cases" and insert—

"in relation to persons, cases or circumstances of different descriptions.".

No. 254, in page 28, line 42, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of a statement or code published under this section.".—*[Miss Melanie Johnson.]*

Clause 62

STATEMENTS AND CODES: PROCEDURE

Amendments made: No. 255, in page 29, line 1, leave out from beginning to "must" and insert—

"Before issuing a statement or code under section 61, the Authority".

No. 256, in page 29, line 4, leave out "a statement" and insert—

"(a) a cost benefit analysis; and

(b) notice".

No. 257, in page 29, line 5, leave out

"before the end of a specified period"

and insert "within a specified time".

No. 258, in page 29, line 7, leave out "a" and insert "the proposed".

No. 259, in page 29, line 8, leave out "(2)" and insert "(2)(b)".

No. 260, in page 29, line 8, at end insert—

"(3A) If the Authority issues the proposed statement or code it must publish an account, in general terms, of—

(a) the representations made to it in accordance with subsection (2)(b); and

(b) its response to them.

(3B) If the statement or code differs from the draft published under subsection (1) in a way which is, in the opinion of the Authority, significant—

(a) the Authority must (in addition to complying with subsection (3A)) publish details of the difference; and

(b) those details must be accompanied by a cost benefit analysis.

(3C) Neither subsection (2)(a) nor subsection (3B)(b) applies if the Authority considers—

(a) that, making the appropriate comparison, there will be no increase in costs; or

(b) that, making that comparison, there will be an increase in costs but the increase will be of minimal significance.".

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No. 261, in page 29, line 9, leave out "Subsection (1) does" and insert—

"Subsections (1) to (3C) do".

No. 262, in page 29, line 10, leave out "it" and insert "them".

No. 263, in page 29, line 12, leave out paragraph (a).

No. 264, in page 29, line 13, leave out from "61" to end of line 14.

No. 265, in page 29, line 15, leave out "the statement or code" and insert—

"a draft published under subsection (1)".

No. 266, in page 29, line 16, at end insert—

"( ) This section also applies to a proposal to alter or replace a statement or code.".

No. 267, in page 29, line 17, leave out subsections (7) to (12).

No. 268, in page 29, line 28, at end insert—

"( ) 'Cost benefit analysis' means an estimate of the costs together with an analysis of the benefits that will arise—

(a) if the proposed statement or code is issued; or

(b) if subsection (3B)(b) applies, from the statement or code that has been issued.

( ) 'The appropriate comparison' means—

(a) in relation to subsection (2)(a), a comparison between the overall position if the statement or code is issued and the overall position if it is not issued;

(b) in relation to subsection (3B)(b), a comparison between the overall position after the issuing of the statement or code and the overall position before it was issued.".— *[Miss Melanie Johnson.]*

Clause 63

DISCIPLINARY POWERS

Amendment made: No. 269, in page 30, line 11, leave out from "when" to "is" and insert "a warning notice.— *[Miss Melanie Johnson.]*

Clause 67

PRACTICE STATEMENTS AND GUIDANCE

Amendment made: No. 270, in page 31, line 5, leave out from "and" to end of line 11 and insert—

"issue a statement of its policy with respect to—

(a) the imposition of penalties under section 63; and

(b) the amount of penalties under that section.".— *[Miss Melanie Johnson.]*

Mr. Timms: I beg to move amendment No. 271, in page 31, line 11, at end insert—

"( ) The Authority's policy in determining what the amount of a penalty should be must include having regard to—

(a) the seriousness of the misconduct in question in relation to the nature of the principle or requirement concerned;

(b) the extent to which that misconduct was deliberate or reckless; and

(c) whether the person on whom the penalty is to be imposed is an individual.".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 278.

Mr. Timms: Amendment No. 271 is a response to the committee chaired by Lord Burns. In the Standing Committee, we introduced amendments to equivalent provisions in clause 67 in order to set out several specific factors that the FSA should take into account when deciding on the level of penalty to be imposed. Amendment No. 271 sets out those factors for clause 67, and they mirror those in clause 185.

Briefly, those factors are: the seriousness of the misconduct in question; the extent to which the misconduct was deliberate or reckless; and whether the person on whom the penalty is to be imposed is an individual.

6.15 pm

Amendment No. 278 introduces consistency with the equivalent provisions for discipline under part VI on official listing, part VII on market abuse and part XIII on disciplinary measures for authorised persons. The amendment imposes an obligation on the FSA to have regard to published policy in force at the time when the misconduct took place. These are points of consistency to standardise clause 67 with equivalent provisions elsewhere in the Bill.

Amendment agreed to.

Amendments made: No. 272, in page 31, line 12, leave out "any material published" and insert—

"or replace a statement issued".

No. 273, in page 31, line 14, leave out from "If" to end of line and insert—

"a statement issued under this section is altered or replaced, the Authority must issue the altered or replacement statement.".

No. 274, in page 31, line 15, leave out subsection (5) and insert—

"(5) The Authority must, without delay, give the Treasury a copy of any statement which it publishes under this section.".

No. 275, in page 31, line 17, leave out subsection (6) and insert—

"(6) A statement issued under this section must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention of the public.".

No. 276, in page 31, line 19, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of the statement.".

No. 277, in page 31, line 20, leave out subsection (7).

No. 278, in page 31, line 25, leave out subsection (8) and insert—

"(8) In exercising, or deciding whether to exercise, its power under section 63 in the case of any particular misconduct, the Authority must have regard to any statement of policy published under this section and in force at the time when the misconduct in question occurred.".

No. 279, in page 31, line 28, leave out subsection (9).— *[Miss Melanie Johnson.]*

Clause 71

APPLICATIONS FOR LISTING

Mr. Timms: I beg to move amendment No. 408, in page 33, line 5, leave out "company" and insert "body".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 409 to 417.

Mr. Timms: As hon. Members will have realised, we are not yet able to introduce amendments to part VI and

[Mr. Timms]

other parts of the Bill to take account of the decision to transfer the competent authority function from the London stock exchange to the FSA. Changes of that sort at this stage in the Bill's progress raise complicated drafting issues, although the policy itself is relatively straightforward. We shall produce amendments consequential to the proposed transfer in another place.

The amendments make relatively minor changes to part VI, largely in response to points raised by the Law Society, to which we are grateful. The exceptions are the changes to clauses 80 and 90, which change coverage of criminal offences to ensure equal treatment of all who might breach the prohibitions of those clauses. I hope that the amendments will be widely welcomed.

Mr. Flight: The Opposition welcome the amendments in the main, but we wonder why the Government felt it right to follow the Law Society's recommendation to make breaches by authorised firms a criminal offence, like breaches by anyone else. That contrasts with the present position, and breaks the general rule that contraventions of regulatory rules by authorised firms are not criminal offences. It would be desirable to have the Government's thinking on that point on the record.

Mr. Tim Loughton (East Worthing and Shoreham): I, too, should make a couple of points because I am slightly alarmed that we have before us only a few technical amendments when we were promised in Committee that there would be more substantial and detailed amendments, particularly to clause 87 and the listing details. I too would like an answer on why amendment No. 410 provides that authorised firms should face criminal charges if they fail to publish a prospectus.

In Committee, we raised serious problems concerning the Chinese walls between the FSA's roles as a competent authority and as a regulator. The balance seems not to be right. If the FSA fails to act on listing particulars in a listing application within six months, the application will be deemed to have failed, regardless of the fact that that may be entirely down to the incompetence of officials acting for the FSA.

The amendment seems to swing the scales the other way, in that criminal charges can be brought against authorised firms which issue prospectuses, while incompetence from the FSA is subject to full immunity. I refer the House to the questions that we put in Standing Committee A on the listing particulars; they are recorded in my contribution to the Committee's proceedings on 28 October 1999, in *Hansard*, from column 607 onwards. The Minister promised us further details, and we assumed that we would have received them by this stage.

We need further information as to how the fine income from listing abuse will be used. Will it be rebated against fees or against the legal aid scheme? In France, for example, that income goes straight to the Treasury rather than to the equivalent of the FSA. How will the Chinese walls work, between the competent authority bringing in more revenue in its role as rule maker and enforcing the rule book? There will be a temptation to relax the rules in order that more companies should be in the listing, thus providing more listing revenue for the FSA in its role as competent authority.

That raises the issue that, currently, the stock exchange, as the competent authority, is effectively monitored by the regulator—the FSA. Who will monitor the FSA when it acts as the competent authority? Those additional powers are open to abuse. How will those additional roles be resourced? As we shall see when we discuss later clauses, that is a most important question, given the extra functions that the FSA is apparently taking on.

What happens if the FSA loses its role as the competent authority? There are many questions. It has been many months since the late summer, when it was announced that the role of the stock exchange as competent authority was to be given over to the FSA. It is disappointing that we can consider only a few technical amendments at present, when much more meat should have been provided for us on Report. I very much want an answer to the questions that we have raised on amendment No. 410.

Mr. Timms: The whole House welcomes the moves towards competition in this matter. We welcome NASDAQ's announcement that it wants to establish its European base in London. We also welcome other initiatives.

Some far-reaching amendments will be needed to allow us to introduce competition. In Committee, my hon. Friend the Economic Secretary to the Treasury pointed out that we should table such amendments in due course. As I said earlier, we cannot yet do that, but we shall be able to do so in another place.

The hon. Members for Arundel and South Downs (Mr. Flight) and for East Worthing and Shoreham (Mr. Loughton) asked questions about amendment No. 410 and clause 80. Clause 80 provides that it is unlawful to offer securities to the public in the UK, prior to the publication of a prospectus, in circumstances where clause 79 requires such a prospectus. It sets out the consequences of such an unlawful action, dealing differently with authorised persons and all other people.

If an authorised person engages in an unlawful offer of that sort, he is treated as having contravened rules, and may be subject to disciplinary action by the FSA. If any other person takes similar action, he will be guilty of a criminal offence and will be liable to a fine or to imprisonment.

We reviewed the case for that stark difference in treatment and concluded that we should not continue to distinguish between the authorised and the unauthorised in that way. The amendments subject all persons to the same offence and to the same penalties. That outcome could have been achieved by providing that both should be regarded as contravening FSA rules—that too would have been consistent.

However, it is a fundamental principle that only those persons who want to undertake financial services business should be the subject of FSA rules. It is hard to see how the system could work in any other way. How would the FSA discipline people breaking its rules who were not authorised? It would obviously not be able to withdraw authorisation.

In answer to the question, "Why introduce a criminal offence?", we are primarily driven by consistency. There is a lack of clarity as to whether the offence, when committed by an authorised person, would be regarded as a criminal matter under the European convention on human rights. As I noted, it is difficult to understand why behaviour committed by unregulated persons should be criminal, but when committed by regulated persons—who should be more expert—it is not. The amendments make matters more consistent.

Who will look after the FSA? The FSA will be accountable to Treasury Ministers—as the stock exchange is at present. However, there will be a much fuller consideration of those matters when amendments are tabled in the other place.

Amendment agreed to.

Clause 77

EXEMPTIONS FROM DISCLOSURE.

Amendment made: No. 409, in page 35, line 42, after "in" insert "listing".—*[Miss Melanie Johnson.]*

Clause 80

PUBLICATION OF PROSPECTUS.

Amendments made: No. 410, in page 37, line 7, leave out subsection (2).

No. 411, in page 37, line 9, leave out "Any other" and insert "A".—*[Miss Melanie Johnson.]*

Clause 83

COMPENSATION FOR FALSE OR MISLEADING PARTICULARS.

Amendments made: No. 412, in page 38, line 18, leave out

"But this section is subject to the"

and insert—

"Subsection (1) is subject to".

No. 413, in page 38, line 26, at end insert—

"( ) Subsection (4) is subject to exemptions provided by Schedule 9".

No. 414, in page 38, line 41, after "particulars'" insert—

", in subsection (1) and Schedule 9,".—*[Miss Melanie Johnson.]*

Clause 86

STATEMENT OF POLICY.

Amendments made: No. 280, in page 39, line 38, leave out "publish" and insert "issue".

No. 281, in page 39, line 41, leave out from "to" to end of line 42 and insert—

"any policy statement published under this section and in force at the time when the contravention in question occurred.".

No. 282, in page 40, line 1, leave out from "publish" to end of line 3 and insert—

"a statement issued under this section in the way appearing to the competent authority to be best calculated to bring it to the attention of the public.".

No. 283, in page 40, line 3, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of the statement.".

No. 284, in page 40, line 4, leave out subsection (6).—*[Miss Melanie Johnson.]*

Clause 89

OBLIGATIONS OF ISSUERS OF LISTED SECURITIES.

Amendment made: No. 415, in page 40, line 35, leave out "securities were listed" and insert—

"listed securities were admitted to the official list".—*[Miss Melanie Johnson.]*

Clause 90

ADVERTISEMENTS ETC IN CONNECTION WITH LISTING APPLICATIONS.

Amendments made: No. 416, in page 41, line 3, leave out subsection (2).

No. 417, in page 41, line 5, leave out "Any other" and insert "A".—*[Miss Melanie Johnson.]*

Clause 95

MARKET ABUSE.

Mr. Flight: I beg to move amendment No. 457, in page 43, line 20, leave out

"in relation to the market".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 458, in page 43, line 23, leave out "based on" and insert "significantly influenced by".

No. 459, in page 43, line 26, leave out "relevant" and insert "material".

No. 460, in page 43, line 26, leave out

"when deciding the terms on which"

and insert—

"in deciding whether or not to enter into".

No. 461, in page 43, line 27, after first "in", insert "qualifying".

No. 462, in page 43, line 29, leave out

"supply of, or demand for"

and insert "market in".

No. 463, in page 43, line 30, after first "of", insert "qualifying".

No. 464, in page 43, line 33, after first "in", insert "qualifying".

No. 465, in page 43, line 34, leave out from beginning to "that" in line 36 and insert—

"The behaviour of a particular person or persons is not to be taken to amount to market abuse where".

No. 466, in page 44, line 16, after "analysis", insert

"(whether or not requiring the exercise of any expertise)".

No. 467, in page 44, line 17, after first "of", insert—

"or for the benefit of".

No. 468, in page 44, line 17, after "market", insert—

"or can be obtained by them on payment of a fee".

No. 469, in page 44, line 19, after "conforms", insert—

", or which is deemed to conform,".

No. 470, in page 44, line 19, after "rules", insert—

", or would so conform (or would be deemed to so conform) if the person whose behaviour is in question were an authorised person,".

No. 471, in clause 97, page 45, line 18, leave out subsection (2).

No. 474, in clause 99, page 45, line 30, after "98", insert—

"and the exercise of its powers under section 104".

No. 475, in page 45, line 31, after "section", insert—

"and the extent to which any penalties already imposed by the court under section 104 will be taken into account in determining any subsequent penalty imposed by the Authority in relation to the same market abuse".

No. 473, in page 45, line 33, after "must", insert—

"adhere to the principle of proportionality and must".

No. 472, in page 45, line 37, leave out "or reckless".

Government amendments Nos. 118 to 120.

No. 476, in clause 104, page 47, line 30, at end insert—

"(2A) In exercising its power under subsection (2) the court must have regard to any statement of policy issued under section 99.

(2B) In imposing any penalty under this section the court must have regard to any penalty already imposed by the Authority, in relation to the same market abuse.".

No. 9, in clause 344, page 177, line 19, after "effect", insert—

"and the extent to which the market abuse was deliberate or reckless".

No. 10, in clause 345, page 178, line 27, at end insert—

"(d) in a case within paragraph (b) of subsection (2), to the extent to which the market abuse was deliberate or reckless.".

Mr. Flight: As the House will be aware, provisions on market abuse are one of the most important technical parts of the measure. It is crucial for Britain's international competitiveness as well as for human justice that this aspect be correct, and that there should be clarity and fairness.

The Minister may be aware that almost all our amendments arise from discussions with the Law Society; I shall address the more important of them. I was pleased that the Minister welcomed the Law Society's proposals on another aspect of the measure, so I trust that the Government will also welcome them in this difficult part of the Bill.

The Government may be aware that there is considerable controversy over the recent Bertrand Fleurose case, which came before the Securities and Futures Authority. The legal position appeared to be that the tribunal needed to judge the matter according to the rules rather than according to concepts of fairness or human rights; nor could it proceed as though the Human Rights Act 1998 were already in force.

Although, in some ways, market abuse cases have been protected against claims that they might infringe the concept of human rights, it is still important that any market abuse proceedings are not technically problematic and that they are seen to be absolutely fair.

I wish to discuss the key amendments in this rather large group. Amendment No. 459 would change the word "relevant" to "material" in relation to the information on market abuse. "Relevant" seems to us and to the Law Society a considerably vague and wide term. "Material" is a more precise concept.

6.30 pm

Amendment No. 460 would change the words

"when deciding on the terms on which"

to the phrase

"in deciding whether or not to enter into".

That would revive the wording that was in the Bill before its Committee stage. The relevant information needs to be causative, as it was in the Bill's original drafting. If the Government's intention was to narrow the offence by changing the wording, they have not achieved their aim.

Amendment No. 462 would amend the wording in relation to creating a false market so that it reflects the criminal offence of market manipulation. It is appropriate that the FSA and the criminal codes should reflect each other.

Amendment No. 465 is particularly important. It is designed to provide a clear safe harbour when an individual believes that he did not commit an offence and had taken care to avoid committing an offence. The current drafting of clause 95 will leave the FSA the discretion to take such matters into account, but it does not make it clear whether it will provide fair safe harbour.

Amendment No. 469 would add the concept of a firm being deemed to conform to FSA rules. In certain circumstances, the FSA would be empowered to treat a firm as conforming when it has conformed to certain other relevant rules.

Amendments Nos. 473 and 475 are about penalties. Amendment No. 473 would require the FSA's policy on penalties to adhere to the principle of proportionality; and amendment No 475 would prescribe that, if a penalty had already been imposed by a court, that should be taken into account in any subsequent FSA penalty for market abuse.

Amendments Nos. 9 and 10 relate to restitution orders by both the court and the FSA. They would prescribe that the court and the FSA should take account of whether the market abuse committed was deliberate or reckless.

Finally, have the Government completed their amendment of the clauses on market abuse? Given that the Law Society's comments appeared late, do they intend to reflect on them before the Bill goes into Committee in the other place?

Mr. David Ruffley (Bury St. Edmunds): I support the amendments because I have spoken to a few people in the City of London with whom I worked in a previous career. They are solicitors and have some concern. I acknowledge, however, the sensible changes that Ministers made in Committee. Anyone who has read those debates in the *Official Report* cannot fail to have anything but a great deal of affection for them—they did their very best to listen when they tried to recast clause 95 and the related clauses on market abuse.

As my hon. Friend the Member for Arundel and South Downs (Mr. Flight) made clear, they are exceedingly important clauses. They are important because they send a strong message to those who wish to trade in this country, to operate in the City of London or to consume financial services provided by the square mile. Those who engage in the market want to see fairness and transparency. If the clauses cannot provide that, our international competitiveness will suffer and business will move elsewhere.

The amendments and the clauses show the clear importance for professional bodies of the definition of "intent" and whether the provisions on the intent to commit abusive behaviour are sufficiently tightly drawn. These powerful amendments would entrench more clearly in the Bill the requirement that intent must be shown before an offence of abusive behaviour is committed. They do not relate just to the intent of market participants but deal also with the question of whether the clauses protect non-market participants. The power of the FSA to impose market abuse penalties other than on participants in the market should be limited to cases in which abusive behaviour was not reckless but intended.

I wish to refer to a powerful comment that was made by Lord Hobhouse who, in an evidence-giving session, expressed concern about these clauses and the provisions on market abuse. He said:

"All those things when one adds them together add up to a scheme for punishing people who may be abroad, who may not be taking any active part in any market in this country, who have not done anything illegal, whose conduct is innocent, who are under no duty to act where they are accused of failing to act, and nevertheless punishing them for such conduct."

The amendments seek, in a modest way, to address some of those fears.

With amendment No. 457, we need to flush out how precisely the Economic Secretary believes that clause 95(1)(c) will catch off-market transactions. For example, will she tell us whether a commodity producer who trades not on the UK markets but on his home market could be caught by a provision for a worldwide squeeze on abuse? Could he be caught by the clause? If he could, what legal advice have Ministers received about the enforcement of the clause under private international law and on the conflict of laws?

The second example of a UK-based person is someone who has never traded on any of the markets specified in the Treasury order, but who indulges in one or more off-exchange transactions. Will he be caught by the clause? I understand from the Minister's remarks in Committee, as recorded in *Hansard*, that there is an intention that such off-market participants should be caught. I have cited two examples, but there are many others. Will the Minister give an undertaking that the code of market conduct will set out in detail categories of off-market participants who will or will not be caught by clause 95(1)(c)?

Amendment No. 458 is important because it concerns the definition of abusive behaviour and the link between actions that would constitute abusive behaviour, which seem remarkably weak and woolly. The words "based on" are too wide and introduce too much uncertainty; we therefore suggest replacing them with "significantly influenced by". The chain of causation would then be better defined and the ambit of the clause would not be too wide.

On amendment No. 460, I can only endorse the remarks of my Front-Bench colleague, my hon. Friend the Member for Arundel and South Downs. The provisions dealing with safe harbours are very important. Ministers think that clause 95(3) provides a safe harbour, and they are apprised of the need for a clear safe harbour defence. Failure to include that defence will, for the reasons that I gave earlier, greatly damage the City and market participants.

The difficulty in defining abusive behaviour arises with the phrase "regard must be had" because it gives the FSA wide discretion subjectively to decide what constitutes abusive behaviour. The language should be tightened, and amendment No. 465 would make the clause read:

"The behaviour by a particular person or persons is not to be taken to amount to market abuse where"

that person or those persons—the clause gives examples—

"took care to avoid engaging in market abuse; or . . . believed that the behaviour in question would not amount to market abuse."

That would clearly give comfort to innocent market participants. My hon. Friend gave the example of a vicar's wife in Somerset.

The amendment is important because it would require the FSA to consider the conditions in subsection 3(a) and (b); only those conditions should be considered in defining abusive behaviour. The amendment should not be objectionable to Ministers, because it pins down a precise definition.

The remaining amendments in the group would tighten the Bill, provide more certainty and ensure that innocent participants were not inadvertently caught. Amendment No. 467 would make the clause refer to information provided "for the benefit of" users of a market. Equally, the reference to payment of a fee in amendment No. 468 would make it clear to whom the clause refers. That is helpful and should not be objectionable to Ministers. If they seek to oppose those amendments, particularly amendment No. 468, I will want to know why, as will players in the City, in a spirit of honest inquiry.

6.45 pm

I turn now to amendments No. 472 and 473. Why have Ministers included a reference to "reckless" behaviour in clause 99? Amendment No. 472 seeks to address that point, but I am not entirely clear why the term "reckless" has been introduced in that clause. It jars, and amendment No. 473, which would introduce the idea of proportionality, is particularly important.

My hon. Friend drew attention to the importance of amendment No. 475, which would ensure that if fines were imposed by a court, they would not be disregarded by the FSA when it was calculating levels of damages in exercising its jurisdiction.

For those reasons, I wholeheartedly support all the amendments in the names of my colleagues. I do so for only one reason: to ensure more certainty for market participants and the professionals in the City who do so much to make the square mile the top international financial services centre in the world.

Miss Melanie Johnson: I shall try to run through the amendments in a sensible order and at appropriate points deal with the remarks that hon. Members have made. However, they have jumped around the order of the amendments slightly, so my comments may not exactly reflect the pattern of their speeches.

I shall deal first with amendment No. 474. Clause 99 requires the FSA to prepare a policy statement with respect to the penalties that it may impose for market abuse. The amendment would require the statement also to cover circumstances in which the FSA might ask the court, under the provisions of clause 104, to impose a penalty for market abuse on a particular individual. The amendment is unnecessary. We expect the FSA to be transparent about its policies and to consult. Indeed, clause 7 requires it to maintain effective arrangements for consulting on the extent to which its general policies and practices are consistent with its general duties.

There are some areas where, in addition, the Bill expressly requires the FSA to produce a policy statement. One of those areas is the FSA's own powers to impose penalties for market abuse. Legitimate concerns have been expressed about how the FSA will exercise its powers to impose the penalties, and the consultation draft of the Bill required the publication of a policy statement. The clause has subsequently been improved in line with the suggestions of the Burns committee to specify key factors to which the FSA should have regard.

[Miss Melanie Johnson]

Such concerns do not arise on the FSA's policy on what to bring before the courts. Although that will, of course, be informed by its policy on the imposition of penalties under its own powers, clearly we must draw the line on policy statements somewhere. More important will be the court's determination of the penalties imposed which, by definition, will not be a matter of FSA policy.

Amendment No. 475 would amend clause 99 to provide that the FSA's policy statement must take into account the extent to which penalties already imposed by the court should be considered in determining any subsequent penalty that it might impose in relation to the same market abuse. Clearly, the FSA must take that issue into account when it arises, not least because, as the hon. Member for Bury St. Edmunds (Mr. Ruffley) acknowledged, it would be unjust to impose two penalties relating to the same set of circumstances. However, I do not see how the FSA can set out in advance the "extent" to which it would take account of any penalties previously imposed, as that would always depend on the circumstances of individual cases, including the amount of the penalty imposed.

It is important to remember that the tribunal would have something to say if the FSA imposed penalties that were disproportionate in themselves or when considered together with penalties imposed by others. I therefore do not see what the amendment adds to the Bill. Although I understand the intention behind the amendment, I ask that it be withdrawn.

Amendment No. 473 would require the FSA to adhere to the principle of proportionality in its policy on the amount of penalties that it will impose for market abuse. I have no quarrel with the sentiment—indeed, I agree with it—but the amendment is unnecessary.

The FSA is already required to take account of the principle of proportionality. Clause 2 includes such a principle, and makes it clear that that applies to the discharge of the FSA's general functions. It goes on to provide that those functions include determining the policy and principles by reference to which it performs particular functions, which will of course include its policy in relation to penalties for market abuse. I hope that the hon. Gentleman will agree to withdraw the amendment.

Clause 99 provides that the FSA's policy in respect of the amount of any penalty that it may impose for market abuse must take account of the extent to which the behaviour being penalised was deliberate or reckless. Amendment No. 472 would omit the requirement to take account of recklessness.

Hon. Members will recall that clause 95, which defines market abuse, contains no reference to the intention of the person concerned. That was mentioned by the hon. Member for Bury St. Edmunds and others this evening. The reason is straightforward: unintentional abuse can be just as damaging to markets or third parties as abuse that is deliberate or reckless, so the onus is placed on those who choose to participate in markets to make sure that they do not cross the boundary from acceptable behaviour to market abuse.

It is also right that once the fact of abuse has been proven, the state of mind of the person concerned should be taken into account in imposing any penalty. The fact that a person had deliberately engaged in abuse must be relevant in considering the size of any penalty to be imposed, and the same principle applies if the behaviour was reckless. I hope that I have persuaded hon. Members not to press the amendment.

Mr. Ruffley: Is it the hon. Lady's understanding that "reckless" will be defined as it is defined by the criminal courts and criminal case law?

Miss Johnson: Many of the terms in the Bill, as with any law, will be interpreted by the courts.

Amendment No. 476 would require the court, in imposing any penalty for market abuse under clause 104, to take account, first, of any statement of policy that the FSA has issued under section 99, and, secondly, of any penalty that the FSA has already imposed in respect of the same market abuse.

On the first part of the amendment, it would be wrong to impose a legal obligation on the courts to take into account a policy statement prepared by and intended to guide another body—the FSA. However, there may well be occasions when the policy statement is relevant to the issue to be decided by the court, and there is nothing to prevent the person concerned from arguing that before the court. The court will decide the extent to which a policy statement is relevant.

On the second part of the amendment, it should be pointed out that the court can impose a penalty under clause 104 only if the FSA has requested it do so. That is unlikely if the FSA had already imposed a penalty. If that unlikely situation ever materialised, the court could take it into account in deciding whether to impose a penalty, so there is no need for a statutory requirement.

Many of the remarks of the hon. Member for Bury St. Edmunds related to amendment No. 457. Clause 95(1)(c) provides that behaviour can be market abuse only if a person fails to live up to the standards expected by a regular user of the market from someone in his position in relation to the market. The qualification

"in relation to the market"

is important. By removing it, amendment No. 457 would reduce the clarity of the provision and the protections available for market users.

The new test, which we introduced in Committee, is aimed at filtering out behaviour that may come within the definitions of behaviour in clause 95(2), but which is not abusive because, in the circumstances, it was not a failure to meet standards that the market would reasonably expect of the person in question.

One of those circumstances is clearly the position of the person in relation to the market—for example, whether he is an experienced investor in that market who can be assumed to know the effect of a particular action, or whether he owes duties to the market, possibly as the director of a listed company. Does he deal regularly on the market and can he be expected to know the market rules in detail? Such considerations will influence the view of the regular user in deciding whether the test is met.

Perhaps an example would help. Suppose a person in an overseas country does something in accordance with rules or customs in that country which, nevertheless, affects the relevant market in the UK—for example, by

giving a misleading impression. Has he engaged in market abuse? His position in relation to the market is clearly important in determining whether abuse took place. If he was acting in accordance with customs and rules overseas and had no relationship with the UK market, it seems unlikely that his action would be considered abuse.

A similar case was raised by the hon. Gentleman. It would be difficult to determine whether the commodity trader whom he mentioned had a relationship to the market. I hope that my examples make it clear why I do not consider his arguments in support of the amendment compelling.

Amendment No. 458 would increase the hurdle for proving that misuse of information unavailable to the rest of the market was abusive. That would not be a helpful change. The current test is that the behaviour has to be based on information not generally available, but which a regular market user would consider relevant in deciding the terms on which transactions should be effected.

The phrase "based on" is a high test already. The words "significantly influenced by" would make the test too stringent. If I have privileged information that a company is about to announce far greater than expected profits, is my decision to purchase the shares "significantly influenced" by the privileged information? It would certainly be possible to mount an argument that it was not, and that I thought that the company was a good bet anyway. It would be hard to prove otherwise.

We discussed similar cases in Committee. The amendment could significantly weaken the market abuse regime. That is not to say that "based on" is a low threshold; it is not. It means that the behaviour has to be based on information.

7 pm

Let us consider amendment No. 459. It is sometimes difficult to know when to raise some issues. I shall begin by commenting on the remarks of the hon. Member for Bury St. Edmunds about Lord Hobhouse and the code of conduct. The hon. Gentleman quoted a section of Lord Hobhouse's remarks, which were also quoted by the right hon. Member for Wells (Mr. Heathcoat-Amory) in Committee. I shall not quote them again, because they will already be on the record. As my hon. Friend the Member for Bexleyheath and Crayford (Mr. Beard) said in response to the debate in Committee, the Burns committee had two anxieties about the original drafting of clause 95. We are not considering the original clause on Report. The Burns committee believed that the drafting contained a danger. Its first anxiety was about the European convention on human rights. The revised clause tackles that. The hon. Member for Bury St. Edmunds said that we should consider further anxieties about it.

The hon. Gentleman also referred to market participants. We considered whether it was possible to define market participants in clause 95(1)(c). As I said in Committee, we discussed that not only with the FSA but with the practitioner group, and a group of exchange representatives, which was established to review the code. It became clear that such an approach would not be fruitful. We want to deter many types of abusive behaviour, and it would not make sense to try to limit the provision's scope by including definitions in subsection (1)(c). They would not be meaningful or practical.

Amendment No. 460 would reverse a change that we made in Committee. We made the change to focus on the terms of the transaction, not the decision about whether to enter into the transactions. Amendment No. 461 would make consequent drafting changes. I do not want to address them, except in relation to amendment No. 462, which would replace

"supply of, or demand for"

with "market in". I am not sure what we would gain from that change. Despite the attempts of the hon. Member for Bury St. Edmunds to explain it, I did not understand how the amendment would help.

I shall comment on the later amendments. If hon. Members want to revert to the earlier amendments, I shall be happy to deal with their points. Several hon. Members spoke to amendment No. 471. Clause 96 requires the FSA to produce a code of market conduct. Clause 97(1) provides that when the code states that behaviour is not market abuse, a person who engages in that behaviour is not engaging in market abuse. The clauses therefore provides a complete defence and the safe harbour that hon. Members seek.

Clause 97(2) provides that, in other circumstances, when people do not comply with the code, or their behaviour is not covered by it, the code

"may be relied on so far as it indicates whether or not that behaviour"

is abusive. That applies only when the code is in force. It would be wrong to be able to apply it retrospectively.

In Committee, we discussed the highway code and the offence of driving without due care and attention. Like the highway code, the FSA code will carry evidential weight. That will provide for greater certainty in the regime, which will help the regulator and market users. I am surprised that Conservative Members want to remove it. If it did not exist, the FSA could give less weight to the code. That is not a desirable consequence.

I come now to the amendments to clauses 344 and 345. Clause 344 grants the court the powers to order, on the FSA's application, that a person who has engaged in market abuse and made a profit or caused others to make a loss should make a restitution. The amendments would change the clauses so that, in assessing the amount of restitution, the court or the FSA should have regard not only to the level of the profits or losses but

"the extent to which the market abuse was deliberate or reckless".

I cannot accept that. In formulating our policy on market abuse, we made it clear that it should cover not only deliberately or recklessly abusive behaviour, but negligent behaviour. There is a good reason for that. The damaging effects of abuse depend not on the state of the perpetrator's mind, but on the impact on markets and consumers.

As I said earlier, we do not claim that intention or recklessness are irrelevant, but there are degrees of culpability. The fact that someone may have deliberately or recklessly engaged in abuse is relevant. Clause 99 deals with the penalties that can be imposed for abuse, and requires the FSA to take those factors into account in formulating its policy on the amount of the penalty.

Restitution is different. A restitution order is intended to restore any loss that might have been incurred by others as a result of the abuser's action. The position is the same as that for breaches of FSA rules that lead to a loss for

[Miss Johnson]

consumers. Failure to observe a rule, which results in a loss to consumers, might not be due to the recklessness of an authorised firm. However, it would be wrong if consumers could not get their money back in such circumstances. That is a fundamental principle of restitution.

The hon. Member for Arundel and South Downs (Mr. Flight) asked a general question about whether the Government had completed their amendments on market abuse, or whether more would be tabled in another place. We have no plans to table further amendments, but I cannot put my hand on my heart and swear that no more will be tabled, because we are considering a highly technical subject.

Mr. Cousins: I have followed my hon. Friend's arguments as closely as I can, and I have been impressed not only by her clarity and moderation but by her robustness on behalf of consumer interests. She has taken a reasonably clear position with regard to another place. I want to reinforce her determination to ensure that her stand on behalf of consumers will be defended not only in the Chamber but in another place. I strongly endorse her position.

Miss Johnson: I thank my hon. Friend for his understanding and support for our position and the modifications that we have made. I believe, as does my hon. Friend, that we have moved far enough to ensure that we are proposing a regime that will operate fairly on behalf of those who may fall into a category of committing market abuse. We have defined that properly and rightly. Any further amendments would be made only as a result of technical changes, not changes in the Government's position. We have got the balance right.

Mr. Heathcoat-Amory: The House will be pleased to know that I shall not grind through the case for our amendments again, as it was ably put by my hon. Friends the Members for Arundel and South Downs (Mr. Flight) and for Bury St. Edmunds (Mr. Ruffley). They set out the arguments for a modest package that is largely in line with the requirements of the Law Society. Those arguments should be taken seriously by the Government as these provisions are most important, if only because they could affect everybody, not only the regulated community. Many of the other disciplinary powers relate to comparatively few professionals who form only a small proportion of the population even though they number many thousands, but market abuse could be committed by anyone who engaged in market activity and these measures could catch unintentionally people who have only an association with a market.

The Government have tried to limit the provisions and I again concede that the proposal before us is much better than the one they started with, but further certainty is required. It is a basic requirement of justice that people should know in advance what behaviour is likely to be caught by a Bill and whether they would be subject to either the criminal law or civil law sanctions. That was at the root of many of the objections made by witnesses to the Burns committee. My hon. Friend the Member for Bury St. Edmunds quoted Lord Hobhouse and, although the Minister came back to describe how the Bill had been altered since, many of the misgivings expressed last year are still valid.

Our amendment would import greater clarity and certainty to the Bill. As the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) said, the protection of consumers is a perfectly valid objective for the market abuse provisions—indeed, that is one of the Bill's main aims—but the consumer interest will not be well protected if they are unworkable in any respect. If they fall foul of the courts or, worse, are tripped up by an adverse ruling at the European Court of Human Rights, the whole industry will suffer through lack of effective regulation. The consumer interest could also be jeopardised so it is important that the modifications are adequate.

The Government have introduced provision for subsidised legal assistance when people are accused of such crimes and misdemeanours. It is important to recognise that those matters have aspects of the criminal law about them and that the defence that must be available must therefore measure up to criminal standards. That cannot be regarded as simply a matter for the civil law.

I was slightly worried by the Minister's comments on the code of conduct. It is an important indicator of what might or might not be market abusive, but no substitute for clarity and certainty in the primary legislation. As I have said before, people will go to the primary legislation to find out where they stand in relation to the authority and the law and referring them to a voluminous code of conduct as a safe or partially safe harbour—if they have time to read it—will not entirely meet requirements.

7.15 pm

I was also a little worried by the Minister's comments on the fact that unintended abuse would still be caught. I understand what lies behind them, but it is dangerous to propose that we should rely entirely on the effect of an action and disregard the intention. She explained that the degree of intention in the market abuse would have to be taken into account in settling penalties, but I cannot help drawing the House's attention to the contrast between the treatment of people accused of market abuse and the protection given to the FSA when it engages in wrong behaviour unintentionally.

The Government have been careful to ensure that the authority is not liable for unintended wrong behaviour when, for example, it acts negligently or even recklessly. They have erected a series of protections for the authority that are not available to the public or those accused of market abuse and that asymmetry—this is not the only example of it—causes some disquiet.

Mr. Nigel Beard (Bexleyheath and Crayford): Proof of intent has been debated several times and is being covered again now. Several cases of market abuse were notable because they were difficult to prove and people got away with it. Would not it be extremely difficult to prove market abuse if intent were introduced as the basis of proof and would not an awful lot of people still get away with it? The Bill eases the process of prosecution so that those who should be prosecuted and found guilty will be found guilty.

Mr. Heathcoat-Amory: The hon. Gentleman makes the big claim that guilty people have got away with it.

I am not sure that I necessarily agree with that, but I agree that we want the regulations to be effective. The villains, crooks and thieves have to be brought to book and rigging a market is a form of fraud or theft, but my point that the proposal could be counter-productive unless the Government get it right remains valid. People could get away with genuine market rigging and market abuse because the Government have not listened to outside legal interests that are genuinely trying to improve the Bill. The Law Society falls into that category. It is certainly not on the side of the crooks; it is a comparatively disinterested trade body, if I may describe it as such, that is trying to make the Bill more effective.

Liz Blackman (Erewash): How else can market abuse be evidenced, other than in its effect?

Mr. Heathcoat-Amory: I shall not go through the case for our amendments again, but I refer the hon. Lady to the arguments of my hon. Friend the Member for Arundel and South Downs, who proposed a modest amendment to tighten the provisions and to place greater emphasis on the concept of intent. If we do not do so, we could violate a fundamental principle of justice. Although I recognise the force of the Minister's arguments, I am nevertheless disturbed at the extent to which they are beginning to rely more on the effect of behaviour rather than intent in defining market abuse. Our amendment, which would not have completely removed the concept of unintended abuse, would have achieved an improvement.

The Law Society has advanced those concerns, and suggestions for dealing with them. We do not intend to press any of these amendments to a Division at present. In her response, the Economic Secretary left the door very slightly ajar, so there may be an opportunity to return to these matters in the other place to get a regime to conquer market abuse that is effective without doing too much damage to the traditional principles of British justice.

Mr. Flight: In the light of my right hon. Friend's comments, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 96

THE CODE

Amendments made: No. 285, in page 45, line 1, leave out subsection (5) and insert—

"(5) If the code is altered or replaced, the altered or replacement code must be issued by the Authority.

(5A) A code issued under this section must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention to the public.".

No. 286, in page 45, line 5, leave out subsections (6) to (8).

No. 287, in page 45, line 13, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of the code.".—*[Miss Melanie Johnson.]*

Clause 99

STATEMENT OF POLICY

Amendments made: No. 288, in page 45, line 28, leave out "publish" and insert "issue".

No. 289, in page 45, line 40, leave out

"any statement of policy for the time being published"

and insert "a statement issued".

No. 290, in page 46, line 1, leave out

"any statement of policy for the time being published"

and insert "a statement issued".

No. 291, in page 46, line 2, leave out "publish" and insert "issue".

No. 292, in page 46, line 6, leave out "of policy".

No. 293, in page 46, line 6, after "section" insert "and in force".

No. 294, in page 46, line 8, leave out subsection (6) and insert—

"( ) A statement issued under this section must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention to the public.".

No. 295, in page 46, line 11, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of a statement published under this section.".

No. 296, in page 46, line 12, leave out subsection (7).

No. 297, in page 46, line 16, leave out "of policy".—*[Miss Melanie Johnson.]*

Clause 103

SUSPENSION OF INVESTIGATIONS

Amendments made: No. 118, in page 47, line 6, leave out from "of" to "it" in line 7 and insert—

"a power relating to market abuse".

No. 119, in page 47, line 19, leave out from "powers" to "are" and insert "relating to market abuse".

No. 120, in page 47, line 22, leave out "impose penalties" and insert—

"appoint a person to conduct an investigation".—*[Miss Melanie Johnson.]*

Clause 116

ENDORSEMENT OF CODES ETC. ISSUED BY OTHER BODIES

Amendments made: No. 298, in page 53, line 14, leave out subsections (6) to (11).

No. 299, in page 53, line 29, leave out

"(7), (8)(b), (9) and (11) apply"

and insert

"(1), (2)(d), (4), (5), (6)(a) and (10) of section 127 apply (with the necessary modifications)".—*[Miss Melanie Johnson.]*

Clause 125

RULE-MAKING INSTRUMENTS

Amendment made: No. 300, in page 57, line 14, leave out from beginning to "the" in line 15 and insert—

"(4) A rule-making instrument must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention of".—*[Miss Melanie Johnson.]*

Clause 127

CONSULTATION

Amendments made: No. 301, in page 58, line 2, leave out from "analysis" to end of line 3.

No. 302, in page 58, line 5, leave out "a statement" and insert "an explanation".

No. 303, in page 58, line 8, leave out "a statement" and insert "notice".

No. 304, in page 58, line 10, leave out from beginning to second "the" and insert—

"In the case of a proposal to make rules under a provision mentioned in subsection (8A),".

No. 305, in page 58, line 12, leave out "those proposals are" and insert "the proposal is".

No. 306, in page 58, line 15, leave out from first "the" to "to" in line 17 and insert—

"Authority makes the proposed rules, it must publish an account, in general terms, of—

(a) the representations made to it in accordance with subsection (2)(d); and

(b) its response.".

No. 307, in page 58, line 18, leave out

"rules made by the Authority"

and insert "the rules".

No. 308, in page 58, line 21, leave out "publish a statement" and insert—

"(in addition to complying with subsection (5)) publish details".

No. 309, in page 58, line 22, leave out "the statement" and insert "those details".

No. 310, in page 58, line 22, leave out from "analysis" to end of line 23.

No. 311, in page 58, line 24, leave out "(3) and".

No. 312, in page 58, line 27, leave out from beginning to "of" in line 33 and insert—

"( ) Neither subsection (2)(a) nor subsection (6)(b) applies if the Authority considers—

(a) that, making the appropriate comparison, there will be no increase in costs; or

(b) that, making that comparison, there will be an increase in costs but the increase will be".

No. 313, in page 58, line 34, at end insert—

"(8A) Neither subsection (2)(a) nor subsection (6)(b) requires a cost benefit analysis to be carried out in relation to rules made under—

(a) section (*Funding of the legal assistance scheme*)(2);

(b) subsection (1) of section 187 as a result of subsection (4) of that section;

(c) section 209;

(d) paragraph 17 of Schedule 1.".

No. 314, in page 58, line 38, after "rules", insert "that have been made".

No. 315, in page 58, line 38, at end insert—

"(11) 'The appropriate comparison' means—

(a) in relation to subsection (2)(a), a comparison between the overall position if the rules are made and the overall position if they are not made;

(b) in relation to subsection (6)(b), a comparison between the overall position after the making of the rules and the overall position before they were made.".—*[Miss Melanie Johnson.]*

Clause 129

GUIDANCE

Amendment made: No. 418, in page 59, line 7, leave out "under this Act".—*[Miss Melanie Johnson.]*

Clause 130

NOTIFICATION OF GUIDANCE TO TREASURY

Amendment made: No. 419, in page 59, line 34, leave out "Notice of an alteration" and insert "The notice".—*[Miss Melanie Johnson.]*

Clause 131

INTERPRETATION

Amendment made: No. 316, in page 60, line 21, leave out

"the Treasury and the Director may assume"

and insert "it may be assumed".—*[Miss Melanie Johnson.]*

Clause 132

POWERS AND DUTIES OF THE TREASURY

Amendment made: No. 317, in page 60, line 24, leave out Clause 132.—*[Miss Melanie Johnson.]*

Clause 133

POWER OF THE DIRECTOR TO REQUEST INFORMATION

Amendment made: No. 447, in page 61, line 13, leave out "132" and insert

"(*Reports by Director General of Fair Trading*)".—*[Miss Melanie Johnson.]*

Clause 134

THE COMPETITION ACT 1998

Amendments made: No. 318, in page 61, line 40, leave out Clause 134.

No. 319, in page 62, line 27, leave out Clause 135.—*[Miss Melanie Johnson.]*

Clause 137

AUTHORITY'S POWER TO REQUIRE INFORMATION

Amendment made: No. 448, in page 64, line 15, at end insert—

"( ) an operator, trustee or depositary of a scheme recognised under section 243 or 245 who is not an authorised person;".—*[Miss Melanie Johnson.]*

Clause 150

OBLIGATION TO NOTIFY THE AUTHORITY

Amendment made: No. 121, in page 74, line 31, leave out

"does not qualify for authorisation under"

and insert

"is not a person authorised as a result of paragraph 1 of".—*[Miss Melanie Johnson.]*

Clause 157

CONDITIONS ATTACHED TO APPROVAL

Amendment made: No. 122, in page 77, line 31, leave out subsection (2) and insert—

"(2) In imposing any conditions, the Authority must have regard to its duty under section (*The threshold conditions*).".—*[Miss Melanie Johnson.]*

Clause 158

OBJECTION TO ACQUISITION OF CONTROL

Amendments made: No. 123, in page 78, line 12, at end insert "and".

No. 124, in page 78, line 16, leave out from "control" to end of line 24 and insert—

"( ) In deciding whether the approval requirements are met, the Authority must have regard, in relation to the control that the acquirer—

(a) has over the authorised person concerned ('A'), or

(b) will have over A if the proposal to which the notice of control relates is carried into effect,

to its duty under section (*The threshold conditions*) in relation to each regulated activity carried on by A.".—*[Miss Melanie Johnson.]*

Clause 166

GENERAL GROUNDS ON WHICH POWERS OF INTERVENTION ARE EXERCISABLE

Amendments made: No. 125, in page 83, line 22, leave out "authorised person" and insert "firm"

No. 126, in page 83, line 23, after "such" insert "a"—*[Miss Melanie Johnson.]*

Clause 175

EFFECT OF CERTAIN REQUIREMENTS ON OTHER PERSONS

Amendment made: No. 127, in page 88, line 3, leave out "(1)" and insert "(1B)".—*[Miss Melanie Johnson.]*

Clause 177

POWER TO PROHIBIT THE CARRYING ON OF CONSUMER CREDIT ACT BUSINESS

Amendments made: No. 128, in page 88, line 14, at end insert—

"(1A) If it appears to the Director that a restriction imposed under section 178 on an EEA consumer credit firm has not been complied with, he may by written notice given to the firm impose a consumer credit prohibition.".

No. 129, in page 88, line 30, at end insert "or (1A)".—*[Miss Melanie Johnson.]*

Clause 178

POWER TO RESTRICT THE CARRYING ON OF CONSUMER CREDIT ACT BUSINESS

Amendment made: No. 130, in page 89, line 35, leave out subsection (5).—*[Miss Melanie Johnson.]*

Clause 185

STATEMENTS OF POLICY

Amendments made: No. 320, in page 91, line 13, leave out "publish" and insert "issue".

No. 321, in page 91, line 24, leave out "any material published" and insert "a statement issued".

No. 322, in page 91, line 26, leave out "any such material" and insert

"a statement issued under this section".

No. 323, in page 91, line 26, leave out "publish it as altered" and insert

"issue the altered or replacement statement".

No. 324, in page 91, line 28, leave out subsection (5) and insert—

"(5) The Authority must, without delay, give the Treasury a copy of any statement which it publishes under this section.".

No. 325, in page 91, line 30, leave out subsection (6) and insert—

"(6) A statement issued under this section must be published by the Authority in the way appearing to the Authority to be best calculated to bring it to the attention of the public.".

No. 326, in page 91, line 33, leave out subsection (7).

No. 327, in page 91, line 40, leave out "material" and insert "statement".

No. 328, in page 91, line 40, after "section" insert "and in force".

No. 329, in page 91, line 41, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of the statement.".—*[Miss Melanie Johnson.]*

Clause 189

RIGHTS OF THE SCHEME IN RELEVANT PERSON'S INSOLVENCY

Amendment made: No. 131, in page 95, line 16, leave out "65" and insert "55".—*[Miss Melanie Johnson.]*

Clause 195

POWERS OF COURT WHERE INFORMATION REQUIRED

Amendments made: No. 132, in page 99, line 3, leave out "punish" and insert "deal with".

No. 133, in page 99, line 4, leave out from "he" to end of line and insert "were in contempt".—*[Miss Melanie Johnson.]*

Clause 197

MANAGEMENT EXPENSES

Amendment made: No. 134, in page 99, line 30, leave out ", (3)".—*[Miss Melanie Johnson.]*

Clause 198

COMPULSORY JURISDICTION

Amendment made: No. 135, in page 99, line 31, leave out Clause 198.—*[Miss Melanie Johnson.]*

Clause 203

DETERMINATION UNDER THE COMPULSORY JURISDICTION

Mr. Flight: I beg to move amendment No. 237, in page 103, line 18,, leave out subsections (4) to (7) and insert—

"(4) The ombudsman's determination shall be binding on the respondent and the complainant and shall be final.

(5) The ombudsman's statement must:

(a) give the ombudsman's reasons for his determination; and

(b) be signed by him.".

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss Government amendments Nos. 180 and 181.

Mr. Flight: The new FSA ombudsman scheme brings together the various existing ombudsman schemes, but has been led by the insurance side. When we dealt with this issue in Committee, it struck Conservative Members as quite wrong that there were different obligations on those appealing to the ombudsman and those whose conduct was being considered by him: either both or neither should be bound by the ombudsman's decision.

I spoke to the new head of the ombudsman scheme to sound him out about why that was the case. The gist of his response was that, when the ombudsman had been established in the insurance industry—which was his background—it was a way for insurance companies to slough off dealing with complaints and to get some good PR from setting up an independent body. It was rare for individuals to go to court, even if the ombudsman found against them, because they could not afford to do so. It looked good to be able to say that an individual complaint to an ombudsman could go on to court proceedings, even if the ombudsman had found against the complainant.

That is not a very good argument for the asymmetry that has now been fed into the entire ombudsman scheme. It is possible that the European convention on human rights would give rise to proceedings in the courts if the scheme remained asymmetrical. There is an argument for the two possibilities—either both parties should be bound by the ombudsman's decision, which seems to me the more sensible, or neither side should be bound. By inheriting this anomaly, which arose for the reasons that I have described, the ombudsman scheme is open to attack under the European convention on human rights. It is also wrong in principle.

I want to raise another, indirectly related issue. Under present arrangements, which I understand will continue, if a case against a financial adviser is brought to the ombudsman and he finds the financial adviser innocent of any wrongdoing, the adviser still has to pay a charge, as he sees it, or an administrative cost, as the ombudsman describes it, of £500. There is an understandable widespread feeling of unfairness.

Independent financial advisers are often not very large businesses, and £500 for being found innocent is perceived as an unjust method of gaining justice. I understand that there are proposals to waive that charge in future if complaints to the ombudsman are viewed as vexatious, but to my mind the whole basis should be further examined, because it is wrong for people to be fined when they are innocent, which is how the arrangements operate in practice.

The key point in our amendment is that there should be symmetry one way or t'other, so that we know whether the complainant and the party complained about are both bound by the ombudsman's decision.

Mr. Andrew Tyrie (Chichester): We had a good canter around this issue in Committee, so I shall not rehearse all the arguments again, which will please everyone, including me. The Bill creates a leviathan ombudsman scheme—I should think that it will be the biggest ombudsman scheme that there has ever been anywhere, certainly that I know of—and there is a risk of a growing bureaucracy associated with it.

It is important to put this in the context of other UK ombudsman schemes. The parliamentary ombudsman scheme has become a bit of a bureaucracy. It is taking, on average, two years to investigate cases and costs are rising. We do not want this ombudsman scheme to go that way, but I am concerned that we may move down that road. At the moment, the existing schemes are relatively flexible. Most of the eight or nine schemes that we are joining together seem to work reasonably well.

Picking up the point that my hon. Friend the Member for Arundel and South Downs (Mr. Flight) made about the £500 charge, the flip side of that is that the ombudsman scheme is free to consumers at the point of use. Some modest charge should be made to discourage flippant approaches to the ombudsman. The way to do that is to have, like several of the existing schemes, an entry fee of, say, £50.

A second problem with the scheme that we are setting up is that the ombudsman is not accountable to anyone. Unlike the parliamentary ombudsman, who is accountable to Parliament, this ombudsman will be accountable only to the ombudsman scheme board that is being specially created for the purpose. Some form of parliamentary oversight, perhaps by the Treasury Select Committee, would be better. I regret that nothing is being done about that.

The most important consideration is the asymmetry of treatment before the law. The principle of the existing ombudsman schemes in the United Kingdom is equality of treatment under the law. The proposed scheme contains a blatant unfairness. The decision of the ombudsman is binding on the firm, but it is not binding on the individual, who may go to law and pursue the issue further. It is that unfairness, in particular, that our amendment seeks to redress.

It is not only that the scheme is unfair, it is also imprudent, because it will greatly increase the likelihood of the European Court of Human Rights having oversight of this whole area. That in itself will add a layer of bureaucracy, and will slow down the process of dealing with these cases.

I am supportive of an ombudsman scheme in principle, and I am extremely keen that there should be a mechanism to assist consumers' complaints. I am fairly sure that we have not got it right as the Bill is drafted. That is why I hope that the House will support our amendment.

7.30 pm

Mr. Timms: The question whether the ombudsman's decision should be binding on the complainant as well as the respondent was considered in Standing Committee. It was also considered by the Joint Committee.

The amendment would improve the position of the firm and worsen the position of the individual. We continue to believe that the balance is right as the Bill stands. First, it is what the vast majority of firms with retail customers want. The firms themselves have said that—that is very clear from responses during our consultation process on the Bill and the provisions of the two main forerunner voluntary ombudsman schemes in this area, which cover banking and insurance. The Personal Investment Authority, which is the main retail self-regulating organisation, has also chosen to adopt this model for its scheme, so the precedents are clear.

Mr. Tyrie: Those are voluntary schemes; that is the crucial point. The Bill is not a voluntary scheme, it is a compulsory scheme. If we volunteer to go through a process which we think will benefit us, through a scheme which has asymmetry in treatment before the law, that is one thing; if we are "volunteered" into a scheme about which we have no choice and which leaves us without access to the courts, that is quite another thing.

Mr. Timms: The existing schemes have very wide support in the industry. They provide a good model for how the new scheme should work. It is true that we are proposing a compulsory scheme, but I do not agree that it would be right to tilt the balance in the design of the new scheme against the individual, which is what the Opposition propose.

Secondly, as the majority of retail firms clearly recognise, it is necessary to give consumers confidence that they can refer their complaints to the scheme without losing any legal right that they may have to take a firm to court. After all, the point of this scheme is to enable consumers to bring complaints outside the expensive arena of the courts. Very few complainants, very few individuals, will have the resources to seek judicial review of an ombudsman's decision, whereas firms very often will. When important principles are at stake, they will have the technical and financial support of their trade bodies as well. So, if we made the ombudsman's determination binding on both sides, we would be recreating exactly the inequality that the ombudsman's scheme is designed to remove.

It is also important that we are not dealing here with commercial disputes between firms. To be fair, that has been clear from what Opposition Members have said. This is a retail scheme—it will limit those who are eligible to complain and the sums that may be awarded. Consultation paper 33 from the FSA proposes to set an overall limit of £100,000. Beyond that, the ombudsman will only be able to recommend that the firm should pay an additional sum.

Thirdly, there is no question of a complainant receiving a double award from the ombudsman and from the courts, even when an award goes beyond what a court could award. The provisions that the amendment would remove require the complainant to decide within a specified time whether to accept the ombudsman's award. If he accepts, the ombudsman's determination is binding on both parties. If not, he will be treated as rejecting the award.

Opposition Members have suggested that that might breach a firm's rights under the European convention or force the ombudsman to adopt an over-legalistic procedure in order to be compatible with the convention. That is not our understanding. I do not think there is a contradiction between adopting a quick and informal process which is fair to both sides and ensuring that the parties can, if they choose, receive a fair public hearing from an independent tribunal, as required by article 6(1).

Mr. Tyrie: One of the concerns is that there could be excessive bureaucracy where the ombudsman knows that there may be an ECHR inquiry; he will therefore be all the more meticulous, which could lengthen the inquiry. Do the Government have a target that they think would be reasonable for the average duration of an ombudsman's investigation?

Mr. Timms: That would depend very much on the nature of the case and of the complaint. I do not have an anticipated average. It may well be that the ombudsman does, although I imagine that he would have in mind different periods for different kinds of complaint.

There are many other areas in which Parliament has deemed it necessary to redress the imbalance of resources that would otherwise exist between the parties to a civil dispute. For example, in a very different context, there is a comparable situation in disputes between landlord and tenant, where the requirements on the tenant and the requirements on the landlord are rather different, reflecting the different strengths of their position. Other examples are employers and employees, lenders and borrowers. In all of those cases, it is necessary to provide additional procedures that give confidence to the weaker party that he or she will have the same opportunity to present the case. That is exactly the position here as well.

The experience of other schemes is that the vast majority of complaints are settled without the need for a formal hearing. There is no evidence that firms have been or will be prejudiced by giving consumers the theoretical option of having their complaint reheard by the courts. Therefore, I hope that the whole House will accept, on reflection, that the clause is the best model both for firms and for consumers.

I should like to say a few words about the Government's amendments. Amendment No. 180 clarifies the rules governing the budget to be adopted by the ombudsman scheme operator each year. As drafted, the Bill requires only that the budget reflects income from fees. The amendment makes it clear that the budget should set out any income that the operator has from the operation of the scheme—for example, income from publications.

Amendment No. 181 makes it clear that the operator of the ombudsman scheme may include in its standard terms under the voluntary jurisdiction matters relating to the payment of fees and levies. That is consistent with the arrangements for the compulsory jurisdiction under clause 209.

Mr. Flight: We remain of the view that it would be wiser for both sides to be bound by the ombudsman. However, this is not a matter of major principle, and therefore I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 237

OPEN-ENDED INVESTMENT COMPANIES

Amendment made: No. 449, in page 121, line 2, after "of" insert ", or made under,".—*[Mr. Timms.]*

Clause 240

REPRESENTATIONS AND REFERENCES TO THE TRIBUNAL

Amendment made: No. 450, in page 122, line 36, leave out "A person" and insert—

"The operator of the scheme".—*[Mr. Timms.]*

Clause 242

POWER OF AUTHORITY TO SUSPEND PROMOTION OF SCHEME

Amendments made: No. 451, in page 123, line 23, at end insert—

"( ) If the Authority decides to revoke a direction under this section it must—

(a) give the operator of the scheme a decision notice; and

(b) inform the competent authorities in the scheme's home State of its decision.".

No. 452, in page 123, line 39, at end insert—

"( ) The Authority may, either on its own initiative or on the application of the operator of the recognised scheme concerned, revoke a direction given under subsection (1A) if it appears to the Authority—

(a) that the conditions specified in the direction have been complied with; or

(b) that it is no longer necessary for the direction to take effect or continue in force.".

No. 453, in page 123, line 40, after "effect" insert "(unless revoked earlier)".—*[Mr. Timms.]*

Clause 252

POWER TO REQUIRE INFORMATION

Amendment made: No. 454, in page 128, line 17, leave out clause 252.—*[Mr. Timms.]*

Clause 260

EXEMPTION FOR RECOGNISED INVESTMENT EXCHANGES AND CLEARING HOUSES

Mr. Timms: I beg to move amendment No. 136, in page 132, line 36, leave out from beginning to "in", in line 37 and insert—

"in relation to which a recognition order is".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendment No. 137.

Amendment No. 481, in clause 262, page 134, line 9, after "for", insert "access to and".

Amendment No. 482, in page 134, line 9, after "services", insert—

"and the capacity of those services".

Government amendment No. 139.

Mr. Timms: Amendment No. 139 makes a drafting change to correct the mistaken indirect reference in clause 269(6) to directions made in subsection (2). Subsection (2) in fact contains no such power. The amendment makes a further consequential change.

Amendments Nos. 136 and 137 make minor changes to improve the drafting of clause 260. They do not change the substance of the provisions of this part.

Amendments Nos. 481 and 482, in the name of my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins), would make drafting changes to the provisions on the required particulars which applicants for recognition as recognised investment exchanges must send with their application. I shall be interested to hear what he has to say about this, but I suggest that the amendments are covered already by provisions in the Bill.

Clause 288(2)(b), for example, provides that references to rules of an investment exchange, which must be submitted with the application, are to rules made with respect to

"admission of persons to, or their exclusion from the use of, its facilities".

That, I think, deals with amendment No. 481 and the important point about access.

Amendment No. 482 would add a reference to

"the capacity of those services".

If there is an issue, I think that it can be dealt with by the FSA asking for additional information under clause 262(3)(e)—or, if need be, in the recognition requirements described in clause 261. I think that the points raised by my hon. Friend in his amendment are dealt with by provisions already in the Bill, but I shall be interested to hear what he has to say.

Mr. Cousins: I shall not detain the House for long, but we are dealing with an important aspect of developments in the markets that have taken place since the inception of the Bill. It is important because it concerns the capacity of the London market to continue to maintain its strength and significance: it must have the technological capacity to deal with modern market situations.

The United States has 160 on-line share brokers; 40 per cent. of all share trading there takes place on line rather than directly through the markets. The situation in this country is quite different. On the London stock exchange, although 2,000 shares are listed only 130 can be traded on line, and only a limited number of brokers have on-line trading capacity.

Since the explosion in asset values last autumn, the number of trades on the market has increased incredibly rapidly. The number of trades, particularly by small traders, is now three or four times greater than it was even six months ago. People are attempting to make the most of those trades by telephone, because of the lack of on-line trading capacity. In many cases, the telephone systems handled by brokers have broken down, causing delays and causing consumers attempting to buy and sell stock to doubt whether they have been fairly treated. I have been told by the FSA that in the early part of January as many as 2 billion shares a day were being traded on the markets, and that those included an increasing number of very small trades. In that respect, the London market compares very unfavourably with the market in Frankfurt, which has a completely electronic platform.

In November and December of last year, the position of small traders in the market led to a major outcry in the press and other media about the lack of ability to place deals when people wanted to execute them. At that time, the Securities and Futures Authority, which is currently responsible for this aspect of the work of the exchanges, produced some guidance for people in the market. That guidance effectively attempted to protect the position of clients who were already registered with brokers and who had nominee accounts. Plainly, they were to be given priority to the disadvantage of other traders who were not similarly placed. That cannot be satisfactory in consumer terms.

It is not clear that the FSA regards the capacity of the market to sustain the volume of trade as part of its duty. After I submitted a dossier of correspondence on the topic to Howard Davies of the FSA, he wrote:

"You can be assured that where a firm does get into difficulties which pose a significant risk to customers—whether with its telephone or internet-based services—our supervision staff can and do get involved. Persistent poor service to customers, causing losses to them, could be grounds for disciplinary action . . . The longer-run development of dealing services is ultimately a commercial matter for the exchanges and their users."

7.45 pm

I confess to being rather dismayed by that last point. I am worried about the fact that the FSA does not consider the maintenance of the capacity to execute deals in the markets to be clearly one of its responsibilities. I accept that, as my hon. Friend the Minister has said, provisions in the Bill allow the FSA perhaps to include that in its remit, but the Bill does not seem to specify a duty, which is one of the purposes of the amendments.

Issuing the 9 December guidance that established priorities for those with nominee accounts, Lindsay Thomas, head of the Securities and Futures Authority's supervision department, said:

"It is important that firms put in place systems adequate to handle the new peak levels of business that they should now expect."

That implies that Lindsay Thomas envisages some duty for the SFA to deliver in that regard. Howard Davies's later correspondence with me appears to water that down.

I am concerned about that. We are seeing the development of new markets; we are seeing the development of new traders in the market—consumers with small stocks of equities in which they wish to deal. It is, of course, possible that some of that may not be well advised. There is concern about people who are working on the margins, buying options rather than the shares themselves. However, the concern about whether consumers are well advised to engage in such trades provides no excuse for a lack of capacity in the market.

I urge Ministers to make it clear that the FSA will have a duty and responsibility to ensure that our British share markets can function in a modern, high-tech, e-commerce way, and will no longer be subjected to the delays experienced by small traders in the last months of 1999.

Mr. Flight: Let me ask the Minister a question about investment exchanges. Under the Bill, they become semi-regulative bodies themselves and gain a legal immunity that, in the main, was not enjoyed before. What arrangements, if any, will be organised to deal with complaints about investment exchanges in relation to those using them, and for any potential recompense when exchanges have acted improperly to members or customers?

Mr. Timms: I listened with interest to what was said by my hon. Friend the Member for Newcastle upon Tyne, Central. I share his concern: it is important for adequate facilities to be available for as many people as wish to participate in trades.

There has been a remarkable increase in recent months. That is a welcome development. The more people who take part in such trading, the better. Of course they must take adequate advice and precautions, but we want more people to participate, and that is clearly happening.

My hon. Friend is right to draw attention to the growth of on-line share brokering. He has made the point that things have gone a good deal further in the United States than they have here. That is true, but I have no doubt that there will be rapid developments on that front in the UK as well; it is happening across the board in on-line services. That sector will be no exception.

It is clear from the letter that my hon. Friend read from Howard Davies that the FSA will take a general and close interest in what is happening to ensure that arrangements are working well and that provision is adequate, but if there is demand for a particular type of service, we will want the market to respond to that demand. I do not think that it is for the Bill or the FSA to require that the market should respond. I am not quite sure what mechanism it could adopt to require that.

Therefore, the arrangements in the Bill are the right ones. They allow for both my hon. Friend's points to be dealt with through the provisions that are already in place, but I am not sure that it will be possible for the FSA to take the rather more prescriptive role that he outlined, although it will take a close interest in how things develop. In that sector, notwithstanding the difficulties with capacity that have arisen in recent months, we can expect the market to move pretty quickly and ensure that there is adequate capacity for the attractive commercial opportunities that growth is presenting.

The hon. Member for Arundel and South Downs (Mr. Flight) asked about arrangements for complaints. The Bill requires the FSA to maintain arrangements for dealing with complaints against recognised bodies; it is in clause 275. The draft recognition requirements that were published for consultation last year also require the recognised bodies to maintain complaints arrangements. Those are the provisions that have been made. I hope that that covers his point.

Amendment agreed to.

Amendment made: No. 137, in page 132, line 38, leave out from "house" to "in", in line 39 and insert—

"in relation to which a recognition order is".—*[Miss Melanie Johnson.]*

Clause 269

MODIFICATION OR WAIVER OF RULES

Amendments made: No. 138, in page 137, line 30, at end insert—

"( ) Subsections (3) to (5) apply to a direction given under subsection (1).".

[Mr. Timms]

No. 139, in page 137, line 42, leave out subsection (6).—*[Miss Melanie Johnson.]*

Clause 274

DIRECTIONS AND REVOCATION: PROCEDURE

Amendment made: No. 140, in page 140, line 7, at end insert "or (4)(b)".—*[Miss Melanie Johnson.]*

Clause 281

FURTHER REPORTS BY DIRECTOR GENERAL OF FAIR TRADING

Amendment made: No. 141, in page 144, line 20, leave out "contained in an annual" and insert "the subject of a".—*[Miss Melanie Johnson.]*

Clause 283

INVESTIGATIONS BY DIRECTOR GENERAL OF FAIR TRADING

Amendments made: No. 142, in page 145, line 41, leave out "punish" and insert "deal with".

No. 143, in page 145, line 42, leave out from "he" to end of line and insert "were in contempt".—*[Miss Melanie Johnson.]*

Clause 288

INTERPRETATION OF PART XVII

Miss Melanie Johnson: I beg to move amendment No. 144, in page 148, line 21, leave out from "and" to end of line 23 and insert—

"in relation to which a recognition order is in force".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 145 and 154.

Miss Johnson: These are drafting amendments and follow on from the amendments to clause 260. They bring the definitions into line with those for domestic recognised investment exchanges and recognised clearing houses in clause 260.

Amendment No. 154 defines an exempt person as any person who has been granted exemption under an exemption order made under clause 34, as the appointed representative of an authorised person under clause 35, or who has been recognised as an investment exchange or a clearing house.

Amendment agreed to.

Amendment made: No. 145, in page 148, line 26, leave out from "and" to end of line 27 and insert—

"in relation to which a recognition order is in force".—*[Miss Melanie Johnson.]*

Clause 291

DIRECTION BY AUTHORITY

Amendments made: No. 330, in page 150, line 37, leave out "("the effective date")".

No. 331, in page 150, line 38, at end insert—

"( ) A direction under subsection (1) must be published in the way appearing to the Authority to be best calculated to bring it to the attention of the public.

( ) The Authority may charge a reasonable fee for providing a person with a copy of the direction.

( ) The Authority must, without delay, give the Treasury a copy of any direction which it gives under this section.".—*[Miss Melanie Johnson.]*

Clause 293

EXERCISE OF POWERS THROUGH COUNCIL

Amendment made: No. 332, in page 151, line 20, at end insert—

"( ) A direction under subsection (1) must be published in the way appearing to the Authority to be best calculated to bring it to the attention of the public.

( ) The Authority may charge a reasonable fee for providing a person with a copy of the direction.

( ) The Authority must, without delay, give the Treasury a copy of any direction which it gives under this section.".—*[Miss Melanie Johnson.]*

Clause 294

CONSULTATION

Amendments made: No. 333, in page 151, line 21, leave out

"If the Authority proposes to give"

and insert "Before giving".

No. 334, in page 151, line 22, leave out "it" and insert "the Authority".

No. 335, in page 151, line 24, leave out from beginning to "and", in line 25, and insert "a cost benefit analysis".

No. 336, in page 151, line 26, leave out "a statement" and insert "notice".

No. 337, in page 151, line 27, leave out "reasonable" and insert "specified".

No. 338, in page 151, line 30, leave out from "publish" to end of line 31 and insert—

"an account, in general terms, of".

No. 339, in page 151, line 37, leave out "publish a statement" and insert—

"(in addition to complying with subsection (4)) publish details".

No. 340, in page 151, line 38, leave out "the statement" and insert "those details".

No. 341, in page 151, line 42, leave out from beginning to "of" in line 4 on page 152 and insert—

"( ) Neither subsection (2)(a) nor subsection (5)(b) applies if the Authority considers—

(a) that, making the appropriate comparison, there will be no increase in costs; or

(b) that, making that comparison, there will be an increase in costs but the increase will be".

No. 342, in page 152, line 10, at end insert—

"( ) "Cost benefit analysis" means an estimate of the costs together with an analysis of the benefits that will arise—

(a) if the proposed direction is given; or

(b) if subsection (5)(b) applies, from the direction that has been given.

( ) "The appropriate comparison" means—

(a) in relation to subsection (2)(a), a comparison between the overall position if the direction is given and the overall position if it is not given;

(b) in relation to subsection (5)(b), a comparison between the overall position after the giving of the direction and the overall position before it was given.".—*[Miss Melanie Johnson.]*

Clause 314

DISCLOSURE OF INFORMATION BY THE INLAND REVENUE

Miss Melanie Johnson: I beg to move amendment No. 146, in page 162, line 29, leave out from beginning to "may" and insert—

"Information obtained as a result of subsection (1)".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 147 to 153.

Miss Johnson: The amendments are drafting changes intended to make it clear that the restrictions on the use of information in the clause apply only to information that has been provided by the Inland Revenue to the Secretary of State, or the FSA under the powers of the clause, and not to any other sort of information. I commend the amendments to the House.

Amendment agreed to.

Amendments made: No. 147, in page 162, line 41, leave out from beginning to "may" and insert—

"Information obtained as a result of subsection (1)".

No. 148, in page 163, line 3, leave out "Revenue information" and insert—

"information obtained as a result of subsection (1)".—*[Miss Melanie Johnson.]*

Clause 315

OFFENCES

Amendments made: No. 149, in page 163, line 9, after "312" insert "or 314(5)".

No. 150, in page 163, line 16, leave out from "if" to end of line 18, and insert—

", in contravention of any provision of regulations made under section 313, he uses information which has been disclosed to him in accordance with the regulations".

No. 151, in page 163, line 18, at end insert—

"(3A) A person is guilty of an offence if, in contravention of subsection (4) of section 314, he uses information which has been disclosed to him in accordance with that section.".

No. 152, in page 163, line 19, after "(3)" insert "or (3A)".

No. 153, in page 163, line 25, after second "information" insert—

"or that it had been disclosed in accordance with section 314".—*[Miss Melanie Johnson.]*

Clause 351

THE AUTHORITY'S PROCEDURES

Amendments made: No. 343, in page 181, line 31, leave out from "in" to "it", in line 32, and insert—

"the way appearing to the Authority to be best calculated to bring".

No. 344, in page 181, line 32, at end insert—

"( ) The Authority may charge a reasonable fee for providing a person with a copy of the statement.

( ) The Authority must, without delay, give the Treasury a copy of any statement which it issues under this section.".—*[Miss Melanie Johnson.]*

Clause 363

DEFINITIONS

Amendments made: No. 420, in page 188, line 19, at end insert—

" "authorised open-ended investment company" has the meaning given in section 211(5);".

No. 154, in page 189, line 4, at end insert—

" "exempt person", in relation to a regulated activity, means a person who is exempt from the general prohibition in relation to that activity as a result of an exemption order made under section 34(1) or as a result of section 35(1) or 260(2) or (3);".

No. 155, in page 189, leave out line 25

No. 156, in page 189, line 45, at end insert—

" "rule-making instrument" has the meaning given in section 125;".

No. 157, in page 190, line 8, at end insert—

" "threshold conditions", in relation to a regulated activity, has the meaning given in section (*The threshold conditions*);".—*[Miss Melanie Johnson.]*

Clause 364

CARRYING ON ACTIVITIES IN THE UNITED KINGDOM

Amendments made: No. 421, in page 190, line 20, leave out "three" and insert "four".

No. 422, in page 190, line 28, leave out from "Kingdom" to end of line 29 and insert—

"( ) he is entitled to exercise rights under a single market directive as a UK firm; and

( ) he is carrying on in another EEA State a regulated activity to which that directive applies.

( ) The second case is where—

(a) his registered office (or if he does not have a registered office his head office) is in the United Kingdom;

(b) he is the manager of a scheme which is entitled to enjoy the rights conferred by an instrument which is a relevant Community instrument for the purposes of section 239; and

(c) persons in another EEA State are invited to become participants in the scheme.".

No. 423, in page 190, line 30, leave out "second" and insert "third".

No. 424, in page 190, line 33, leave out paragraph (b).

No. 425, in page 190, line 35, leave out "that" and insert "the regulated".

No. 426, in page 190, line 40, leave out "third" and insert "fourth".—*[Miss Melanie Johnson.]*

Clause 373

REGULATIONS AND ORDERS

Amendments made: No. 427, in page 194, line 41, at end insert—

"( ) The Lord Chancellor's power to make rules under section 107 is exercisable by statutory instrument.".

No. 428, in page 194, line 44, leave out "Treasury consider" and insert "person making it considers".— *[Miss Melanie Johnson.]*

Clause 374

PARLIAMENTARY CONTROL OF STATUTORY INSTRUMENTS

Amendments made: No. 429, in page 195, line 3, leave out "237" and insert—

"(*Carrying on regulated activities by way of business*)".

No. 430, in page 195, line 6, at end insert—

"( ) No regulations are to be made under section 237 unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.".

No. 431, in page 195, line 7, leave out from beginning to second "to" and insert—

"An order to which, if it is made, subsection (4) will apply is not".

No. 432, in page 195, line 10, leave out subsection (3).

No. 433, in page 195, line 13, leave out "made".

No. 434, in page 195, line 17, at end insert—

"( ) it is the first order to be made, or to contain provision made, under section 19(5);".

No. 435, in page 195, line 22, leave out subsection (5).

No. 455, in page 195, line 24, at end insert—

"(5A) An order containing a provision to which, if the order is made, subsection (5B) will apply is not to be made unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

(5B) This subsection applies to a provision contained in an order if—

(a) it is the first to be made in the exercise of the power conferred by subsection (1) of section (*Designation of professional bodies*) or it removes a body from those for the time being designated under that subsection; or

(b) it is the first to be made in the exercise of the power conferred by subsection (6) of section (*Exemption from the general prohibition*) or it adds a description of regulated activity or investment to those for the time being specified for the purposes of that subsection.".

No. 436, in page 195, line 26, after "376(2)" insert—

"or to which paragraph 26 of Schedule 2 applies".— *[Miss Melanie Johnson.]*

New Schedule 1

"TRANSFER SCHEMES: CERTIFICATES

PART I

INSURANCE BUSINESS TRANSFER SCHEMES

1.—(1) For the purposes of section (*Sanction of the court for business transfer schemes*)(3) the appropriate certificates, in relation to an insurance business transfer scheme, are—

(a) a certificate under paragraph 2;

(b) if sub-paragraph (2) applies, a certificate under paragraph 3;

(c) if sub-paragraph (3) applies, a certificate under paragraph 4;

(d) if sub-paragraph (4) applies, a certificate under paragraph 5.

(2) This sub-paragraph applies if—

(a) the authorised person concerned is a UK authorised person which has received authorisation under Article 6 of the first life insurance directive or of the first non-life insurance directive from the Authority; and

(b) the establishment from which the business is to be transferred under the proposed insurance business transfer scheme is in an EEA State other than the United Kingdom.

(3) This sub-paragraph applies if—

(a) the authorised person concerned has received authorisation under Article 6 of the first life insurance directive from the Authority;

(b) the proposed transfer relates to long-term insurance business; and

(c) as regards any policy which is included in the proposed transfer and which evidences a contract of insurance (other than reinsurance), an EEA State other than the United Kingdom is the State of the commitment.

(4) This sub-paragraph applies if—

(a) the authorised person concerned has received authorisation under Article 6 of the first non-life insurance directive from the Authority;

(b) the business to which the proposed insurance business transfer scheme relates is general insurance business; and

(c) as regards any policy which is included in the proposed transfer and which evidences a contract of insurance (other than reinsurance), the risk is situated in an EEA State other than the United Kingdom.

Certificates as to margin of solvency

2.—(1) A certificate under this paragraph is to be given—

(a) by the relevant authority; or

(b) in a case in which there is no relevant authority, given by the Authority.

(2) A certificate given under sub-paragraph (1)(a) is one certifying that, taking the proposed transfer into account—

(a) the transferee possesses, or will possess before the scheme takes effect, the necessary margin of solvency; or

(b) there is no necessary margin of solvency applicable to the transferee.

(3) A certificate under sub-paragraph (1)(b) is one certifying that the Authority has received from the authority which it considers to be the authority responsible for supervising insurance companies in the place to which the business is to be transferred that, taking the proposed transfer into account—

(a) the transferee possesses or will possess before the scheme takes effect the margin of solvency required under the law applicable in that place; or

(b) there is no such margin of solvency applicable to the transferee .

(4) "Necessary margin of solvency" means the margin of solvency required in relation to the transferee, taking the proposed transfer into account, under the law which it is the responsibility of the relevant authority to apply.

(5) "Margin of solvency" means the excess of the value of the assets of the transferee over the amount of its liabilities.

(6) "Relevant authority" means—

(a) if the transferee is an EEA firm falling within paragraph 5(d) of Schedule 3, its home state regulator;

(b) if the transferee is a Swiss general insurance company, the authority responsible for supervising insurance companies in Switzerland;

(c) if the transferee is an authorised person not falling within paragraph (a) or (b), the Authority.

(7) In sub-paragraph (6), any reference to a transferee of a particular description includes a reference to a transferee who will be of that description if the proposed scheme takes effect.

(8) "Swiss general insurance company" means a company—

(a) whose head office is in Switzerland;

(b) which has permission to carry on regulated activities consisting of the effecting and carrying out of general insurance contracts; and

(c) whose permission is not restricted to reinsurance business.

Certificates as to consent

3. A certificate under this paragraph is one given by the Authority and certifying that the host State regulator has been notified of the proposed scheme and that—

(a) that regulator has responded to the notification; or

(b) that it has not responded but the period of three months beginning with the notification has elapsed.

Certificates as to long-term business

4. A certificate under this paragraph is one given by the Authority and certifying that the authority responsible for supervising insurance companies in the State of the commitment has been notified of the proposed scheme and that—

(a) that authority has consented to the proposed scheme; or

(b) the period of three months beginning with the notification has elapsed and that authority has not refused its consent.

Certificates as to general business

5. A certificate under this paragraph is one given by the Authority and certifying that the authority responsible for supervising insurance companies in the EEA State in which the risk is situated has been notified of the proposed scheme and that—

(a) that authority has consented to the proposed scheme; or

(b) the period of three months beginning with the notification has elapsed and that authority has not refused its consent.

Interpretation of Part I

6.—(1) "State of the commitment", in relation to a commitment entered into at any date, means—

(a) if the policyholder is an individual, the State in which he had his habitual residence at that date;

(b) if the policyholder is not an individual, the State in which the establishment of the policyholder to which the commitment relates was situated at that date.

(2) "Commitment" means a commitment represented by insurance business of a prescribed class.

(3) References to the EEA State in which a risk is situated are—

(a) if the insurance relates to a building or to a building and its contents (so far as the contents are covered by the same policy), to the EEA State in which the building is situated;

(b) if the insurance relates to a vehicle of any type, to the EEA State of registration;

(c) in the case of policies of a duration of four months or less covering travel or holiday risks (whatever the class concerned), to the EEA State in which the policyholder took out the policy;

(d) in a case not covered by paragraphs (a) to (c)—

(i) if the policyholder is an individual, to the EEA State in which he has his habitual residence at the date when the contract is entered into; and

(ii) otherwise, to the EEA State in which the establishment of the policyholder to which the policy relates is situated at that date.

PART II

BANKING BUSINESS TRANSFER SCHEMES

7.—(1) For the purposes of section (*Sanction of the court for business transfer schemes*)(3) the appropriate certificates, in relation to a banking business transfer scheme, are—

(a) a certificate under paragraph 8; and

(b) if sub–paragraph (2) applies, a certificate under paragraph 9.

(2) This sub-paragraph applies if the authorised person concerned or the transferee is an EEA firm falling within paragraph 5(b) of Schedule j05036.s.

Certificates as to financial resources

8.—(1) A certificate under this paragraph is one given by the relevant authority and certifying that, taking the proposed transfer into account, the transferee possesses, or will possess before the scheme takes effect, adequate financial resources.

(2) "Relevant authority" means—

(a) if the transferee is a person with a Part IV permission or with permission under Schedule j04188.s, the Authority;

(b) if the transferee is an EEA firm falling within paragraph 5(b) of Schedule j05036.s, its home state regulator;

(c) if the transferee does not fall within paragraph (a) or (b), the authority responsible for the supervision of the transferee's business in the place in which the transferee has its head office.

(3) In sub-paragraph (2), any reference to a transferee of a particular description of person includes a reference to a transferee who will be of that description if the proposed banking business transfer scheme takes effect.

Certificates as to consent of home state regulator

9. A certificate under this paragraph is one given by the Authority and certifying that the home State regulator of the authorised person concerned or of the transferee has been notified of the proposed scheme and that—

(a) the home State regulator has responded to the notification; or

(b) the period of three months beginning with the notification has elapsed.".—*[Miss Melanie Johnson.]*

Brought up, read the First and Second time, and added to the Bill.

New Schedule 2

"ROLE OF THE COMPETITION COMMISSION

Provision of information by Treasury

1.—(1) The Treasury's powers under this paragraph are to be exercised only for the purpose of assisting the Commission in carrying out an investigation under section (*Consideration by Competition Commission*).

(2) The Treasury may give to the Commission—

(a) any information in their possession which relates to matters falling within the scope of the investigation; and

(b) other assistance in relation to any such matters.

(3) In carrying out an investigation under section (*Consideration by Competition Commission*), the Commission must have regard to any information given to it under this paragraph.

Consideration of matters arising on a report

2. In considering any matter arising from a report made by the Director under section (*Reports by Director General of Fair Trading*), the Commission must have regard to—

(a) any representations made to it in connection with the matter by any person appearing to the Commission to have a substantial interest in the matter; and

(b) any cost benefit analysis prepared by the Authority (at any time) in connection with the regulatory provision or practice, or any of the regulatory provisions or practices, which are the subject of the report.

Applied provisions

3.—(1) The provisions mentioned in sub-paragraph (2) are to apply in relation to the functions of the Commission under section (*Consideration by Competition Commission*) as they apply in relation to the functions of the Commission in relation to a reference to the Commission under the Fair Trading Act 1973.

(2) The provisions are—

(a) section 82(2), (3) and (4) of the Fair Trading Act 1973 (general provisions about reports);

(b) section 85 of that Act (attendance of witnesses and production of documents);

(c) section 93B of that Act (false or misleading information);

(d) section 24 of the Competition Act 1980 (modifications of provisions about the performance of the Commission's functions);

(d) Part II of Schedule 7 to the Competition Act 1998 (performance by the Commission of its general functions).

(3) But the reference in paragraph 15(7)(b) in Schedule 7 to the 1998 Act to section 75(5) of that Act is to be read as a reference to the power of the Commission to decide not to make a report in accordance with section (*Consideration by Competition Commission*)(2).

Publication of reports

4.—(1) If the Commission makes a report under section (*Consideration by Competition Commission*), it must publish it in such a way as appears to it to be best calculated to bring it to the attention of the public.

(2) Before publishing the report the Commission must, so far as practicable, exclude any matter which relates to the private affairs of a particular individual the publication of which, in the opinion of the Commission, would or might seriously and prejudicially affect his interests.

(3) Before publishing the report the Commission must, so far as practicable, also exclude any matter which relates to the affairs of a particular body the publication of which, in the opinion of the Commission, would or might seriously and prejudicially affect its interests.

(4) Sub-paragraphs (2) and (3) do not apply in relation to copies of a report which the Commission is required to send under section (*Consideration by Competition Commission*)(10).".—*[Miss Melanie Johnson.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

THE FINANCIAL SERVICES AUTHORITY

Amendments made: No. 345, in page 198, line 8, leave out "or varying".

No. 346, in page 198, line 9, leave out "details of its proposals" and insert—

"a draft of the proposed scheme in the way appearing to the Authority to be best calculated to bring it to the attention of the public".

No. 347, in page 198, line 10, leave out "published proposals" and insert "draft".

No. 348, in page 198, line 10, leave out "a statement" and insert "notice".

No. 349, in page 198, line 11, leave out from "Authority" to end of line 12 and insert "within a specified time".

No. 350, in page 198, line 13, leave out "carrying out its proposals" and insert—

"making the proposed complaints scheme".

No. 351, in page 198, line 14, at end insert—

"(6A) If the Authority makes the proposed complaints scheme, it must publish an account, in general terms, of—

(a) the representations made to it in accordance with sub-paragraph (5); and

(b) its response to them.

(6B) If the complaints scheme differs from the draft published under sub-paragraph (4) in a way which is, in the opinion of the Authority, significant the Authority must (in addition to complying with sub-paragraph (6A)) publish details of the difference.".

No. 352, in page 198, line 17, leave out "arrangements" and insert "provision".

No. 353, in page 198, line 19, at beginning insert "Those".

No. 354, in page 198, line 19, leave out "most suitable for bringing" and insert "best calculated to bring".

No. 355, in page 198, line 20, at end insert—

"(9) The Authority must, without delay, give the Treasury a copy of any details published by it under this paragraph.

(10) The Authority may charge a reasonable fee for providing a person with a copy of—

(a) a draft published under sub-paragraph (4);

(b) details published under sub-paragraph (7).

(11) Sub-paragraphs (4) to (6B) and (10)(a) also apply to a proposal to alter or replace the complaints scheme.".

No. 356, in page 200, line 38, at end insert—

"( ) Up to date details of the scheme must be set out in a document ("the scheme details").

( ) The scheme details must be published by the Authority in the way appearing to it to be best calculated to bring them to the attention of the public.".

No. 357, in page 200, line 39, leave out "or varying".

No. 358, in page 200, line 39, leave out "details of its proposals" and insert—

"a draft of the proposed scheme in the way appearing to the Authority to be best calculated to bring it to the attention of the public".

No. 359, in page 200, line 41, leave out

"published proposals must be accompanied by a statement"

and insert

"draft must be accompanied by notice".

No. 360, in page 200, line 42, leave out "them" and insert "the proposals".

No. 361, in page 200, line 42, leave out from "Authority" to end of line 43 and insert "within a specified time".

No. 362, in page 201, line 1, leave out "carrying out its proposals" and insert "making the scheme".

No. 363, in page 201, line 2, at end insert—

"(7) If the Authority makes the proposed scheme, it must publish an account, in general terms, of—

(a) the representations made to it in accordance with sub-paragraph (5); and

(b) its response to them.

(8) If the scheme differs from the draft published under sub-paragraph (4) in a way which is, in the opinion of the Authority, significant the Authority must (in addition to complying with sub-paragraph (7)) publish details of the difference.

(9) The Authority must, without delay, give the Treasury a copy of any scheme details published by it.

(10) The Authority may charge a reasonable fee for providing a person with a copy of—

(a) a draft published under sub-paragraph (4);

(b) scheme details.

(11) Sub-paragraphs (4) to (8) and (10)(a) also apply to a proposal to alter or replace the complaints scheme.".— *[Miss Melanie Johnson.]*

Mr. David Davis (Haltemprice and Howden): I beg to move amendment No. 483, in page 202, line 4, at end insert—

"Value for money examinations

22. Section 6 of the National Audit Office Act 1983 (which enables the Comptroller and Auditor General to conduct examinations into the economy, efficiency and effectiveness with which certain departments, authorities and bodies have used their resources) shall apply to the Authority.".

The amendment's purpose is to secure the accountability of the FSA to Parliament. There are important reasons why Parliament should put in place effective accountability arrangements. First, the authority will have a significant impact on a major sector of the economy and will carry out major public policy functions. It will prescribe and exercise far-reaching controls and regulations over a wide range of businesses and in the interests of society at large, as well as the consumers who use financial services. Therefore, although constituted as a private company, the authority will have a statutory objective and will carry out public policy.

Some of those functions, such as the regulation of building societies and insurance, are currently undertaken by bodies subject to the scrutiny of Comptroller and Auditor General and hence of the Public Accounts Committee on behalf of Parliament. Without the amendment, that scrutiny will be lost. That would be a move backwards.

The authority will be funded by fees paid by registered firms, a form of compulsory levy, or directly hypothecated tax, in effect, on the financial services industry. Widespread concerns have been expressed—among others by those firms that will be required to fund the authority—that the Government's original proposals, which are reflected in the Bill, do not provide for full independent scrutiny on behalf of Parliament, for example, the Securities Institute and the London Investment Banking Association have expressed support for the idea of the CAG undertaking such scrutiny.

The CAG would be well placed to provide such independent scrutiny. He would bring the necessary authority to that role and be in a strong position to assess the authority's performance against its statutory objectives. The National Audit Office already has considerable expertise as the external auditor of the other principal regulators—the electricity, gas, rail, telecommunications, water industries and the Office of Fair Trading—and would be able to provide valuable assistance to the authority, to the Treasury and to Parliament.

On a basis of CAG reports, the PAC has published a number of reports on those regulatory authorities. Their value has been publicly recognised by the Government. In March 1998, the President of the Board of Trade, in a report to Parliament, noted that

"a recent Public Accounts Committee inquiry into regulatory methodology was instrumental in securing closer collaboration between regulatory offices".

and concluded that

"the current Parliamentary arrangement have allowed for effective scrutiny of utility regulation".

I acknowledge that the Bill provides that the authority will be required to produce an annual report to Parliament, on the basis of which it can be questioned on its activities. Clause 10 provides that the Treasury can commission independent reviews of the authority's performance and will be able to choose who undertakes such reviews.

8 pm

In Committee in July, the then Financial Secretary to the Treasury said that it would be open to the Treasury to appoint the NAO to carry out a particular review and that that option would be considered carefully. That is all very well, but there is no substitute for giving the Comptroller and Auditor General, and therefore Parliament, the right to examine the authority as a basis on which it can be satisfactorily scrutinised. In particular, it would be for the Treasury to decide if and when such a review should take place and to prescribe the terms of reference. In my judgment, that takes away rights from individual Members of Parliament, for example to ask for a review as a result of a constituent's problems.

In tabling the amendment I recognise that the option of the CAG being able to examine the authority has already been considered during the progress of the Bill. The Joint Committee on Financial Services and Markets, which examined the draft Bill, studied the issue but did not support access for the CAG on the ground that the authority will be paid for by the industry and not the taxpayer. That argument is entirely disingenuous. On that basis, we would not have access to Camelot and a series of bodies that carry out a public function. The authority will be performing a public function and, bluntly, its charges can be seen as akin to a directly hypothecated tax. Therefore, such arrangements call for fully independent scrutiny on behalf of Parliament.

It should also be noted that the CAG already has access to a number of limited companies that undertake public functions, such as the Student Loans Company and Remploy, on which he has usefully reported.

The Joint Committee also believed that parliamentary scrutiny could best be achieved by asking a parliamentary Committee to review the authority's annual report and to take regular evidence from a broad section of consumers and practitioners. The Joint Committee did not suggest which Committee should do so, or how the work would be resourced. Were the Public Accounts Committee to do it, it would expect to have evidence from the CAG. It is difficult to see how a Committee could exercise effective

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scrutiny without some form of report based on access to the authority's papers. I say that as the Chairman of the Committee that carries out most of the scrutiny of such matters in the House.

In Committee, the Government rejected an amendment to clause 10 that would have required the Treasury to appoint the Comptroller and Auditor General as the independent person undertaking reviews. In doing so, the Government argued in addition that the Treasury might wish to use someone else to undertake some types of review and that the CAG ought not to conduct any review that might question policy objectives. I entirely accept the last point.

This amendment deals with both arguments and leaves the Treasury free to use clause 10 to commission other types of independent review, including those involving policy objectives. It applies the bar on the CAG questioning policy objectives—that is built into the National Audit Office Act 1983.

The House has considered amendments to clause 10 that would deal with the independence of Treasury review and make periodic reviews mandatory. Although those amendments did not refer to the CAG, my hon. Friend the Member for Chichester (Mr. Tyrie) considered in Committee that the Government had not explained why providing for the Comptroller and Auditor General to conduct the independent reviews was not a reasonable approach. We have not had an answer to that argument. My hon. Friend also referred to the benefits of the CAG reporting to the PAC. In response, the Financial Secretary referred elliptically to the burdens associated with mandatory reviews and to the Joint Committee.

The amendment has the advantage of providing the independent evidence that effective scrutiny by a parliamentary Committee, as recommended by the Joint Committee, would require. It does not specify how frequently the reviews should be undertaken. That is left to the CAG's discretion. In exercising that discretion, he would of course consult the Treasury and the authority as to the timing and the matters that he would be examining. I have discussed that matter with him.

If the authority is to get off to a good start, it needs to secure the confidence of the financial services industry. A clear line of accountability to Parliament, accompanied by independent assessment of performance by the CAG would go a long way to achieving that.

Mr. Cousins: I do not support the amendment, or its terms. None the less, it raises an important and interesting point. I do not see why it is sensible to accept that the National Audit Office will be the agency that will carry out reviews at this stage, nor do I think—as the FSA is to be one of the most closely monitored and scrutinised public statutory bodies—that such an amendment is necessary. I am not happy with the idea that the NAO could undertake policy reviews of the authority. That would in some way usurp the responsibilities that the Government intend to give to Parliament.

Mr. Davis: That is precisely the opposite of what I said. The use of the National Audit Office Act proscribes any investigation by the Comptroller and Auditor General into the merits of policy. He is not allowed to do that under that Act and that is why the extension of the clause is there. That is also why the Treasury can use other investigators to look into policy matters.

Mr. Cousins: I am grateful for that intervention. I had understood the right hon. Gentleman to be saying that he wanted the NAO to review the objectives of the FSA. If I have misunderstood him—

Mr. Davis: I think I used the term, "the achievement of objectives". That is what the NAO does—it studies effectiveness in the achievement of pre-set objectives.

Mr. Cousins: I am grateful for the clarification. However, it points to some of my anxieties and my difficulty in supporting the amendment. The important point is that the Government intend that the FSA will make an annual report to Parliament. They also intend that a parliamentary Committee will be responsible for scrutinising the authority's work. However that is to be done, and whoever is to do it—the Minister may not wish to go into detail about that at this stage—what resources are to be made available to Parliament through the mechanism of whichever Committee is to be responsible for carrying out that duty effectively? That is the important question. We should consider whether the NAO, or some agency that could be commissioned if resources were available, would be accessible to whichever Committee had the task of scrutinising and reviewing the FSA so that Parliament might be better and more fully informed. Committees often do not have the resources that they want to carry out their scrutiny functions effectively. I urge my hon. Friend the Minister to bear at least that point in mind, but I do not support the amendment.

Miss Melanie Johnson: I understand why the right hon. Member for Haltemprice and Howden (Mr. Davis) tabled the amendment and I know that he has already argued his case on behalf of the Public Accounts Committee in a memorandum to Lord Burns Joint Committee, as well as arguing it fulsomely in connection with another Bill.

Clause 10 provides that the Treasury may appoint an independent person to conduct a review of the economy, efficiency and effectiveness with which the FSA has used its resources in discharging its functions. However, it does not provide that the NAO must always carry out such reviews. I am not apologetic about that. In some cases, if the Treasury concluded that a review was justified, it might want to ask the NAO to do the job and nothing would prevent it from doing so. However, on other occasions, the Treasury may wish to appoint another body to perform that task. If so, that would not be any reflection on the NAO's expertise or professionalism, but simply of the fact that another body may be more familiar with how the financial markets work, and thus the constraints under which the FSA operates. A different body may be more appropriate to perform the task in a particular case.

Mr. David Davis: I take the hon. Lady's point entirely. As we heard from the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), preclusion from policy might be another reason for having a body other than the NAO perform the task. However, in answering my points, I hope that the Minister will answer the simple question of how

direct accountability to Parliament will be achieved. If hon. Members themselves want to raise an issue about the FSA's performance—not about its policy—how will they do so if their only mediator is the Treasury?

Miss Johnson: I am happy to answer the question, but should first say that, if the amendment were accepted, it would create a dual system in which the Treasury could initiate a review under clause 10, whereas the National Audit Office might begin its own review under the amendment. I am not sure whether the right hon. Gentleman intends his amendment to have that effect, but, as drafted, it certainly has the potential to cause overlap and confusion.

Therefore, although I certainly agree that the FSA should be susceptible to value-for-money scrutiny, we share the Burns committee's conclusion—to which the right hon. Gentleman referred in his earlier remarks—that

"The NAO rightly seeks to follow public money wherever it goes, but the FSA will be paid for by the industry, not the taxpayer."

The right hon. Gentleman advanced some arguments that he felt countered that fact, but many people would say that the FSA is in a different position from other bodies and that his arguments might be stronger in relation to those.

The right hon. Gentleman asked how the FSA can be held to account. It is important to recognise that much stronger accountability requirements—both to Ministers and to Parliament—are being imposed on the FSA than were imposed on its many predecessor bodies, some of which he also referred to. There is, for example, provision for the Treasury to appoint and remove the board. Additionally, non-executives will have to report annually on the FSA's efficiency and economy, and that report will have to be laid before Parliament. We should also fully expect that report to be debated by Parliament. The Treasury could also commission inquiries into regulatory failures.

We feel that the best way of ensuring full accountability to Parliament would be to ask—as the Burns committee did—a parliamentary Committee to review the FSA's annual report and to take regular evidence from a broad spectrum of consumers and practitioners.

Mr. Cousins *rose—*

Mr. David Davis: Will the hon. Lady give way?

Miss Johnson: I shall happily give way.

Mr. Davis: I thought that there was a great deal of power in the point made by the hon. Member for Newcastle upon Tyne, Central—who may want to intervene on this point himself—on parliamentary Committees' resources and access. I wholly agree with the Minister's comments on the right to dismiss the board and the other powers that she mentioned. However, all of that depends on the information that is available to Parliament. Without the right information, all those decisions are not only irrelevant, but would certainly be ill-founded. The availability of impartial information is a specific concern, and a report produced by the body itself could not conceivably be seen in such terms.

Miss Johnson: I apologise to my hon. Friend the Member for Newcastle upon Tyne, Central, who I did not realise was trying to intervene. I am grateful to the right hon. Gentleman for drawing it to my attention.

We are not suggesting that the body should not be subject to value-for-money scrutiny; we believe quite the reverse. Criteria will be established under which the FSA will be subjected to value-for-money scrutiny. The only disagreement that I have with the right hon. Gentleman on that point is whether it must be the National Audit Office that performs that role, and whether the Bill should specify that, in all circumstances, the National Audit Office must perform that role. That is the only issue between us. In every other way, I should expect exactly the type of information and reviews that he mentioned to be submitted to the House and subjected to the full panoply of parliamentary scrutiny.

8.15 pm

Mr. Cousins: I am most grateful to the Minister for those comments, and should like to pursue the points made by the right hon. Member for Haltemprice and Howden. Currently, the Treasury Select Committee—of which I, like some other hon. Members in the Chamber, am a member—scrutinises the FSA's work. Although I cannot prejudge what the Committee will do in future, I am reasonably confident that we intend to continue to scrutinise it. However, the issue arises of access to sufficient resources to perform that work of scrutiny of a body such as the Financial Services Authority will be after the Bill is passed.

The FSA will be a powerful and significant body, and there should be sufficient resources to perform proper scrutiny. Although I realise that my hon. Friend might regard that as a matter for the authorities of the House rather than for Ministers, the issue is so important that—even if it were to be seen as a matter for the authorities of the House—the Government's guidance and intentions on the issue now would be significantly advantageous.

Miss Johnson: I am grateful to my hon. Friend for those comments. However, I am a little puzzled by his difficulties on the matter. Obviously, the FSA would be audited and subjected not only to value-for-money scrutiny, but to reviews on effectiveness and on fulfilling other criteria. The scrutiny and reviews will be done by those who are appointed to do them, and they will be reported. Therefore, all the information will be available. Moreover, future difficulties in scrutiny will be the same as those that already exist—such as hon. Members' ability to find sufficient time and to put in the effort to review all the information that is produced by those activities, to ensure that the information is subjected to the scrutiny and oversight that it merits.

I do not think that the difficulties encountered in scrutinising the FSA under the arrangement that we envisage will be any different from, or greater than, those currently confronting the House or Committees in scrutinising the authority.

Mr. David Davis: The hon. Lady has been very courteous in giving way so many times. The hon. Member for Newcastle upon Tyne, Central made a valid point. Even before that, however, the issue of access was raised. The Select Committee on the Treasury is probably the proper Committee to deal with the matter. However, even if it had sufficient resources, it would not be able to gain

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sufficient access on its own back, but would still have to use the mediation of the Treasury itself. I do not believe that that is acceptable for parliamentary accountability.

Miss Johnson: The FSA will have to be reviewed and to subject itself to such scrutiny, and will not have the option of deciding whether to undergo those processes. Therefore, that information and those reports will come back to Parliament and be available for hon. Members to debate and consider. Specifically, presentation of the annual report to Parliament will be a major occasion. In the annual report, non-executives are required to report on both efficiency and economy.

I am quite confident that the arrangements that we have provided in the Bill are entirely satisfactory. In meeting the desires of the right hon. Member for Haltemprice and Howden, the arrangements fail in only one respect—they do not, in totality, specify the National Audit Office. Although I am sorry to disappoint him again, I trust that the House will not support amendment No. 483.

Mr. David Davis: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 2

Regulated Activities

Dr. Cable: I beg to move amendment No. 444, in page 205, line 12, at end insert—

Mortgages for house purchase

"23A. The provision of loans for the purchase of property for residential use, where the obligation of the borrower to repay the lender is secured on the value of the property in question.".

I realise that, for the first time in its long passage in the House, the Bill is ahead of the clock. I do not intend to fill the remaining 40 minutes, but should like to return to an issue that I raised in Committee—mortgages, and how they are handled in the Bill and by the FSA. There is a paradox here, in that the aspect of financial services regulation and the work of the FSA that will have the greatest impact on our constituents is almost certainly the one relating to mortgages, yet it has been subject to very little discussion during the passage of the Bill.

It might be useful to recap briefly how the issue has emerged. It was subject to considerable discussion at the pre-legislative stage by the Select Committee on the Treasury and by the Joint Committee. There was consensus at that point that mortgages should be regulated under the Bill. Last year, there was a strong media offensive by the Chancellor and the Secretary of State for Trade and Industry, who pointed to the many areas of abuse in the market and made it clear that regulation was urgent, overdue and needed to be draconian.

We then discussed the Bill in Committee, and the Government and the Treasury properly went through a process of public consultation. It was a little discordant, in the sense that there was a difference between Ministers and officials as to whether it should be a statutory or a voluntary process. We were promised that the Government would report eventually, and that a policy would be announced. It emerged in the new year.

The announcement of mortgage regulation was not made to Parliament. It has not been presented here, and the proposals have never been discussed here. As far as I know, there are no proposals to discuss the proposals here. I hope that, at the very least, this short debate will provide an opportunity for people to react to what the Government have done, although the specific purpose of the amendment is to make the regulation of mortgages explicit in the Bill.

I do not want to comment at length about what the Government have decided. I have read the newspapers like everyone else, and I have formed a preliminary judgment. I do not understand why it has been decided to split the regulatory control of mortgages. The whole rationale of the Bill was that we would have a one-stop shop for regulation which would be simple and clear. However, mortgages will be split depending on their size.

Miss Melanie Johnson *indicated dissent.*

Dr. Cable: The Minister shakes her head, and this may be a point that she can be clear up quickly. My understanding was that small loans would be covered by consumer credit legislation, rather than through the FSA. I had understood that there was to be dual responsibility for mortgage regulation between two separate Government Departments. I hope that that will be made clear.

Why have the Government chosen to defer the introduction of mortgage regulation until what would appear to be the latest possible time? There are two perfectly legitimate lines of argument. One is that there are serious problems of the abuse of consumers—I thought that this was the view of Ministers—and that mortgage regulation was urgent and important, in which case it should be brought within the FSA as quickly as possible. The other view, which some Conservative Members have argued—it is a perfectly plausible argument—is that self-regulation was working perfectly well, the mortgage lenders were learning as they were going along, and there was no need to change the system. They thought that the system should be spun out for as long as possible.

What is the rationale behind the timing that Ministers have chosen, which is to introduce the system over 18 months? Is it because that is the time needed to staff the FSA? There may be perfectly good practical reasons.

My understanding is that mortgage advice is not to be regulated in the same way as mortgage lending. This appears to imply that an independent financial adviser mis-selling a mortgage package and giving bad advice is exempted from the proposed regulatory provisions. That seems odd. I can understand why the authorities might wish to encourage independent financial advice—which, in itself, is a good thing. Independent financial advice is desirable, rather than tied advice. However, exempting it altogether from the provisions of mortgage regulation seems odd, since we are aware from the private pensions sector that a lot of the malpractices occurred in the IFA sector—not that the IFAs should be the scapegoats. If there are abuses, they apply to the independent advisory bodies as well as to the mortgage lenders. Why regulate one and not the other? The reasoning behind that is unclear.

I want to understand how some of the matters which most concern people about mortgage lending will be dealt with under the new regime. For example, redemption

penalties trouble many people who take out a fixed-rate mortgage on attractive terms and then pay a heavy redemption penalty if they repay early. How will the system outlaw, change or manage that?

If someone goes to a building society or a bank to take out a mortgage, they are under a lot of pressure. They are told that they can have a mortgage, provided they take an endowment or the society's insurance policy. How will that activity be regulated under the proposals? I ask these questions in all innocence, as I do not know how the system will work. I am as much concerned with getting answers as I am with establishing the process by which the House will conduct the debate.

There are at least three members of the Select Committee on the Treasury here and, in due course, the Committee will be looking at this matter. However, it would seem appropriate, given the importance of the subject to large numbers of people, that we should have a proper opportunity to discuss what mortgage regulation will be about.

Mr. Flight: I wish to echo much of what the hon. Member for Twickenham (Dr. Cable) has said. When I read the Government's announcement casually, it seemed reasonable. It was only when I looked into it that, regrettably, I saw that the spin papered over some major problems.

There are various issues to discuss. First, is the FSA capable of providing the regulation that is needed and appropriate? Is the reason for delay that Howard Davies has too much on his hands? The Treasury has signalled that it was cautious, as the large players wanted regulation and we were heading for a form of regulation which would encourage cartels, rather than competition.

It is important that the regulation of mortgages is the first time we have moved from regulating the asset side to the liability side. If we regulate borrowings against houses, why do we not do so for other borrowings? There are as many potential scams and criticisms when people borrow money for their businesses. Where do we draw the line as regards personal borrowings, other than small consumer borrowing?

I was amazed to find that, under the Government's proposals, providers would somehow be responsible for advice. When an adviser is giving advice—whether it is on buying financial assets, taking out a mortgage or taking out an insurance policy—it is, broadly, all the same thing. It is a question of whether that adviser is giving the best advice to his client or clients in relation to financial products. We have chaos now, in that an adviser is regulated under the Bill in relation to assets, but has a completely different regime in relation to insurance. There was chaos left from the old regime, before insurance comes under the new regime, while mortgages are not regulated at all.

Speaking from personal experience when I was given mortgage advice, both times it was unsatisfactory and a waste of money, and I could have done better myself. Mortgage advice needs some form of effective regulation. When we debated the issue in Committee, I recollect making the point—in an echo of the seminar that the Treasury had put on—that we wanted effective regulation. Whether it was to be voluntary or compulsory, it needed to work. Although so far voluntary regulation has been ineffective, the Treasury officials seemed to be saying that there was a better chance of getting effective voluntary regulation than compulsory regulation.

8.30 pm

I do not pretend to know the answer, but what we have now does not strike me as especially satisfactory. The product is regulated, but not the advice, and the regulation will not start for some time. Life will be more confusing for the consumer buyers of mortgages than it is at present. I agree with the comment that it is an extraordinary way to give birth to the process, because it has not been debated in Parliament or even announced. It has taken place outside the democratic process, and we now have a package of measures that most hon. Members probably do not understand at all.

Mr. Cousins: I commend the Government on the measures they have taken to bring mortgages under some kind of regulation. That is long overdue and could not have been done under the previous legislation. The Government clearly signalled that they wished to consult widely on the procedure, and that consultation produced a clear and emphatic result. The Council of Mortgage Lenders began by resisting the idea of mortgage regulation, but now accepts and indeed advocates it, following the consultation. That reflects the real progress that the Government's approach to the issue has brought.

I also have to say that the House is indebted to the hon. Member for Twickenham (Dr. Cable) for tabling the amendment, because it enables us to consider the issue of mortgage advice. Without repeating what was said by the hon. Member for Arundel and South Downs (Mr. Flight), I suggest that it would not be true to say that mortgage advice is one of our best regulated professions. That constitutes a real difficulty. We are not dealing with a function that is already well patrolled and policed by a professional organisation. If advice and, in some respects, packaging advice—linking to mortgages to other products—were not regulated by the FSA, we would end up with a very complicated situation.

In particular, the mortgage provider, whom the Government intend to regulate, would be in a difficult position. The mortgage provider may have a client who is already committed to a course of action that has been urged by the mortgage adviser and which the mortgage provider may find difficult to resist. None the less, as matters stand, it is the mortgage provider who will carry the responsibility for the failure of the advice, not the adviser.

I urge my hon. Friend the Minister to consider how the issue might be further clarified. The Government have done so well on the issue and it would be a shame not to have a system that was fully organised and protected, and robustly and adequately regulated. In other respects, the Government have done splendidly in bringing an important area of concern properly under control.

Miss Melanie Johnson: The comments made by hon. Members this evening about mortgages have ranged widely on the basis of the amendment, but I am happy to answer the points that have been made. The amendment is specific; it covers the same ground as paragraph 23 of schedule 2, which is the provision in the Bill—it was there when we discussed the issue in Committee—that enables

[Miss Melanie Johnson]

regulation to take place by means of statutory instrument. Further debate will obviously take place when such an instrument is introduced.

The original day for debate on this part of the Bill was two weeks ago, which would have been shortly after I had made the announcement. Because of various parliamentary eventualities, a little time has passed and we have been able to discuss the issue now, which has been beneficial.

Virtually all residential mortgages will be covered by the FSA, and all first charge mortgages will be covered by FSA regulation, regardless of the value of those mortgages. The only provision that is separately covered—in this respect, we are subject to other legislation that we are not here to debate—will be second charge mortgages or mortgages for such things as double glazing.

Hon. Members have raised the issue of mortgage advice. In considering mortgage regulation, we have tried to address the detriment that consumers were experiencing in dealing with the mortgage market and which was reported to us as a result of the consultation. That detriment was mainly based on bad and misleading information, including hidden charges and surprise small print, which consumers needed a fine-toothed comb to discover. Consumers received many unpleasant surprises from the mortgage deals that they had been sold. We sought to address those issues because consumers are still experiencing those difficulties. It is important, following such a consultation, to address the problems that it found, and that is what we are doing.

The issue of advice has exercised people somewhat. It is important to realise that because endowment mortgages are investments, advice about them has always been covered by regulation and will continue to be covered. All mortgages that are to be repaid by means of endowments as investment vehicles will be regulated, as has been the case for some time. The FSA has recently taken a number of steps on the selling of endowment mortgages, and many providers have decided to pull out of the endowment market. There have been a number of such announcements.

Advice is a technical term in this context. It is not like popping into the estate agent's and asking whether it has a number of different mortgages. We are talking about someone who will go through an applicant's entire financial circumstances. It may take an hour or more to do and will require the applicant to produce background information such as bank statements, pay slips and other evidence of his financial circumstances. People divulge such information in considerable detail. Those who are technically giving advice can then match up the applicant's financial circumstances to a range of products available in the market. That is the process of advice giving. We are not talking about the more casual advice that we all receive from different people just by exchanging a few words with somebody under particular circumstances.

I decided not to regulate mortgage advice because that was not the problem that people were identifying. Nor do I think, in the light of the regulation that we have chosen, that it will be necessary in many cases for people to resort to such advice. If they are buying endowment products or going for any investment vehicle, they will have to get advice, and that advice will be subject to regulation.

The hon. Member for Twickenham (Dr. Cable) mentioned redemption penalties. Details of those will have to be set out very clearly in the information available to consumers. We are regulating the form of information that consumers receive, so that they can compare one lender's offer with another or compare the products that they are being offered. They will be able see very clearly what the terms, conditions and repayments of a mortgage are, and can compare products for themselves using the simple and comprehensive information that they will receive as a result of the regulation.

The possibility of certain things coming as a surprise will no longer exist. That will be the result of the FSA's regulation of the information. Redemption penalties will be outlawed as part of the CAT standard regime. If someone buys a CAT standard mortgage, they will know that no such penalties will apply.

Mr. Flight: Does the Minister not agree that quite aside from the issues that she describes, when people take out a mortgage there are some crucial matters on which they need advice, analogous to buying a unit trust? For example, depending on the future course of interest rates, taking out a fixed-rate or floating-rate mortgage will make a huge difference to one's net wealth and position. Many people will not know what is likely to be appropriate to their circumstances or what can be expected of interest rates in the future.

Secondly, even with very standard mortgages, the difference in charges in the market varies considerably, depending on whether particular lenders want to lend or not. Therefore, people get advice on where they can get the best deal on a seven-year fixed mortgage. There is a growing market for advice, partly because of the complexity of mortgages. The Minister says that she has not had feedback—

Mr. Deputy Speaker (Mr. Michael Lord): Order. Is the hon. Gentleman making a speech or an intervention? He has probably said about enough.

Miss Johnson: I was lulled into listening to the hon. Gentleman as if he were making a speech. I was interested in his comments.

Were people to receive advice in the sense referred to by the hon. Gentleman, the only way in which it could be regulated is if the person giving the advice went through extensive financial examination of their affairs. Otherwise, advice which is not really advice in this technical sense would not be subject to regulation, nor could it be. How could one judge whether advice was good if it was not based on evidence of an individual's financial circumstances? That is why I felt that it was not the right course to take. People wanting a full inquiry can of course take advice in that sense. It will be regulated in the same way that advice on endowments is regulated. If one is simply popping in to ask for information, there cannot sensibly be any regulation.

We have decided to regulate lenders, who will be responsible for making sure that brokers comply with regulations about information and behave as if they, like the lenders, were regulated by the FSA.

8.45 pm

Mr. Cousins: May I urge the Minister to bear in mind the fact that the mortgage market contains a bewildering range of products that are simply mortgages? There are mortgages calculated daily, flexible mortgages, fixed-rate mortgages, mortgages with different redemption penalties and many more. There is an established market for advising and directing people who may be not terribly sophisticated or new to the market. Those different products have quite different effects on people's income, and they take that income at different points in people's lives, which is crucial to many low-income families purchasing a mortgage for the first time. I urge my hon. Friend to reflect on the position, considering whether the heavy bias—

Mr. Deputy Speaker: Order. Long interventions seem to be becoming contagious.

Miss Johnson: Hon. Members are much enticed by this, Mr. Deputy Speaker. I have already reflected on the matter at length and found that there is a problem with the information that people receive rather than with advice, except in the case of endowments for which advice is regulated already. That is why we chose the route in the Bill. I accept that many mortgage products are available—between 4,500 and 5,000, in fact—but consumers cannot make comparisons between them because the information available is not standardised. Nor is it clearly set out in terms that people may readily understand. For that reason, we have decided to regulate the form of information provided and the conduct of lenders and, through lenders, brokers. We believe that that will deal with the detrimental effects that consumers experience in today's mortgage market.

I reiterate that amendment No. 444 covers the same ground as paragraph 23 of schedule 2. The action that we have decided to take will protect consumers, and I look forward to discussing the matter further when we produce a statutory instrument.

Dr. Cable: I thank hon. Members on both sides of the House for the depth and experience that they have brought to the debate. I agree with the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that we should not lose sight of the central point, which is that we are on the threshold of mortgage regulation. That is a positive development. We are arguing about the way in which it is being done, but the central point is that it is happening.

I was glad to hear the Minister accept that the legislative process had not yet thrown up a proper scrutiny process. I look forward to debating the statutory instrument. I hope that that debate will be held soon and will be well signalled so that it may have the promised substance.

In long and eloquent interventions, it has been made clear that there is continuing concern about advice. I have gained the impression that representative bodies in the field—the Consumers Association and the National Consumer Council—remain concerned, although I do not know what evidence they gave to the public inquiry. In retrospect, they feel that the exclusion of advice considerably weakens the Government's proposals for regulation. I look forward to the continuation of that debate.

The Minister mentioned CAT standards. Such benchmarking of complex products is useful, but much of the Government's policy hinges on the fact that CAT marking should be an accepted and understood convention, not only for the products we are discussing but for utilities products and for pensions, when they are introduced. However, many products that are not CAT-marked will continue to be sold and will contain serious defects.

I realise that the amendment does not address the problems about advice that have been thrown up by the debate. The amendment's scope is narrow and I shall not push it to a vote. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 3

EEA Passport Rights

Amendments made: No. 158, in page 208, line 3, leave out

"of his home state regulator"

and insert—

"in which he has his head office"

No. 159, in page 210, line 2, leave out "13 or 14" and insert "12".

No. 160, in page 210, line 5, after "branch" insert—

"(if it satisfies the establishment conditions)"

No. 161, in page 210, line 6, after "Kingdom" insert—

"(if it satisfies the service conditions)"

No. 162, in page 210, line 9, at end insert—

"( ) Sections 21, 39(1) and 147(1) of the Consumer Credit Act 1974 (business requiring a licence under that Act) do not apply in relation to the carrying on of a permitted activity which is Consumer Credit Act business by a firm which qualifies for authorisation as a result of paragraph 12, unless the Director General of Fair Trading has exercised the power conferred on him by section 177 in relation to the firm.

( ) 'Consumer Credit Act business' has the same meaning as in section 177.".

No. 163, in page 210, line 15, leave out from beginning to "change" and insert—

"make provision as to any".

No. 164, in page 210, line 17, after "Kingdom" insert—

"and as to the procedure to be followed in relation to such cases".

No. 165, in page 210, line 34, at end insert—

"( ) The activities identified in a notice of intention may include activities which are not regulated activities.".

No. 166, in page 211, line 27, leave out "providing services" and insert "conducting business".

No. 167, in page 211, line 46, at end insert—

"( ) The activities identified in a notice of intention may include activities which are not regulated activities.".

No. 168, in page 212, line 28, leave out from beginning to "change" and insert—

"make provision as to any".

No. 169, in page 212, line 30, after "on" insert—

"and as to the procedure to be followed in relation to such cases".

No. 170, in page 212, line 36, at end insert—

".—(1) Sub-paragraph (2) applies if a UK firm—

(a) has a Part IV permission; and

(b) is exercising an EEA right to carry on any Consumer Credit Act business in an EEA State other than the United Kingdom.

(2) The Authority may exercise its power under section 40 in respect of the firm if the Director of Fair Trading has informed the Authority that—

(a) the firm,

(b) any of the firm's employees, agents or associates (whether past or present), or

(c) if the firm is a body corporate, a controller of the firm or an associate of such a controller,

has done any of the things specified in paragraphs (a) to (d) of section 25(2) of the Consumer Credit Act 1974.

(3) 'Associate', 'Consumer Credit Act business' and 'controller' have the same meaning as in section 177.

.—(1) Sub-paragraph (2) applies if a UK firm—

(a) is not required to have a Part IV permission in relation to the business which it is carrying on; and

(b) is exercising the right conferred by Article 18.2 of the second banking co-ordination directive to carry on that business in an EEA State other than the United Kingdom.

(2) If requested to do so by the host state regulator in the EEA State in which the UK firm's business is being carried on, the Authority may impose any requirement in relation to the firm which it could impose if—

(a) the firm had a Part IV permission in relation to the business which it is carrying on; and

(b) the Authority was entitled to exercise its power under that Part to vary that permission.".—*[Miss Melanie Johnson.]*

Schedule 5

PERSONS CONCERNED IN COLLECTIVE INVESTMENT SCHEMES

Amendments made: No. 171, in page 214, line 20, leave out from "scheme" to end of line 21 and insert "is an authorised person".

No. 172, in page 214, line 23, leave out "operator of an".

No. 173, in page 214, line 23, leave out "qualifies for authorisation" and insert "is an authorised person".

No. 174, in page 214, line 25, leave out sub-paragraph (4).

No. 175, in page 214, line 28, leave out from "person" to "paragraph" and insert—

"authorised as a result of".

No. 176, in page 214, line 30, after "activity," insert—

"appropriate to the capacity in which he acts".

No. 177, in page 214, line 33, leave out from "person" to "paragraph" and insert—

"authorised as a result of".

No. 442, in page 214, line 38, leave out from beginning to end of line 41.—*[Miss Melanie Johnson.]*

Schedule 6

QUALIFYING CONDITIONS

Amendments made: No. 178, in page 215, line 5, leave out paragraph 1.

No. 179, in page 215, line 9, leave out from "If" to "or" in line 11, and insert—

"the regulated activity concerned is the effecting or carrying out of insurance contracts, the authorised person must be a body corporate, a registered friendly society".—*[Miss Melanie Johnson.]*

Schedule 7

TRANSFER OF FUNCTIONS UNDER PART VI

Amendment made: No. 443, in page 218, line 23, leave out "enactment" and insert—

"primary or subordinate legislation (including any provision of, or made under, this Act)".—*[Miss Melanie Johnson.]*

Schedule 14

THE OMBUDSMAN SCHEME

Amendments made: No. 180, in page 234, line 37, leave out

"received or anticipated from fees"

and insert—

"of the scheme operator arising or expected to arise from the operation of the scheme".

No. 181, in page 237, line 11, at end insert—

"( ) The standard terms may, in particular—

(a) require the making of payments to the scheme operator by participants in the scheme of such amounts, and at such times, as may be determined by the scheme operator;

(b) make provision as to the award of costs on the determination of a complaint.".—*[Miss Melanie Johnson.]*

Schedule 15

MUTUALS

Dr. Cable: I beg to move amendment No. 1, in page 239, line 5 at end insert—

"7A. In section 13 (control of subsidiaries and other bodies corporate),—

(a) in subsection (2)(a) for 'of the activities specified in Schedule 7 to this Act' substitute 'activities authorised by the Commission'; and

(b) omit subsection (8).

7B. In section 52 (applications to court), in subsection (2)(d) for 'mentioned in Schedule 7 to' substitute 'authorised by virtue of section 13(2)(a) of'.

7C. Omit Schedule 7 (activities which may be carried on by a subsidiary of or body jointly controlled by an incorporated friendly society).".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 2, in schedule 17, page 241, line 24, column 3, at beginning insert "Section 13 (8).".

No. 3, in page 241, line 24, column 3, at end insert "Schedule 7.".

Dr. Cable: The amendment can be dealt with in seconds rather than minutes. It is a probing amendment, which reflects the interest in the problems of friendly societies expressed at an earlier stage of the Bill's progress by my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith). He is on

paternity leave and cannot speak to the amendment this evening. *[Interruption.]* I seem to have triggered some interest in that issue.

Friendly societies are distinctive financial institutions; they are mutually owned and non-profit-making. We must be sensitive to the impact of regulation on such institutions. As my hon. Friend pointed out, many of them are small, thus the regulatory costs would be disproportionately high.

The purpose of the amendment is to ask the Government whether, while tidying up the schedule and bringing together earlier legislation on friendly societies, they have properly consulted the societies. Does the measure give friendly societies sufficient scope to develop their business and maintain an expanding part of the financial sector? Could the measure be technically improved by the inclusion of these small, technical amendments?

Mr. Flight: I support the amendment. Friendly societies are governed by the Friendly Societies Act 1992—schedule 7 of which sets out what business they can undertake. To change that, they must submit to the cumbersome mechanism of going to the Friendly Society Commission and the Treasury and then obtaining a statutory instrument. They have found problems in changing their activities according to circumstances. They will now be regulated by the FSA.

The Minister told us that the Government intend to repeal schedule 7 of the 1992 Act and there has already been movement in relation to the insurance activities of friendly societies. There can be no argument against getting rid of schedule 7, so that the activities of the societies can be governed by their FSA regulator.

Miss Melanie Johnson: As hon. Members will be aware—especially those who were members of the Standing Committee—the Government tries hard to please all Members. On this occasion, I trust that we shall succeed. Broadly speaking, I agree with the probing amendments tabled by the hon. Member for Twickenham (Dr. Cable).

I confirm that we intend not only to repeal schedule 7 of the Friendly Societies Act 1992, but to amend section 13 of the Act. Together, those provisions limit the purposes for which subsidiaries and jointly controlled bodies of an incorporated friendly society may exist.

The supervisory functions of the Friendly Societies Commission under the 1992 Act will be replaced by the functions of the FSA under the Bill. The commission's other functions will, for the most part, be transferred to the FSA. After the proposed repeal of schedule 7 and the necessary amendment of section 13, the FSA will impose any future restrictions to the extent necessary to protect the interests of policyholders of the friendly societies concerned.

I very much hope that the change to the regulatory regime for incorporated friendly societies will enhance their ability to provide services to the community, and I am sure that everyone hopes for that. We intend appropriate drafting to be inserted into schedules 15 and 17 when we are in a position to make the changes to which I have just referred. I hope that the hon. Member for Twickenham will not press his amendment, because I assure him that the Government will introduce changes to meet the point that he has made.

Dr. Cable: I thank the hon. Member for Arundel and South Downs (Mr. Flight) for his brief but clear support and the Minister for her constructive answer. I hope that it produces a happy outcome. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 16

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 182, in page 240, line 14, at end insert—

"The Income and Corporation Taxes Act 1988 (c. 1)

.—(1) The Income and Corporation Taxes Act 1988 is amended as follows.

(2) In section 76 (expenses of management: insurance companies), in subsection (8), omit the definitions of—

"the 1986 Act";

"authorised person";

"investment business";

"investor";

"investor protection scheme";

"prescribed"; and

"recognised self-regulating organisation".

(3) In section 468 (authorised unit trusts), in subsections (6) and (8), for "78 of the Financial Services Act 1986" substitute "217 of the Financial Services and Markets Act 2000".

(4) In section 469(7) (other unit trust schemes), for "Financial Services Act 1986" substitute "Financial Services and Markets Act 2000".

(5) In subsection (1) of section 632 (establishment of personal pension schemes)—

(a) in paragraph (a), for the words from "authorised" to "business" substitute "an authorised person for the purposes of the Financial Services and Markets Act 2000 and who has permission under that Act to carry on a regulated activity";

(b) for paragraph (aa) substitute—

"(aa) an authorised person for the purposes of the Financial Services and Markets Act 2000 having permission under Schedule 3 to that Act to carry on a regulated activity consisting of long-term insurance business (within the meaning of that Act);"

(c) in paragraph (c), for "authorised under the Banking Act 1987" substitute "which is an authorised person for the purposes of the Financial Services and Markets Act 2000 having permission under Part IV of that Act to carry on a regulated activity consisting of accepting deposits";

(d) in paragraph (cc), for "authorised under the Banking Act 1987" substitute "of a kind mentioned in paragraph (c)";

(e) for paragraph (e), substitute—

"(e) an EEA firm falling within paragraph 5(b) or (c) of Schedule 3 to the Financial Services and Markets Act 2000 lawfully carrying on in the United Kingdom any activity falling within item 1, 7 or 11 of the annex to the second banking co-ordination directive (as defined by that Schedule);"

(6) In subsection (2) of that section—

(a) for "business" substitute "regulated activity"; and

(b) in paragraph (b), for "78(1) of the Financial Services Act 1986" substitute "217 of the Financial Services and Markets Act 2000".

(7) Omit subsections (2ZA) and (2B) of that section.

(8) In section 728 (information in relation to transfers of securities), in subsection (7)(a), for "Financial Services Act 1986" substitute "Financial Services and Markets Act 2000".

(9) In section 840A (meaning of "bank")—

(a) in subsection (1), for paragraphs (b) and (c) substitute—

"(b) an institution which is an authorised person for the purposes of the Financial Services and Markets Act 2000 having permission under Part IV of that Act to carry on a regulated activity consisting of accepting deposits;

(c) an EEA firm falling within paragraph 5(b) of Schedule 3 to the Financial Services and Markets Act 2000 which satisfies the establishment conditions and qualifies for authorisation under that Schedule;"; and

(b) omit subsection (2).

(10) In section 841(3) (power to apply certain provisions of the Tax Acts to recognised investment exchange), for "Financial Services Act 1986" substitute "Financial Services and Markets Act 2000".

The Finance Act 1991 (c. 31)

.—(1) The Finance Act 1991 is amended as follows.

(2) In section 47 (investor protection schemes), omit subsections (1), (2) and (4).

(3) In section 116 (investment exchanges and clearing houses: stamp duty), in subsection (4)(b), for "Financial Services Act 1986" substitute "Financial Services and Markets Act 2000".".—*[Miss Melanie Johnson.]*

Schedule 17

REPEALS

Amendment made: No. 183, in page 241, line 23, at end insert—

"1988 c. 1.	The Income and Corporation Taxes Act 1988.	In section 76, in subsection (8), the definitions of "the 1986 Act", "authorised person", "investment business", "investor", "investor protection scheme", "prescribed" and "recognised self-regulating organisation". In section 632, subsections (2ZA) and (2B). Section 840A(2).
1991 c. 31.	The Finance Act 1991.	In section 47, subsections (1), (2) and (4).".

—[Miss Melanie Johnson.]

Bill, as amended, to be reported.

Order for Third Reading read.

8.56 pm

The Chief Secretary to the Treasury (Mr. Andrew Smith): I beg to move, That the Bill be now read the Third time.

First, I pay a warm tribute to all those who have contributed to our debates. In particular, I thank all the members of the Standing Committee who worked long and hard through 35 sittings and for 90 hours or so—to say nothing of the three further sittings on the Floor of the House—properly to scrutinise the Bill and to make many improvements. The work of Lord Burns and his committee and of Don Cruickshank has also helped to improve the Bill. I am grateful to them for all their hard work.

I take this opportunity to thank especially my hon. Friends the Economic Secretary and the Financial Secretary for their enormous contribution. Theirs is real achievement and something of which they can be proud. I know that, even when it might not have seemed like it, it was truly a labour of love. I therefore extend thanks to them and to their predecessors. I am also grateful to our officials, to their colleagues in the FSA and to parliamentary counsel without whose skill and dedication a Bill of this size could simply not have been prepared and carried forward.

The reason for the extent of those labours is the importance, the scope and the inevitable technical complexity of such a Bill. I do not believe that there are real differences of opinion in the House or outside on the underlying objectives of modernising the regulation of financial services. We therefore very much welcomed the co-operation of the Opposition parties in using the innovative roll-over procedure last autumn and the other ways to progress the Bill. That will allow us, I hope, to get a fully scrutinised Bill on to the statute book in the spring. That is in the interests of everybody concerned.

As the right hon. Member for Wells (Mr. Heathcoat-Amory) said on Second Reading, the importance of the Bill is undoubted. Its purpose is to put into place modern and effective regulation for one of our most important industries. Financial services account for 7 per cent. of gross domestic product and contribute £32 billion net to the balance of payments. The United Kingdom's world-beating financial services industry is vital not only because it employs more than a million people, but because it provides a means to look after the savings of many millions more. Firms in all sectors of the economy rely crucially on it for the provision of finance.

The Government inherited a regulatory system that could, perhaps, be most tactfully described as complex and interesting—if one likes that kind of thing. We are replacing that with something much better. In place of the outdated multiplicity of regulators, we shall have a single statutory, accountable regulator.

The FSA will have clear objectives and the right balance of powers and duties to provide, as we have said, a light touch where possible and effective consumer protection where necessary. It will be required and expected to operate in a way that is fair, transparent and accessible.

Important improvements have been made in the House to many aspects of the Bill; for example, the new market abuse regime, which was discussed earlier this evening, and the competition provisions, helping to protect the integrity and effectiveness of markets. Important clarifications and safeguards have been added in those and other areas. In addition, of course, many more technical improvements have been made with the support of both sides of the House.

The Bill will go to another place with its general framework in the shape in which I hope and expect it to emerge. Inevitably with a Bill of this nature, further refinements will be needed; for example, in additional technical improvements and transitional provisions. We shall also bring forward, as promised, changes to part VI, as a consequence of the developments in the stock exchange, which occurred after the Bill was introduced.

Mr. Tyrie: It is absolutely clear that the other place will have to put in transitional arrangements and repeals. The Chief Secretary has made it clear that he wants to get the Bill on the statute book as early as possible in April, so why was it not possible to make those amendments before the Bill goes to the other place?

Mr. Smith: There is a simple, commonsense reason for that. It makes sense to put in place the architecture and design of the new building before one handles all the arrangements for moving in, and that is the logical reason why many transitional provisions will be made later. As I said, demutualisation of the stock exchange has occurred since the Bill was introduced.

It is right at this stage to thank all those responsible for the important work of pre-legislative scrutiny carried out by Members of both Houses under the chairmanship of Lord Burns. That is a further aspect of the modernisation of procedures from which the Bill has undoubtedly benefited. The hon. Member for Arundel and South Downs (Mr. Flight) is on the record as saying that the Joint Committee virtually rewrote the Bill. That may be an exaggeration, but there is no doubt that it made a vital contribution in the form of several important recommendations on the draft Bill, the great majority of which we accepted and implemented prior to the Bill's introduction or during its passage through the House.

The Joint Committee proceedings laid the foundations for the co-operative scrutiny of this far-reaching, technical Bill in the House. The discussions have, at least until tonight, engaged many hon. Members, but we have exhausted the interest even of some of the more assiduous Conservative Members, as is evident from the sparse attendance.

For the overwhelming majority of the time there has been a constructive approach to the Bill, and I trust that it will continue in another place. It is clearly important that it should since we must all do what we can to get right this important legislation, while avoiding unnecessary delay in its enactment. I am glad that the right hon. Member for Wells acknowledged that point on Second Reading and on several subsequent occasions.

A couple of weeks ago, I had the pleasure of visiting the FSA with the Chancellor of the Exchequer, and we were both very impressed by what Howard Davies and his colleagues have already achieved. I have no doubt whatever that they are putting in place a world-class regulator for a world-beating industry. The Bill will give them a statutory framework to match, and I commend it to the House.

9.4 pm

Mr. David Heathcoat-Amory: The Bill is nearing the end of its long passage through the House. It has been something of a parliamentary epic, and I can claim to be a founder member of the club, together with my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton). He was in at the start, and I am glad that he is in at the finish.

The origins of the Bill go back to the weeks following the general election, when the Government announced their intention to legislate for a new, unified regulator to oversee financial services and banking. I am not sure that the Government understood what they were taking on in those days.

There have been many changes, many of them good, but the process has not been helped by the fact that there have been so many ministerial changes. That is no criticism of the industry and commitment of the Economic and Financial Secretaries, but there have been three complete changes of the ministerial team, which has undoubtedly caused a hiccup from time to time.

For our part, we have been constructive throughout in our criticism. We want a Bill that will be effective in regulating an important industry, while being fair in its procedures and just towards those accused of financial crimes. The problem has been that the more we scrutinise the Bill, the more misgivings we have, despite the fact that the Government have moved on a number of issues. I acknowledged that several times this evening.

Many of the difficulties are in the wording and the detail of the clauses. Matters are not helped by the fact that much of the Bill remains submerged. It will become apparent in secondary legislation, which we have not seen, even in draft form.

We have been more or less alone in carrying out our scrutiny task. It is flattering that we now have a Liberal Democrat with us—the hon. Member for Weston–super–Mare (Mr. Cotter), whose constituency is in my county, Somerset, is always welcome, as an observer if nothing else. We would have appreciated a more active role from that party during the long days and evenings last year when we were considering the Bill clause by clause. The silence of the Liberal Democrats, who were entirely absent from most of the Committee stage, will have been noticed by the trade bodies concerned and by the million or so people who are directly employed in that important industry.

Mr. Brian Cotter (Weston-super-Mare): On behalf of my hon. Friend the Member for Twickenham (Dr. Cable), may I say that, as the right hon. Gentleman knows, we targeted our efforts on certain issues? I pay tribute to my hon. Friend's work in that respect.

Mr. Heathcoat-Amory: The Liberal Democrats were certainly economical with their targeting, and the effort of intervening on Report clearly exhausted the hon. Member for Twickenham (Dr. Cable), who has left the Chamber.

We should try, even at this stage, to make improvements to the Bill. It still has to go to another place. As we have emphasised repeatedly, the financial services industry is not only extremely important and successful, but highly mobile. The City is under almost ceaseless attack. The competition in world markets is pitiless and continuing. A regulatory system in this country must respect that. While it must be effective, it must avoid imposing excessive costs. Whenever possible, it should promote competition at home and competitiveness in world markets. If it fails to do that, the economy will suffer a great deal of industrial damage, and

[Mr. Heathcoat-Amory]

consumers will also suffer. An industry that is driven to Dublin or Frankfurt may be subjected to a lower regulatory standard. Consequently, jobs could be lost and the general standard of regulation could suffer.

It has been observed that over-regulation leads to concentration of an industry by driving out small firms. Regulations are big business friendly because they raise the threshold of entry. Small businesses suffer. If a concentration occurs, further regulation is needed, and thus the ratchet effect increases constantly.

It is important that the authority's procedures are fair and can, if necessary, be challenged in court. There is a huge concentration of power in the authority. It combines rule making, investigating, disciplinary action and fining. Fines can be unlimited, and people can be deprived of their livelihoods. Failure of the procedures would lead to injustice in a domestic context, and the authority could also be torpedoed by the European convention on human rights.

I retain many doubts about whether the proposed statutory immunity will survive in the long term. If the authority acts negligently or incompetently and severely damages an individual or a firm, its action may breach the European convention on human rights if the person or firm is denied access to the courts to seek restitution. Statutory immunity is therefore vulnerable.

If the authority is torpedoed, the consequences could be serious. They could jeopardise, at least in the short term, the whole regulatory structure and render ineffective the powers that the FSA needs to ensure fair trading. We responded constructively to that by pressing the Government to accept the recommendation of the Burns committee that the complaints investigator should not only be genuinely independent but able to recommend financial awards against the authority when it acts wrongly. I regret that the Government have rejected that suggestion.

Instead of accepting our amendment to elevate the importance of competition, the Government followed a highly bureaucratic route of bringing in the Office of Fair Trading, which will report to the Competition Commission, which will report to the Treasury, which will alter the authority's rules. It would have been far better if the FSA's statutory objectives included supporting competition at home and competitiveness abroad.

The Government accepted some of our suggestions. The Bill is an improvement on the original measure, which was published in July 1998. However, the Government rejected our suggestions on too many subjects, and many matters remain outstanding. Time prevents me from listing them all, but I shall mention some of them.

We tried to improve the accountability of the FSA's internal procedures by suggesting the appointment of a chief executive as well as a non-executive chairman. Its accountability would also be improved by enhancing the role of the non-executive members in line with good practice in the private sector. Again, the Government turned that down.

We also tried to ensure that the FSA is subject to regular independent reviews and that the existing rulebook—not only new rules—is subject to cost-benefit analysis. That would have been some defence against the inevitable tendency of public bodies to expand over time and would at least have ensured that the cost base from which it operates would be subject to cost-benefit analysis. Again, we were turned down.

Territorial scope, the treatment of electronic trading and how products are offered over the internet—often across national boundaries—are complex issues. The Government seem to have adopted the precautionary approach of catching them all and exempting some by secondary legislation. That is unsatisfactory, particularly given the time that they have had to consider and consult. It would have been better had they set out a strategy—preferably one of home state supervision and regulation, which could be jeopardised if the Bill proceeds in its current form.

We have a better Bill, which is due largely to the efforts of those on the Benches behind me, but it is flawed in a number of fundamental respects. Let no one be in any doubt about that. We shall continue our efforts to improve it in the other place and the epic is not yet over.

9.16 pm

Mr. Barry Sheerman (Huddersfield): I am intruding on the debate, although I was deputy chairman of the Burns inquiry. I got off after four months, with good behaviour. The time between spring and the end of summer was invigorating and interesting and it was fascinating to watch Lord Burns, the poacher turned gamekeeper.

Mr. James Plaskitt (Warwick and Leamington): That is why he has gone hunting.

Mr. Sheerman: Indeed. I wish Lord Burns well in the more difficult task on which he has embarked as a chairman.

The procedure for handling the Bill is of great constitutional importance. I am very interested in our constitutional processes, the background to which is constant sniping and criticism of the traditionally hasty passage of legislation through both Houses of Parliament. I enjoyed not only the long and interesting consultation that the Government took in hand, but the pre-legislative inquiry, which was totally new and set a precedent as it involved both Houses of Parliament. All who served on the Burns committee found that the peers—even some of the hereditaries, although one should not say that—assisted our deliberations and that their expertise improved the Bill.

What did we achieve? The pre-legislative inquiry made many sound and serious recommendations and I have been reading the Library report on how many were accepted over the past few days. A large number were agreed to and the Government have to be congratulated on being flexible and open to change. However, I still have one disagreement: the post of chairman and chief executive should be split in half. I say that honestly. It was a recommendation of the committee and I still think that there is something in it. I might have been tempted to vote for it, if the Opposition had had the courage to force a Division.

The process of consideration was interesting and should not be forgotten as it represents a way of dealing with complex legislation. The Bill is one of the most complex

that the House will have to consider and if that process was good for it, it must be good for other Bills. We should extend the method and the Commons and the Lords should work together to improve Bills. The Bill has to go through subsequent stages, and I think that it will be further refined. However, we already have a better Bill and we have discovered a process that works. We should not forget that. We should use it.

As with all Oppositions, the right hon. Member for Wells (Mr. Heathcoat-Amory) showed why a pre-legislative inquiry is better. We sat round a semi-circular table. We were not scoring points across the divide day after day. We collaborated as a team to improve the Bill, and we did. One problem is that, when we get into a confrontational position in the Chamber, both sides have to find something to fight over. Some of the amendments, and some of his comments, showed that the Opposition have had to find something to criticise in a fundamentally good Bill.

We must not forget the lessons that we have learned. We should use the process. I say to all my colleagues on both sides who participated in the early part of the Committee's deliberations that, although I escaped to do other duties in other Committees, I learned a great deal from them and enjoyed the process. We did something remarkable that we should be proud of, so let us remember.

9.21 pm

Mr. Loughton: I am grateful to my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory). Some of us were present at what seems like the birth. Before that, the Bill was conceived in the Labour manifesto, of dodgy parentage. The first contractions were experienced in the draft Bill in July 1998, but there was no sense of urgency at that time. The patient was then rushed to hospital in serious need of help, and given over to the specialist, Lord Burns, in February 1999. On the face of it, the chief gynaecologist dealing with the Bill agreed with Dr. Burns's prognosis, but would not commit herself.

Despite that, there was a serious need for further opinions from consultation exercises. However, before the consultant's results even arrived on the scene, the patient was taken to the delivery ward and in July 1999 we had a new Bill altogether. No sooner had it arrived in the delivery ward, than the lead gynaecologist and the whole medical team were changed, replaced by rookies who were not privy to the patient's history, condition or entire medical records.

All that time, the patient was left in limbo, not knowing whether she was going to give birth, or to how many offspring. Contractions gathered pace between July and December of last year, although at times the new medical team seemed to have little understanding of what they were doing, which bits go where, who was responsible for what, and what will be produced, where and when.

Now, 18 months after the contractions started, the entire method of delivery is to be changed, and a straightforward single birth looks like becoming quadruplets all in the breach position. Members of the Government Front Bench are trying to perform an emergency caesarian, aware of all the time that has been wasted up till now.

My fear is that at least one of those quadruplets will appear with two large bolts attached either side of its neck. The nature of the beast that we are creating in the FSA will prove to be a Frankenstein monster that will turn on the financial services industry, and the potentially destructive powers of its regulatory zeal will soon run out of control. I thought that was a rather better metaphor than the leviathan that we have mentioned so many times.

I had lunch today with a senior director of a financial services firm in the City, who echoed many similar comments that have been made in recent weeks. He said that despite everything that we have inserted in the Bill, the balance of the rights of the regulated person against the powers of the regulator to initiate investigation, impose regulations and penalties, and ultimately withdraw authorisation and destroy whole livelihoods, has been completely tilted in favour of the regulator.

There is a climate of fear in the City. Firms will take excessive investigation on the chin, and the ensuing penalties will be out of all proportion to the misdemeanour or ability of firms to do anything about a rogue trader or a rogue incident. The climate of fear is such that firms are afraid to raise any objections in case they are singled out for intensive scrutiny and never given the benefit of the doubt.

Despite all our attempted safeguards, that climate of fear, far from being dispelled, is potentially worsened by the unlimited fining ability and enormously increased powers. That is very worrying, coming from so many practitioners of long standing. The cost of this Frankenstein's monster is forecast in the new budget document, just released, to be £162.5 million next year, up from £154 million for this year, an increase of 5.5 per cent.—and that is before taking account of the likely cost of regulating mortgages and whatever else.

At the end of the day, what so many people from the Labour Benches never realise is that the consumer will pay the cost of extra legislation. The very people that we are here to protect will be paying excessive amounts of money for excessive regulation. That is our fear.

The problem with the Bill is the unparalleled conferment of regulatory authority on an autonomous body. It covers the whole financial services sector, and now, apparently, mortgages. It covers prudential and conduct-of-business aspects, and has very wide-ranging powers: authorisation, legislation, investigation, intervention and discipline. It must be accountable and inspire confidence, but quite patently, as our deliberations show, it does not.

The generality of the objectives is such that they are open to interpretation. There is insufficient regard to competition, despite the parallel Cruickshank report that we considered midway through Committee. There are insufficient checks on the FSA's doing its job properly, and it needs to be accountable to Parliament. Too much is governed by rules to be made under delegated legislation and not subject to parliamentary review.

Far too much in the Bill is left open-ended. The chairman-chief executive split—the hon. Member for Huddersfield (Mr. Sheerman) quite rightly mentioned it; it is a shame he was not here to mention it earlier—is another example of the lack of accountability by the FSA. When Howard Davies leaves in a few years' time, we shall be dealing with entirely different characters.

There is a lack of commitment in the Bill to regular reviews and a proper look at the cumulative effect of regulation in an international context. The whole Bill is completely lacking in detail. The statutory immunity is

[Mr. Loughton]

not counterbalanced by independent investigation and a compensation scheme. The ultimate recourse of judicial review is impractical and just will not happen.

The extent of regulation is down to what the Treasury decides to specify at any given time. As my right hon. Friend mentioned, the lack of certainty under the market abuse clauses must surely in time be subject to the ECHR, articles 6 and 7. What is the role of the FSA with regard to systemic risk?

There is so much detail still to come at this late stage. Even today we have heard that there are no further details about the FSA's role as the competent authority. The mechanics of the excessively bureaucratic legal aid scheme, which is to be published, and the rebating of excess fees and fines we know nothing about. All this is so late in the day after such a long birth.

The Opposition want an FSA that is effective and streamlined and has clarity and transparency. We do not want a leviathan or a Frankenstein's monster which threatens the competitiveness, pre-eminence and international appeal of the whole financial services community, and for which ultimately the consumer will pay. This is a major lost opportunity in the Bill.

This is nanny—[HON. MEMBERS: "The hon. Gentleman does not mean that."] I mean it sincerely. This is nanny on an enormous scale. It is nanny with knuckledusters and expensive habits, and I therefore urge my hon. Friends to vote against the Bill.

9.29 pm

Mr. Beard: For the four of us on these Benches who have seen the Bill through all its stages from the Burns committee, tonight has something of an end of term feeling. I am sure that all four of us would wish to associate ourselves with the remarks of my hon. Friend the Member for Huddersfield (Mr. Sheerman) on the constructive way in which the committee dealt with the matter and its value through all the subsequent stages.

The main emphasis of all the evidence in the pre-legislative scrutiny Joint Committee was from financial practitioners, concerned, as the hon. Member for East Worthing and Shoreham (Mr. Loughton) has been, that the Bill would enable the Financial Services Authority to bear down on them too severely. In Committee, virtually all the Opposition amendments were designed to increase accountability, to make it easier to pursue the FSA in the courts, to remove or limit its immunities, or to secure increased consultation and reasoned responses.

It is vital for the Bill to be fair, and not to provide so draconian a regime that financial services companies in London and the rest of the country would be at a disadvantage in international financial markets. It is also vital, however, for the financial services industry in Britain to have a reputation for integrity. People should be able to trust our financial practitioners, without any suspicion or reservation. That point has never been so strongly represented in debates as has the need to avoid regulatory cost, and the need to prevent the FSA from becoming a behemoth—or the leviathan referred to earlier—trampling innocent financiers underfoot.

As the Bill moves to another place where there are many distinguished financial service practitioners, there is a danger that the same emphasis is about to be intensified—that there will be too much emphasis on accountability and restraint of the FSA, and that too little will be said about performance and effectiveness in the achievement of its objectives. I also feel some unease about the way in which so many strands of FSA accountability have been added to each other, without much debate about the total impact on the day-to-day effectiveness and flexibility of the organisation.

Let me briefly summarise the many dimensions of accountability that already exist in the Bill. The Treasury will appoint the board with a majority of non-executive directors, who will form a committee reviewing the economy and efficiency of the FSA. The executive directors will be subject to confirmatory hearings by a parliamentary Committee. An annual report will be published covering a prescribed list of topics, which will be reviewed by a parliamentary Committee. The Treasury may appoint investigators to inquire into whatever aspect of the FSA's work it wishes to be examined.

Two panels, one representing consumers and the other representing practitioners, must be consulted on various aspects of FSA practices and rule making, and their observations must be given reasoned answers. When guiding principles and codes of practice are to be established or subsequently amended there must be consultation with the relevant public, and responses must be made about why any observation has not been accepted. All FSA decisions are subject to appeal to a tribunal involving quasi-judicial proceedings, hearing cases from scratch, and there is to be an independent investigator of complaints.

If the other place piled on a few more accountabilities and introduced a few extra impediments to fast reaction in a spirit of giving misbehaving practitioners a sporting chance, the real fear would not be that a powerful unaccountable monster had been created and let loose. The real question would be whether the staff of the FSA would have any time, energy or motivation left to pursue dodgy dealers, financial fiddlers and insider traders.

It is reasonable that the accountability of such a powerful regulatory authority should be at the forefront of people's minds; but the FSA must have the ability and flexibility to achieve its primary objectives. That is vital to the future of the City and the financial markets, and to their international reputation for integrity and ethical dealing. Accountability and performance must be balanced. I hope that the FSA board, the Treasury and the parliamentary Committee will review that balance regularly as practical experience of the working of the Act is gained.

9.34 pm

Mr. Tyrie: I agree with much of what the Chief Secretary said. Of course, we all want regulation: we want regulation that works. We all agree that the ultimate objective should be to protect the consumer, but we do not agree on how to achieve it. Conservative Members do not think that the Government have got it right, despite our best efforts to guide them in Committee.

The reason why that should be of concern to us is, as several hon. Members have pointed out this evening and on many other occasions, that we are creating a hugely powerful institution. It has the power to act as a legislator; it can make its own rules. It has the power to act as an executive; it implements its own rules. It has the power

to act as judge and jury. Within certain limits, it can even adjudicate on whether there have been any transgressions at all. It has at its head a man who has no one looking over his shoulder, a combined chief executive and chairman. That is the first and most important source of concern.

I thought that the best thing I could do this evening was to set out an agenda of the major issues that the other place needs to look at again—issues on which I feel that we have not had satisfactory answers, or where legislation is clearly still deficient. As I have said, we must split the role of chairman and chief executive. I hope that the other place comes back to that issue.

I do not think that it can be right that we are left in a position where the FSA can act recklessly and still be immune from a civil action. The FSA must have a duty to act fairly, reasonably and proportionately. It does not, as the Bill is drafted.

There is the whole issue of the practitioner panels. The industry must have more say as to the composition of the panels. It should not be left to the regulator to appoint the people who will give advice.

There is also the issue of reviews. It is extraordinary that the Government should have decided that they are not prepared to commit themselves to at least one thorough review of the Bill, in, say, three years. They want to retain the discretion not to have any review at all. That cannot be right.

There is the question of financial promotion from outside the UK, which is governed at the moment by the phrase:

"capable of having an effect in the United Kingdom",

which is clearly far too stiff. We must go back to the principle that that sort of business promotion should be regulated if the intention is to direct the product at the UK. I notice that, after months of stonewalling in Committee, the Government are finally wavering on that. I hope that, in the other place, they will table an intelligent amendment on that point.

There is the question of market abuse, which we have discussed again tonight. I find it unacceptable that a firm may find itself guilty of market abuse, even if it had no intent and it can show that it had no intent to do so. Clearly, intent should be relevant in assessing the firm's guilt.

There is the issue of the FSA's powers of investigation. Those must be made subject to judicial review.

Today, we have discussed again the decisions of the ombudsman. His decisions should be binding on both parties—the firm and complainant—or on neither. They should both be permitted to go to judicial review. The imbalance, the asymmetry between the firm and the individual with respect to the ombudsman, is clearly unfair and may lead to a European Court of Human Rights review.

Finally in the list of 10 items as suggested prep for the other place to look at, there is the issue of mortgage regulation. It is true that the Liberal Democrats have scarcely been here during the whole of our lengthy scrutiny, but at least at the finish they came in with a couple of points about mortgage regulation, with which I thoroughly agree. I notice that one or two Labour Members also agree. The Government's approach, with the lender heavily regulated and the adviser not regulated at all, is clearly in no one's interests, certainly not the consumer's.

Those are 10 major items that I want their Lordships to consider. However, the Bill contains one overriding weakness, which we have discussed time and again—competition and competitiveness—and which the Government have still not got right. They have not fully grasped the implications of the fact that the optimal level of regulation is not one that will produce zero misconduct; it must be one that maximises the consumer benefit.

To its credit, the FSA produced an interesting document—the most interesting of the great bundle that it has generated—entitled, "A new regulator for the new millennium". In it, the FSA appears to recognise exactly what we have been saying all these months. In fact, Howard Davies has gone a long way towards redefining the market confidence objective in a way that embraces consideration of our concerns. Page 6 of the document states that the FSA should aim for

"as low an incidence of"—

market—

"failure . . . as is consistent with the maintenance of competition and innovation".

Mr. Davies, of the FSA, says:

"achieving a 'zero failure' is . . . undesirable . . . It would be likely to damage the economy as a whole".

The FSA acknowledges that eliminating the risk of regulatory failure would be unacceptably costly to the industry, the consumer and the economy.

The chairman of the FSA is right, but the balance that he is trying to strike in the document should have been in the Bill. With this document, the FSA is merely patching up the failures of this legislation. It is introducing an economic performance test—a competitiveness test—through the back door: through article 127, which is the cost benefit analysis clause. It is worth pausing to think through how the FSA should go about the process. I suggest to the authority and the Government a simple test; it is not perfect but it will be a good rule of thumb to enable a cost benefit analysis approach—which is clearly what Howard Davies is thinking of applying much more stringently than had originally been intended—to be applied so as to enable economic performance to be maximised. That will enable the delivery of the competitiveness objective.

I want the Government to ask the FSA to consider, before any regulation or rule is made or changed, whether the proposed regulatory change would shrink or enlarge the market. If it would enlarge it legitimately, it would almost certainly benefit the consumer. Of course, there are provisos, which I will not go into as I do not have time, but if that simple test is applied and forms the basis for cost benefit analysis we may be able to secure through the back door what the Government have so determinedly refused to allow through the front: adding a competitiveness or economic performance objective to clause 2.

What the chairman of the FSA has done is welcome. It fills a major gap in the Bill. However, we should not have had to rely on him to produce that document or to interpret the rules so creatively on such a crucial matter. We should have had in the Bill the trade-off that he is trying to address in the document. The fact that it has now

[Mr. Tyrie]

been produced and will have such an impact is a reflection of the enormous power that we are placing in his hands. If someone else were in charge who did not take such an enlightened view, we could be in a difficult situation—there could be a threat to the industry and the consumer, with the risk that economic performance would tail off and be eroded by regulation.

I have listed 10 major issues with which I want the other place to deal and have discussed an 11th at length. I have not touched on the many other financial and legal issues involved, which are in a thoroughly unsatisfactory state. The one comfort that I do take is that the other place is full of financial and, particularly, legal experts, and I am sure that they will do a very thorough job on the Bill.

9.44 pm

Mr. Flight: This is the largest piece of legislation introduced by this Government. As described, it will affect 1 million people, our biggest industry and our biggest exporter. It is not exactly a red-hot sphere of party politics, but I think that the Government could be forced to accept that the Opposition's opposition has endeavoured to be constructive, to scrutinise the Bill in huge detail and to get it right—for the sake of our country, the industry and the people who work in that industry. I offer our thanks particularly to the lawyers who have advised us in our task, and who are sitting under the Gallery.

Although I am pleased to note that the Government have concurred on many of the issues that we have raised—that is largely why Report has taken so long—there are, as I said when we began our consideration, certain key points of principle that we wanted the Government to acknowledge and to put right. We feel that those principles continue to be fudged, which is undesirable for the legislation's success. My colleagues have dealt with those principles in our debates.

If a body as powerful as the FSA is to enjoy legal immunity, there will have to be, as Burns recommended, a clearly independent complaints procedure empowered to award recompense. The Government have come close to making such provision, but why will they not fully accept it?

The FSA's regulatory mandate should be to accept and to promote both domestic competition and international competitiveness. The Government have added their cumbersome machinery—including the Office of Fair Trading, the Competition Commission and the Treasury—but such an addition makes no sense unless the FSA is instructed up front that its regulatory activities are to be essentially pro-competition.

The FSA is a leviathan. It is the governor of a particularly large industry and is able to go forth without having to hold elections on its actions. It is surely right that its starting mandate should be to be reasonable, fair, open, accountable and proportionate. The Minister said that that is what the Bill says, but it does not—although the Opposition tried on several occasions to get it in there.

A body as large as the FSA surely should be subject to periodic independent reviews of its operation, efficiency, cost and cost-effectiveness.

On the chief executive, we have agreed with the Government that we should let Howard Davies sort out the issues. Thereafter, however, it must be right to follow the private sector's precedent of good practice by having a non-executive chairman and giving the non-executive board responsibilities analogous to those performed in the private sector.

It must be wrong to have a situation in which United Kingdom firms are damaged in their overseas business by attempted United Kingdom regulation. It must be completely wrong to pass legislation that the Government themselves have essentially accepted will damage our e-commerce.

The Bill has already been tremendously improved, but it will be further improved in the other place. Today, however, we shall be voting against it, to register the key points of principle that we have banged on about since we started consideration in Committee.

9.48 pm

Miss Melanie Johnson: It is my great privilege to bring to a close the House's very extensive consideration of this necessarily very extensive Bill.

My right hon. Friend the Chief Secretary to the Treasury has already paid generous tribute to the work of the great many people, inside and outside the House, who have contributed to this work. I strongly endorse that tribute, as does my hon. Friend the Financial Secretary to the Treasury. We should like also to endorse the work of our predecessors and of the Burns committee.

This has been a model process of how to deal with important, but technically very complex, legislation. We have had extensive public consultation, followed by pre-legislative scrutiny of the most important aspects of the Bill, followed by constructive and co-operative line by line consideration. The Government would be the first to acknowledge that the Bill has been significantly improved at each point of the process. There is likely to be further scope for refinement in another place before the Bill returns to us for final consideration.

I have been much entertained by the speeches during the debate. I was pleased that my hon. Friend the Member for Huddersfield (Mr. Sheerman) felt able to rejoin the debate this evening, and I appreciate the contribution of my hon. Friend the Member for Bexleyheath and Crayford (Mr. Beard) and other members of the Select Committee who have contributed positively to the Bill. I was much entertained also by our debates on fine targeting with the Liberal Democrats.

I was particularly entertained by the comments of the hon. Member for East Worthing and Shoreham (Mr. Loughton) and his heavily laboured analogy concerning the birth of the Bill. I was somewhat bemused, as one of the reasons why the Bill has had so many amendments—the hon. Member for Arundel and South Downs (Mr. Flight) did say this—is that it has been much improved, and some of the amendments have been in

response to points made by the Opposition. Some Opposition Members have dug themselves into opposition and kept digging, despite the fact that the Government have responded so positively to the many points that they raised.

The Bill will give the Financial Services Authority a coherent set of modern regulatory powers, and, as such, it constitutes a thorough and necessary overhaul of a relevant part of the statute book. The result will be to enable the FSA to operate as an effective, fair and accountable regulator. The reforms to be facilitated by the Bill are pro market confidence, pro consumer protection and pro consumer awareness. They are anti financial crime, anti-abuse and anti-malpractice. Scams, malpractice and market abuse will do nothing for a world-class industry, and consumers must be protected. That has been one of our overriding concerns, along with making sure that we have a first-class regulator.

One wonders why the Opposition are voting against the Bill, and what that will do for a world-class industry. The Bill is a prime example of the Government's aim to reform and modernise Britain. It responds to the changing face of the financial services industries, and it will bring a fair deal to those operating within one of our most successful industries, as well as to those who use and rely on financial services for their well-being and prosperity.

The industry is well regulated in the UK, and it has been maintained and secured. It is that success, the high standards and the high regard in which financial services in the UK are held around the globe, that the Bill seeks to maintain. The Bill is central to maintaining and enhancing that success. It will increase accountability, and it will have regard to competition. It will make sure that competition is at the heart of the consideration that the FSA gives to its work as a regulator. It will protect consumers.

Above all, the Bill will strike the right balance. It will provide light-touch regulation, and protection where necessary. It is a new regulator for a new millennium, and I trust that the House will support the Bill tonight.

Question put, That the Bill be now read the Third time:—

The House proceeded to a Division—

Mr. Deputy Speaker: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 340, Noes 128.

Division No. 70] **[9.54 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Lepper, David
Leslie, Christopher

Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mrs. Anne McGuire and Mr. Gerry Sutcliffe.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hayes, John
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spelman, Mrs Caroline
Spicer, Sir Michael
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John

Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Keith Simpson and
Mrs. Eleanor Laing.

Question accordingly agreed to.

Bill read the Third time, and passed.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 100(1) (Scottish Grand Committee (sittings)),

That the Scottish Grand Committee shall meet—

(1) on Tuesday 29th February at half-past Ten o'clock at Westminster to consider a substantive Motion for the adjournment of the Committee;

(2) on Wednesday 5th April at half-past Ten o'clock at Westminster to consider a substantive Motion for the adjournment of the Committee—*[Mr. Betts.]*

Question agreed to.

COMMITTEES

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to Committees.

PUBLIC ADMINISTRATION

Ordered,

That Helen Jones be discharged from the Select Committee on Public Administration and Mr. Neil Turner be added to the Committee.

MODERNISATION OF THE HOUSE OF COMMONS

Ordered,

That Mr. Stephen Twigg be discharged from the Select Committee on Modernisation of the House of Commons and Ann Coffey be added to the Committee.

BROADCASTING

Ordered,

That Mr. Andrew Stunell be discharged from the Broadcasting Committee and Norman Baker be added to the Committee.

ENVIRONMENTAL AUDIT

Ordered,

That Norman Baker be discharged from the Environmental Audit Committee and Mr. Paul Keetch be added to the Committee.—*[Mr. Betts.]*

PETITION

Housing (Stroud)

10.11 pm

Mr. David Drew (Stroud): Thank you, Mr. Deputy Speaker. I am delighted—

Mr. Deputy Speaker (Mr. Michael Lord): Order. Hon. Members should leave the Chamber quickly and quietly so that Mr. Drew can present his petition.

Mr. Drew: I am delighted to present this petition on behalf of the residents of Hardwicke and Haresfield in my constituency. The petition states:

To the House of Commons.

The petition of residents of Hardwicke and Haresfield,

Declares that we object in the strongest terms to the planned building of over 1500 new houses on agricultural land at Colethrop farm, Haresfield, which is being imposed by the new Gloucestershire Structure Plan, together with the new Stroud District Local Plan. The effect of this concentrated building, alongside a larger development in Quedgeley will be to make existing traffic conditions, on the mainly rural roads, quite impossible to manage.

The Petitioners therefore request that the House of Commons urge the Secretary of State for the Environment, Transport and the Regions to do all within his power to cause this ill-prepared policy of centralised development to be completely reassessed.

To lie upon the Table.

Charities

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

10.13 pm

Helen Jones (Warrington, North): I am grateful for the opportunity to raise the problems of Integrate Services, a charity that cares for people in Warrington with learning difficulties.

The history of the charity is complex, so I do not propose to go through all of it tonight. It has been set out clearly in an extremely helpful report, produced for the local health authority by Mrs. Glenys Marriott. However, it may help the House if I point out that Integrate Services, formerly known as Warrington Integrate, was originally set up to care for people from the old Newchurch hospital. It currently cares for about 23 residents—the number fluctuates—in eight homes in Warrington.

The charity is not, and never has been, a fund-raising body. It is entirely dependent on public money, mainly a section 64 grant from the health authority, together with social services benefits due to residents and a small amount of other income.

The difficulties surrounding the charity began to surface last year when a member of staff approached the Warrington Community Health Care trust. It immediately contacted the North Cheshire health authority which believed that the allegations were serious enough to warrant an investigation. It therefore contacted both the trustees of Integrate and the Charity Commission in May last year. The Charity Commission, however, did not begin its section 8 investigation until September and that investigation is still incomplete. I believe that the delays to which it has been subject have formed a major problem and prevented the resolution of many of the problems facing the charity.

As the number of staff expressing concerns began to increase, arrangements were made for them to make statements to solicitors under the Public Interest Disclosure Act 1998. The allegations were many, including that staffing levels at the charity were tightly controlled on financial grounds and did not change as residents' needs changed and that staffing was, in any case, too low. For example, if a resident had to attend a medical appointment, others in the home had to go with him.

Allegations were made that the chief executive and his wife, who was also employed by the charity, spent very little time in Warrington and that they claimed payments to which they were not entitled. Further allegations surrounded the use of the charity's money to fund holiday provision and the effect that that had on provision for residents. There were allegations, for example, that residents had to wear old clothes, that they were bought only the cheapest food and that they were forced to take their holidays in Integrate's holiday facilities.

The important thing is that many of those allegations have never been properly and fully investigated because the response of the trustees at the charity was, I regret to say, rather bizarre. They first commissioned two of their own number to produce a report—they were apparently oblivious of the principle that organisations do not normally investigate themselves.

The trustees' members produced a report based largely on uncorroborated statements from the chief executive. The charity still refers to that as an independent report, which I can describe only as a terminological inexactitude. It then failed to agree with the health authority on nominating an independent person acceptable to both to carry out a full investigation, and it spent a great deal of money instructing solicitors in order, I believe, to avoid an investigation.

Under pressure, however, the trustees commissioned two further reports—one from PricewaterhouseCoopers and another from Mr. Frank Watts. Copies of these—the charity's own reports—have been passed to me, and I shall refer to them later. However, the trustees refused, despite repeated requests from the health authority, to suspend the chief executive who was at the centre of many of the allegations. The decision not to suspend him was taken by a meeting of trustees at which the chief executive, his wife and Mr. Colin Fiveash, who was briefly engaged as a consultant to Integrate even though he had been dismissed from his previous post in the health service for gross misconduct, were all present. The fact that Mr. Fiveash was even employed says much about the charity.

However, before that, the chief executive had been unofficially suspended for one day. On his return, it is alleged that he broke into the charity's office and removed a large quantity of files and papers. The Charity Commission has confirmed to me that the chief executive accepts that he took away files and papers, but he says that it was for safekeeping and that he returned them later except for a few personal items. I have yet to discover why anyone would need to remove things for safekeeping when they were in a locked office or what corroborating evidence there is to show that they were all returned.

The chief executive's treatment contrasts strongly with the treatment meted out to whistleblowers at the charity. That seems to follow a pattern. Staff who blew the whistle were accused of various offences, including serious ones such as the abuse of residents and theft, despite the fact that no allegations had been made against them before they made statements about the charity. I have checked with social services in Warrington because they are serious allegations that need to be properly investigated, and they tell me that not one allegation of abuse or even improper behaviour has been proven against any of the whistleblowers at the charity. Letters from the charity, however, continue to repeat those allegations as if they were proven.

I have been passed a copy of a letter from the chief executive to the Charity Commission dated 18 January, in which he refers to allegations against a particular member of staff as being proven. The secretary of the trustees wrote to me on 31 January in similar terms. One must ask why the charity repeats those allegations. It seems to me that there was a pattern of bullying and intimidation at the charity against anyone who spoke out.

I have been contacted not only by current and recent staff, whistleblowers and non-whistleblowers, but by people who worked at Integrate some time ago, left before the allegations surfaced and now hold responsible positions elsewhere. They have confirmed to me their view that anyone who crossed the chief executive was likely to be subject to a similar campaign. Frankly, they are terrified of that man, Mr. Trevor Upshall. I do not use the word "terrified" lightly, and I did not choose to name

him in the House without careful thought, but it is the duty of Members of Parliament at least to bring such allegations into the public domain to offer some protection to those who are subject to them.

The failure to suspend the chief executive means that both reports produced for the charity are necessarily incomplete because many members of staff would not speak to the investigators while the chief executive remained in post or allow the statements made under the Public Interest Disclosure Act to be revealed to him. The investigators were also circumscribed by the brief given to them by the charity, yet their reports highlight issues of major concern.

The PricewaterhouseCoopers report makes it clear beyond doubt that there was consistent underspending on Integrate's budget year on year to build up reserves. That money had been given for the care of residents—that was its sole purpose. Yet according to the accountants, on 31 March 1999 the charity had cash at bank of £428,364, which far exceeded three months' running costs of approximately £169,000. The accountants who prepared the report questioned the need for having three months' reserves at all, since the health authority paid its grant to the charity in advance. However, that underspending is part of a pattern: in 1998–99, there was £80,923 left; in 1997–98, £214,664 was left.

The purpose of the reserves was clear. They were used to purchase holiday facilities and associated items. A cottage in Oswestry was purchased, as was a caravan, a barge and a Land Rover. Why a Land Rover? According to the charity's own reports, it was kept in Oswestry, where the charity's handyman was based, although all the charity's homes were in Warrington.

There were national lottery grants, which may now be subject to scrutiny, to refurbish the cottage and purchase what was described as a "trip boat". Other strange purchases were made, such as a massage couch, which it was alleged was kept at Mr. and Mrs. Upshall's home, and now appears to be at the holiday cottage, but is certainly nowhere near the residents.

There is clear evidence in the reports that the policy resulted from a decision of the management committee to set up what it described as a "holiday arm", and it changed the charity's objects to facilitate that. The management committee did so without notice to the health authority that funded the charity.

It has been alleged that residents were forced to take their holidays in those facilities, but it is remarkable how little the residents used them, according to the report. In 1999, the cottage was used by the residents for precisely eight weeks. On other occasions it was let to other bookings. The trip boat was used on two or possibly six occasions by residents. That is difficult to determine, because of the way in which the records were kept.

It is clear from the report that members of the management committee feared a process of attrition as residents grew older and no more were placed with them, so they deliberately used public money to acquire holiday facilities which their own accountants say were beyond those needed for residents and which Mr. Watts says "far exceed" what is reasonable. The whole purpose of the charity became the perpetuation of its own existence. Since when has that been a charitable object?

The question arises whether the beneficiaries suffered. It seems that, in some senses, they did. Mr. Watts's report states that Integrate's income suggests the expectation of a substantially greater level of staffing than he found at the charity.

Advocates now working with the residents to facilitate the changeover to a new provider have come up with some heart-rending stories. For instance, they have heard residents say that they wished they were back in Newchurch, because they were allowed day trips from there. They have heard residents say that they were not allowed certain foods, and that when Integrate's residents went to day centres, they had to take packed lunches, whereas everyone else had a cooked meal.

However, Mr. Upshall stated in a letter to the health authority in December 1997, and he also told me just after I was elected, that he had had to

"reduce cover and services to residents"

because the grants from the health authority had been frozen.

In a letter to staff dated 4 February this year, Mr. Upshall mentions having dealt with a member of staff who had been on duty for 24 hours. Why should that be, when the charity had built up such reserves? Why should decent staff have had to work in such conditions, when Integrate had consistently underspent its staffing budget?

While the residents lost out and staff were left to cope, the chief executive and his wife enjoyed unusually favourable terms of employment. They live in Oswestry where, by coincidence, we also find the cottage, the Land Rover, the handyman and, of course, the massage couch. A decision was taken by the trustees to use part of their property as an office base and to allow them to have their work base in Oswestry, meaning that they could claim mileage and on-call payments from Oswestry to Warrington.

Mr. Watts reports that the alleged savings from that were never quantified, nor it is clear what alternatives were considered. The arrangement was allowed, despite the fact that all letters from the charity are addressed from Lyster close, which is in my constituency, and where I know there is an office as I have been in it.

Mr. Watts also states that it is unusual for a senior officer of a charity not to be located locally and to receive on-call payments at all. He states in his report that it is difficult to see the justification for Mr. Upshall being on call, as the on-call rota for the homes was covered by the team leaders. He finds it even more difficult to see the justification for Mrs. Upshall being on the on-call rota, and that her job description seems to have been written specifically for her.

The payments that those two senior officers received were considerable. Payroll details passed to the health authority and to me cover five months from late 1998 to 1999. During that period Mr. Upshall received £13,182 net in salary and £10,398 in additional allowances, including a payment of £1,820 for what are described as "extra hours"—an unusual payment to a chief executive—and £3,203, described as holiday pay.

In the same period, Mrs. Upshaw, whose pay per hour was almost double that of other team leaders at the charity, received a salary of £11,674 and £6,575 in extra payments, which included an extra-hours payment of

[Helen Jones]

£1,612 and more than £300 in holiday pay. I am a simple soul, and I do not know what holiday payments mean in the context that we are considering. It is difficult to understand how someone can receive holiday pay and on-call payments simultaneously. The health authority estimated that to earn his extra-hours payments for one month, Mr. Upshaw would have had to work 212 hours in addition to his usual 150 hours. Clearly, a superman was running the charity.

The health authority has decided to end its grant to the organisation on 31 March and to transfer to a new provider. However, lessons need to be learned, and I regret that the trustees have not learned them. A copy of the letter that the trustees sent to their solicitors was recently passed to me. In it, they asked for advice on how to exclude the health authority from discussions with the new provider,

"especially when we will be discussing such points as TUPE and also our assets."

Is the organisation anxious for a smooth transfer for the benefit of its residents or concerned to preserve its assets? I suggest the latter. That is confirmed by a letter from the new chairman of trustees to the health authority. It states:

"Our current strategy is to retain the organisation's non-staff assets and, subject to the consent of the Charity Commissioners, to use those assets as the basis for developing leisure-based services for disabled people."

The charity intends to set up a separate leisure organisation, using the assets that were bought with money given for the care of people in Warrington. The legal position can be debated, but the moral position is clear. The money was given for the care of a specific group of people, who should benefit from the assets. Anything else is a form of legalised asset stripping of some of the most vulnerable people in our society. It is monstrous that any charity would consider behaving in that way.

I hope that my right hon. Friend the Minister will consult his legal advisers about whether the process that I have described can be stopped before we get into a long round of legal debate, which will use up more money that should be spent on care.

I also hope that we will learn lessons from what has happened. The Charity Commissioners or social services need powers to intervene in an organisation when its management goes wrong before matters get to the stage that we are considering. There should be clearer powers of investigation when the governance of a charity is at fault. Social services can intervene only when there is danger to residents, not when they know that a problem might arise in future.

More thought should be given to training management committees. Clearly, many trustees did not understand what a section 64 grant was, their responsibilities to their employees or even the functions of different parts of the health service. We should consider carefully giving advice to trusts on the contracts that they ought to make.

Many of the schemes that I have mentioned were set up so quickly that we have never fully explored the interaction between section 64 grants and charity law. There should be clear contracts that require agreements on surpluses, properly agreed development plans, and notification of the health authority of any change in a charity's objectives.

I hope that we will seriously consider insisting on a form of independent advocacy for residents in schemes such as those operated by Integrate Services. Their residents were the most vulnerable of the vulnerable and there was no independent person to speak to them.

However, none of that would have stopped some of the trustee's actions, the purchase of holiday homes or the chief executive's remuneration package so they and the charity's management must bear a great part of the blame for what went on. I sincerely hope that the Departments concerned will look very closely at this operation and that, if another organisation is set up by the same people, they will think clearly about their advice to health and social services on whether to use such facilities. It is the duty of Members of the House to make sure that this does not happen again.

10.35 pm

The Minister of State, Home Office (Mr. Paul Boateng): The whole House has heard my hon. Friend the Member for Warrington, North (Helen Jones), who advocated most powerfully and trenchantly the interests of one of the most vulnerable groups in our society—those living with learning disabilities—and put a proper constituency interest at the forefront. Her speech and her assiduous investigation of this matter do her great credit and are in the best traditions of the House and Adjournment debates such as this.

My hon. Friend has raised those issues outside the Chamber with me, with the Minister of State, Department of Health—my hon. Friend the Member for Barrow and Furness (Mr. Hutton)—and with our officials. I am glad that she is meeting the chief Charity Commissioner next week as she will have the opportunity to raise with him some of the detailed points that she has shared with us tonight. I know that he is looking forward to the meeting, which will greatly assist the commission in fulfilling its responsibilities under charity law.

The whole House will be aware that each of our constituencies contains a number of small and medium-sized voluntary organisations and charities that provide a range of services to the national health service, local authorities and other statutory bodies. They are an enormously important part of the infrastructure of our communities and the Government recognise and value the role of the voluntary sector. In the millennium year in particular—in which we are focusing on the concept of an active community—it is important to pay tribute to its work, but it is also important to emphasise, as my hon. Friend has done, that transparency of operation and accountability are essential. The sector must show good governance at every level. That is a particular responsibility for trustees and their officials, chief executives and staff and they must take it seriously.

Similarly, those who fund such bodies are responsible for having in place proper mechanisms for holding them to account for public money. I know that my hon. Friend the Minister of State will look carefully into the concerns that my hon. Friend raised about the way in which services were provided by Integrate Services and financed by the health authority. He will have in mind—as we all do in government—the importance of public money being used properly. He will want to be satisfied that that money has been properly accounted for, and that the interests of the patients and those receiving care have held primacy

of place at all times. It is the particular responsibility of the health authority in this instance and of funding bodies generally, to ensure that that is so.

There is a role for social services in assessing the quality of care, and it is important to draw my hon. Friend's remarks to the attention of the health authority and the relevant social services department to ensure that they are fully acquainted with the facts and the concerns that have been raised in the Chamber tonight.

I should like to say a few words about the particular role of charity law and the way in which the Charity Commission has acted in this case. The Charity Commission was first told of the allegations last year, when these problems were brought to its attention. It was made aware of the serious allegations about the conduct of the chief executive and possible financial irregularities.

The charity's trustees commissioned a series of reports into those allegations. The commission received those reports in September 1999, and on 23 September opened a formal inquiry under section 8 of the Charities Act 1960. That inquiry obviously cannot cover matters outside the commission's jurisdiction, which is limited to the oversight of charity law. Issues relating to employment and care fall outside its jurisdiction. I assure my hon. Friend that the commission will not hesitate to use all the powers at its disposal to safeguard charitable funds and to ensure that all the papers and evidence that it ought to have sight of are made available to it.

The commission is looking into the allegations of misappropriation of the charity's assets and financial impropriety. I cannot anticipate the inquiry's conclusions, but I understand that it is almost complete. It is vital that public confidence in the voluntary sector is maintained by ensuring that such inquiries are robust, and that their outcome is properly made known.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Thursday 10 February 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

KENT COUNTY COUNCIL BILL *[Lords] (By Order)*

MEDWAY COUNCIL BILL *[Lords] (By Order)*

MERSEY TUNNELS BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 17 February.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

Pig Industry

1. **Miss Anne McIntosh** (Vale of York): What discussions he has had with the European Commission on approval for state aid to restructure the UK pig industry. [107878]

5. **Mr. David Tredinnick** (Bosworth): What recent discussions he has had with the European Commission concerning aid for UK pig farmers. [107882]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): My officials and I have held several discussions with the European Commission on the difficulties faced by UK pig producers. The most recent discussions were on Monday 24 January and on Tuesday 1 February.

Miss McIntosh: I have come without my chocolate eclair—I shall save it for other purposes. Will the Minister confirm that he has spoken to the Commission, following the Prime Minister's undertaking to the National Farmers Union last week? The Prime Minister said:

"I do not rule out further measures to help. But it must be linked to a strategy that provides a long-term framework."

I have received correspondence from the Commission that shows that the Commissioner is waiting to hear from the Minister that the type of aid—[HON. MEMBERS: "Oh!"] I am prepared to put correspondence in the Library to show hon. Members that the Commissioner is on standby, waiting to help.

Pig farmers have had to replace all their units to comply with the sow stall and tether ban. They have also had to pay more than £80 million a year—more than £5 a week a pig—on a BSE equivalent tax. The Government are allowed to apply for state aids. Will the Minister confirm to the House that he has done so?

Mr. Brown: I am afraid that the hon. Lady completely misunderstands the position. Discussions with the Commission on the difficulties in the pig sector have been continuing for some time. I have been trying to find a way through for the sector, in order to keep it operating. Any room for manoeuvre that the Commission may have—although that has not yet been settled—will be in restructuring. That is rather different.

The burdens that I am asked to lift are to do with offal disposal—to put some extra money into the industry as an operating aid. As we have often pointed out, the big difficulty with that is that it would be viewed by the Commission—certainly by other member states—as an economic aid to the industry. If we had intended to provide such assistance because of BSE, which underpins the restrictions in the UK, we should have done so in 1996.

Mr. Tredinnick: Is the right hon. Gentleman aware that, a year ago, there were 470 pig farmers in the east midlands and that 70 of them have ceased trading? Is he further aware that what really angers the pig farmers is that the Belgian Government were able to obtain compensation for controls against dioxin in animal feed, but our farmers are suffering, in effect, a BSE tax? Does he not think that it behoves his Government to consider how the Belgian Government received money, while he has been unable to do so?

Mr. Brown: The hon. Gentleman makes the same error as the hon. Member for Vale of York (Miss McIntosh). He is confusing two separate issues. Aid for restructuring the industry—as was given to Belgium—means taking out capacity and—[HON. MEMBERS: "Oh!"] No Minister has ever underplayed the difficulties in the sector. We have been trying to find constructive ways to get the sector through the difficulties. In effect, the hon. Gentleman is arguing for aid to close it; that has never been our objective.

The key issue, as I told the hon. Member for Vale of York, is the cost of offal disposal. The hon. Gentleman will be aware that I have twice been back to the Spongiform Encephalopathy Advisory Committee to try to find a way of getting back the commercial value for offal that existed before the restrictions were enforced. I have twice been turned down by SEAC. The Government have to act on professional advice in this matter.

The other issue is whether we can find a form of operating aid that would be acceptable to the EU. We have been trying to make progress with the Commission on that proposition—but not successfully.

Mr. Dale Campbell-Savours (Workington): Are we being hampered, in our requests for state aids and in my right hon. Friend's negotiations, by the fact that, over 18 years of Conservative Government, the Conservatives argued repeatedly in the Commission against any form of state aid to any form of agriculture in western Europe?

They repeatedly adopted that position, and now they have done a complete somersault and placed us in a very invidious position.

Mr. Brown: I think that we would have been on much stronger ground if we had agreed to pay some form of state aid to the pig sector when the original restrictions came in, because of BSE, in 1996. The hon. Member for South Suffolk (Mr. Yeo), the Opposition spokesman, has confirmed to the House that such aids were not paid then because it was believed in 1996 that the industry could bear it. Having said that, he is effectively saying that any payment now would be an economic intervention—which is precisely what the Commission says back to us, when not allowing us to make any such payment.

Mr. Dennis Skinner (Bolsover): Who took us into this lousy Common Market? In October 1971, the Tories took us into the Common Market. When we had a referendum in 1975, I went round Bolsover and many other areas, asking the farmers to support us to get out of it. What happened? Sadly, the farmers had been kidded on by the newspapers supporting the Tory party and all the rest, which were saying, "There will be money for you in the Common Market." The pig farmers, those dealing with cows and all the rest of them would not listen to people like us, and the net result is that they have got it round the neck.

I am fed up to the back teeth of listening to these Johnnys-come-lately who voted for the Common Market, for the Maastricht treaty and for the Single European Act and got us into this almighty mess, and who are now standing on their political heads.

Mr. Brown: My hon. Friend is right to chide the parliamentary Opposition for their views on Europe. It is true—[HON. MEMBERS: "Oh!"] I said, "For their views on Europe." Hon. Members should listen carefully before going "Oh!" It is true to say that the common agricultural policy, as structured, does not work well for British farmers. That is why the Government strive for reform and have made more progress on it than anyone else ever did.

Mr. Colin Breed (South-East Cornwall): What discussions has the Minister had with the Treasury in respect of funds that may be made available for state aid to the pig industry? Is there any underspend in his budget in respect of BSE-related expenditure?

Mr. Brown: There is no underspend in my budget that I could use to provide an emergency aid package for the pig sector. Extra support for the pig sector would mean a call on sums of money that are not contained within my Department's budget. Discussions of moneys that are to be spent on supporting agriculture continue with the Treasury, but the sum of money that can be spent is finite and I certainly have nothing new to announce to the House today.

Mr. Mark Todd (South Derbyshire): In a conversation earlier this week, Mr. Fischler made it absolutely clear to me and some of my colleagues that there was no prospect of state aid related directly to the £5.26 additional BSE burden, and that the only prospect lay with short-term assistance focused on capacity reduction for restructuring. Is that the Minister's understanding, and would that therefore suggest that we must look carefully at a package of that kind and also at lifting the restrictions imposed by SEAC?

Mr. Brown: My hon. Friend has accurately explained the position, although I do not draw quite the same conclusions. I have been trying very hard not to close the door on any avenue that might work. I have repeatedly told the House that getting state aid clearance from the Commission on providing assistance on the offal disposal measure was always going to be incredibly difficult; but I have been trying hard not to close the door on that.

Mr. Michael Jack (Fylde): As we stand in the House at the moment, there are pig farmers outside fighting for the very future of their industry. They deserve our support. The hon. Member for South Derbyshire (Mr. Todd) has retailed only part of the conversation, which I also heard, with Commissioner Fischler this week. In that conversation, he made it absolutely clear that he was awaiting proposals from the United Kingdom Government, perhaps of an innovative nature, dealing with restructuring and measures to improve the efficiency of the industry, but none had been received by Tuesday of this week. For the sake of those pig farmers in Parliament square, will the Minister tell us when he will come up with a proposal to help save their industry?

Mr. Brown: The right hon. Gentleman obviously was not paying attention to the earlier exchanges. We have been exploring how best to use the limited sums of public money available to help the industry get through. What he is now advocating—I should be interested to hear whether it is the official position of the Conservative party—is a package to restructure permanently, by which he means downsize, the industry. That is something quite different.

Ms Sally Keeble (Northampton, North): Does my right hon. Friend agree that some of the problems in the pig industry resulted from the collapse of a particular market that the British pig industry used to have? Can he confirm that, when he does put forward proposals to the European Commission, they will be about the long-term sustainability of the pig industry and will not result in the problems that we have seen in other sectors of the agriculture industry, where short-term gain and proppings-up have made the industry dependent on subsidies from Europe in a way that is not in the long-term interests of the industry as a whole, or of individual farmers?

Mr. Brown: The support that the industry can receive from the European Union is export refunds and aids to private store. I have asked the Commission to make use of those instruments, but, because of the broader European scene, it has declined to do so. However, we have made that request.

As I have said repeatedly, the public moneys that are available for that purpose are limited and I would rather use what public moneys are available to get the industry through and closer to the marketplace. That is why I announced at the NFU conference the use of the extra moneys behind the meat livestock promotion campaign and other pig industry-related marketing initiatives.

That is the way to get the industry through its problems. I am not persuaded by those who say that we should try to get some public moneys to close the industry. That now seems to be the view of the Opposition.

Mr. Tim Yeo (South Suffolk): Last July, the Minister promised that he would write to all public sector purchasers, but he did nothing for four months. Before Christmas, he promised to end the scandal of fraudulent labelling that allows foreign pigmeat to be described as British, but he refuses to support the honesty in labelling Bill. Last week, the Prime Minister promised help for pig farmers, but the Commission has confirmed that no request has even been made by the British Government for such help. Meanwhile, pig farmers are restructuring themselves by going out of business. Is the Minister too busy writing scripts for "The Archers" to realise that his failure to act and his weakness are driving hundreds of pig farmers out of business every month and forcing British consumers to eat more pigmeat that has been produced under inferior animal welfare conditions?

Mr. Brown: This is pretty poor stuff. We have heard about the letters to support the industry. They are part of a Meat and Livestock Commission campaign that has been co-ordinated with it. There has been no unreasonable delay in my Ministry sending the letters. [HON. MEMBERS: "Oh!"] Let me try this again, although you will be familiar with the argument, Madam Speaker, having had to listen to it on at least three previous occasions. The letters were part of a co-ordinated campaign with the Meat and Livestock Commission. I had hoped that it would be a campaign that would unite Parliament and that everyone would get behind our domestic producers. However, all the Opposition seem able to do is to snipe, to make jokes and to say that things should have been done differently or should have been done more speedily. What they do not do is come up with constructive suggestions of their own. I notice that the hon. Gentleman, who speaks for the Opposition, did not confirm whether it was now the Opposition's policy that Her Majesty's Government should approach the Commission with a scheme to downsize the industry. Is that the hon. Gentleman's policy, or is it not?

Mr. Tony McWalter (Hemel Hempstead): Does my right hon. Friend agree that the best aid that the pig industry could receive would be to have a proper system of labelling? At the present, one rifles through a supermarket's bacon counter where one sees "Wiltshire cured" written in extremely large letters on the packets. However, in tiny letters underneath, it is made clear that the bacon has nothing to do with the British pig industry. I hope that my right hon. Friend will view as a matter of urgency the need for real changes, so that those of us who support the better welfare system that British pigs have are given every opportunity to exercise our consumer choice without the difficulties that we encounter.

Mr. Brown: My hon. Friend is absolutely right. I have issued tough new guidance—because that is within my competence—to trading standards officers. I hope that they will make use of it through the courts to ensure that labelling on the origins of livestock products is not misleading. That is particularly important in the pork sector.

The legislation introduced through the private Member's route is clearly designed to skirmish with the European Union, whose competence labelling is, rather than to solve any problem that is faced in the United Kingdom.

Bovine Tuberculosis

2. **Mr. Nicholas Winterton** (Macclesfield): If he will make a statement on the progress of the trials investigating the control and spread of bovine TB. [107879]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): Six triplets have been enrolled in the badger culling trial and initial proactive culling has been carried out in three of them. We aim to announce the remaining trial areas in the course of this year.

Mr. Winterton: Although bovine TB is a highly complex scientific issue, does the Minister agree that it is also an urgent economic issue for farmers, particularly the dairy farmers in my constituency of Macclesfield, in Congleton, in Eddisbury and in other constituencies elsewhere in the country? Although there is a need for scientific investigation, does he agree that that should not be used as an excuse for Government inaction? What steps are the Government now taking urgently to control the spread of bovine TB?

Mr. Morley: We regard bovine TB as one of the most serious issues that MAFF faces. We have committed significant resources to the Krebs experiment, but it would be undermined if we took action outside the trial areas. However, we are concerned about the spread of TB. We have set up the TB forum, which has the freedom to consider the situation outside the experiment areas, and we shall listen to its advice carefully.

Mr. David Drew (Stroud): I am sure that we shall debate the matter at greater length in Westminster Hall this afternoon. Does my hon. Friend agree that there is a need to consider help with consequential loss, particularly when herds that have been closed can be re-closed because of the increased incidence of bovine TB? We must consider in particular the discrimination against those farmers who seek to reduce their cost base by increasing collaboration and by sharing milking. They are the very people who are most adversely affected by that awful disease.

Mr. Morley: I understand my hon. Friend's point. As he knows, we have increased compensation to farmers by 200 per cent., to reflect the problems that they face because of TB. We are not in a position to make extra compensation for consequential losses, but we will keep the situation under review.

Sir Michael Spicer (West Worcestershire): Is the Minister aware that the delays, uncertainty and secrecy surrounding the studies of badgers and TB are causing great consternation throughout Worcestershire, which is one of the areas in which the trials are meant to be taking place?

Mr. Morley: There have been delays and problems with recruitment, the weather and interference. Some of

those problems were predicted and we were not surprised by them. The independent scientific group still believes that the experiment is on course and that we can deal with the problems, and we are tackling them.

Flood Defences

3. **Mr. Steve McCabe** (Birmingham, Hall Green): What progress has been made in implementing the Bye report on flood defence; and if he will make a statement. [107880]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): A good deal of progress has been made towards the Government's priority of a seamless and integrated service of flood forecasting, warning and response.

Mr. McCabe: I thank my hon. Friend for that reply. Does he agree that, with climate change becoming more and more of a reality, the need for effective flood defences, particularly in low-lying areas, cannot be overstated? Is he satisfied that the Environment Agency is on target to complete its action plan for flood defences?

Mr. Morley: I am glad to say that the Environment Agency is meeting the target that we set for the action plan that we put in place following the Northampton floods. We are certainly facing rising sea levels, and we are building in projections to our sea defence strategy and making more resources available, but of course we cannot prevent all floods. We can improve warnings and try to minimise risk. I hope that the House will join me in paying tribute to all the staff from the Environment Agency, local authorities and the emergency services who worked so hard over the holiday period to shore up defences.

Mr. Tim Boswell (Daventry): We echo those sentiments about work done by the Environment Agency. What consultations has the Minister had with his colleagues in the Department of the Environment, Transport and the Regions about the implications of its strictures on building on flood plains for the overall capacity of counties, such as Northamptonshire, in or near the south-east to absorb the houses that DETR wishes on them as part of its proposals? Does he not realise that it will be impossible both to make land available for housing and to safeguard the same land because of its enhanced apparent flood risk?

Mr. Morley: I understand the point that the hon. Gentleman makes. We are in consultation with DETR. The Bye report referred to problems of flood plain development and the fact that, in the past, advice from the former National Rivers Authority was not taken into account. The issue is important, and I know that my colleagues in DETR will take it into account in future planning guidance.

Mr. Tony Clarke (Northampton, South): Will my hon. Friend comment further on progress being made by the Environment Agency in respect of advice given to planning authorities? I thank my hon. Friend and his staff for the professional and sensitive manner in which they dealt with the queries of my constituents. Often, advice given by the Environment Agency to a local authority is at best non-committal, and sometimes unhelpful and over-cautious. Finally, may I welcome the appointment of Sir John Harman? Having had a run-in with his predecessor, I hope to have a much better relationship with him.

Mr. Morley: I know that my hon. Friend has been deeply involved in these matters, following the tragedy that occurred in Northampton. I am sure that he will be pleased to see all the lessons learned from that being applied. One result is that the Environment Agency has now produced flood risk plans, which are being sent to all local authorities in the country so that they know the areas at risk. That will assist planning policy for the future.

Northern Ireland (BSE)

4. **Mr. William Thompson** (West Tyrone): What progress is being made in discussions with the European Commission to categorise Northern Ireland as a low BSE incidence area; and if he will make a statement. [107881]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): The matter is under discussion between the UK Agriculture Departments. The Northern Ireland Minister, Brid Rogers, made out a strong case when we met recently. I find the Northern Ireland case persuasive and want to help to take it forward constructively.

Mr. Thompson: I thank the Minister for his positive reply. I am sure that he appreciates the efforts that have been made by the new Minister of Agriculture in Northern Ireland to further the case. It is a strong case, and I urge the Minister to redouble his efforts to bring it to a happy fruition, because of its importance to the farming industry in Northern Ireland.

Mr. Brown: I want to work constructively with the responsible authorities in Northern Ireland to take the issue forward in a constructive way. The case is a good one. Other countries that have been accepted as low risk, such as the Republic of Ireland, have a higher incidence of the disease than Northern Ireland. The House may be interested to know that, in 1999, there were some eight cases of BSE per million head of adult cattle in Northern Ireland. That compares with about 25 in Ireland, 50 in Switzerland, 230 in Portugal and 365 in Great Britain.

Mr. Harry Barnes (North-East Derbyshire): I was pleased with my right hon. Friend's response. I support the position adopted by the hon. Member for West Tyrone (Mr. Thompson) who, on this matter, is supporting a united Ireland approach and obviously believes in equality for farmers throughout the island of Ireland. My right hon. Friend will be aware that the Ulster Farmers Union has stated:

"On science and on fact we qualify as a low incidence region."

There were, I believe, only six cases of BSE in Northern Ireland in 1999.

Mr. Brown: The figure that I have is between seven and eight, but we will not quarrel—the point is clear. We have not yet succeeded, but the case is a good one, founded in fact, and I want to take it forward.

Mr. Tim Yeo (South Suffolk): If the Minister is too weak to stand up for Northern Ireland, will he tell us—*[Interruption.]* Yes, he is engulfed in bureaucratic excuses for not doing what the hon. Member for West Tyrone (Mr. Thompson) asked. Will the Minister tell the House what action he is taking to protect British consumers against the dangers of eating French beef, following this week's report which exposed the scandalously defective procedures in France, where large numbers of potential BSE cases are being slaughtered without proper inspection or even proper recording, and from which meat is being sold for human consumption?

Mr. Brown: I see now why the hon. Gentleman was not moved in his party's last reshuffle—certainly not to Northern Ireland. These issues are not easy. The proper approach is to work constructively with those who understand them and to find a constructive way forward. We do exactly the same on food safety issues—

Mr. John Bercow (Buckingham): Supine.

Mr. Brown: I do not think that the public who are being protected by the measure that we have in place would regard the Government's attitude as supine. Such remarks come ill from members of the Conservative party, which presided over the BSE crisis in this country. We act on professional advice on the safety of food and of imported food, and we will continue to do so.

Food Standards Agency

6. **Helen Jones** (Warrington, North): When he will establish the Food Standards Agency; and if he will make a statement. [107883]

10. **Mr. Tony Colman** (Putney): When he will establish the Food Standards Agency; and if he will make a statement. [107889]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): We successfully completed the legislation to establish the Food Standards Agency in November last year. We are on course for the agency to begin work in the spring and it will be accountable to this House through the Secretary of State for Health.

Helen Jones: I know that consumers will welcome the establishment of the Food Standards Agency. Given the widespread public concern and confusion about genetically modified food, can my right hon. Friend assure the House that the agency will make sure that proper advice and information, including proper labelling, are available, so that consumers may make an informed choice about whether or not they wish to eat products containing GM food?

Ms Quin: Even in advance of the establishment of the agency, the Government have been active on labelling with relation to GM food. The legislation has ensured that the Food Standards Agency will be the competent authority for authorising GM foods. It will be assisted by the Advisory Committee on Novel Foods and Processes, and the existing arrangements within Government. We are happy that, with the establishment of the agency, we will have an excellent regulatory system in which the consumers of this country can have confidence.

Mr. Colman: I am pleased with that answer, but it is my view that there should be a UN-based, not a World Trade Organisation-based, world food standards agency. What discussions have my right hon. Friend's officials had, in setting up the UK Food Standards Agency, with the officials at the Codex Alimentarius, which is administered by the World Health Organisation and the FAO?

Ms Quin: Officials regularly meet with WHO officials and those specifically involved in the Codex Alimentarius outfit.

Mr. Tim Yeo (South Suffolk): Outfit?

Ms Quin: Yes. We are making a positive contribution to the Codex Alimentarius system. My hon. Friend raises an important point because, although the establishment of the Food Standards Agency here is important, it is also vital that this country's knowledge and expertise in some areas is channelled into the wider UN system and the WHO.

Mr. Owen Paterson (North Shropshire): In major cases of food poisoning in meat in the future, who will be held publicly responsible—the Meat Hygiene Service or the Food Standards Agency, which will be simultaneously policing the Meat Hygiene Service as well as administering it?

Ms Quin: If the hon. Gentleman looks at the interesting Third Reading debate held in the other place, he will see that my noble Friend Baroness Hayman, who leads for the Government on the issue, went into detail about the relationship between the Meat Hygiene Service and the Food Standards Agency, so that they are able to work with each other, while having their separate responsibilities and functions.

Mr. Malcolm Moss (North-East Cambridgeshire): Will the powers of the European food authority—which we assume that the Government support—override those of the UK Food Standards Agency? If it does not take precedence, why cannot the Government go ahead unilaterally with a scheme for simple, clear and honest labelling of food products? Does it not speak volumes about this Government's track record of saying one thing and doing another that, although they pay lip service to labelling, they cannot bring themselves to support the private Member's Bill soon to be proposed by my hon. Friend the Member for Eddisbury (Mr. O'Brien)?

Ms Quin: The Government support in general terms the proposals of the European Commission to establish a European Union food standards authority. We will work with the Commission and our partners in the Council of Ministers to try to make sure that the final system that comes out of the consultation process is as effective as possible.

We have had the Commission's support in recent food safety disputes because we have accepted our responsibilities in the European Union framework and ensured that our national system complements it. We believe that we can have a system whereby we benefit from the strength of the EU acting together and make a constructive input to that system through our own Food Standards Agency. When there is clear agreement at European level to take certain action and enact certain policies we shall abide by it, by contrast with certain other EU countries at present.

Organic Farming

7. **Ms Joan Walley** (Stoke-on-Trent, North): How many farmers began the process of conversion to organic production in 1999. [107884]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): All 1,176 farmers who applied for conversion aid under the organic farming scheme in 1999 had begun the process of conversion by the beginning of the year. Few, if any, will have converted without applying for aid.

Ms Walley: I thank my hon. Friend for that reply. He should be congratulated on the extra money for organic farming, but may I warn him that he could be a victim of his own success? I understand that in January 2000 alone, the Organic Conversion Information Service received 351 applications from people wishing to convert to organic production. Will there be new money for new conversions between now and April 2001? If not, will he have further urgent talks to see what extra money could be available through the rural development plan? Will he perhaps consider what has been done in Wales and the possibility of giving retrospective guarantees for those who want to convert before April 2001?

Mr. Morley: My hon. Friend makes a serious point. There has been a huge increase in organic conversion and that is not unrelated to our doubling of organic conversion payments in order to encourage it. The Government want to give farmers as many diversification options as possible. The allocation to April 2001 has been made; but I take my hon. Friend's point and we shall take further action if there are opportunities to do so. However, I reassure her that the England rural development plan makes available a further £140 million for organic conversion over the next seven years.

Mr. Peter Luff (Mid-Worcestershire): Is the Minister available—*[Laughter.]* I am sure he is. Is he aware of how badly livestock producers who have converted to organic farming have been affected by the decimation of the rural abattoir network, which has made it effectively impossible for many of them to sell their meat as organic? I urge him urgently to consider that question and the establishment of a proper network of mobile abattoirs in rural areas.

Mr. Morley: That is an important point. At least two mobile abattoirs are operated by the Humane Slaughter Association and they play an important role in terms of organic livestock. As part of the review of red tape, we are considering some of the cost burdens on small abattoirs—which also have an important part to play in the organic sector—to see what assistance we can give them.

Joan Ruddock (Lewisham, Deptford): Does my hon. Friend agree that organic production is based on good science and best farming practice? In the light of recent utterly unwarranted claims that there are dangers in organic food, will the Department undertake to evaluate its merits, or perhaps suggest that the Food Standard Agency make that one of its first priorities?

Mr. Morley: I understand that a number of organic organisations are carrying out a detailed study of some of the points to which my hon. Friend refers. I saw the article in question. Articles are written for and against organic food and some claims are not always backed by the facts. I agree that any claim for organic or non-organic food must be backed by sound science, and the Department will evaluate all the available information it has.

Mr. Michael Colvin (Romsey): Is the Minister aware of consumers' growing demand for organic foods, and of the fact that 70 per cent. of organic food sold through British shops is imported? Will he do more to make money available to British farmers who want to convert? The supply of money from the Ministry does not meet the demand from agriculture.

Mr. Morley: Demand has certainly increased, but only 400 farmers converted to organic farming under the regime of the previous Administration. In the past year alone, 1,100 farmers converted because of the increased aid that the Government have provided. We want to do more. Organic foods constitute an expanding market, and we want our farmers to take more of a share. We are making more resources available to help them do that.

Rural Enterprise

8. **Mr. Phil Hope** (Corby): If he will make a statement on Government support for developing new rural enterprises. [107887]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The England rural development plan, on which we propose to spend £1.6 billion, explains how we propose to use the rural development regulation to support the development of rural enterprises over the next seven years.

Mr. Hope: I thank my right hon. Friend for that reply. Farmers in my constituency and the National Farmers Union recognise that agriculture faces structural problems which require fundamental change, as well as short-term measures to help with current difficulties. I welcome the Government's rural development plan, which signals a new direction for farming and the rural economies. Will my right hon. Friend reassure me that the proposed transfer of wasteful subsidies to new environmental schemes and farming enterprises will mean real cash and support for farming communities in my constituency?

Ms Quin: Yes, I can reassure my hon. Friend about that, because we have been able to get extra spending from the Government to match the modulation system that

we are introducing, and because there have been increases in some specific schemes to help the transition to organic farming, as well as marketing and enterprise schemes. Real new money is available and my hon. Friend is right to say that it represents a new way forward.

The regulation is important because it allows support to be given to some of the sectors that do not receive mainstream support from the subsidised common agricultural policy. It allows pig farmers, poultry farmers and others to apply for assistance. It thus provides for a better, more flexible system in future.

Mr. James Paice (South-East Cambridgeshire): Following the Prime Minister's successful tour of the south-west last week, when he managed to convince any remaining doubters that he knows nothing and cares less about the true state of the rural economy and of rural enterprise, why did he not tell farmers about the proposed closure of two thirds of MAFF regional offices? That could mean the end of the Exeter office, which is the only MAFF office in the south-west. Does the Minister understand the impression that that will give to farmers, who are in the middle of an agricultural crisis, and who need the support from, and the face-to-face contact with, excellent MAFF officials? If the Minister goes ahead and closes two thirds of the network of offices, it will simply confirm to farmers that the Government are all talk and no action and that they do not care.

Ms Quin: That was an extraordinary question, given the launch last week of the rural development plan and the extra money that we have put into agriculture. As well as the Prime Minister's visit to the south-west, during which he spent two days in the region, my right hon. Friend the Minister for Agriculture, Fisheries and Food and other Ministers from the Ministry and from the Department for the Environment, Transport and the Regions visited rural areas throughout the country.

The launch of the rural development plan was important to show that we are keen to ensure that the new measures benefit all regions of the country. In the Ministry's regional review, we are trying to ensure that the service to regions is enhanced, not reduced. The hon. Gentleman's alarmist claims are therefore completely wide of the mark.

Subsidies (CAP)

9. **Mr. Andrew Reed** (Loughborough): What estimate he has made of the proportion of farm income derived from subsidies and price supports under the common agricultural policy. [107888]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The overall value of direct payments and price supports received by UK producers in 1998–99 represented 230 per cent. of total income from farming.

Mr. Reed: Despite the enormous subsidies that go to farmers, we recognise that they are in crisis. However, does that not show that we are not getting good value for money from the common agricultural policy and other policies? Will the Minister ensure that we work harder to get much more of that money into things such as rural development plans to allow those farmers to convert, and so that farmers are eventually paid for the work which they do but are not paid for—country stewardship and such things—rather than the Government interfering in the way they work on their farms?

Ms Quin: I welcome the broad thrust of my hon. Friend's remarks. We want a new sense of direction in agriculture. That is precisely what we are trying to achieve through the rural development regulation. The way the CAP has developed in recent years has distorted payments throughout the agriculture sector. Often, it has been difficult to support the sectors that we have wanted to support. At the same time, money has been spent through the CAP in a distorting way. We have made an imaginative start with the rural development regulation. I am glad that certain other European countries are taking a close interest in what we are doing.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Welsh Language

25. **Mr. Win Griffiths** (Bridgend): What provision the Crown Prosecution Service makes for Welsh speakers in the conduct of proceedings in Wales. [107907]

The Solicitor-General (Mr. Ross Cranston): It has been the CPS's policy in the conduct of its business to treat the Welsh and English languages on the basis of equality. That policy was given further effect by the publication of the "Welsh Language Scheme" on 27 January. The Welsh Language Board has approved the scheme. It aims to enable anyone who communicates with the CPS in Wales to do so in Welsh, if they so choose.

Mr. Griffiths: Is my hon. and learned Friend confident that there are enough Welsh-speaking chief Crown prosecutors to ensure that, in all cases where participants are Welsh speakers, they will be able to use their mother tongue?

The Solicitor-General: There are a number of Crown prosecutors who can speak Welsh. I think that about a quarter of them can, which compares favourably with the population as a whole. In addition, there are members of the Bar in Wales who can conduct trials in Welsh. Although it is a responsibility of the Lord Chancellor's Department, there are people who can interpret. I am confident that people in Wales can conduct criminal proceedings in Welsh.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): As a member of the Welsh Bar, I know that provision is patchy in Wales. The CPS should run courses to train people to conduct and to deal with advocacy through the medium of the Welsh language. It is only proper that that should happen; and it should be an all-Wales scheme.

The Solicitor-General: As I said in my original answer, there is a dual policy. The Welsh language advocacy training programme supports Crown prosecutors to enable them to prosecute cases in Welsh—but I take the point. We are working on it.

Unclaimed Assets

26. **Dr. Brian Iddon** (Bolton, South-East): What criteria are applied to the distribution of unclaimed assets of dissolved companies and intestate individuals; and if he will make a statement. [107908]

The Solicitor-General: In the case of dissolved companies, their beneficial property and rights vest in the Crown as bona vacantia. The Treasury Solicitor acts as the Crown's nominee for dealing with such assets for England and Wales, other than in the Duchies of Cornwall or Lancaster.

The criteria for distribution of the estate of intestate individuals are laid down in the Administration of Estates Act 1925. Where an individual has died intestate without known kin, the estate will fall to the Crown.

Dr. Iddon: How does the Treasury Solicitor dispose of money arising from those sources that is left in bank accounts? What is the value of such money?

The Solicitor-General: To answer the second question first, some £10 million net every year is administered in that way. In relation to money in bank accounts, that will go to the Crown, although it may be that claims can be made by, for example, unpaid creditors. In some cases, former members of the dissolved company can make an application.

Mr. John Burnett (Torridge and West Devon): Is there a register, open to the public, of unclaimed estates of intestates? What is the time limit for claimants with genuine and proven claims to make claims against the Crown where assets have been confiscated by the Crown? Is that time limit effectively 30 years?

The Solicitor-General: There is no such register of intestate individuals. I understand that there are about 2,000 cases every year, and that in about one third of them a next-of-kin is ultimately identified, so that money does not go bona vacantia. In some cases persons who do not have a legal claim but may have a moral claim—for example, they looked after the deceased—can make a claim and the Treasury Solicitor may make an ex gratia payment. The hon. Gentleman is right about the time limit; there is a time limit.

Rape Prosecutions

27. **Mr. Dale Campbell-Savours** (Workington): If he will review the arrangements for the prosecution of crimes of rape. [107909]

The Solicitor-General: The principles applied by the Crown Prosecution Service in rape cases are governed by the code for Crown prosecutors. In order to prosecute, a Crown prosecutor must be satisfied that the evidential and public interest tests set out in the code are met.

The Home Office is leading a review of all sex offences in the common and statute law of England and Wales, and expects to issue a consultation document this spring.

Mr. Campbell-Savours: In all seriousness, what are we to do about women who make false allegations of rape against men, sometimes four years after the alleged event? Surely juries have a duty to demand far more evidence if they want to convict, because very often their decisions, which can be wrong, lead to further injustice, as happened in the case of Owen Oyston.

The Solicitor-General: The conviction rate in reported rape cases is 9 per cent; it is quite low. There is quite a high attrition rate. The CPS will prosecute only if a very high evidential test is met. It must be sure that there is a realistic prospect of conviction. Because consent is the issue in most cases, and because the parties involved in the majority of cases will have an acquaintanceship, that is a very difficult evidential test to be met. So I assure my hon. Friend that prosecutions are undertaken only in cases where there is clear evidence. Moreover, the public interest test that I mentioned will almost always be met, given that rape is a gross violation of a person's integrity.

Information Technology (Reading CPS)

28. **Jane Griffiths** (Reading, East): What plans he has for investment in information technology for the Crown Prosecution Service in Reading in 2000–01. [107910]

The Solicitor-General: I am pleased to report that the Reading CPS office will benefit from a significant IT investment this year and next.

The sum of £12 million from the Government's capital modernisation fund, together with existing CPS resources, will fund the so-called Connect 42 project, which will enable CPS staff to have access to modern PCs across the 42 CPS areas for the first time. It will also facilitate electronic mail communications with other agencies. The national roll-out to all CPS areas will be between August this year and July next year.

Jane Griffiths: I thank my hon. and learned Friend for that very welcome reply. He will recall visiting the Crown Prosecution Service in Reading last year. Does he agree that the staff there will not only be grateful for this investment, but will be enabled finally to put into practice their commitment to fast and efficient justice for the 21st century?

The Solicitor-General: My hon. Friend and I both visited the Reading office last year and saw a local initiative undertaken by one of the staff. I commend that member of staff, who has developed a local tracking system. Ultimately we need to develop the information tracking system nationally.

As well as the £12 million modernisation fund, there is a public-private partnership which will go beyond the initial modernisation stage and will enable the different agencies—the courts, the police and the Crown Prosecution Service—to talk to each other. In the end, as my hon. Friend said, that will lead to joined-up justice between the different agencies and more efficient justice.

Mr. Edward Garnier (Harborough): No doubt the £12 million going to the Reading CPS office will be welcome—*[Interruption.]* Ah; it appears that there will be only £12 million nationwide. Is that not a ridiculously small sum? Information technology is not a new idea. The Government have been in office for nearly three years;

if they are only just getting round to putting a small amount of money into Reading, and only just getting round to putting £12 million into the whole CPS, is it not time for the Solicitor-General to invite the CPS inspectorate to take a thorough look at his own policy-making system, and a thorough look at the use of information technology throughout the CPS?

The Solicitor-General: I know the hon. and learned Gentleman is on a bit of a high, but that was over the top.

Under the last Government, very little money was put into technology. Crown prosecutors had virtually no access to it, and their case-tracking system was pretty hopeless. We have started the job that will give them access to basic technology. E-mails, for example, will enable them to talk to the police, and therefore operate more efficiently. Remedying the defects with which the last Administration left us, however, will require a long and detailed programme.

Victims of Crime

29. **Dr. Julian Lewis** (New Forest, East): If he will make a statement on the role of police officers in dealing with victims of crime exclusively on behalf of the Crown Prosecution Service. [R] [107911]

32. **Mr. Vernon Coaker** (Gedling): What recent steps have been taken to ensure that the Crown Prosecution Service has a greater role in dealing directly with victims of crime. [107916]

The Solicitor-General: Under the citizens charter, the police are responsible for keeping the victim informed of developments in the case.

The Government have accepted the Glidewell and Macpherson recommendations in relation to the CPS assuming a greater responsibility for direct communication with victims. Six pilot studies to assess the operational impact of such communication are now under way. Information from those pilot studies will help the planning of a wider options study, due to begin in April 2000.

Dr. Lewis: I am grateful for that constructive reply, but I urge the Solicitor-General to press on. Does he not agree that the system is skewed too much in favour of the defendant and against the victim, especially in complicated technical cases in which the defendant can directly consult the lawyers representing him, but the victim can only communicate what are sometimes precise, detailed, technical points to the Crown prosecution lawyers via the medium of a policeman who, with the best will in the world, will be untrained in detailed legal matters? I urge the Solicitor-General to act on the results of his pilot schemes with the utmost speed.

The Solicitor-General: I know that the hon. Gentleman has long been interested in this matter, and he is right to suggest that the approach of the police is sometimes not the right approach, in that they can get the message garbled. It is better for the prosecutors to be able to communicate directly with victims, but this will be a long process. The practice already exists in relation to homicide, but the aim of the pilot projects is to ensure that it can apply to offences more generally.

I accept what the hon. Gentleman said about victims' access to prosecutors, but by the same token, it is important for prosecutors to continue to act in the public interest, and in some cases that is not on all fours with the arrangements applying to defendants and their counsel.

Mr. Coaker: Will my hon. and learned Friend ensure that the CPS keeps victims of crime informed about the progress of prosecutions, and that the reasons for action taken by the CPS are explained to them?

The Solicitor-General: My hon. Friend is right. Victims need to be kept informed, and we are taking a number of steps to ensure that they have a more central place in the criminal justice system. Their views must be taken into account, and one aspect of that is ensuring that they are kept informed. My only regret is that one of the six pilot schemes is not located in my hon. Friend's constituency; but on the basis of the national roll-out, his area will benefit.

Mr. Ian Bruce (South Dorset): I wonder whether the Solicitor-General is satisfied that the amount of police resources available for co-operation between police and the CPS is sufficient. Has he made vigorous representations on the 5,000 police officers whom we all thought would be extra in the system—and whom the CPS requires for all the work that it is doing—or has he accepted that the number of police officers will continue to be reduced?

The Solicitor-General: The CPS of course depends on police—police investigate, and the CPS prosecutes. We have taken a number of steps to ensure that there are adequate numbers of police officers. However, we were faced, before May 1997, with a considerable decline in the numbers of police.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): Will the Leader of the House give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 14 FEBRUARY—Consideration in Committee of the Political Parties, Elections and Referendums Bill (First Day).

Motion on the Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2000.

TUESDAY 15 FEBRUARY—Second Reading of the Postal Services Bill.

Motions on the Greater London Authority (Election) Orders—the Greater London Authority Election Rules 2000 (SI 2000 No. 208) and the draft Greater London Authority (Election Expenses) Order 2000.

WEDNESDAY 16 FEBRUARY—Consideration in Committee of the Political Parties, Elections and Referendums Bill (Second Day).

THURSDAY 17 FEBRUARY—Second Reading of the Armed Forces (Discipline) Bill *[Lords]*.

FRIDAY 18 FEBRUARY—The House will not be sitting.

The provisional business for the following week will be as follows:

MONDAY 21 FEBRUARY—Opposition Day [5th Allotted Day]. Until about seven o'clock, there will be a debate entitled "Excellence in Education: the Government's Failure to Deliver" followed by a debate on the Millennium Dome. Both debates will arise on Opposition motions.

TUESDAY 22 FEBRUARY—Debate on the Defence White Paper on a Government motion (First Day).

The provisional business for the week following the Adjournment will include:

MONDAY 28 FEBRUARY—Conclusion of debate on the Defence White Paper on a Government motion.

The House will also wish to know that on Wednesday 1 March, there will be a debate on European Community humanitarian and development aid in European Standing Committee B.

The House will also wish to be reminded that on Wednesday 16 February, there will be a debate on the 1999 review of telecommunications legislation and radio spectrum policy in European Standing Committee C. Details of the relevant documents will be given in the *Official Report*.

[Wednesday 1 March 2000:

European Standing Committee B—Relevant European Union documents: 10497/99, 10705/99, 11203/99, 12456/99, EC's Humanitarian and Development Aid. Relevant European Scrutiny Committee Report: HC-34-xxxi (1998-1999).]

Sir George Young: The House is grateful for next week's business and an indication of the business for the weeks thereafter. The House remains concerned about Northern Ireland. May we have a statement, on Monday, from the Secretary of State for Northern Ireland on the use that he plans to make of the powers that he has been given if the current discussions are unsuccessful?

When will the Government publish the White Paper on the intergovernmental conference? Subsequent to its publication, may we have a debate, in Government time, on Labour's plans for a European army, tax harmonisation and the renunciation of the veto?

What has happened to reform of the House of Lords? The Government invited Lord Wakeham's commission to report quickly, but, since the baton was handed over to the Government, the pace has dropped from a sprint to a stroll. When will we debate the report and learn of the Government's proposals to take matters forward?

The right hon. Lady has announced a defence debate. Will the terms of that debate be sufficiently wide to embrace the critical report of the Defence Select Committee expressing alarm at the extent of overstretch in our armed forces?

Finally, reverting to my request for a St. David's debate on Wales, would it not be appropriate for the Prime Minister to open that debate and explain to the House the precise relationship between his highly centralised Administration and the devolved Welsh Assembly?

Mrs. Beckett: First, the right hon. Gentleman asked about the plans of my right hon. Friend the Secretary of State for Northern Ireland. My right hon. Friend will, of course, keep the House informed. As to whether he will be coming to the House on Monday to make a statement, obviously the situation is fluid and I cannot tell the right hon. Gentleman that now. However, I shall certainly make my right hon. Friend aware of his express request for such a statement.

The right hon. Gentleman asked when the White Paper on the intergovernmental conference will be published. I think that "soon" is the correct answer to that. However, he then made some slightly surprising observations on the European army, on tax harmonisation and on renunciation of the veto. I remind him that it was Lady Thatcher who first signed up to the notion of a European defence role. That was endorsed by her successor, the right hon. Member for Huntingdon (Mr. Major). On tax harmonisation, the Government have made it plain that we retain control of our tax affairs. On the veto, we are prepared to explore issues when there is merit for Britain's case, but we have never renounced the veto. The only person who has ever renounced Britain's veto is Lady Thatcher.

The right hon. Gentleman then asked about a debate on the Wakeham report. I have already said that we are prepared to undertake such a debate. The right hon. Gentleman may feel that he has had full opportunity to digest its contents, but I do not think that most of the rest of us have. He will remember that Lord Wakeham said that he thought it deserved mature consideration.

The report of the Defence Select Committee will certainly be part of the background to our debate on the White Paper. We had to wait for the report before scheduling the debate. I do not anticipate the debate on or around St. David's day being opened by my right hon. Friend the Prime Minister, but I hope that whoever speaks in it on behalf of the Conservatives will be able to explain their precise relationship with Plaid Cymru. I understand

that the leader of the Conservatives in the Welsh Assembly has said that they would be prepared to support a Government of Plaid Cymru and the Liberal Democrats.

Mrs. Alice Mahon (Halifax): Has my right hon. Friend seen the report commissioned by the Government on bed shortages in the NHS? It is a damning indictment of the stewardship of the Conservative Government, who allowed the situation to become so serious. Will she make time for a debate on beds in the NHS? She will be aware that a new hospital is being built in Halifax thanks to the Government, but some of us are concerned that there may not be enough beds in the plan.

Mrs. Beckett: I am grateful to my hon. Friend; I know of the enormous amount of work and expertise that she has built up on the Health Select Committee. I am aware of the report that my right hon. Friend the Secretary of State for Health has published today, although I have not yet had time to study it. As my hon. Friend rightly said, it was needed because of the appalling record of the Conservatives. It considers how we should provide cover in the NHS in hospitals and outside. She may like to know that my right hon. Friend will publish a consultation paper today and the Government will respond to representations on 15 May. She is right to draw attention to the fact that we need to reassess the demand for beds in the light of changes in medical treatment.

Mr. Paul Tyler (North Cornwall): When will we have the long-delayed statement on the Government's response to the royal commission on long-term care for the elderly? Will the right hon. Lady ensure that the statement is made to the House, rather than to Mr. John Humphrys on BBC Radio 4? Will she undertake urgent discussions with her Cabinet colleagues—and, if necessary, in the appropriate organs of the House, such as the House of Commons Commission and the Modernisation Committee—about arrangements for making statements to the House? Is she aware that the Secretary of State for Health made a long and substantial statement on the "Today" programme this morning about the report to which the hon. Member for Halifax (Mrs. Mahon) has just referred? No statement is being made to the House this afternoon. Indeed, we are not even being told officially about the consultation paper. Will the right hon. Lady look again at the issue? The national beds inquiry is very important, as she said just now. Why have we not had a statement today?

We got used to government by press release under the previous Administration, but things have become a great deal worse under this Administration. How can we expect the media to take us seriously and attend our debates if they can get all the information that they need from a broadcast early in the morning?

Mrs. Beckett: We had a debate on long-term care not so long ago. I shall bear in mind the hon. Gentleman's observations, but we cannot keep returning to the issue with great frequency. The hon. Gentleman also asked why there had been no statement from my right hon. Friend the Secretary of State for Health on the report that was published this morning. Whatever the hon. Gentleman's impression may be, the figures show clearly that this Government have made far more statements in the House than did our predecessors.

I remind the hon. Gentleman that the document to which he referred was a review report to the Government. My right hon. Friend was not announcing the Government's response or the policy decisions that the Government propose to take and to pursue. He was simply reporting that a review has been received and a consultation document will be issued. As for whether my right hon. Friend should have made a statement, all I can say is that if the Government were to make statements on all the issues for which statements are requested at Business questions, we would do nothing else in the House except listen to Government statements.

Mr. John Cryer (Hornchurch): Has my right hon. Friend seen early-day motion 381?

[*That this House notes with alarm the accession to power of the Austrian Freedom Party; further notes this organisation was aided by Austria's proportional electoral system; and calls on the British Government to confirm that the first past the post electoral system is fair, accountable and tends to lead to the exclusion of extremists of all kinds.*]

The motion notes the aid given to the fascist Freedom party by the wretched system of proportional representation that operates in Austria—[HON. MEMBERS: "Hear, hear."] May we have a debate on electoral reform so that those of us who have the odd qualm about fascists, racists and Nazis can point out the shortcomings of proportional representation? [HON. MEMBERS: "Hear, hear."]

Mrs. Beckett: My hon. Friend has clearly commanded some support across the House. However, as he is aware, the Jenkins report has been published and, rest assured, no change will be made to the electoral system for this House without the specific endorsement of the British people in a referendum.

Mr. Douglas Hogg (Sleaford and North Hykeham): The right hon. Lady will remember that last week I raised the issue of the document, "Sharing the Nation's Prosperity", and I obviously took her aback when I did so. In the past week, she will have had time to read it, and she may have read page six, which states:

"In broad terms, the countryside is prosperous, contented and reasonably well served".

May we have an urgent debate in which we can point out the circumstances that confound that statement? In Lincolnshire, for example, we have inadequate transport, inadequate road communications, petrol charges are high, the rural post offices are closing, police numbers are falling and, as I have said many times before in the House, there are inadequate funds for the provision of important drugs such as beta interferon. We want to address those matters, and a debate in the House would be a good way of triggering that process.

Mrs. Beckett: The right hon. and learned Gentleman has indeed raised the issue of the problems in Lincolnshire before, and I am well aware of them. They include issues such as inadequate transport and the decline of rural post offices, and they went on for decades under the Government of whom he was a distinguished and senior member. I have always thought, and frequently pointed out to the people of Lincolnshire, that their problems have much to do with their predilection for electing Tory county councils and Tory MPs.

Mr. Mike Gapes (Ilford, South): Further to the question from my hon. Friend the Member for

[Mr. Mike Gapes]

Hornchurch (Mr. Cryer), may I ask my right hon. Friend the Leader of the House whether we may have a debate on Britain's relations with Austria, so that the Opposition could make it clear that they dissociate themselves from the actions of their sister party, the Austrian People's party, which is in the Conservative International with the Tories and has entered a coalition with a Nazi? It would also be an opportunity for those of us who share my hon. Friend's views about aspects of electoral reform to point out that the problem in Austria is complex. It is caused not only by the electoral system, but by a failure to deal adequately with the Nazi collaboration and the Nazi past of that country over many years.

Mrs. Beckett: I fear that I cannot undertake to find time for a debate in the near future, although I am sure that my hon. Friend will know that Foreign Office questions will take place on 15 February. I hear what he says about offering the Conservatives the chance to dissociate themselves from the decision taken by their sister party. It is a real source of difficulty for people across the European Union and there is much repugnance felt for the emerging attitudes of the Government of whom the fascist party is a part. I am aware that not everybody shares the view my hon. Friend expressed—or so it seemed, from the "noises off" from the Opposition last week.

Mr. Peter Brooke (Cities of London and Westminster): While I welcome the appearance on the Order Paper of the Royal Parks (Trading) Bill, and do not begrudge No. 10 the spin that this is by kind permission of the Prime Minister, does the Leader of the House realise that this conceals massive dilatoriness and incompetence on the part of the Department for Culture, Media and Sport? I advised the Department in January 1998 that the conditions of bipartisan support existed that would enable the Bill to go before a Second Reading Committee which, two years later, the Government have found time to do.

Mrs. Beckett: I am well aware of the right hon. Gentleman's long support and strong efforts on behalf of what I entirely agree is a reasonable and sensible measure. However, it is not merely a matter, as he says, of the Government being unwilling or unable to deal with the matter with dispatch and efficiency. I rather think that in saying—quite correctly—that the matter generally has much cross-party support, he might have omitted from that support his right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

Mr. Brian White (Milton Keynes, North-East): My right hon. Friend may be aware that yesterday a number of e-businesses in the United States had to shut down because of being flooded by e-mails. Given that the Government published the Regulation of Investigatory Powers Bill yesterday, can she allow time before Second Reading for the Home Office to investigate the implications of that action?

Mrs. Beckett: My hon. Friend makes an extremely interesting point. I am aware of the events to which he refers. He will note that we have a Home Office Minister present who will have heard his observations. I cannot undertake that the Home Office will be able to produce a special response to that event before the Regulation of Investigatory Powers Bill has its Second Reading, but I can tell my hon. Friend that that sort of event is continually under review.

Mr. Christopher Gill (Ludlow): I am sorry, Madam Speaker, that I was not able to catch your eye in Agriculture questions, because the subject of the debate that I would like to ask the Leader of the House to grant concerns the Minister of Agriculture, Fisheries and Food. I have here two letters, the first of which is from the European Commissioner for Agriculture, Franz Fischler, dated 22 December, in which he says:

"the Commission has recognised the BSE crisis as an exceptional occurrence, and has authorized a number of aid measures to mitigate the effects of the crisis, including aids for the pig sector."

The other letter is from a firm of solicitors acting on behalf of the British pig industry support group, in which they seek

"the grant of an 'exceptional occurrence' and/or restructuring state aid to the pig industry".

I tabled a question on 27 January; I received a reply on 7 February. My question to the Minister was—*[Interruption.]*

Madam Speaker: Order. I am rather pleased that the hon. Gentleman did not catch my eye during Question Time, otherwise I might have had to ask him to sit down. I think that the Leader of the House has the gist of what he is seeking, which is a major debate on these issues. Is that right?

Mr. Gill: May I repeat my question very briefly, Madam Speaker?

Madam Speaker: Briefly.

Mr. Gill: My question to the Minister of Agriculture, Fisheries and Food was:

"what representations he has received regarding EU grants for exceptional occurrences within the pig industry"

The answer was:

"We have received no representations and there are no such EU grants."—[*Official Report*, 7 February 2000; Vol. 344, c. 78W.]

This matter needs to be cleared up in a debate.

Mrs. Beckett: I fear that I cannot undertake to find time for a special debate on the matter that the hon. Gentleman has raised. If I dare to disagree mildly with you, Madam Speaker, I am slightly sorry that he did not catch your eye, because he might have found someone from MAFF who was in a position to reply to his points. However, I will certainly undertake to draw them to the attention of my right hon. Friend.

Mr. Gordon Prentice (Pendle): May I inform my right hon. Friend that I have digested Wakeham? I know that Lord Wakeham wants the life peers to continue down in the other place until they drop. Has my right hon. Friend had an opportunity to reflect on the implications of my early-day motion 376 on the life expectancy of life peers?

[*That this House notes the recommendation of the Royal Commission on the Reform of the House of Lords which allows for existing life peers to remain in the Upper House should they so wish; further notes that the average age of male life peers is around 70 years compared with 64 years for women; calculates that the expected number of life peers dying within 11 years is around 49 per cent. of the 543 life peers (out of 550) whose dates of birth are readily available; postulates that it would be around 20 years before this expected number reached three quarters of existing life peers and 29 years before this figure reached 90 per cent.; considers it inappropriate for appointed peers to serve in Parliament long into the 21st century; recognises that appointment is no substitute for election; and calls for a wholly elected Upper House of 100 members.*]

Does my right hon. Friend appreciate that according to my calculations, half of them will be dead within 11 years; 75 per cent. of them will be dead within 20 years; 90 per cent. of them will be dead within 29 years, but 10 per cent. will still be alive and kicking well into the next century? *[Interruption.]* I meant this century.

Madam Speaker: Order. The hon. Gentleman is not being numerate at the moment. He had better put his question.

Mr. Prentice: Everyone knows what I meant, Madam Speaker.

May I add my Back-Bench voice to the shadow Leader of the House's call for an early debate on Wakeham?

Mrs. Beckett: I am grateful for my hon. Friend's interesting observations and statistics, which the House will study closely when they appear in *Hansard*. I take note of his point, but also note that this is the first occasion, of which I am aware, on which my hon. Friend has agreed with something said by the Conservatives.

Mr. John Wilkinson (Ruislip-Northwood): In reply to the hon. Member for Ilford, South (Mr. Gapes), who requested a debate next week on Austria, the Leader of the House rightly pointed out that there will be Foreign Office questions soon. However, do we not need a much wider debate than that on foreign affairs and on the incongruity of Labour policy? The Government are forbidding high-level visits not only to Austria, but to Chile—another good friend of this country. On the other hand, a succession of high-level dignitaries have gone to Cuba, China and other countries with nefarious regimes. The ethical foreign policy is in tatters and our interests are being damaged. May we have an early debate?

Mrs. Beckett: I remind the hon. Gentleman that our policy on Austria is not merely that of the Labour party, but of all the Governments of the European Union. *[Interruption.]* I know that that fact may be unwelcome to the hon. Gentleman, and he may consider it a recommendation against the policy. However, Governments across Europe are deeply concerned by events in Austria and have taken the same action as the British Government.

Mr. Tony McWalter (Hemel Hempstead): Thank you for calling me, Madam Speaker, as I was so excited by the question asked by my hon. Friend the Member for Pendle (Mr. Prentice) that I nearly forgot to stand up.

Does my right hon. Friend recall that three weeks ago I referred to rumblings on the Government Back Benches about the freezing of the minimum wage? Does she accept that those rumblings have grown? Indeed, the rumbling that took place in Committee Room 7 last night may well have reached the Chamber by now. Does she agree that it is vital to have an early statement about a policy that seems to be leading to a decline in the real standards of living of some of the poorest people in our country? Will she ask the Secretary of State for Trade and Industry to make an early statement?

Mrs. Beckett: Of course I am aware of the concern that has been expressed. I am also aware of the popularity of the national minimum wage. So popular is it, indeed, that the Conservatives have decided that they cannot afford to continue to say that they will scrap it. May I mention a slight misapprehension? The Low Pay Commission's recommendation about the minimum wage was intended to be implemented on the date on which it actually came into force. It was not set a year early, and was not, therefore, already out of date by the time it came into force.

Some debates on the matter have overlooked the fact that the timing of the rate's setting was explicitly understood. However, I fully recognise that some people believe that the rate should be increased. My right hon. Friend the Secretary of State for Trade and Industry is also aware of that view.

Mr. Mike Hancock (Portsmouth, South): Will the right hon. Lady find time, not too distant from the time of the defence debate, for the House to discuss the Government's response to changes in the Western European Union, the only organisation in which European countries not in NATO may discuss defence matters? Do the Government take a positive stance one way or the other—for or against—on our future parliamentary representation at the WEU? Would she also find time to discuss the future relationship of Parliament with the Council of Europe and with NATO? All three institutions require review, and all three deserve some of the Chamber's time for a debate on our reaction to proposed changes.

Mrs. Beckett: I recognise that the hon. Gentleman raises a serious point; the changes that are afoot in all those bodies are worthy of consideration. However, although those matters are important and serious, it would probably be difficult to find time for them on the Floor of the House because the pressure on business in the Chamber is always so great. The hon. Gentleman might consider whether it would pay him and those who take a special interest in these matters to pursue them in a debate in Westminster Hall.

Mr. David Winnick (Walsall, North): I know that there has been criticism from Conservative Members in the Chamber today, and outside it, about the cancellation of the visit to Austria for the trade fair in May by a high-level person. Bearing in mind that the Freedom party is led by a person who recently described SS troops as decent people who have character, will my right hon. Friend give further consideration to holding a debate on Britain's relations with Austria?

[Mr. David Winnick]

In view of the fact that some of the criticism comes from those Conservative Members who are, first and foremost, defenders of Pinochet, should we not demonstrate that it is not only Pinochet, but characters who are willing to glorify the Nazis, whom the Tories consider worthy of attention and approval?

Mrs. Beckett: I understand that some Conservative Members have criticised the decision that has been made, and have expressed unhappiness about the stance taken over developments in Austria. I also recognise how abhorrent most of us will find many of the statements that are being made by the Austrian party to which my hon. Friend refers.

However, I fear that I cannot undertake to find time for a debate on the matter, although the temptation to expose the inadequacies and divisions of the Conservative party is always strong.

Mr. Patrick Nicholls (Teignbridge): Will the right hon. Lady consider a further debate on the future of sub-post offices? Does she realise that, although many debates have been held in the Chamber, in Opposition time, and in Westminster Hall, we have never received a straight answer to the question that we put so many times? Why, despite Government assurances, does the literature that they and their agencies distribute lead people to assume that, after 2003, they will have no choice? We need a debate so that Ministers can say, once and for all, that they are encouraging people to move over to banks, or that they will change the literature that gives people that impression? We need an urgent debate on that matter—we need it next week.

Mrs. Beckett: I am afraid I cannot undertake to find time for the debate that the hon. Gentleman requests. Ministers have repeatedly made it clear that, of course, people will continue to have the choice to draw their benefits as they do at present. I draw to the hon. Gentleman's attention the fact that, on Tuesday, the Postal Services Bill will receive its Second Reading.

Mr. Geraint Davies (Croydon, Central): When are we likely to have a debate on public transport substitution? With the arrival of the tramlink in Croydon, there are fears that the 130 bus will be cut—*[Laughter.]*—It is an important issue. Furthermore, in relation to public transport in Croydon, we need to consider guidance on retail car parking for in-town redevelopment, such as limits on car parking and environmental impacts. Might Third Reading of the Transport Bill provide an opportunity for that?

Mrs. Beckett: My hon. Friend is right to raise issues of concern in his constituency at Business questions—many hon. Members do so. I am aware—as are many Members—that Croydon has had transport problems for a long time. They are the result—at least in part—of the Conservative legacy. I hope that my hon. Friend will use opportunities such as debates on the Transport Bill to raise those issues. It is a welcome change for an hon. Member to realise that such debates provide those opportunities, rather than to call for special debates.

Mr. Eric Forth (Bromley and Chislehurst): May we please have an urgent debate on the subject of Mr. Romano Prodi—that well-known, intimate friend and protegee of the Prime Minister? Mr. Prodi seems to be given to making increasingly outlandish statements about the future of Europe. It would be of great importance to the House and to the people of this country if we knew much more about the Prime Minister's reaction to the statements of his friend and protegee—in whom the right hon. Gentleman places such trust and whom he so much admires—so that we can know whether the Government support Mr. Prodi's vision of the future of Europe and of the relationship between this country and Europe. Surely, that matter is of the greatest importance and urgency—before Mr. Prodi gets completely out of hand and takes the Prime Minister with him.

Mrs. Beckett: First, I see no need for a special debate, as my right hon. Friend the Prime Minister always makes plain his view on these matters. Secondly, I am sorry to have to tell the right hon. Gentleman, as I reminded him last week, that I fear I have ceased to take his bona fides on this matter seriously since I discovered that in 1975, when I was warning people of precisely what he is now complaining of, he was campaigning for the other side.

Mr. Tony Colman (Putney): I note that, so far, no date has been set for the Second Reading of the Nuclear Safeguards Bill, which of course ratifies the additional protocol to the nuclear non-proliferation treaty. It has passed through all its stages in the other place. Last year, it received support from both sides of the House with the exception of the right hon. Member for Bromley and Chislehurst (Mr. Forth).

I would suggest that it is especially important that the Bill passes through all its stages in the House and receives Royal Assent before the end of March, because an international review conference on the nuclear non-proliferation treaty is being held in New York at the beginning of April, and it is very important that the United Kingdom Minister at those talks is able to carry forward the view of the House that we need to take further measures to ensure that weapons of mass destruction are hunted out in any country in this world.

Mrs. Beckett: I am grateful to my hon. Friend, who I know has taken a very close interest in, and done a great deal of work on that issue. He is right that the cause that he describes is important not only to this country and to our national well-being, but to international well-being. I hope that perhaps there will be an outbreak of discipline and common sense on the Opposition Benches and that perhaps such a Bill will pass, but, as my hon. Friend knows, that remains to be seen.

Mr. David Maclean (Penrith and The Border): Will the right hon. Lady arrange an urgent debate on the shambles that the Prime Minister has made of the United Kingdom constitution? We see an utter shambles in Wales as the Welsh reject the Prime Minister's poodle; we see the prospect of a similar thing happening shortly to the First Minister in Scotland; and—without even mentioning Northern Ireland—we see the shambles that is now emerging from the other place, with uncompleted constitutional reform and even that Chamber, with the Prime Minister's placemen, rejecting the Prime Minister's policies. We have half-hearted constitutional reform in this Chamber.

When can we obtain an early debate, so that we may point out to the right hon. Lady that the latest polls show that the majority of the people of this country believe that the Government are now damaging the integrity of the United Kingdom, rather than making it more inclusive?

Mrs. Beckett: Oh, dear, dear—I fear that the right hon. Gentleman was not listening with his usual close attention a few minutes earlier, or else he would have raised a different matter. It is pointless for any Conservative Member to talk about the shambles of policy on issues such as devolution when, despite the fact that members of the Conservative party opposed devolution because they said that it would lead to the break-up of the United Kingdom, they are now proposing to support Plaid Cymru, which calls for exactly that, in the Welsh Assembly.

Mr. Graham Brady (Altrincham and Sale, West): Is the Leader of the House yet in a position to say when the Government will grant the debates that were recommended by the sixth report of the Committee on Standards in Public Life, which called for debates in both Houses to fix the numbers of special advisers that the Government can employ? Is that not especially important in the light of today's news that the number of staff employed at Downing street has increased by 300 per cent. since the last election, and especially as we discovered yesterday that even with three times as many people at Downing street, they still cannot tell the Prime Minister what is going on?

Mrs. Beckett: The hon. Gentleman raised that point last week. I am aware of the report. It may come before the House at some point, although it will not be next week. However, I believe that the hon. Gentleman and the Conservative party make something of an error in continuing to draw attention to that point and to say that there are now more advisers than were enjoyed by the previous Government. Given the previous Government's catastrophic record and the general election result, surely that is not an argument in their favour.

Mr. Keith Simpson (Mid-Norfolk): Following the humiliating circumstances of the resignation of the First Secretary in Wales yesterday, has the right hon. Lady had any approach by the Secretary of State for Wales to make a statement to the House? I understand that he does a two-day week and therefore has plenty of time available. Has she had any suggestions from the Government that the Secretary of State for Wales and the Secretary of State for Scotland should do a job share and merely come here occasionally to speak on the subject of Wales or Scotland?

Mrs. Beckett: The hon. Gentleman is overlooking the folly of the argument pursued by Conservative Members, in that they are now apparently prepared to countenance a party that advocates the break-up of the United Kingdom. He is also overlooking the pattern of events in the Welsh Assembly—on occasions, with the support of the Conservative party, it has had a vote of confidence once in every 17 sitting days. How the Welsh Assembly conducts its business is entirely a matter for it, but that suggests to me that it might do more constructive things.

Mr. Stephen O'Brien (Eddisbury): Given the Government's dramatic reduction in police numbers—by 1,700 since they came to power, including a further 27 in Cheshire in just the past 10 months—and given that the Home Secretary is here to listen to my point, will the Leader of the House make time for a full-day's debate on how the Government have let down my constituents in Cheshire and the people in this country, whose fears are rising in direct proportion to the reduction in police numbers that has happened under this Government? Will the Home Secretary write to every hon. Member to tell us how that is affecting our constituents?

Mrs. Beckett: As a result of the changes made by my right hon. Friend the Home Secretary, police numbers in Cheshire will rise by an additional 86 over the next two or three years. The hon. Gentleman is right to say that police numbers have fallen over recent years. They fell under the party which he supports, and which gave freedom to chief police officers to make decisions on how they spend their budgets and to what degree they spent them on police numbers. It is no good Conservative Members complaining about the outcome.

Mr. Owen Paterson (North Shropshire): This morning we learned that the Prime Minister had had long, friendly and constructive conversations with the hon. Member for Cardiff, West (Mr. Morgan), even though the Prime Minister used the whole Millbank team to block the hon. Gentleman's progress to becoming First Secretary of the Welsh Assembly. We need the Prime Minister to come here to make a statement on the muddle that he has got himself and the country into with the devolutionary experiments. We would also learn how soon he intends to have jolly and friendly conversations with the hon. Member for Brent, East (Mr. Livingstone).

Mrs. Beckett: The Prime Minister has much better things to do with his time.

Mr. Ian Bruce (South Dorset): Could we have an early debate on the financing of the BBC? I am sure that all hon. Members realise that the two channels of the BBC are the only ones, out of the hundreds available, that are funded through a compulsory licence fee. Is the BBC's public service remit being fulfilled when the only farmers who could be found to say anything nice on the BBC about Government policy were the fictional farmers, Pat and Tony Archer? Although Greg Dyke is willing to ensure that positive spins are put on Government policy, that does not justify continuing to have a compulsory licence fee.

Mrs. Beckett: That was a rather convoluted way of asking a question about agriculture. Yes, of course the BBC has a public service remit, which it carries out. As for the notion that it is only on "The Archers" that anyone can ever be heard to say anything in favour of Government policy on agriculture or against that of the Conservative party, all I can say is that I have frequently heard members of the National Farmers Union doing precisely that.

Mr. Nigel Evans (Ribble Valley): Does the Leader of the House recognise that there is now great interest on both sides of the House in having a debate on the Government's constitutional reform programme? That would give us an opportunity to reflect on the successes

[Mr. Nigel Evans]

or otherwise of the devolution settlement in Wales and in Scotland, on the interesting impact of the reforms in the House of Lords, and on the interesting impact of proportional representation. Most importantly, it would give the right hon. Lady and the Government the opportunity to let the House and the country know what further reforms they have in mind.

Mrs. Beckett: Given the repeated propensity of Conservative Members to raise this matter—despite the fact that I have already pointed out to them that they now say that they might support a Government containing Plaid Cymru, which is in favour of the break-up of the United Kingdom—it is a mistake for them to call for such a debate. However tempting the prospect is of a debate that would expose the shambles and misjudgment of Conservative party policy on this matter, I fear that I cannot undertake to provide time for one.

Mr. Eric Pickles (Brentwood and Ongar): The right hon. Lady has disappointed everyone in the House with her response to my hon. Friend the Member for Eddisbury (Mr. O'Brien). Surely she is confusing vacancies in the police with actual numbers. Is she not aware that since her Government came to office, police numbers have dropped by 1,700, and a third of those losses have occurred in the past six months? Is she not slightly embarrassed that when the Home Secretary promised 3,000 more officers, the immediate reaction of 632 long-serving officers was to leave the force? Does she agree with Mr. Glen Smyth, chairman of the Metropolitan Police Federation, when he says:

"The bottom line . . . is that they give with one hand and take away with the other."?

Madam Speaker: Order. Is the hon. Gentleman asking for a debate? I did not hear him do so.

Mr. Pickles: Yes, I am indeed asking for a debate—for a whole day, maybe two.

Madam Speaker: I want to have it on the record.

Mrs. Beckett: I remind the hon. Gentleman, as I have already reminded the hon. Member for Eddisbury (Mr. O'Brien) and others, that police numbers fell under the Government whom they supported. The budget that we pursued for the first couple of years was the one that they put in place, so if they are complaining about the consequences of that budget, they are complaining about actions that they supported.

A remarkably consistent feature of this exciting and enjoyable episode in the House this week is that Conservative Members are continually calling for increased spending on a whole range of policies, while claiming to be in favour of cuts in public spending. It is time that they made up their minds.

Mr. John Bercow (Buckingham): I am sure that it was only by an accidental oversight that the Leader of the House failed to congratulate my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) on being named yesterday Opposition Member of Parliament of the year.

Can we have an urgent full-day's debate, in Government time, on the crucial question of political bias in television programmes in general and those of the BBC in particular? Does not the right hon. Lady agree that such a debate would be especially timely in the light of yesterday's article in the *Financial Times* by Mr. Christopher Dunkley, former host of the BBC's "Feedback" programme, who has spilt the beans and said that the BBC is biased in favour of the left and against the right, in direct defiance of its charter obligations? Do we not need an urgent debate about that important matter?

Mrs. Beckett: I am grateful to the hon. Gentleman for informing me of the success of the right hon. Member for Bromley and Chislehurst (Mr. Forth); I was not aware of it, and indeed I congratulate him on it.

I have not seen the article to which the hon. Member for Buckingham (Mr. Bercow) refers, and I am not acquainted with Mr. Christopher Dunkley, but he does not sound like an unbiased, objective individual.

Stansted Hijacking

1.12 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement about the Stansted hijacking.

The House will, I know, have been pleased to learn that the hijacking of an Ariana Airlines plane at Stansted ended peacefully this morning. The plane had been on an internal flight within Afghanistan from Kabul to Maser-e-Sharif on Sunday 6 February with 186 passengers and crew on board when it was hijacked. After initial stops in Uzbekistan and Kazakhstan, the plane landed in Moscow where it was refuelled.

While the plane was on the ground in Moscow, we made it clear to the Russian authorities that the flight should not expect to come to the United Kingdom. None the less, the authorities in Moscow allowed the plane to take off again after, I understand, the hijackers had asked for information about a number of western destinations.

When we learned that the aircraft was heading for the United Kingdom, we decided to allow it to land, in accordance with our international obligations. There were serious concerns about the safety of those on board, given the threats that had been made earlier to kill passengers, uncertainty over fuel levels and reports of technical problems.

The plane landed at Stansted at about 2 am on Monday 7 February. Contingency plans were activated and Essex police took control of the incident. I should like to pay tribute to the patience, skill and professionalism of the police and all those who supported them to bring this dreadful incident to a peaceful conclusion. I believe that those sentiments are shared by the whole House and the country.

Eight hostages were released on Monday and another man left the aircraft on Tuesday. Four crew members also managed to escape from the cockpit on Tuesday. A fifth crew member was ejected from the aircraft early on Wednesday. Then, at 3.30 this morning, 85 more people left the aeroplane, followed at 5.45 am by the remainder on the plane.

It had been agreed that two of the hostage takers would leave the aircraft for a face-to-face discussion with the negotiators before the remaining hostages were released. No clear political demands were made at that meeting or at any other time following the plane's arrival at Stansted, although statements were made to the negotiators about the political situation in Afghanistan.

Hijacking is a very serious terrorist offence in this country and in all other countries that are signatories to the international conventions against hijacking. A total of 19 people so far have been arrested by the Essex police. The House will understand why I cannot at this stage go into any further detail about the legal process involving them.

All those released from the aircraft are having their health assessed, and a process of interviews is under way. We obviously wish to ensure that those who were taken hostage are able quickly to return to their homes in Afghanistan. We are making arrangements accordingly.

There has been considerable concern about whether this hijacking was an attempt to seek political asylum in this country, both in respect of the hijackers and any accomplices, and in respect of some of the other passengers on board.

Let me first make it clear that in the talks that led to the peaceful ending of this hijacking, no undertakings of any kind concerning asylum or any other matter were given by representatives of the British Government. The surrender from the plane was unconditional.

Of the 165 people on board, 60 have so far told immigration officers that they wish to apply for asylum, together with an additional 14 dependants. Most of the remainder have yet to make their wishes known.

Like other countries, we are bound by international conventions relating to refugees, but we are also bound by the clearest international obligations to prevent and deter hijacking. I must tell the House that, as a matter of public policy, I believe that the clearest and most unequivocal signals must be sent out so as to discourage hijacking, whatever its motive.

In the special circumstances of this hijacking, I have given instructions that I personally will make the determination of any application for asylum made by persons on board the aircraft.

While I must and will act in accordance with the law, I am determined that nobody should consider that there can be any benefit to be obtained by hijacking. Subject to compliance with all legal requirements, I would wish to see removed from this country all those on the plane as soon as reasonably practicable.

There are some striking features about this case. This was an internal flight from the international airport at Kabul to Mazer-e Sharif, a relatively small town with a population of no more than 130,000. In such circumstances, it would seem inconceivable that persons on the flight could have intended to claim political asylum unless, of course, they were complicit in the hijacking.

We condemn all hijackings unequivocally, and I know that this view is shared across the House and the country. We will respond resolutely to any such attempt to use terrorist methods, whether the aim is to advance a political cause or to benefit the individuals concerned.

Miss Ann Widdecombe (Maidstone and The Weald): I thank the Home Secretary for his statement. I understand why I did not receive it until 12.57 pm, although it has made it impossible for me to examine it in some detail. I hope that the Home Secretary will therefore entertain the possibility of a written follow-up to the remarks that I shall make now.

I join the Home Secretary in one thing at least—in congratulating the police and all the others involved on the way in which they have handled a difficult situation and brought it to a safe conclusion. The right hon. Gentleman says that he informed Moscow that the plane should not come to the UK. What were Moscow's own obligations under international law? Will there be any follow-up activity as a result of the plane leaving Moscow and coming here?

Why the United Kingdom? How many countries that are signatories to the European convention on human rights did the plane fly over on its journey from Moscow to the UK? Why did those involved decide to land here

[Miss Ann Widdecombe]

and try to take advantage of our asylum procedures? Is it because those procedures are known to be rather more congenial than some which appertain in other countries which are, nevertheless, still signatories to the 1951 convention and to the ECHR?

The right hon. Gentleman has said that we have a clear international obligation to deter this method of seeking asylum and to deter hijacking. We would all concur with that. Does he consider that one way of discharging such an international obligation is to make sure that our procedures are not noticeably softer than those of surrounding countries?

Does the Home Secretary agree that speed is of the essence in processing these claims? I welcome the fact that he has said that he will take personal responsibility for the decisions. Can he give an idea of the timetable envisaged? If he is able to take personal responsibility for these decisions, will he also take personal responsibility for any undetermined asylum claims arising from previous hijackings? Does he accept that the fact that there are still supposed to be outstanding claims on the part of hijackers who have paid a criminal penalty is not a deterrent for those considering the same method of getting into this country? Will he accept responsibility for those cases as well?

Will the right hon. Gentleman confirm that as far as those who are responsible for the hijacking are concerned, he will place the processing of any criminal action ahead of the processing of any asylum action? Will he confirm that in considering whether asylum is appropriate, we would take into account whether or not people have freedom of movement, such as being on an internal flight; whether or not they have jobs; and whether or not they had freedom to travel to family weddings? Will he confirm that each individual on that plane must, in order to claim asylum, show genuine and individual fear of persecution?

Can the right hon. Gentleman now set out the cost of the operation at Stansted? If not, will he let me know when he will be able to do so? I would be grateful if he would answer those and possibly further questions.

Mr. Straw: As I said to the right hon. Lady behind the Chair, I am sorry that it was not possible to get a draft of the statement to her or to the Liberal Democrat spokesman, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), with the length of notice that I usually give. She will know that I endeavour to provide as much notice as possible—usually two to three hours in advance of my making statements. That was not possible in these circumstances, as I am sure she understands.

Miss Widdecombe: The Home Secretary is an example to the rest of his colleagues.

Mr. Straw: I hope that that is not put on the record. [HON. MEMBERS: "It will be now."] Then I am grateful to the right hon. Lady for her sedentary comment. I will be happy to follow up any further questions that she may have, either in correspondence or on the Floor of the House. I remind her that we have Home Office questions on Monday.

The right hon. Lady asked about Moscow. We continue to examine whether the Russian authorities complied with their international obligations. There are obvious questions about why the Russian authorities did not take steps to disable the plane so that it could not take off, which is standard practice in respect of any plane that lands where the intention of those on board has been to hijack it. Representations will be made to the authorities in Moscow, as appropriate, by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs.

The right hon. Lady mentioned speed in respect of processing claims. I accept the need for that, and special arrangements have been put in place to ensure that the claims are processed as quickly as possible. My written instruction to the immigration service that I make the decisions on the initial determinations is part of that, although she will understand from her knowledge of immigration law that there are other processes as well. However, I intend to take the initial decision personally and as quickly as I can.

The right hon. Lady asked about undetermined claims arising from previous hijackings, but I advise her not to go down that route if she has any knowledge of what happened following the 1982 hijacking. It took place under an Administration whom she supported, although she was not a Member of the House at the time. I draw attention to the fact that the Opposition supported the Government when there was a hijacking in 1996 and I hope and believe that such support will be forthcoming in these circumstances.

As for people who are complicit in serious criminal acts and then seek to claim asylum, I draw the right hon. Lady's attention to the fact that article 1F of the 1951 convention relating to the status of refugees provides clear exemptions from the consideration of any application for asylum in respect of those who are convicted of or suspected of being involved in certain criminal acts. There are also provisions under article 33 for the exclusion of individuals involved in other matters. Either of those articles may well apply in this case. There are other striking features to the case in addition to the fact that the flight was internal and to a relatively small town away from the international airport, as I mentioned. The right hon. Lady mentioned factors such as freedom of movement, whether the people involved had money, and what sort of genuine and individual fear they were subject to.

It is too early to give the full costs, but considerable expense is involved in such cases. However, it has been a matter of concern to successive Governments that, wherever possible, such hijackings should end peacefully, as this one thankfully did, but with the full rigour of the law applied to those directly and indirectly involved.

Mr. Bill Rammell (Harlow): I warmly welcome the Home Secretary's statement. Given the proximity of my constituency to Stansted airport, there has been real concern there about the hijacking and enormous relief that it has been successfully and peacefully concluded. Like him, I congratulate the Essex police force on the superb and professional manner in which it conducted the operation. May I ask about the additional costs of the police operation? For whatever reason, it appears that a hijacked plane heading towards Britain tends to head towards Stansted airport. The costs are currently being met locally. Will he give sympathetic consideration to a

special payment to ensure that a national burden and a national responsibility do not fall disproportionately on the Essex police authority?

Mr. Straw: I fully understand my hon. Friend's concerns and those of his constituents. It is not possible for the right hon. Member for Saffron Walden (Sir A. Haselhurst), the Deputy Speaker, to intervene on the Floor of the House, so would you, Madam Speaker, allow me to refer to his concerns? I have been in touch with him. He has been very anxious indeed and has spoken about the hijacking on behalf of his constituents. We are all aware that the remarks of those in the Chair are circumscribed, but I am fully cognisant of the concerns of the right hon. Gentleman and my hon. Friend about the hijacking's effect on their constituents and on the Essex police.

My hon. Friend asked about the costs that Essex police have had to bear as a result of the hijacking. As I said to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), it is too early to say what those costs are, but the Police Acts provide for making an application to the Home Office for an exceptional payment to cover such costs. I would consider such an application sympathetically.

Mr. Simon Hughes (Southwark, North and Bermondsey): I begin by joining in the tribute to Essex police and by paying tribute to the other public servants in the health service and the emergency services, and to the Home Secretary and his officials for the way in which the matter has been tackled and resolved peacefully.

It is appropriate to reconsider two international issues. The first is international responsibility when a plane first lands and is not passed on. The Home Secretary dealt with that point. Secondly, if crew members are involved in a hijacking, international regulations should preclude them from being crew members anywhere again.

Will the Home Secretary make it clear where responsibility lies from now on—that the prosecuting authorities, independent of the Home Office, will tackle criminal activities; and that the immigration authorities will deal with any asylum applications under rules that apply to everyone else? If the Home Secretary intends to make a practice of calling in asylum or immigration applications, as he did in the Tyson case and as he intends to do in this hijacking case, we should have rules to govern that, just as we have rules for calling in planning applications. That would be preferable to the Home Secretary's simply being able to pick and mix. Under such a system, people would not know whether they would receive special fast treatment from the Home Secretary or normal treatment from someone else.

Mr. Straw: I am grateful to the hon. Gentleman for his tribute to the police and others involved in peacefully resolving this terrible hijacking.

I accept the hon. Gentleman's point about international responsibility when a plane first lands. My right hon. Friend and his colleagues and officials in the Foreign and Commonwealth Office are urgently considering the matter. Clearly, it is worrying that the Moscow authorities allowed the aeroplane to be refuelled and to take off. A threat arises when a plane is first hijacked; it continues, and the responsibility is passed on to other countries. However, all countries must accept their international obligations; if we are told that a plane is going to land, it would be a breach of our international obligations and utterly irresponsible if we prevented it from doing so. It would lead to loss of life, not only of those on board but of those who lived in the surrounding area.

In reply to the right hon. Member for Maidstone and The Weald, 18 hijackings involving a European Union country occurred in the 1990s and the first year of the new century. Only two have taken place in the United Kingdom, one in 1996 and one this year.

The hon. Member for Southwark, North and Bermondsey mentioned crew members. In my judgment, any crew members found guilty of involvement in a hijacking should be banned from further employment with aircraft.

As the House knows, prosecution decisions are not a matter for me, but for the Attorney-General, the Director of Public Prosecutions and the Crown Prosecution Service. The analogy that the hon. Gentleman made between asylum applications and the powers of my right hon. Friend the Deputy Prime Minister to call in a planning application was slightly eccentric. There is no such parallel. There is also no direct parallel between my direct powers in respect of asylum seekers and the provisions of immigration legislation for entry into the United Kingdom. The law clearly states that the Home Secretary makes all decisions about applications for asylum. Given the fact that there are more than sufficient to fill my box every night, I cannot make all those decisions personally. However, I believed that, in this case, it would have the approbation of the House if I made it clear that I would make the decisions personally.

Mr. Robin Corbett (Birmingham, Erdington): I echo the praise given to Essex police, to all who worked with them for a peaceful resolution of the hijacking, and to my right hon. Friend, his colleagues and staff. The events persuade me that it may be time for us to re-examine the 1951 convention, which was drawn up in totally different circumstances, to take better account of the great changes in international terrorism and hijacking.

Mr. Straw: I am grateful to my hon. Friend, who is the Chairman of the Select Committee on Home Affairs, for paying tribute to the police and others. On the 1951 convention, his point has a great deal of merit. The simple fact is that the convention was drafted and agreed half a century ago in very different circumstances, before mass air travel, before there was much greater ease of travel across land borders and before the development of the criminal terrorist activity of hijacking.

As I have made clear, we are faced with a clash of international obligations and public policy: obligations in respect of refugees, and the clearest possible obligations in respect of the prevention and deterrence of hijacking and other international terrorism. I have made it clear where I believe the balance must lie.

Mr. Simon Burns (West Chelmsford): I add my tribute to Essex police for the fantastic and difficult job that they have had to do over the past few days.

First, in relation to the comments by the hon. Member for Harlow (Mr. Rammell), if the county of Essex makes an application for funding at the right time, will that be

[Mr. Simon Burns]

full funding of the costs of operations? Secondly, when we have advance notice that a plane is coming to this country as a result of a hijacking, why does it go to a commercial airport rather than to a military airfield, where it might for security reasons be easier to protect, after and deal with the people involved?

Thirdly, there are rumours in Essex that, during the time it takes to determine any applications for asylum, councils in Essex will be expected to house those people who have been involved in the hijacking. I should be grateful if the Home Secretary confirmed whether that is correct, or whether the Home Office will make alternative arrangements. How will the councils in Essex be able to find the necessary accommodation, given the pressure on local authority and housing association housing and the costs involved?

Mr. Straw: On the hon. Gentleman's first point, I have no doubt that Essex police will make an application for full funding. He will understand that I will look at it sympathetically, but I plainly cannot prejudge it. However, I have made it clear by my actions over the recent past that, where an application for additional funding because of exceptional circumstances is well based, I am ready not only to give it sympathetic consideration but to make a contribution—in some cases, a full contribution—to the additional costs involved.

The hon. Gentleman asks a question that I know is in the minds of many people, particularly those in the area around Stansted, which includes his constituency: why could the aircraft not have been sent to a military airfield? Much consideration has been given to that issue by successive Governments. I ask him to accept two points. One is that it is in the nature of things that only short notice is given that hijacked planes are about to land. The second is that successive Governments have judged that arrangements that have worked satisfactorily are likely to work satisfactorily in similar circumstances.

The hon. Gentleman asks about the councils in Essex. We have not finalised the details, but my full intention is to ensure that responsibility for housing any of the asylum seekers is dealt with directly by the immigration and nationality directorate of the Home Office, rather than by local authorities in Essex. I cannot give an absolute guarantee on that but, if there is any change, I will ensure that he and other Essex Members are informed immediately.

Mr. Denzil Davies (Llanelli): My right hon. Friend has told the House that he personally as Secretary of State will take decisions in respect of asylum seekers. Will he confirm that should asylum seekers, or some of them, be refused asylum and therefore be subject to deportation, the normal appeal procedures will still apply?

Mr. Straw: Normal appeal procedures obviously still apply, because that is the law of the land. But the nature of any appeal depends on the circumstances of any refusal and the country to which asylum seekers are to be returned.

Mrs. Eleanor Laing (Epping Forest): I thank the Home Secretary for his answers to the questions by my hon. Friend the Member for West Chelmsford (Mr. Burns) and the hon. Member for Harlow (Mr. Rammell), with whom I find myself unusually in agreement because of the close proximity of my constituency also to Stansted airport. It is good news that the Home Secretary will look favourably upon applications by Essex police for financial assistance, because in a situation like this, a tragic national and indeed international incident, it would be quite wrong for the people of Essex in one way or another, through the costs of housing, the police and other costs, to bear the full financial burden. Will the Home Secretary join me in congratulating the managers of Stansted airport, who have also acted commendably throughout this incident and have been most assiduous in keeping local Members of Parliament informed about what is going on?

Mr. Straw: I commend the hon. Lady's intervention. I know her constituency very well, since I was born and brought up in it. My concern for the people of Essex is second only to my concern for the people of my constituency. Of course, the people who live around Stansted airport have already had to suffer very considerable inconvenience and anxiety as a result of this hijacking.

I am glad that the hon. Lady mentioned the manager of Stansted airport and his staff, because the administration of the airport has been magnificent in very difficult circumstances. I add my own tribute to the managers and staff, not only of the airport but of all the airlines and others associated with the airport, who have managed to keep services going, broadly speaking, despite this terrible hijacking.

Fiona Mactaggart (Slough): I add my congratulations to those who have acted with courage and good sense in Stansted—the police and others. Is there any risk that my right hon. Friend's personal involvement in determining any asylum claims may complicate appeals that people may seek to make? Can he assure the House that any appeals will be dealt with swiftly? Can he also give an estimate of how long it might take someone to appeal in this case?

Mr. Straw: It is by no means unheard of for Ministers to make final, but initial, determinations in asylum cases. The law is very clear that all decisions in asylum cases made initially are made by the Secretary of State, so it is not as exceptional as people may imagine. As I have already made clear, I will act strictly in accordance with the law and look at the circumstances of each case. I have also made clear the overall framework within which I shall do so. It is right that I should do that, but in no way would that lead to any compromise of any discretion, which I am bound to exercise in such a case. Appeals obviously depend on the circumstances of any decision. I do not want to speculate further, except to say that we are seeking to put in hand arrangements so that any further adjudications happen as quickly as possible.

Mr. Deputy Speaker (Mr. Michael Lord): I call Eric Pickles.

Mr. Eric Forth (Bromley and Chislehurst): I very much welcome the Home Secretary's robust—

Mr. Deputy Speaker: Order. I call Eric Pickles.

Mr. Eric Pickles (Brentwood and Ongar): It is a great pleasure for me to follow the Back Bencher of the year.

I should like to associate myself with the comments of my hon. Friends the Members for West Chelmsford (Mr. Burns) and for Epping Forest (Mrs. Laing) and the hon. Member for Harlow (Mr. Rammell). We owe a great debt of gratitude to the staff of Stansted, who have experienced two really important crises in the past few months and handled both very well. The first was the crash over Christmas. Their response has been remarkable.

May I return to the narrow point of who bears the cost? I realise that the Home Secretary will be sympathetic and reasonable—which is wonderful—but, as he said in his statement, this is part of a national contingency, and I do not think that we should rely on him using his discretion. Provision for events such as this should be made as a matter of course, which would relieve much of the current anxiety in Essex.

Mr. Straw: I am glad that we have solved the problem of which Eric wished to speak. I was perplexed about the possibility that the right hon. Member for Bromley and Chislehurst (Mr. Forth) had moved constituencies—[HON. MEMBERS: "Again!"] I believe that the chicken run has been deferred for at least another year.

I know the area represented by the hon. Member for Brentwood and Ongar (Mr. Pickles) nearly as well as that represented by the hon. Member for Epping Forest (Mrs. Laing). I know that many people who work at Stansted airport live in the hon. Gentleman's constituency, and that most people in Essex have used the airport's excellent facilities.

Let me return to the issue of cost. I do not want to make a political point, but the structure of police funding has continued under successive Administrations. In the first instance, individual territorial police services provide the facilities; then there is provision for applications to whoever happens to be Home Secretary. I do not think I could make it clearer that I will view applications sympathetically, and the sooner they are submitted to me, the sooner I can make a decision.

Mrs. Alice Mahon (Halifax): I condemn out of hand the terrible crime of hijacking, and join others in congratulating not just the Essex police, but my right hon. Friend on the way in which a very difficult affair was handled.

My right hon. Friend has difficult decisions to make. When making them, will he keep in mind the odious nature of the Taleban regime, which has eliminated women's rights and murdered and tortured its own citizens on an hourly basis? Before making those decisions, will my right hon. Friend engage in talks with other countries where there are movements opposed to the Taleban—such as Afghans in exile—to establish whether they will take these people, before sending them to certain torture and death?

Mr. Straw: Any decisions made by me will be made in accordance with the duties imposed on me, and will take account of, among other factors, the circumstances in Afghanistan as they are shown to relate to the individuals seeking asylum, and then the wider circumstances in which those individuals came to apply for asylum.

I think I have made it clear that the issue of removals may relate not to removals to Afghanistan itself, but to neighbouring countries.

Mr. David Maclean (Penrith and The Border): I thank the Home Secretary for the robust content of his remarks, and also for their robust tone. He may be the first Labour Home Secretary in history who sounds more right wing with each year in the Home Office, rather than the reverse.

Without prejudicing the quasi-judicial position in which he is placed, the Home Secretary gave us the clearest possible hint that the whole thing may have been an outrageous scam. He will have to make tough judgments in the future. Does he accept that he will have the support of not just Conservative Members, but most people in the country, if he brings about legislative changes to ensure that if the country experienced a similar scam in the future, the perpetrators would receive long sentences and the so-called hostages would be given food, water and medical treatment, and then be sent home to their loved ones on the first available plane?

Mr. Straw: If the right hon. Gentleman will excuse me, on this occasion I shall not accept the bouquet that he has so generously offered me. It is the lot of Home Secretaries to be subject to comment from this side or that, according to the issue, and it is perfectly possible that, when we come to debate the Sexual Offences (Amendment) Bill, the right hon. Gentleman will be saying exactly the opposite.

On legislative change, the provisions of the criminal law are very severe indeed on those who can be proved to have been either directly involved in hijacking or complicit in one way or another in hijacking and other terrorist offences.

There is a wider issue, on the 1951 convention, and I have already offered the House my opinion on that in reply to my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett), the Chairman of the Home Affairs Select Committee.

Mr. Jimmy Hood (Clydesdale): I add my compliments to the police and special forces on their excellent work. However—why Stansted? I have not heard a satisfactory answer to why it was chosen. We have an air force base at Brize Norton, which I should think could have been isolated much more easily and without bringing the problems associated with a hijacking to a commercial airport. Was Brize Norton considered as an alternative for dealing with the hijacking? If not, why not?

Mr. Straw: I hope that my hon. Friend will excuse me from ventilating too far the reasons why such an airport is appropriate. However, I should say that when air traffic control is told that there is an aircraft in the sky, that people on board are seriously armed with guns, grenades and possibly explosives, and that it wishes to land, there is not a great deal of time to make decisions. Quick decisions have to be made, not least on the basis of contingency arrangements that are put in place. On the basis of such considerations, the plane landed at Stansted.

Mr. Douglas Hogg (Sleaford and North Hykeham): I should like to raise with the Home Secretary the issue of consequences and penalties. First, on penalties, he has

[Mr. Douglas Hogg]

already made the point that hijacking is capable of attracting a very serious sentence of imprisonment—life. He will know that, broadly speaking, I am against minimum mandatory sentences. However, in the case of hijacking, is there not a powerful case for saying that there should be a substantial minimum mandatory sentence? A minimum sentence of 10 years strikes me as appropriate.

Secondly, on consequences, may I reinforce the suggestion, which has been made on both sides of the House, that participation in hijacking should be a total prohibition to the granting or obtaining of political asylum, and that that should be made explicit? If it requires a change to an international convention, we should play our part in obtaining that change.

Mr. Straw: I know the right hon. and learned Gentleman's general views on minimum mandatory sentences. I also certainly would not argue against his proposition that the type of figure that he has in mind would be the least that the public and the House would expect in circumstances in which the courts judge that someone has been seriously involved in hijacking. As there have been very few occasions when people have been sentenced for hijacking, I do not have in mind the type of sentence that has been passed, but I am aware that the sentence may have been more than 10 years in some cases and less in others.

On participation in hijacking, as I told the House, article 1F of the 1951 convention already provides that the asylum application of those who are convicted of, among other things, serious criminal and terrorist offences cannot be entertained. There may be a need for the convention to be amended not only as the right hon. and learned Gentleman suggests, but more widely. We shall certainly consider that.

Mr. Michael Jabez Foster (Hastings and Rye): I congratulate my right hon. Friend on his determination to deal with the matter as expeditiously as justice allows. He offered some succour to the people of Essex in determining where those folk may have to remain in the mean time, but I am sure that he will also have some sympathy for the people of Hastings and Rye, who have 900 asylum seekers in a small part of my constituency that contains only 3,000 local inhabitants. That situation was not made any better by the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who visited my constituency last week and made comments that were of no help at all. Will my right hon. Friend assure us that the new powers available under the Immigration and Asylum Act 1999 that allow for dispersal will be used and that he will take account of areas that already have significant numbers of asylum seekers?

Mr. Straw: My hon. Friend will know that I am familiar with his constituency because my father lives there. *[Interruption.]* I think that we have covered the whole of my family this afternoon. I am aware of the pressures on my hon. Friend's constituents and of his concerns on their behalf. The arrangements that we have put in place in the Immigration and Asylum Act 1999 provide for national dispersal of asylum seekers, not least to relieve the pressures on London boroughs and a number of towns in Kent and around the south coast, including Hastings.

Mr. John Wilkinson (Ruislip-Northwood): The Home Secretary said that the aircraft made intermediate stops at Pakistan, Kazakhstan and Russia before landing finally at Stansted. Intervention by the Foreign Secretary on his forthcoming visit to Moscow may be all very well, but we need concerted action by the International Civil Aviation Organisation in Montreal to ensure that no nation permits hijacked aircraft to proceed blithely on their way. It is all very well to talk about getting the Russians on board, but we need a total international ban.

Mr. Straw: I know of the hon. Gentleman's expertise on air transport issues. He has made a strong point and I shall ensure that his comments are passed on to my right hon. Friend the Foreign Secretary.

Mr. John McDonnell (Hayes and Harlington): All fair-minded people understand the complexity of the decisions that my right hon. Friend now has to take, particularly hon. Members who have an airport in their constituency. I hope that the incident will not be dragged into the current racist campaign that some parties are waging against asylum seekers. We need to weigh the import of our actions and words on such issues carefully. Two weeks ago in my constituency a 49-year-old Lithuanian was about to be deported, but he was too distressed to be accepted by the airline. He was found hanging at Harmondsworth detention centre the following morning.

Mr. Straw: I accept what my hon. Friend says. There is a conflict of international obligations on the issue and it is difficult to judge where the public interest lies. I have thought about the issue carefully and believe that the need to prevent and deter hijacking and other forms of international terrorism must be paramount. Nobody should benefit, including those from countries with considerable political instability. Such terrorist actions must not be allowed to continue.

Mr. Mike Hancock (Portsmouth, South): For a plane of that type to fly the 2,000-odd nautical miles from Moscow to London would take more than three hours. When were United Kingdom authorities properly informed that the plane intended to land here? Did those on the plane request to land in other countries during the flight from Moscow? If so, which countries refused permission? The plane landed three times before it ended up in the UK. All three of those countries have regular flights to the United Kingdom. Is it not time that we said that those flights will not be permitted to land here if those countries are not prepared to accept their obligations under the law—obligations that all three have signed up to? That is the only way in which hijacking will be outlawed completely.

Mr. Straw: I understand that we were given three-quarters of an hour's notice. On the second part of the hon. Gentleman's question, my understanding is that inquiries were made by the pilot in respect of possible landings at two other airports in Europe, but that no formal requests to land were made in respect of those

other airports. On the hon. Gentleman's wider point, we will make clear the need for all signatory countries of the international conventions against hijacking properly to accept their obligations at the acute point where they arise.

Mr. Gerald Howarth (Aldershot): If the Home Secretary has any relatives in Aldershot, he will know that they will warmly welcome his robust attitude to the problem and, especially, his recognition of where Britain's best interests lie in terms of the conflicting international obligations to which he has referred. If he is to exercise his discretion in the case of those asylum applications—and I hope that he will send out the clearest possible signal that they will not be accepted, otherwise he will encourage further hijackings—it is imperative that the courts do not seek to undermine his judgment in the matter. He is at least accountable to the House, and through the House to the people of Britain, whereas the judges are not.

Mr. Straw: I have no relatives in Aldershot, so far as I am aware. I have made it clear that I have to make my decisions subject to the law and in accordance with the framework of the law. It happens that as a result of decisions made by this elected House, there are rights of appeal in certain circumstances for those who are refused applications relating to immigration and asylum, and those decisions are made ultimately by the courts. It is plainly not possible in current circumstances for that framework to be changed suddenly.

Mr. Eric Forth (Bromley and Chislehurst): As a former Brentwood councillor, may I join my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) in welcoming the Home Secretary's intention to be robust in this matter? I am sure that people throughout the country will be reassured by that. Is the Home Secretary worried about why it was that the destination of choice of the people on the aeroplane was the United Kingdom? Does he know why that was the case? Is he worried that we may have been seen as a soft touch? If so, will he bear in mind that people in this country and abroad need to be given unequivocal signals from the Home Secretary and the Government that this country will not be a soft touch and should not be regarded as a destination of choice in any remotely similar circumstances in the future?

Mr. Straw: I was more than worried that this country was the destination for the plane; I was deeply concerned that it was the destination and that innocent people's lives were at risk, and I was angry about the hijacking itself, a sentiment that has been expressed by everyone else concerned. I do not believe that the language that the right hon. Gentleman has used today is appropriate. As I have said, in the past 11 years there have been 18 hijackings across Europe. It happens that two of those, including the one that concluded today, have ended up in the United Kingdom, and the other 16 have taken place elsewhere in the European Union. It is incumbent on all civilised states to ensure that as many measures as are practicable and possible are put in place to prevent and to deter hijacking.

Miss Anne McIntosh (Vale of York): The fact that the record of Britain's skies and airports has been so comparatively safe over the past 18 years means that this week's hijacking has sent shock waves throughout the United Kingdom. Stansted airport is familiar to me and, indeed, I travel between my constituency and Westminster through that airport. I know also that many of my constituents set off on holiday from that airport, and several of them have rung up today to ask for a robust interpretation by the Home Secretary of the international conventions that apply, for the reason given by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). It would be deeply worrying if Britain were to be seen as an easy option, perhaps even within the European Union, for hijackers.

I pay tribute to the Essex police and emergency services, those who work in and use the airport, and those who live nearby, who have had a tense time over the past three months, because of the Korean Air disaster and the hijacking. While a peaceful solution was reached on this occasion, it is acutely important that we are not seen as an easy option for future hijackers.

Mr. Straw: I do not want to rehearse the discussion that took place last Wednesday, a week ago, about our asylum situation. The fact is that we are not an easy option. As the Immigration and Asylum Act 1999 comes into force, we are putting into place very robust arrangements which, in any analysis, are more robust than those which were put in place in 1996. Of course I accept that we have to be robust; we have to send out the clearest signals that we are not entertaining hijackers in this way, and that is what we are seeking to do.

Mr. Andrew Robathan (Blaby): I do not want to embarrass the Home Secretary by heaping further praise on the firm line that he has taken today. However, I was particularly impressed when he said that the criminals—the hijackers—must face the full rigour of the law. I also noted that he said that he would be sending people back to Afghanistan, or possibly that area, as soon as is practically possible. The hijacking took place in Afghan air space, of an Afghan airliner, with Afghan people. The crime was committed in Afghanistan. Will the right hon. Gentleman therefore confirm that in his discussions with Law Officers, he will be looking at returning the criminals as soon as possible to the place where the crime was committed?

Mr. Straw: Under international obligations, it is a responsibility, as I understand it, for those who are directly subject to the hijacking to take appropriate criminal action. Therefore, it falls initially to the Essex police, not the Afghan authorities, to take action in this case. I am clear that that must be the appropriate course of action.

As far as removals are concerned, I spoke about removals from this country. Precisely the country to which people are removed remains to be determined.

Points of Order

2.7 pm

Mr. John Wilkinson (Ruislip–Northwood): On a point of order, Mr. Deputy Speaker. May I refer you to early-day motion 340 in the name of the hon. Member for Islington, North (Mr. Corbyn) and other hon. Members about Senator Pinochet? You will recall, Mr. Deputy Speaker, that in October 1998, shortly after the Senator's arrest, the hon. Member for Cynon Valley (Ann Clwyd) put down an early-day motion applauding that arrest, or words to that effect, and I tabled an amendment saying that the appropriate jurisdiction for consideration of the matter was the senator's own country, Chile, to which he should be returned at the earliest possible date. Madam Speaker declared then that such an early-day motion was strictly outside the regulations of the House because the matter was sub judice.

The terms of early-day motion 340 refer to the medical examination of the senator, undertaken at the behest of the Home Office, and the fact that the results of that examination are secret, and also to the Government of Belgium, which is a party to the current action in the High Court. Is it not, prima facie, the case that early-day motion 340 is strictly out of order and should be withdrawn from the Order Paper?

Mr. Deputy Speaker (Mr. Michael Lord): I noted the point of order that the hon. Gentleman has raised with regard to the matter being sub judice. All I can say is that I think that this matter should be given more careful consideration.

Mr. Nigel Evans (Ribble Valley): On a point of order, Mr. Deputy Speaker. During Business questions the Leader of the House inadvertently misled the House when she asserted that the Conservative group on the Welsh Assembly was prepared to go into some form of coalition with the nationalist party, Plaid Cymru. I have spoken with the leader of the Conservative group, Nick Bourne, who assures me that the Conservatives would not be prepared to form such a coalition.

Mr. Deputy Speaker: Order. Those kinds of arrangements are not a matter for the Chair.

Orders of the Day

Sexual Offences (Amendment) Bill

Order for Second Reading read.

2.9 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

The Bill is based on the principle of equality before the law. It also provides added protection for the vulnerable. I am deeply committed to the Bill, although the Government and, I believe, the Opposition regard it entirely as a matter for a free vote according to individual conscience, rather than a matter for the party Whips.

I am saddened that yet another year has passed without this reform on the statute book. The House has endorsed the principle of equality not once but twice. We included child protection measures as part of the Bill last year and asked the other place to agree. Regrettably, it has rejected the Bill. It has opposed equality and failed to support—indeed, even properly to consider—the child protection measures.

Mr. Desmond Swayne (New Forest, West) *rose—*

Mr. Andrew Robathan (Blaby) *rose—*

Mr. Straw: I shall give way later, but should like to make some progress first.

That was not a noble cause on which to oppose the will of the elected Chamber. I am sad at the delay that the Lords' opposition has caused, and at the need to reintroduce the Bill with, if necessary, the use of the Parliament Acts.

Whether or not the Bill is a matter of conscience, its issues have been considered several times by the House. Last year, we sent it to the other place with our overwhelming endorsement. We have had three separate votes on the Floor of the House, spending more than 13 hours in debate. In each vote, a majority of more than 180 favoured the Bill. In the debate on clause 1—on the equalisation of the age of consent—the Committee of the whole House voted in favour by a majority of 204. In addition, the clauses on abuse of trust received 10 hours of discussion in Committee Upstairs.

Mr. Swayne: The principle that underlies the Bill is that young men of 16 are sufficiently mature to be able to make an informed choice as to whether to enter into a homosexual relationship. However, the Bill's second provision is that they must be protected from people with whom they might enter such a relationship and with whom they should properly share a relationship of trust. Surely the second provision bears testimony to the falsehood of the first. Those two propositions cannot both be true. They are mutually exclusive.

Mr. Straw: The first proposition is whether we should equalise the age of consent. We could decide to equalise at 12, as happens in some European countries, or at 14, 18 or 21. My judgment, which I hope the House shares, is that we should equalise at 16. The second issue affects

people aged between 16 and 18. I should correct the hon. Gentleman's small slip in assuming that the provisions on abuse of trust apply only to male gay relationships. In fact, they apply to relationships of any kind.

Miss Ann Widdecombe (Maidstone and The Weald): Will the Home Secretary give way?

Mr. Straw: I am in the middle of giving an answer to the right hon. Lady's hon. Friend. If she will hang on a moment, I shall come to her.

The second proposition before us concerns the circumstances in which people aged between 16 and 18 should be able to trust another person—specifically in a professional situation—but that trust can be abused. Our judgment is—although it is a matter for a free vote—that that position could be abused. For example, teachers or social workers in residential homes have considerable power over those aged between 16 and 18, as well as younger people, and it is possible that they could abuse that trust. That is our argument.

If the right hon. Member for Maidstone and The Weald (Miss Widdecombe) still wishes to ask a question, I shall happily give way to her.

Miss Widdecombe: I am grateful to the right hon. Gentleman for his courtesy. He said that we could decide on equalising at other ages. Will he confirm that, even if the House wanted to do that, he is giving us no opportunity to do so through the procedures under which we are debating the Bill? We will not have an opportunity to amend the Bill. We must take it or leave it.

Mr. Straw: I will not confirm that. Ministers propose, but the House disposes. If the House reaches a different view from that which I invite it to take, that is the end of that. The majority of the House is, I think, of the opinion that the Parliament Acts fall to be used in this case. The House has taken a view on the merits of the Bill not once or twice, but three times. The Parliament Acts can be used only if the Bill presented a second time is identical to that which was rejected by the other place on the first occasion. That is an argument in favour of the proposition before the House, and it is up to the House to decide whether to accept that proposition.

Mr. Robathan: Will the right hon. Gentleman give way on abuse of trust?

Mr. Straw: I shall give way to the hon. Gentleman later, but I want to make some progress.

For me, the central issue before us is one of equality, of seeking to create a society free from prejudice in which our relationships with others, including strangers, are based on respect, not fear. When I was a young man, homosexual acts between two men were unlawful, criminal offences attracting a penalty—can we now believe this?—of up to life imprisonment. What did such harsh criminalisation achieve? Let me answer that by saying, first, what the criminal law utterly failed to achieve: it failed to achieve the elimination, or reduction, of gay sex. There were probably as many people who were homosexual then as there are today, but while heterosexual people could enjoy sexual relations in peace, those who were homosexual lived in fear—fear of exposure, and of the misery that comes from having to live a lie. Our society suffered too, for it lived a lie as well, and dealt with that lie by institutionalising hypocrisy, pretending that everyone was heterosexual, while knowing that many people were not.

Criminalising gay sex in private for those otherwise above the age of consent did not protect those of us who are heterosexual, but it deeply scarred many who were not allowed to come to terms with their own sexuality, in peace and with respect from others.

It is worth recalling another discriminatory aspect of the law, which explains why the Bill is necessary at all. The Offences Against The Person Act 1861, which created the modern offence of buggery, made a sexual relationship between two males a criminal act, but sexual relations between two females were not then, and have never been, specifically criminalised. The law has never criminalised all same-sex relationships—only those between males. In time, that led to the anomaly that the age of consent for sexual relations with females was 16, but between males it was set at 21 in 1967, and at 18 in 1994.

I wish that we had moved then to 16, but we did not. Subsequently, a challenge was made under the European convention on human rights and, by 14 votes to four, the Commission—not the Court—found that our law was discriminatory.

In commending the Bill, I would say that it is a moderate measure.

Mr. Robathan: I am grateful to the right hon. Gentleman for giving way and shall not heap yet more praise on him to embarrass him further than we did earlier.

May I return to the child protection measures? I sat on the Standing Committee that considered those matters, alongside the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng). All of us who served on that Committee know perfectly well that the child protection measures are a fig leaf and a load of nonsense. We conducted an investigation into them. Can the Secretary of State confirm that the likely number of prosecutions might be around two each year and that the provisions will make very little difference?

Mr. Straw: I do not accept that. Nor do I accept that the effectiveness of the criminal law can be determined solely by the number of prosecutions that follow from it. If that were so, the hon. Gentleman would be on his feet calling for the amendment of several highly publicised criminal offences created by the Opposition when in Government, although I would not.

Organisations that support equalisation and other measures in the Bill include the British Medical Association, the Royal College of Nursing and leading children's charities, including the National Society for the Prevention of Cruelty to Children, Barnardos, NCH Action for Children, the National Children's Bureau and many others. Those people and organisations are at the forefront of dealing with the serious problems caused by the present inequality in our law.

I have explained clause 1. Clause 2 serves to decriminalise the younger party in male homosexual acts or buggery, if the younger party is under the age of consent and the other party is over the age of consent.

[Mr. Straw]

That clause was not in the Bill when it started out last year. We included it, during proceedings held on the Floor of the House, because we felt, as a House, that the present position was wrong.

A girl under the age of consent is not charged with a criminal offence if she has unlawful sexual intercourse with an older man. That means that she can seek help for sexual or emotional problems arising from her actions without fear of prosecution. The older man cannot blackmail her, through the threat of the criminal law, to keep silent if she is unhappy about her position or feels that she was forced to consent. Those are important safeguards for young people—as important for boys as for girls—and the Bill puts them in place.

Mr. Christopher Gill (Ludlow): The right hon. Gentleman says that he is wholly committed to the Bill and to making buggery legal for people aged over 16. For the benefit of those of us who have led a sheltered life, will he describe the act of buggery so that the House, and the public who are listening to the debate, know exactly what we are talking about?

Mr. Straw: No, I shall not accept the invitation offered by the hon. Gentleman. I wonder whether he understands how much he is detached from opinion throughout the country. Our society should be celebrated for the tolerance that it shows to people who lead a law-abiding life. People want to be allowed to live in peace, within the framework of the law. I happen to be heterosexual, but I could have been born homosexual, or I could have become homosexual. If that had happened, why should I be penalised and subject to the prejudice and abuse that the House has just heard from the hon. Gentleman?

Mr. Gill *rose—*

Mr. Straw: No, I shall not give way. The hon. Gentleman asked me an emotive question and I have replied. He is unwise—simply as regards his representation of his constituents, who are light years away from his intolerance and prejudice—to utter such opinions.

Mr. Gill *rose—*

Mr. Graham Brady (Altrincham and Sale, West) *rose—*

Mr. Straw: I need to make some progress. I have already given way several times and many other Members want to speak in the debate.

The Bill provides a new offence of abuse of trust. We have already referred to that matter, which is also an important child protection measure. We were considering it as long ago as 1998, when the amendment on equalising the age of consent was tabled to the Crime and Disorder Bill. My hon. Friend the Member for Bassetlaw (Mr. Ashton) moved an amendment to create such an offence. When the equalisation amendment was rejected in the other place, we undertook urgently to consider such an offence. That resulted in the measures in the present Bill, introduced last year.

The House will recall that we looked at the new offence in great detail in this place a year ago. Amendments were made to strengthen it; most significantly, following arguments made by Opposition Members, for the increase of the maximum penalty from two to five years. It is in the Bill in the form that we approved after those detailed discussions.

Mr. Joe Ashton (Bassetlaw): My right hon. Friend referred to the discussions held in Standing Committee. During the 10 hours of debate on the Bill, one of the matters that was often raised was the growing menace of pimps and the abuse suffered by 15 or 16-year-old girls and boys who were hooked on drugs. The conclusion was that the penalties for such abuse were not severe enough. We were told that it would not be practical to deal with the matter under this Bill, but an assurance was given that a sexual offences Bill would be drawn up to tackle the problem and alter the penalties. However, there seemed to be no mention of that in the Queen's Speech. Will my hon. Friend give us some information on that point?

Mr. Straw: It is true that there is no such legislation in this Session on the pimping offences described by my hon. Friend. I ask him to bear in mind that the Home Office is carrying a third of the whole legislative programme and that even that great Department of State has limits in its capacity to deal with that, in addition to other matters. I can reassure him, however, that offences relating to pimping and the penalties for such offences are being considered under the review of sexual offences that the Minister of State, Home Office, my right hon. Friend the Member for Brent, South (Mr. Boateng), is undertaking.

Dr. Brian Iddon (Bolton, South-East): Will my right hon. Friend consider an anomaly that could arise in the future? The names of men who have already been convicted of private consensual sex with a 16 or 17-year-old will have been placed on the sex offenders' register. That will extend beyond the enactment of the Bill, and is unjust. Does my right hon. Friend have the power to remove those names from the register when—as we hope—the Bill is enacted?

Mr. Straw: I understand my hon. Friend's concern, but I cannot give him comfort on that point. We cannot retrospectively remove names from the register; that is the obverse of the principle that we do not make criminal offences retrospective. If someone has been convicted of a criminal offence, I do not think that we can rewrite history to suggest that, by virtue of a decision of the House—later than the conviction—such a conviction should be deleted.

The offence of abuse of trust is targeted to protect young people, both girls and boys, who are most at risk or most vulnerable, or where the position of trust is strongest. The circumstances are closely defined to include matters such as residential care, detention and hospitals. They also include full-time education, given the special status of teachers and their well-established position of trust.

Abuse of trust may also occur in less well-defined circumstances, such as leisure, sporting or religious activities. In those cases, the position of trust may be less

strong, the circumstances less clearly defined, and the young person may be less vulnerable. Nevertheless, those points cause concern.

The Government have tackled that problem in two ways. First, the Bill includes an order-making power, so that the House can extend the scope of the new offence at a later date by affirmative resolution, if there is evidence of need. Secondly, on 17 September last year we issued all organisations that deal with young people with guidance on how to prevent abuse of trust. There has been a good response to that.

Mr. Gerald Howarth (Aldershot) *rose—*

Jackie Ballard (Taunton) *rose—*

Mr. Straw: I shall give way to the hon. Member for Aldershot (Mr. Howarth) and the hon. Member for Taunton (Jackie Ballard), and then I shall conclude my speech.

Mr. Howarth: I am grateful to the Home Secretary for his courtesy in giving way.

If the right hon. Gentleman will not accept that his claim to protect children wholly flaws the Bill—the argument put by my hon. Friend the Member for New Forest, West (Mr. Swayne)—will he agree that the abuse of trust protection, which he alleges he has put in the Bill, is inadequate? Will he tell the House how he would deal with a situation in which, for example, an 18-year-old prefect in a boys boarding school made advances to a 16 or 17-year-old boy? The prefect would have a position of some power—as a prefect. What protection is offered to children in those circumstances? The measure is disgraceful; it will completely undermine child protection.

Mr. Straw: It is not possible to draft a Bill that would cover every conceivable circumstance. The Bill deals with adults who hold positions of trust in relation to young people aged between 16 and 18.

I do not know much about the hon. Gentleman's background. I attended an all-male boarding school in Essex. Even at a time when the full force of the criminal law applied, circumstances such as those he described were not unheard of in such institutions.

Jackie Ballard: I thank the Home Secretary for giving way.

The right hon. Gentleman listed several organisations that support the Bill. The list did not include any of the teachers' unions. Although those unions support the equalisation of the age of consent, they are opposed to abuse of trust provisions. They believe that such abuse of trust, which we all decry, can be properly dealt with under the profession's disciplinary codes. They do not want it to become a criminal offence for a specific profession.

Mr. Straw: I understand the position of the teachers' unions, but I do not agree with it. It is very hard to argue that those who are in a position of trust, for example, in a children's home, should be subject to the criminal law, but those who are in the position of trust and power—very considerable power—that is exercised by teachers in respect of sixth-formers as well as of younger children—

Jackie Ballard: What about the power of Members of Parliament over researchers?

Mr. Straw: It is a matter of proportion and circumstance. However, I do not think that one can argue that those who are running children's homes should be subject to the criminal law but teachers should not. I say through you, Mr. Deputy Speaker, to the hon. Lady that the potential power that teachers have over those in their care is very, very considerable and that that trust should not be abused. When it is, these penalties are appropriate.

Let me deal briefly and in conclusion with two important issues concerning the Bill. First, I remind the House that the Parliament Acts may have to be used in this case, and it is because they may have to be used that I invite the House—it is a matter for the House—to pass the Bill in an unamended form.

The second issue concerns the impact of the Scotland Act 1998 in respect of this measure. That has created what may be a unique constitutional dilemma for the Bill, as the Scottish elements fall into an area that is now properly the responsibility of the Scottish Parliament. The Scottish Executive therefore requested the Scottish Parliament to consider its position on the Bill. The terms of the motion moved by the Scottish Executive were as follows:

"That the Parliament endorses the principles of equalising the age of consent for homosexual and heterosexual activity and creating a new criminal offence of breach of trust as set out in the Sexual Offences (Amendment) Bill considered by the UK Parliament in the 1998-99 parliamentary session and agrees that the UK Parliament should consider any Bill introduced in the same terms in the current session."

The Scottish Parliament debated that motion in great depth on 19 January 2000. It focused on the principles and content of the Bill and on the constitutional issue. I am delighted to report that it endorsed the motion fully, by 90 votes to 16. That was an overwhelming vote in favour of the Bill. The Scottish Parliament has therefore made it clear that it wants to end intolerance, prejudice and discrimination. It wants the added protections to be put in place. It sees the Bill as unfinished business, delayed because of the prejudice of the other place. It has given us a clear mandate to finish the business, as it should have been finished last year.

Mr. Brady: Will the right hon. Gentleman give way?

Mr. Straw: No.

The Bill is long overdue for the statute book. I hope that the House will again give it the overwhelming support that it deserves, and that we can pass it to the other place. We have had ample discussion on it.

Mr. Brady *rose—*

Mr. Straw: We need to move now to action, to ensure equality and justice, and better protection for our children and young people throughout the United Kingdom.

2.33 pm

Miss Ann Widdecombe (Maidstone and The Weald): As was the case the last time this measure was debated in the House, the Opposition will be having a free vote tonight. The concerns that I shall express are my own, but I know that they are shared by many Opposition Members, and I should be glad if the Minister would address them in his winding-up speech.

My own opposition to the Bill is probably fairly well known. I am glad to have the opportunity to give some of the reasons for my opposition to it, but first I should like to look at the handling of the Bill and raise certain questions about that.

[Miss Ann Widdecombe]

It is very unfortunate that the Government have decided to curtail debate on the Bill. Today will be the only opportunity that Members of the House will have to discuss the matter—unless, of course, amendments are made in another place. However, in the House there will be no Committee stage, no Report and no debate on Third Reading.

Given the interventions that have already been made on the Home Secretary, I should have thought that he would have wished to have seen a much fuller discussion in the House of the adequacy of at least the abuse of trust provisions in the Bill. There should have been an opportunity for concerned Members to table amendments to reflect some of the worries that were raised in the short time for which the right hon. Gentleman was speaking.

Although I acknowledge that the measure has been debated more than once by the House during the current Parliament—and, indeed, in another place—that is not in itself a valid argument for cutting off the proper scrutiny of the House, even if the Government have decided to invoke the Parliament Acts.

On Monday, the Minister of State, the right hon. Member for Brent, South (Mr. Boateng), said in the House that it would be open to another place to suggest amendments to the Bill. However, as my hon. Friend the Member for Aylesbury (Mr. Lidington) pointed out at the time, the Government have denied that opportunity to hon. Members, despite the fact that the Parliament Act 1911 makes provision for the suggestions procedure. Therefore, I wonder whether the procedure that has been adopted is the most wholly appropriate, given the concerns that exist.

For example, I know that my hon. Friend the Member for Vale of York (Miss McIntosh) wished to table an amendment to the Bill, but has been denied that opportunity. That amendment would have addressed one of the concerns that has been raised about the European convention, because it would have equalised the age of consent at 18. The Government should have at least given the House the opportunity to examine that issue, and to examine the arguments for and against which hon. Members might wish to make. If the Government wish to base their argument in favour of the Bill on the fact that the House represents the democratic will of the people, perhaps the Government should have allowed hon. Members from both sides a little more democracy in considering its provisions.

The reason why the Government have resorted to the Parliament Acts is that these measures were rejected after a long debate and very substantial consideration by another place. Similarly, the Government's proposal to abolish section 28 of the Local Government Act 1988 was recently rejected in another place. Perhaps, when the Government reflect on those two decisions, they may come to the view—as I have long come to the view—that the views that have been expressed in another place on both these issues better represent the views of the majority of the people of this country than do the actions of the Government.

There is also the matter of Scotland, which was briefly touched on by the Home Secretary. Clause 7 states that the Bill will extend to Scotland as a pre-commencement enactment, despite the fact that the Scottish Parliament now has full competence in this area. I should be grateful if the Minister, in his winding-up speech, would address some of the issues that arise from that.

Will the Bill, in so far as it concerns what is now a devolved matter, be a unique case, or is the Minister aware of any plans by the Scottish Parliament to amend the provisions of the Bill, if enacted, which it could certainly do? Are there plans for different commencement dates in Scotland, and will it be the Scottish Executive or the Home Secretary who decides on the commencement? Can he confirm that the only reason why this legislation is now to extend to Scotland as a result of whatever will is expressed in the House, is to allow the current Bill to be pushed through unchanged under the Parliament Acts?

I shall now discuss the substance of the Bill. The age of consent is one of the major issues of conscience, and I know that there is a wide range of views on both sides of the House, and that those views are sincerely held. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said during the previous Session, I believe that we should continue to give the protection of the law to vulnerable young people, and very especially to young people in their mid-teens who may not have a fully developed sense of their sexuality. I believe that it is appropriate that the age of consent for homosexual acts should allow for that fact, and I believe, as my right hon. Friend did during the previous Session, that there is widespread support in the country for such a position.

We must, after all, remember that the age of consent for homosexual acts was reduced from 21 to 18 as recently as 1994. I do not believe that issues of equality should override the imperative to protect young people; and it is, in my view, wrong that a young person of 16 should be free in law to embark on a course of action that might lead to a life style that would separate him, permanently perhaps—

Mr. Ben Bradshaw (Exeter): Has the right hon. Lady ever met anyone, gay or straight, who has told her in all honesty that their sexual orientation was a matter of choice? She has just used again the term "life style", which implies that it is a matter of choice. She should know better.

Miss Widdecombe: Whether people choose to practise any particular way of life is a matter of choice. What they are inclined towards may not be, but what they choose to do—heterosexually or homosexually—is a matter of choice. I am never going to contend that heterosexuals have no choice over what they do; that would be a false contention. I will not patronise homosexuals by pretending that they have no choice, either.

Mr. Alan Duncan (Rutland and Melton): We are debating essentially a matter of degree. My right hon. Friend said that it was only a few years ago that the age of consent moved from 21 to 18. Has that made any difference to people's conduct?

Miss Widdecombe: I believe that it probably sent quite a powerful signal. It is not a signal that I want to reinforce or to expand on in the course of any further changes.

Mr. John Bercow (Buckingham): Will my right hon. Friend give way?

Miss Widdecombe: I would like to finish the paragraph as I was in the middle of it. I shall then give

way to my hon. Friend. He came a good second yesterday for the coveted award that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) won.

It is in my view wrong—I stand by that position—that a young person of 16 should be free in law to embark on a course of action that might lead to a life style that would separate him, perhaps permanently, from the mainstream life of marriage and family. In particular, I believe that such a person needs protection from older men.

Mr. Bercow: I hope that my right hon. Friend will forgive me if I say that her response to my hon. Friend the Member for Rutland and Melton (Mr. Duncan) was, to put it mildly, a trifle opaque. Would she be good enough to tell the House to what specific damaging consequences the reduction from the age of 21 to 18 has led?

Miss Widdecombe: I think that that was one of a series of deliberate measures and of practices in society that has led to a signal that there is somehow equal validity between the homosexual life style and marriage and family. That measure was a part of a signal that I personally reject.

As I made clear in my opening remarks, I am aware that some Conservative Members do not share those views, but the views that I am putting need to be put. We have had a clear speech in favour of the Bill—a personal commitment as well as a political imperative—from the Home Secretary. It is right and proper that there should be an opposing speech giving the other point of view. That is what I intend to do.

Several hon. Members *rose—*

Miss Widdecombe: I am now going to move on to the next paragraph.

Most parents, I believe, want to see their children grow up and raise a family. Overwhelmingly—*[Interruption.]* Perhaps people do not agree. Overwhelmingly, that is how most children and young people see their future. I would therefore like to point the House towards a topical argument on the subject and one that I hope will be addressed further in the debate.

I remind the House of the words of the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), when he spoke on the procedural motion. He said that, since the Bill was last considered by the House,

"nothing has changed that would affect the provisions then agreed."—[*Official Report*, 7 February 2000; Vol. 344, c. 89.]

However, at least one factor in the equation has changed. The Government appear, as the Prime Minister restated in the House yesterday, to be fully intent on abolishing section 28 of the Local Government Act 1988. That move by the Government changes the context in which we must view the provisions of this Bill.

If the Government have their way by means of the Parliament Acts or otherwise—and there is no reason to think that they will be persuaded by the arguments made in the other place—we will at once be allowing the promotion of homosexuality by local authorities and reducing the age of consent for homosexual acts so that many who are still at school—indeed, some who have not even taken their GCSE examinations—will be able to engage in such acts.

Lorna Fitzsimons (Rochdale): Will the hon. Lady give way?

Miss Widdecombe: No, I am going to finish my sentence. If the hon. Lady interrupts me again, I will not give way until I have done that. That is the score, so she can choose.

If the Government have their way, not only will 16-year-olds be able to engage in homosexual acts, but local authorities will be able to use public money actively to promote such activity. That point changes the context of the Bill and merits consideration by the House and a wider debate. Therefore, it merits a rather more generous attitude to the Bill's further stages than the Home Secretary has shown.

Lorna Fitzsimons: I thank the right hon. Lady for giving way, and I apologise for not describing her as "right hon." when I asked to intervene.

The right hon. Lady makes her argument, but surely an argument is based on fact. Will she at least admit that, when she was given two opportunities by her colleagues to identify facts that would back up her argument, she failed to do so? She expresses her personal opinion, but there is no hard evidence—figures, prosecutions or any other data—for her view that the Bill is a dangerous move.

Miss Widdecombe: The Bill is a dangerous move because it removes a vital measure of protection for young people from those very young people.

Several hon. Members *rose—*

Miss Widdecombe: There is an embarrassment of riches to choose from, but they all hold the same view. I give way to my hon. Friend in blue.

Mrs. Teresa Gorman (Billericay): On the point that the hon. Member for Rochdale (Lorna Fitzsimons) raised, and in response to the two questions asked by my hon. Friends the Members for Rutland and Melton (Mr. Duncan) and for Buckingham (Mr. Bercow), has not the growth of HIV and AIDS in the past couple of decades been very great? Are we not reasonably entitled to believe that the vast majority of cases are among the homosexual population, as I will argue if I have the opportunity to speak later? That is an example of the downside of such measures, and I hope that that point will be dealt with at length in the debate.

Miss Widdecombe: Indeed, that point is a consideration and I look forward to my hon. Friend expanding on it. I also quote the view that I have received from many teachers and others who say that although some 16 year-olds may be ready to make such decisions, many more are not and they deserve the right to a degree of protection.

Ms Oona King (Bethnal Green and Bow): Will the right hon. Lady give way?

Miss Widdecombe: I will, because I did not do so earlier when she and a number of other hon. Members rose.

Ms King: I thank the right hon. Lady for her graciousness in giving way. Does she agree that if young

[Ms King]

16-year-old boys need protection from predatory males, all the evidence suggests that young 16-year-old girls need that protection more? Does she also accept that we do not choose our genes?

Miss Widdecombe: If the hon. Lady had listened to what I said a moment ago, she will have heard me address that point. I do not think that we give adequate protection to young girls. I have come across in my surgery parents of under-age girls involved in liaisons with older men. Those parents find it very difficult to get the police, the statutory services and everyone else to take that seriously as a criminal act. The point that I made was that there is an extra dimension in the case of young men, who take decisions that might put them permanently outside the mainstream way of life. The hon. Lady may disagree with me, but that is my point. I shall now make progress with the rest of my argument.

We must consider not just the possibility of those in a position of trust abusing their position to take advantage of young people as a result of the reduction in the age of consent, but the likelihood of young people being exposed to, and engaging in, homosexual acts at an age at which they are particularly vulnerable. I am surprised at the attitude of Labour Members—and, to some extent, of those on the Benches behind me—which dismisses the issue of vulnerability and the serious issues that arise from the Bill, even to the point of not allowing further examination of the adequacy of the abuse of trust clause. That is extremely serious. Notwithstanding what happened in the other place recently, the House must consider whether it is right and proper to introduce the two measures concurrently. It is very significant that the Government will probably have to apply the Parliament Act to both measures because those in the other place are vastly more in tune with the wishes of parents and with public opinion than are the Government.

What is being proposed today sends the wrong message to our communities, to teachers and to parents. Most of all, it sends entirely the wrong message to the young people of this country.

Mr. Brady: I am grateful to my right hon. Friend for giving way, not least because the Home Secretary would not allow me to make this point during his speech. Is it not regrettable that although the Home Secretary rightly regards this issue as a matter of conscience for the House, he claims that it is a matter of prejudice when it is debated in the other place?

Miss Widdecombe: Indeed, and it is significant that the Home Secretary probably also considers that everybody who disagrees with him on this issue has a bad case of prejudice, instead of realising that there are extremely serious arguments against what is being proposed and that it is our young people who will suffer if those arguments are not fully tested.

The House should particularly consider whether the offence of abuse of trust will be an adequate safeguard. As my hon. Friend the Member for Hertsmere (Mr. Clappison) said on Third Reading in the previous Session, there is widespread concern that the definition of a position of trust may not be broad enough. Regrettably, because the Government are driven by the need to apply the Parliament Act to the Bill, and because of the procedural motion passed on Monday, there will be no opportunity for hon. Members to examine that proposition further.

In the Bill's explanatory notes, the Government say that they expect the offence will

"act more as a deterrent than result in a large number of actual prosecutions."

Is that a hint that the Government will not seek to prosecute in some instances of abuse of trust? The sharpest deterrent of all would be a guarantee of prosecution where trust had been abused.

I would hope that the Home Secretary, having made much of the new offence and having accepted in the previous Session the arguments for increasing the maximum sentence from two to five years, would assure the House that the police and the Crown Prosecution Service will be actively encouraged to prosecute where necessary.

I said that we do not at present accord sufficient protection to young girls. That is very much due to the absence of will to prosecute and to take measures to protect them. I hope that if we pass the Bill, we will not make the same mistake in respect of young boys.

I recognise that the new offence will provide at least some small safeguard, but I doubt that it is adequate. *[Interruption.]* I am sorry that the Home Secretary cannot pay any attention to what I am saying. I am talking to the House, but hoping that he will listen, about the adequacy of the abuse of trust provisions.

Mr. Straw: My reply to the right hon. Lady is that the provisions are adequate, as I sought to explain.

Miss Widdecombe: The right hon. Gentleman may have been explaining it to his hon. Friend the Member for Manchester, Withington (Mr. Bradley), but he has not explained it to me and he has not listened to my points.

I remain convinced that it would not be right further to reduce the age of consent for homosexual acts when the Government are intent on repealing section 28. The case for further change has not been made today. Those are my views.

Ms Claire Ward (Watford): Will the right hon. Lady give way?

Miss Widdecombe: No.

Hon. Members must use their individual conscience and judgment. I cannot support the Bill. I know that serious issues are arising for young people. This is not a theoretical debate about equality, but a question of how we best protect vulnerable youngsters and ensure that every young person has protection in law against being encouraged to engage in activity that could lead to permanent exclusion from a mainstream way of life.

I am sorry that that strikes no chord with Labour Members. It strikes an immense chord with the many parents who have written to me or visited me and made representations that they feel there is a rush for political correctness that does not take into account the needs of young people and the realities that they face.

2.55 pm

Ann Keen (Brentford and Isleworth): I am grateful for the comments made by my right hon. Friend the Home Secretary about the history behind this legislation, including events in 1994, and in 1998 and 1999, since I have been a Member of the House. We are now in another century. I commend my Government and other colleagues for their support on the crucial issue of the age of consent and equality for young people. I commend my friends on the Opposition Benches who have—bravely, in the present political climate—spoken out on the subject.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) referred at the end of her speech to political correctness. The Opposition seem to regard true political correctness to be intolerance, prejudice and discrimination, and would like that reflected in the law of the land. I have to tell the right hon. Lady that, thankfully, we have become a much more tolerant, progressive society, and will continue to progress. All political parties will continue to strive for greater tolerance.

We are all aware of the bombings that took place last summer in Brixton, Brick lane and, of course, in Soho. None of us could have failed to be shocked, angered and disbelieving that any person could willingly harm members of our community who are considered to be in the minority and different from the norm. We are talking about human beings. We must value all human life equally.

Life was going on that night in Old Compton street. Friends and family—gay and straight—were out for the evening. Some were celebrating a wedding and, sadly, one of the deceased was celebrating the expected birth of a child. They were all enjoying the opportunity to go out and mix on a warm summer night. I know that many colleagues visit those places. I frequently visit all parts of London and enjoy a social life with hon. Friends and, occasionally, colleagues on the Opposition Benches. I often go out with my family and friends. I have referred to a diverse section of society, but it is truly representative of society in this country today.

That bombing sent out shockwaves that were felt by organisations such as Stonewall. They received comments of sympathy, but of course other comments were voiced in the extreme language that people feel entitled to use when there is any inequality in the law. There were cowards who talked of the pleasure that the bomb had caused them. Sadly, I have personal experience of that because a spineless coward who phones me and leaves messages on my answering machine asked me that day whether I would like to come and collect some arms and legs.

We all come across intolerance. We all have to be brave at times and make sure that our friends, neighbours and colleagues are accepted in our society because they are human beings, they are equal and they give to this country, whether through their job, through their academic work or through the way in which they choose to live their life. The public services that acted so bravely after the Soho bombing and the bombings at Brixton and Brick lane—the police, the fire service, the ambulance service, paramedics and health workers in the hospitals—included both gay and straight members among their staff, all offering their knowledge and expertise in dealing with a tragedy.

I was overwhelmed by the messages that were received, particularly from the Prime Minister and the Queen. Together with the Minister of State, Home Office, my right hon. Friend the Member for Brent, South (Mr. Boateng), I visited Soho square. Many of us attended church services. Many religious organisations came together to say how wrong the act was.

To my friends throughout the House, I say that we cannot tolerate the offensive language used in the Chamber and in the other place, and written in tabloid papers such as the *Daily Mail*—language that deliberately scares young people and their families. Switchboards and helplines of gay organisations take calls from young people who have been frightened by articles such as those that have appeared in the *Daily Mail*. We know that to be true.

Like many of my colleagues, I have received in my postbag letters for and against, but the letters of support far outnumber the others. I have heard from people who genuinely did not understand what they opposed. I have had letters from very right-wing "Christian"—the words "Christian" and "right-wing" do not seem to go hand in hand—organisations deliberately distorting the facts of the case and making people afraid. We hon. Members should stand up united and say that we will not tolerate that.

Mr. Gerald Howarth: I am grateful to the hon. Lady for giving way. Is she trying to suggest that those of us who oppose the measure with the utmost vehemence that we can command somehow endorse what went on at the Admiral Duncan pub? If that is what she is suggesting, it is an utter disgrace. However strongly we feel about the argument, I know no one who could endorse such activity. It is an outrage.

Ann Keen: However uncomfortable the hon. Gentleman may feel about my remarks—I understand that many people feel uncomfortable having to listen to such remarks—he should recognise that the language sometimes used in the debate, the scaremongering and intolerance of which I have become aware since entering the House, will breed hatred and contempt.

Mr. Howarth: Will the hon. Lady give way again?

Ann Keen: No, I am sorry. I must make progress. Many hon. Members want to speak.

Blackmail is a crime, and blackmailers love any form of inequality before the law. Young people have been blackmailed not to report abuse. The law as it stands would deter any young person from reporting abuse. The hon. Member for Aldershot (Mr. Howarth) was distressed by my comments about the bombing and about intolerance. I, like many of my hon. Friends and many others outside the House, find it distressing that we are insufficiently concerned about young people being abused. If we vote in favour of equalising the age of consent, the key word for me and many of my hon. Friends is "consent".

During such debates in the House, I have heard some of my colleagues having their personal sex life openly discussed, sometimes with great humour and sometimes causing people to feel uncomfortable. People outside wonder why any adult's sex life should be discussed in

[Ann Keen]

open debate. As a heterosexual woman, I do not recall ever having to explain or justify any of my actions, as long as they were legal and occurred with my consent.

My nursing background helps me to observe and study human behaviour. Some of the human behaviour that I have witnessed can lead me only to the conclusion that some hon. Members and certainly some in the other place get great satisfaction from discussing other people's sex life, using colourful language and distorting the facts. It brings a new dimension to "The Jerry Springer Show" and suggests a new kind of show, in which all sorts of people queue up to confess the things that they like or dislike.

I believe that people's personal sex life is their own, provided that it is conducted with consent. All responsible Members of this House and another place should take that on board.

On the wider topic of health and health care, health is a sense of total well-being—feeling comfortable with oneself, as well as a certain standard of physical health. We know that at least one in six of us suffers from some sort of mental health problem. In our early teens, life is difficult enough. It is pretty difficult sometimes when we are over 50, but not as complicated as it is in our early teens. Young people need the opportunity to be themselves and to discuss who they are.

We do not choose our life style, nor are we taught it. To all those who are worried about section 28, I shall quote from Victoria Coren's "Diary" piece in *The Observer* on 6 February. I wish the thought had occurred to me, but I must give her the credit. She mentions the fears that if section 28 is repealed, young people will be taught to become homosexuals. I agree with her when she comments:

"If that's the case, then why are we a nation of people who can't add or spell when teachers expound the benefits of these every day for 16 . . . years?

And if 'gay lessons' have some special magic power to stick in the young mind, then for heaven's sake let's make the whole syllabus gay! Gay physics, gay geography, gay maths. We'll all be geniuses."

I definitely go along with that.

Health education is crucial. The hon. Member for Billericay (Mrs. Gorman) raised the issue of AIDS and HIV. There is indeed a serious rise in the number of cases, and it is occurring in the heterosexual community, which has become complacent.

The all-party group on AIDS supports the lowering and equalising of the age of consent, as do the British Medical Association, the Royal College of Nursing, NCH Action for Children, Childline, the National Society for the Prevention of Cruelty to Children and Barnardos.

When we want information, we go to the experts. We listen to their advice and read what they have written. Any sensible person makes a judgment on that basis. Why, then, on this issue, cannot we accept the advice of those leading children's and young people's organisations? I should like someone who disagrees to give me an answer. Why do we refuse to accept the advice of bodies such as the British Medical Association, the Royal College of Nursing and the Health Education Authority? I ask myself that as a nurse and as a mother.

In my family, I have the greatest gift: I know my son. All hon. Members, regardless of whether they are married or have children, are part of a family. People who oppose the Bill without question offend families in this country. That is so serious that I have to say, along with others, that I am fed up of humility. I do not see the need to beg constantly for this change to be made or to say that we will listen to this or consider that.

The Bill is about equality; it is about human beings; it is about our families. To use a famous phrase, enough is enough. It is about time that the House and the country said that there has been enough intolerance of something about which some people know little, because that intolerance affects people's lives. This is a new century, and this Government will bring us to a new age and a new tolerance.

3.11 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I pay tribute to the work that the hon. Member for Brentford and Isleworth (Ann Keen) has done on this issue—not only today but since she has been a Member of the House. I also pay tribute, without reservation, to the work of Mrs. Edwina Currie, who is no longer a Member of the House. She introduced the prospect of change to us in 1994, and it is a tribute to the system that Back Benchers can still put issues on the Front-Bench agenda.

I shall be brief as many Members want to speak. We have three issues before us. Should we equalise the age of consent? Should we remove the stigma of criminality from under-16s who become involved in sexual activity? Should we have a law to deal with the abuse of a position of trust? My colleagues and I support each of those propositions.

At both elections since the creation of the Liberal Democrats in 1988, our party has stood on a manifesto of equality on the age of consent. For us, that has been a self-evident consequence of arguing for an equal society. We have always agreed that colleagues in the House should be free to vote as they choose, but my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith)—who did my job for the past five years—personally supported such legislation, as did my right hon. Friend the Member for Yeovil (Mr. Ashdown), our then leader. My right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy), our new leader, and I support the Bill.

I echo the point made by the hon. Member for Brentford and Isleworth about the most important of the Bill's provisions. It is time to move on, and we must conclude that there should be equality for sexual relationships—at 16 in Great Britain and 17 in Northern Ireland, for other reasons. There would thus be equality in both places.

It is important to remember that the proposal is on the agenda partly as a result of events in the European Commission of Human Rights and the European Court. The European convention on human rights has also played a part. I refer colleagues to the helpful and succinct House of Commons research paper on this subject and remind them of how we reached this position through the European Court.

In 1994, Euan Sutherland—who lived with his family in Southwark, my borough—brought a complaint to the Commission, arguing that Britain had failed him twice in terms of his rights. As the research paper states, article 8 of the European convention on human rights

"grants everyone the right to respect for"

their private and family life, their home and their correspondence. Article 14 states that

"the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground".

It listed all the grounds that had been identified.

The then Government said that it should be possible for Britain to argue that we were entitled to have 18 as the age of consent for gay relationships, but 16 for the rest. The Commission ruled by 14 votes to four that there had been a violation. It had listened to the Government's argument, but did not accept it. As the recommendations of the court were likely to result in a similar judgment, the Government wisely accepted that they should put before Parliament the proposition that the age of consent should be equalised. It seems to me to be beyond argument that under European law, and therefore under law that we are bound to follow, there has be to equality. Although there are many reasons for passing the Bill, we should pass it for that one, if no other.

Mr. Gerald Howarth: How much of the House's sovereignty is the hon. Gentleman prepared to surrender to such organisations as the European Court of Human Rights or to the European convention on human rights? Is there no limit? Is he prepared to hand over all decision making on those issues to foreign bodies?

Mr. Hughes: I do not want to be distracted down that road, but I shall try to deal with the point succinctly. This country signed up to the European convention 50 years ago. It was drafted by a member of the hon. Gentleman's party. It is effectively a British document in conception.

Mr. John Townend (East Yorkshire): Yes, but it has changed.

Mr. Hughes: The convention has not been changed on this issue; the two articles with which we are concerned are from the original. Governments of both parties have adhered to it and my party has always supported it. I do not believe that it is good for national Governments to think that they always get it right without anybody else adjudicating. Establishing the convention after the war was a far-sighted move and a great tribute to the Council of Europe. It has been good for Britain in many ways and has given people many rights.

Mr. William Thompson (West Tyrone): Will the hon. Gentleman give way?

Mr. Hughes: Once more, then I must make progress.

Mr. Thompson: Does the hon. Gentleman agree that when the convention was established and when there was talk of equality, it was never in the minds of those who drew up the document that it would be interpreted as widely as it is now?

Mr. Hughes: I do not think that that is true on this particular point. When the convention was drawn up people had ideas about equality in family life and on gender, sex and race matters that obviously led them to conclude that people should be treated equally. I was born in the year in which the convention was signed, but I am sure that gay people in the first half of the century would have expected that their time would soon come and that they would be given equal status under legislation such as this.

Mr. Howarth: Will the hon. Gentleman give way?

Mr. Hughes: I shall not give way again. I am trying to enable all colleagues to speak.

I want to own up. I tabled an amendment to the Criminal Justice and Public Order Act 1994 that would not have failed to achieve equality, but would have achieved it for 17-year-olds. However, the House disagreed with it and I accepted that. I must tell the House the most persuasive argument, which was that made by Euan Sutherland. He came to see me as a Southwark resident and was supported by his family and a couple of friends. They said that, as young men, the issue was not how they were protected or what they did, but whether they were treated equally at all stages. If society would not treat them equally, how could it expect them to receive equal treatment from their peers? If the law did not treat them respectfully, how could society ask other people to do the same? Euan Sutherland—and also someone who once worked for me—put the case most convincingly. Those young people said, "This prejudices and discriminates against us." We need to move on.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) said that she is not prepared to see equality override protection, but the Bill would not do that. We must enshrine equality in the law and then we can work on the protection. Colleagues, particularly on the Tory Benches, may still be thinking of opposing the Bill. I say this to them: in Britain, criminality is not attached to female-female relationships and never has been; nor is criminality attached to male-female relationships at 16, which is the same age at which people are allowed to leave school, go to work, pay taxes, join the services, get married and have children—

Mrs. Gorman: And get AIDS.

Mr. Hughes: And, as the hon. Lady said, be vulnerable to sexual diseases, no matter through what activity. From that age, people are treated in one way if they happen, permanently or impermanently, to have a male-female relationship, but differently if they are two men in a relationship. That is not logical. If we could get away from justifying inequality to considering the more sensible point made by the hon. Member for Bethnal Green and Bow (Ms King) about how to protect young people from abuse, we would do the country a service.

One cannot tell gay people, who, according to any projection are likely to be a minority of the community, that they are valued as equals if the law does not treat them as such. We cannot get away with that. It is like telling people with physical or mental disabilities, or women or men or black or Asian people, "You're equal, we value you lots, we love you, but we're not going to treat you equally." We simply cannot do that. If we cannot move forward in Britain in 2000, we are in big trouble.

[Mr. Hughes]

Clause 2 is straightforward. Thanks to the hard work of my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) and others in Standing Committee, we have decided not to criminalise under-16s. It is no good to anybody to say that a sexual activity engaged in at school renders someone a criminal. It is fine to deal with adults' abuse of young people, but let us not criminalise under-16s. Let us consider someone who is under 16 and goes through a passing homosexual phase at school and is criminalised for that. That blot remains on the record for ever. To criminalise someone for that is not the response of an adult, mature society.

Let us consider abuse of trust, which the Minister tackled the other day when he replied to the short debate about procedure. I hope that the other place will have an opportunity to consider the details of the Bill. As my hon. Friend the Member for Taunton (Jackie Ballard) will say if she catches your eye, Mr. Deputy Speaker, as I hope she will, we are worried about some aspects of the drafting. Those anxieties are shared outside the House. The House has considered the measure, and I hope that the other place has an opportunity to examine it. We are considering a difficult measure which deals with the exploitation of younger people by older people. I hope that we can spend time on it to ensure that we get it right.

I am a Christian and a member of the Church. I come from an evangelical church background. I say to those who try to place an interpretation of faith on their views that there is a great difference between arguing that the Gospel, the Koran or the teachings of Guru Nanak say that someone should lead a particular life style or behave in a specific manner and legislating to make it illegal not to behave in that way. If the Church is to be all embracing, and faiths are to win people, not lose them, they must accept people as they are. They should try to win them by argument, not legislation. I hope that the division and difficulty that the Church has experienced on life style can be removed. The way in which people live, their moral choices and their behaviour are matters of morality, faith and conviction, but not legislation. Legislating on such matters is not for us in this multicultural, multi-community age.

The Bill is about private acts. We must not introduce into our discussions matters that are nothing to do with the Bill. We should have a review of sexual offences—I hope that the Minister and the Department are making good progress. The law is a muddle. I say that as someone who used to practise in the criminal courts. It is all over the place. Much of it dates from many years ago. It contains may inconsistencies, illogicalities and anomalies. The sooner the general review is before Parliament for careful consideration, the better. It should address the differences in the way people are treated. It should improve the law on indecent activity in public places. That does not work at the moment. We must not include in our discussions the debate about clause 28. That is a separate debate, which is not about the rights of our citizens, but about what our public institutions do.

I beg hon. Members to put aside extraneous matters and issues that involve our personal convictions and our faith and, to borrow a phrase from someone much more famous than me—*[Interruption.]* He is much, much more famous than me. I sense that at the moment,

"There is a tide in the affairs of men"

and women. As the hon. Member for Bethnal Green and Bow said, the Bill will lead us towards a more tolerant, less bigoted society in which all people, after centuries of struggle, will at last be treated as equals. The measure is a small step in that direction. Please let us not put up barriers of bigotry now; let us move on to a more enabling and refreshing agenda.

3.26 pm

Lorna Fitzsimons (Rochdale): It gives me great pleasure to be able to speak in this debate. Many colleagues have provided eloquent testimony to their long-held views and passionate beliefs in the rightness of what we are doing. The Bill is testament to the sort of society we want to live in and the sort of people we want to be. We must remember that this place is an advert to the rest of the country. As my hon. Friend the Member for Brentford and Isleworth (Ann Keen) said, our language and tolerance is used by the general public as a method of judging what constitutes acceptable and unacceptable behaviour. We have to lead by example. If we do not have laws that ensure that we treat people equally and accept that everyone is equal, we are going round in circles on one leg.

It was interesting and sad to listen to the right hon. Member for Maidstone and The Weald (Miss Widdecombe). She talked about permanent exclusion. Anyone who has worked with or near children who are approaching the time in their lives when they question their sexuality, ask questions and make discoveries knows that exploring those matters under the cloud of knowing that they are involved in an illegal act leads to exclusion. I can think of no better definition of permanently excluding someone from society. The message is loud and clear: society does not recognise their right to exist, and the act that they want to practise is illegal, not because they are gay but because of their age. As soon as they become a certain age, the act becomes legal.

I find it offensive that young girls are treated differently. We should provide protection for all our children, regardless of age or sexuality. One does not say to a child, "Are you gay? All right, I'll protect you." Every child deserves protection in law and in society generally. Being a member of society means looking out for children. One does not look for the tag on a child's head; one looks to protect them. The premise that a gay young boy between the age of 16 and 18 needs more protection than a young girl of the same age is nonsense. Anyone who claims that has not listened to any teenage girls. I am about to become a stepmother of a 12-year-old girl, and we cannot avoid young girls' questions and their sexuality. They cannot avoid their sexuality—they have hormones popping everywhere. It is naive in the extreme to say that young people have to hide their sexuality in a discreet closet because it does not exist.

Another point has been eloquently made. To pretend that the change would undermine the family is outrageous. Excluding people means excluding family members—brothers, sisters, mothers, fathers, aunties, uncles, sons and daughters. Do some people think that gay people do not have families? It is offensive to say that, all of a sudden, it is a chattering-class issue or a right-on issue, that it is not a core issue.

It was interesting to see a little snippet on BBC news this morning. It had done a vox pop in Newcastle upon Tyne, Central—not exactly a trendy, café latte-type place.

The question was, "Is it just the chattering classes? Are they not concentrating on bread and butter issues and on what you want as working class people?" Interestingly, woman after woman said, "No. It is a core principle about the type of society that we want to live in and the type of people we want to be. We have to ensure that all our children are protected and are treated equally." That did not come from me or anyone here—it came from ordinary working-class women in the constituency of Newcastle upon Tyne, Central. We have to recognise that.

I have had the most heart-rending personal letters from young men who have never declared their sexuality to anyone because they were too scared; I am sure that I am not the only hon. Member here to have received such letters. Are we not humbled by the courageous way in which they are coming out and touching us as Members of Parliament by writing to us? Sometimes, we are the first person with whom they have shared that experience because of the law as it stands. Sometimes, they do not have the courage to go to their family because of their perception of how the family will deal with it. Often that is unfair because families can be very supportive—although sometimes they are not, as we know from our surgeries—but we cannot let down those constituents.

To say that there are no gay people in Rochdale is naive. To say that there are no young people asking real questions about their sexuality, who want help and to be able freely to ask and to get information, is wrong. How can they freely question something when it is illegal and there is total fear? That is at the core of the child protection issue. Surely, if something is made illegal—we all know this from all the case law—it will go underground. People do not report crimes, and they are preyed on and blackmailed. The bottom line is that keeping this law is the best way to continue the abuse of children by people who allegedly care for them.

If we take child abuse seriously, we will ensure that everyone inside and outside this place knows that, in the eyes of the law, at the age of 16, people are all equal. We are all worthy of the same protection in law. We must ensure that we send that message collectively to everyone who uses the law to exercise bigotry because of their own fear, vulnerabilities or standing in life. The bottom line is that we advance nothing that the great British parliamentary tradition has held dear by continuing to have this law.

As for the intervention by the hon. Member for Billericay (Mrs. Gorman), I find it absolutely and utterly astounding that, in a place that is meant to be so learned, we still have bigotry based on ignorance. The facts are clear; they have been published in the House of Commons Library research paper and have been eloquently referred to. There is a rise in the incidence of AIDS in the heterosexual community. Anyone who is naive enough to believe that sexual practices in the homosexual community are the only ones that lead to sexual and other diseases has not been to a sex education class in any school recently.

Mrs. Gorman: I, too, am quoting from statistics produced by the Public Health Laboratory Service. Dr. Nicoll points out that of the currently diagnosed cases among heterosexuals in this country, only 6 per cent.—62 of the individuals concerned—have contracted that dreadful disease in this country. The great majority of people are from the sub-continent of Africa. The disease there is pandemic. We all know that, but the impression given by the publicity is that the disease is growing among the indigenous population in this country—the heterosexual population—and that is not true.

Lorna Fitzsimons: I cautiously say that I am sure that I misunderstood the hon. Lady when she said that it was an imported epidemic from Africa. The fact is that it is growing in the heterosexual community throughout the world. We are an international community—everyone travels.

The bottom line is that when people continue to perpetrate the myth that it is a gay plague, they allow every person who is heterosexual and about to embark on their first heterosexual experience to think that it is all right not to practise safe sex. Sadly, that is one of the reasons why people are naively led into unsafe sexual practices which lead to the rise in the AIDS epidemic. Can we therefore at least recognise one principle and fact in this Chamber—namely, that we are all prey to diseases when we practise unsafe sex and that it has nothing to do with sexuality?

Ms Oona King: Does my hon. Friend agree that ignorance comes not just from hon. Members? A leader in the *Daily Mail* the week before last said that one of the reasons for keeping section 28 was because, otherwise, young people might not be taught that marriage helps to protect them from AIDS. That is not just ignorant; it is criminal and dangerous to encourage children down that route.

Lorna Fitzsimons: I would be interested to find out from the statistics how many married people have AIDS. The truth is that we need to expound the myth. More heterosexuals than homosexuals have AIDS. The bottom line is that it is a disease that affects us all, so we should stop scapegoating. I thought that we had got rid of that idea a decade ago; I genuinely did. I am shocked to hear it raised in the Chamber.

I ask the Home Secretary to reconsider the point that my hon. Friend the Member for Bolton, South-East (Dr. Iddon) raised with him. I want to make it clear that it is not, as it appeared from the Home Secretary's response, about repealing the conviction retrospectively, which no one—including, I understand, the Bolton Seven—is asking for. The point is that, because of the law as it stands now, they are on the sexual offences register. If the Bill is enacted, as I hope it will be, they will be on the register for something that is no longer illegal—consenting sex with a 17-year-old. Therefore, we ask for a review of people on the register because of the unequal age of consent. The issue is purely about those who have entered consensual sexual practices.

Mr. David Borrow (South Ribble): Does my hon. Friend agree that we need to separate the punishment for the crime, which is the sentence meted out by the court, from a measure that is meant to safeguard the public, which is what the register of sexual offences is for? There is some confusion in the Home Office about what the punishment is and what the public protection is.

Lorna Fitzsimons: I agree. I thank my hon. Friend for putting it so clearly. We all share those concerns about

[Lorna Fitzsimons]

protection. That is why we have considered the matter and why it is part of the Bill, but there is some confusion. I would like us to consider that a bit more closely.

The bottom line is that in this day and age—in the new millennium—we want to be able to be tolerant. For all of us who are parents, whether step-parents or natural parents, and for anyone who is involved in teaching children, the greatest fear is that children will not go to their parents, a teacher or a responsible person with their questions. If we continue to maintain the current inequality, that will happen. We know that there are thousands and thousands and thousands of children who have many questions which they are just holding within themselves. I cannot think of a sadder and more dangerous society for our children to live in.

3.40 pm

Mr. John Bercow (Buckingham): I have changed my mind on this subject, and I owe it to myself, the House and my constituents to explain why. The words "I was wrong" do not readily trip off my tongue, but that is what I believe. I think I was mistaken to vote for the status quo last time, and I intend to vote for the Bill, for reform and, I think, for progress.

But before I explain to the House my thinking—and I hope that the House will be tolerant of my doing so—I should like to pick up on what my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe)—who, sadly, is not in her place—said in opening from the Opposition Front Bench. I greatly regret that she chose to establish a linkage between section 28 of the Local Government Act 1988 and this Bill. I say what follows not to break what consensus has already emerged in the debate or cause any offence. I recognise that some hon. Members feel strongly that section 28 should be removed. I believe that they are mistaken. I believe that we are right to support it. It has a valuable effect, and it would be a mistake to dispense with it. That is a matter for legitimate debate and argument, but it is wrong to link the two and imply that one must take the same line on both issues. There is no requirement whatsoever to do so.

I should also like to make it clear that, as I think the House will understand, regarding my right hon. Friend's references to political correctness, I have in no sense fallen prey to it. I abhor political correctness. I could not give a tinker's cuss as to the view of the European Court of Human Rights, and I view both the persona and the activities of Mr. Peter Tatchell with repugnance. So I hope that I shall be acquitted of the charge that I am in some sense a fellow traveller of the organisation OutRage!

On the contrary, I have just reflected upon the issues. It so happens that I am heterosexual, but I acknowledge a point that the hon. Member for Brentford and Isleworth (Ann Keen) made in her speech and the hon. Member for Rochdale (Lorna Fitzsimons) made in her powerful contribution, which is that I have homosexual constituents as well. The idea that they exist in every other constituency, but not in that of Buckingham, is preposterous. I have a proportion of homosexual constituents. They are human beings; they are civilised; they have rights and obligations as well. And I am duty bound to take account of their interests.

In essence, there are three main reasons why I feel impelled to vote tonight for change.

First, the status quo provides discrimination without benefit. I am not opposed to discrimination per se in the way in which I live my life. [*Laughter*] I am sorry that the hon. Member for Bethnal Green and Bow (Ms King) laughs. I shall try to explain what I mean. A discriminating person is somebody who exercises judgment, discretion and, not infrequently, wisdom. But it is a very different matter to have a statutory discrimination without benefit.

I listened intently, interestedly and respectfully to my right hon. Friend speaking from the Front Bench, but it was not at all clear to me what was the benefit that flowed and flows from the status quo. There is no evidence that the present law reduces the incidence of homosexual activity, minimises the spread of infection and increases the protection available to young people. None of these things is achieved by the present law. It seems to me that it has no beneficial purpose at all.

Indeed, the argument is stronger than merely that the present law has no beneficial purpose or effect. It is that many young people, possibly uncertain about their sexuality, or possibly knowing that they are homosexual, are discouraged by their being currently criminalised in law from seeking appropriate health advice from those in a position to provide it. It cannot be right that we simply ignore that fact.

The effect of present arrangements is that the statute book delivers a recipe for confusion, misery and fear. The onus of responsibility is on those who are defending the status quo to explain what benefits it confers upon us and what demerits would result from the Bill. My right hon. Friend's speech, I regret to say, failed to explain that.

The second argument in support of change is powerful, but one that some right hon. and hon. Members might think it curious to hear from me. I refer to the position in continental Europe. I yield to no one in my Euro-scepticism. As my right hon. and hon. Friends know, and as I have already made clear, I could not care less what the European Court of Human Rights thinks about this subject. But it would be absurd to ignore what happens in other countries, and the fact is that in Denmark, France, Greece, Poland and Sweden there is an equal age of consent, which happens to be 15. The House will be aware that in Germany the equal age of consent is now 16.

I challenge those who support the status quo and inveigh so violently against this relatively modest reform to prove that some damaging consequence flows from the different arrangements in those countries. If they could show that the incidence of homosexual activity was greater, that the spread of infection was bigger, that the protection for young people was weaker, they would have the kernel of an argument. They have not been able, at least to my satisfaction, to demonstrate anything of the kind. The position is no worse in those countries, as far as I can discern. Indeed, arguably the position in many other countries is far better than it is here.

Everyone in the House knows this country's record on teenage pregnancies, for example. It is an abominable record, a shameful record, a record that we should be doing our level best to improve. There is nothing to suggest that the existing law will achieve that.

The third argument against the status quo and in favour of change, which I had heard before, but which I had not previously allowed to persuade me, is that experts in medical charities and children's charities alike, and throughout the medical profession, counsel that we should make this change. A number of right hon. and hon. Members have referred to that wide-ranging consensus for change. It is important to recall once again the range of organisations that support reform: the National Society for the Prevention of Cruelty to Children; Barnardos; NCH Action for Children; the National Children's Bureau; Save the Children; the Family Welfare Association; the Family Planning Association; the Health Education Authority; the British Medical Association; the National Association of Probation Officers; the British Association of Social Workers; the Royal College of Physicians; the Royal College of Nursing; and so on. If I have omitted to mention an important organisation, no doubt a right hon. or hon. Member will point that out.

Dr. Evan Harris (Oxford, West and Abingdon): The Liberal Democrats.

Mr. Bercow: I apologise to the hon. Gentleman, who intervened from a sedentary position, for not including the Liberal Democrats in the category of important organisations, but I am very happy to accept that he is a long-standing supporter of reform.

I counted no fewer than 13 organisations in my list. All of them believe that positive health benefits could flow from a change in the law, and that seems a good reason to consider making it.

I do not want to detain the House for much longer, because I am very conscious, first, that many hon. Members wish to contribute to the debate, and, secondly, of the substantial expertise on all sides of the House on this subject; expertise with which I do not pretend to compete. But I would make some concluding points.

First, some of my right hon. and hon. Friends occasionally give the impression that they are in favour only of homosexual activity between consenting males of 99 years of age, with the consent of both parents. That does not seem to me to be justified. I believe in tolerance. I believe in equality before the law. I also believe in freedom under the law, and it is with the concept of freedom, as well as with that of equality, that we are in this debate, I hope, concerned.

Mr. Gerald Howarth: Does my hon. Friend not appreciate the real risk that young, impressionable boys who are somewhat doubtful about their sexuality will be pressurised into adopting a course that they will regret later? Does he not accept that Parliament has a role to play in the protection of young people?

Mr. Bercow: I certainly believe that it is important for Parliament to protect people.

I once bought into my hon. Friend's argument, but since then I have been reading, I have been listening, and I have been conversing with people who know something about the subject, in my constituency and elsewhere. Now, I simply do not think that the argument is valid. There have been a plethora of studies, in this country and overseas, and the general conclusion seems to be that an individual is unlikely, as a result of an experience in his youth, to be propelled into a homosexual existence that would not otherwise have occurred. The Howard League for Penal Reform produced one of the most recent and penetrating reports on the subject, in 1985. I found it very persuasive.

Mrs. Eleanor Laing (Epping Forest): My hon. Friend the Member for Aldershot (Mr. Howarth) made a good point about the duty of Parliament to protect young people in all circumstances. Does my hon. Friend the Member for Buckingham (Mr. Bercow) think that making a young person a criminal will protect him in any way?

Mr. Bercow: Certainly not. I agree with my hon. Friend, whom I have heard expatiate on the subject before, that that is a recipe for misery and fear.

Mr. Duncan: It is counter-productive.

Mr. Bercow: It is indeed.

I am very conscious that, in speaking as I have done and in voting as I intend to do, I am almost certain to incur the wrath of many of the people whom I admire most in politics, and that I will be accompanied in the Lobby by some—not all—of the people whom I respect least in politics. However, I have a duty in this regard.

Ms Ward: The hon. Gentleman may have those fears, but I am sure I speak for many Labour Members when I say that, following what he has said so far, we shall look on him in an entirely new light. We only hope that he will not do this too often; if he does, we shall feel most uncomfortable in the future.

Mr. Bercow: I accept the hon. Lady's tribute in the spirit in which it was offered, but I hope that she will not overdo it. No doubt I have already inflicted massive political damage on myself, and I do not want to add to it.

Like other Members, I have received many letters on this subject—not many in the run-up to today's debate, but many over the past couple of years. Those letters expressed a variety of views. I will not assert that the majority favoured change; they probably did not, and certainly a majority of Conservative supporters were against it. However, I believe that if we spend years trying to get into this place, once we are here we should say what we think and vote with our conscience. For that reason, and on the basis of a conversion on my part because of the evidence, I will support the Bill's Second Reading.

3.54 pm

Mr. Bill Etherington (Sunderland, North): It is always a pleasure to follow the hon. Member for Buckingham (Mr. Bercow), and his last words were particularly near and dear to me. I congratulate him on being humble enough to admit that he was wrong, and suggest that he should hang on to a copy of tomorrow's *Hansard*, which may well become a collector's item in years to come.

It is nice when someone introduces some levity to the Chamber—heaven knows, it is badly needed on occasion—but we are discussing a serious matter. I disagree with the hon. Member for Buckingham on one point: I feel that section 28 is linked with this debate.

[Mr. Bill Etherington]

I say that because the Home Secretary's speech—not so much the content as the tone, which was based on humanity and compassion—was also near and dear to me.

Many of us, unlike the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), were born in the early part of the last century. I cannot recall homosexuality being discussed in my home during my childhood, or in the various schools that I attended. Only as a teenage apprentice did I become aware of it. I did not have a sheltered upbringing; in fact, I grew up in rather a rough area.

When something is sprung on a person, that person will have difficulties. I was not a politician in those days; I was just like any other teenager, trying to learn and to find my way through a difficult time. I must be honest, and admit that I initially felt some distaste about homosexuality. My subsequent feelings, however, were perhaps more important. I had a sense almost of pity, of compassion, and, I hope, of understanding in relation to someone who did not belong to the flock—someone who was an outsider.

I must say in all honesty that I do not think I have met half a dozen homosexuals in my life, although I have read a lot about them and have heard people speak about the subject.

Ms Oona King: There are half a dozen on these Benches.

Mr. Etherington: I should be grateful if my hon. Friends would give me a count. It is good to get a bit of information.

One of the most poignant experiences that I have encountered was that of a couple with whom I became friendly when they were young. In their later days, they discovered that one of their children had homosexual tendencies. They were horrified, and found it difficult to cope. I felt immensely sympathetic. Like all decent parents, those people loved their child very much, and this was a big blow.

We have moved on tremendously in recent years, but we have not moved far enough. I pay tribute to the Government for noting the decision of the European Court of Human Rights to abolish discrimination against homosexuals in the armed forces: that was a big step forward. If this Bill is passed, that too will be a big step forward. In many ways, this issue is like the long march of Everyman: it goes on, and we hope that it gets better.

Unlike the contender for Back Bencher of the year, the hon. Member for Buckingham, I do give a tinker's cuss about Europe, and about the various organisations to which we have voluntarily signed up and in regard to which we have responsibilities and obligations. If I have a slight criticism of my Government in relation to the issue we are debating, it is this. The European Court of Justice made a decision about discrimination against those with a different sexual orientation in the armed forces. If we could put a three-line Whip on that, and if Government policy was to try to get it through, why have we suddenly returned to a free Vote when the European Court has made a decision that has led to today's debate? I do not see the logic: I do not understand the difference between the position today and the position just after the Christmas recess.

I have spoken about subjects involving homosexuality during the plenary session of the Council of Europe, and I belong to the committee on equal opportunities for men and women. The committee strongly agrees that heterosexuals are treated very differently from homosexuals by many nations. Britain has a pretty good record, and we are respected in Europe, not least because of the recent decision about the armed services. However, we can still learn from other people and countries, and we still have some way to go.

I am fairly confident—I speak with some authority on this—that my Government do not believe that sexual orientation should be allowed to be a consideration in employment decisions. In employment, one's sexual orientation and sex should not matter, everyone should be treated equally and there should be no discrimination.

Recently, the issue was discussed at the Council of Europe, where I spoke on it for the Socialist group. An amendment was also passed to the new protocol 12, specifically including sexual orientation as an unlawful consideration in employment decisions. However, I was amazed to discover that, in the brief from the Foreign and Commonwealth Office, the Government opposed the amendment. Their opposition did not fit in with what I have been led to believe in this place. Although I am sure that some other hon. Members have had similar experiences on other issues, the Government's opposition to that amendment did not send out the correct signals.

The House of Lords' regrettable decision on section 28 did not send out the right signals to our European partners. I appreciate why no amendments are being tabled to the Bill. If the Parliament Act 1911 is to be invoked, it is essential that the Bill not be amended. Passing the Bill is the only way in which we will be able to comply with a ruling in law that we have signed up to abide by.

When the Government introduce Bills to bring us into line with European legislation or judgments from the European Court of Human Rights or the European Court of Justice, the House of Lords are able to thwart those efforts. If we are going to comply with our obligations, we will therefore have to examine very closely the House of Lords' powers. The other place could cause the Government and every British citizen to be in breach of our European and international obligations.

I have therefore reached a conclusion that has nothing to do with this debate: if the House of Lords could put us in such a situation, perhaps, when we are considering reforming the House of Lords, we should consider abolishing it. If we do not, democracy will not prevail, and the elected representatives of the United Kingdom will be thwarted in performing their responsibilities.

Mr. Brady: Will the hon. Gentleman give way?

Mr. Etherington: I will not, because I have only two or three minutes.

I am very pleased that the Bill will be passed today. Some time ago, I voted to lower the age of consent from 21 to 16 but it became 18 and it is long overdue that we equalised the age of consent. It has been inexcusable that certain backwoodsmen have been able to hold up progress, but democracy and the rule of law will ensure that religious beliefs—which, in many ways, is what this debate is about—cannot be used as an excuse for failing to live by the law of the land. We want to progress equality for homosexuals of both sexes.

4.3 pm

Mrs. Teresa Gorman (Billericay): I take issue with my hon. Friend the Member for Buckingham (Mr. Bercow), who made great play of the importance to him of his constituents in Buckingham, and perhaps particularly of those of a homosexual persuasion. I put it to him and to the House that we come to this place not only to exercise our own conscience, but to represent the views of those who elected us—our constituents.

I hope that my hon. Friend will acknowledge that the great majority of his constituents, and of mine, have strong misgivings about not only this legislation, but the Government's intention to repeal section 28 of the Local Government Act 1988. We have an obligation—often in the face of Labour Members' criticisms, which are not always particularly well-balanced or rational—to express the views of those constituents. Majorities, like minorities, have a right to hold and express their views. I am speaking partly on behalf of that majority today.

I, like everyone else, do not seek to criminalise young people in any context whatever. However, we should remember that the number of prosecutions of young people in the 16-to-18 age group for anything related to homosexuality is minute. I think that, in the past several years, there have been only two such prosecutions. Therefore, we are talking not about people hunting down 16-year-olds to prosecute, but about the concerns of the parents of those children.

As hon. Members have said, some of those parents may very much favour changing current legislation, but some do not favour it. As some of my colleagues have said, the children of some of those parents may be in education or in care institutions. Although I welcome the fact that young people in care will receive special protection in the Bill, young people who are not in care—such as those in schools and other activities, such as swimming clubs and military groups—will not be protected by the Bill. Those young people may be subject to pressures that induce them to become involved in various activities.

As we know, some young people, including boys, become prostitutes. In many cases, those young people may well be led into such practices for money, or even simply for a type of affection, rather than as the result of an automatic predilection, be it biological or otherwise.

Ms Oona King: Will the hon. Lady give way?

Mrs. Gorman: No, I shall not give way now. I want to make some progress. I am sure that the hon. Lady will be able to speak and tell us her views.

I am particularly concerned—I have raised this issue in the House before—about the health aspects of the matter. In the United Kingdom, we are bombarded with propaganda on the health risks to young people caused by smoking, drinking and drug taking. However, if we mention the health risks involved in homosexual activities, we are shouted down and told that we are bigoted or prejudiced or, in many cases, completely wrong.

I should like again to quote the chief executive of the Public Health Laboratory Service, Dr. Nicholl, who states in a report:

"The risk of contracting Aids is vastly greater in homosexual people than in heterosexuals."

The report also stated that, last year, of the 1,070 heterosexual people living in Britain who contracted human immune deficiency virus—many of whom underwent HIV testing because of increased concern among women about the disease—only 62 contracted the disease in this country. When I pointed out to the hon. Member for Rochdale (Lorna Fitzsimons) that the great majority of the women in that group came from the sub-continent, she jumped on the statement and said that it simply showed that heterosexual populations in other countries are severely affected by the disease.

The fact remains that, in some of those countries, particularly African countries—it has been a feature also in post-communist Romania—the incidence of HIV-AIDS among the female population is related to the use of anal intercourse as a form of contraception. That fact has been medically documented. Therefore, the issue of what happens in some cases of homosexuality between consenting male adults—an issue that was raised by my hon. Friend the Member for Ludlow (Mr. Gill), whose comments were subsequently sedentarily described by Labour Members as bigotry—is relevant to the debate. We should put that on the record because it is highly significant.

Mr. Gordon Marsden (Blackpool, South): I am listening to the hon. Lady with as much dispassionate intensity as I can muster. I am concerned about her line of argument. She is talking about public health issues, which affect heterosexual as much as homosexual people. Does she accept that the logical implication of her argument is that the age of consent should be raised for heterosexuals as well as homosexuals? Will she acknowledge that the gay community and homosexual organisations have done at least as much as other organisations to alert people to the public health issues that she is talking about?

Mrs. Gorman: I agree with some of what the hon. Gentleman says, but not all of it. I do not want to get into a debate with him because we have a short time available and I want to put my point of view.

Mr. Bercow: My hon. Friend and I have been friends for 15 years and I am sure that we are not going to fall out over this issue. Is not the weakness of her argument that it is based on the premise that the proposed change in the law will somehow result in a dramatic explosion of homosexual activity? That premise is fundamentally flawed. Why does she think that the advice of the British Medical Association and the Royal College of Physicians on the pursuit of good health is wrong and that she is right?

Mrs. Gorman: My hon. Friend ignores the fact, which I have already pointed out, that in the past few decades we have had an explosion of HIV-AIDS—a disease that was practically unknown before the more liberal attitude to homosexuality was adopted in this country. We have to some extent managed to conquer that problem, thanks to more advanced medical techniques, but that does not alter the causal relationship. When we tell young children

[Mrs. Gorman]

about health risks, the diseases related to some forms of homosexual practices should be brought to their attention. This is a health issue rather than a moral issue.

Mr. Borrow *rose—*

Mr. Stephen Twigg (Enfield, Southgate) *rose—*

Mrs. Gorman: I shall not give way, because all hon. Members have an opportunity to make their own contribution and I do not want to detain the House for too long.

We should keep the issue in proportion by bearing in mind the number of people of a homosexual persuasion in the country. Those listening to our debates might get the impression that we are dealing with a massive problem involving large numbers of people who should receive a lot of attention. The report of the national survey of sexual attitudes and life styles shows that around 1 per cent. of the male population are of homosexual persuasion. That is some 300,000 people, which means that there are about 30,000 males of the relevant age group. It is not the case that every school has half a dozen or more boys who are being bullied because they are homosexual or are at risk of being enticed by older males into homosexual practices. For that reason if for no other, the attention that we are giving to the need to lower the age of consent is out of all proportion with the problem.

Jackie Ballard: Does the hon. Lady agree that, no matter what the size—whether it is 1 per cent., 10 per cent. or 49 per cent.—one of the first duties of this place is to protect the rights of minorities?

Mrs. Gorman: I agree with that, but another important purpose of being in this place is to present the views of the majority. The majority on this issue, as in the debate on section 28, is almost ignored, partly because the membership of the House of Commons is not representative of the population on the issue. We have a much higher percentage of people of homosexual persuasion in the House than in the population at large. That tends to drive the debate in a direction that reflects the personal considerations of some Members rather than the attitudes of the population as a whole.

Ann Keen: How will the majority be affected by the Bill? How will they feel and what difference will it make to them?

Mrs. Gorman: The views of parents of boys aged 16 to 18 and their concerns about their children should be reflected in our debates. Some will agree and some will disagree, but the majority of parents feel concern. The number of children at risk is relatively small. For that reason alone, we do not need to alter existing legislation against the wishes of the great majority of the people whom we represent. We are bombarded by propaganda in this country and sometimes we are led to believe that there is a regime of persecution of our young people on the issue. That is a great exaggeration. There is no evidence that existing legislation needs to be changed. The change will cause great concern to many parents. We have a duty to represent their views and consider whether we need to alter the law. The amount of persecution going on is so slight that it could be dealt with by the current law, which does not discriminate badly against young male homosexuals. That is demonstrated by the number of convictions. I shall sit down now so that others can participate in the debate.

4.18 pm

Kali Mountford (Colne Valley): I feel privileged to listen to the debate. My parents brought me up to know people from many walks of life and religions. I owe my mother a debt of gratitude for the fact that I am not inflicted with any disability of mind that might make certain people repulsive or repugnant to me. As we shall have a free vote on the issue, I have examined my conscience closely to work out why I feel the way I do and why I believe that my vote will be morally right and justified.

I have considered the great figures of history whom the rest of us aspire to be like to see from whom I could draw an example. A line comes to mind from Martin Luther King when he was considering the position of his children. He was talking about the future of people of different ethnic backgrounds, but his comment that we should judge people by the content of their heart applies in this debate. It is the content of a person's heart that appeals to me, not the state of their being. We can judge people only by actions over which they have control. We cannot, in all justice and conscience, make a judgment that criminalises someone for a state of existence that is simply themselves, because if we do that we deny them. This debate is not just about equality before the law; it is about humanity, which is the very purpose of a legislative Chamber. If the House is not concerned with humanity, what are we here for? We have to consider the law, and its sense and purpose.

One purpose claimed for the law as it stands is that it provides protection. What sort of protection do we seek for our children? Do we seek to protect them from their own sexuality? Is that even possible? The European Commission has stated:

"Sexual orientation is fixed in both sexes at the age of 16."

It continued:

"Men aged 16 to 21 are not in need of special protection because of a risk of being 'recruited' into homosexuality."

I absolutely agree.

I firmly believe that our sexuality is as much a part of our being as whether we have curly hair, green eyes or white or brown skin. Therefore, homosexuality should not be an issue for a debate about equality. We should simply accept each other as we are. There is nothing for people to be protected from, because we should not need to be protected from our own existence.

What other protection might we seek for people? We could seek protection for them from older people making sexual advances against their consent. In that case, the law clearly discriminates, because men and women are treated differently. The BMA has said:

"The risk posed by predatory older men would appear to be as serious whether the victim is a man or a woman and does not justify a differential age of consent."

The argument is that young men aged between 16 and 18 are more vulnerable than young women of that age. That is a preposterous argument. Young women, if they

experience unwanted sexual activity—or sexual activity they have consented to that is unwise and leads to pregnancy or disease—face at least the same dangers as a young man. Young women also face the risk of pregnancy, which can be grave indeed at that age. I do not propose that we change the age of consent for young women, because it would be ludicrous to deny the fact that young people engage in sexual activity—which anyway would be impossible to police. If we are providing protection for young women at the age of 16, why should there be a difference for young men? I have seen no evidence that makes me believe that young men are more vulnerable.

It has been suggested that protection is needed on health grounds, but the first protection is information. If people are not informed about where their sexual activity may lead them, what hope do they have of protecting their own health? I do not know what is so complicated or advanced about condoms. They have been around for a long time and served a useful purpose. They protect people, whatever their age, against the unwanted consequences of sexual activity. Their primary purpose is obviously protection against pregnancy, but they also protect against sexually transmitted diseases for both men and women. Why should we differentiate between people of different sexes when there is nothing very complicated about the use of a condom? They are not a new idea, and their use should be discussed more widely in schools, youth clubs and wherever people who need such information to protect themselves gather together. There is nothing new in that.

The NSPCC, which is a respected organisation, supports the equalisation of the age of consent because

"continuing discrimination in the law against homosexuals stigmatises young people growing up gay. It hinders them from developing a positive self-image and prevents them from seeking information and help in coming to terms with their sexuality."

We know that the current situation provides a platform for homophobic bullying. If there is any risk to health, it is in the law as it stands, which means that people do not have information with which to protect their bodies and are not supported in protecting their mental and emotional development.

The current law leaves people open to abuse. If an older man seeks to have a sexual relationship with a younger man aged 16 to 17, both parties are in breach of the law. If the young man has not consented, he cannot put himself forward for protection under the law, because he, too, is in breach of the law. That situation is not providing protection for him or his health, and serves no purpose for the public or the young people whom we seek to protect.

It is claimed that the current state of the law protects young people, but so far I have seen no evidence of that. It is claimed that the law protects family life. Well, family life has been glorious for me. I enjoy marriage, and I know many people who do. I also know gay men who have married to protect themselves from homophobic views and bullying, but that serves no purpose to marriage, their happiness or that of the women they marry. People will not be happy if they marry to avoid homophobic behaviour, and that is not the sort of family life I support.

Many hon. Members have discussed the importance of family life and said how many of our sons, brothers, sisters and so on are gay. They are part of our families, but people should not feel forced into relationships that are not natural for them. Just because my own marriage is natural and happy for me, I should not seek to impose a similar relationship on others. I am fortunate that the relationship that feels natural to me resembles those of the majority of people in this country, but what purpose could it serve for me to impose a relationship that suits me on another individual? My happiness is my own personal joy, and I hope that the House will find a way of allowing other people to find their personal joy in their own way.

Some people assume that, when young people are growing up and exploring their sexuality, they make a decision about it. However, the evidence shows that there is no decision to be made. The vast majority of young men who are homosexual find that out for themselves before the age of 15 and with no sexual contact. They have engaged in no physical exploration with anyone else, but they already know their own mind.

Some of my hon. Friends have already spoken of their experience with step-daughters, daughters and sons, and mine is the same. There is no possibility of my telling either of my children what their sexuality is, or of being able to change their mind. It is not a question of changing their mind—that is the crux of the matter. The construct of my argument is that a person must be valued in society, and so must their relationships, their developing sexuality and their emerging love for other people. I use the word "love" very carefully. In my experience, when young men and young girls have their first early contacts with either the opposite sex or the same sex, the first powerful feeling is one of love. That loving feeling for their first partner may not last for the rest of their life—it rarely does—but why should that surge of loving feeling between opposite-sex couples be denied to same-sex couples, and not all same-sex couples at that? It has already been said, far more poetically than I could say it, that there is a love that cannot speak its name. But let us speak it, because it is love.

I do not accept that married love between two people of the opposite sex is somehow more valuable, and has a special place—that would be to deny same-sex love. It does not mean that I denounce marriage, which has its place in society. Marriage is considered, not just by this place, but by most religions, as a special relationship in which children are brought into the world and have a special place in that family. We cannot talk about the emerging sexuality of children without talking about love. Love includes the love between parents and the love of parents for their children. It means that we accept the love that our children feel for the people with whom they have relationships throughout their life. Therefore, equalising the age of consent is an objective of paramount importance.

We also have a duty of care, which should not be about emerging sexuality, but about whether someone has a relationship of power over another person. That is where the Bill draws distinct and important lines. It does the debate a disservice to draw those lines in a trivial way by saying that, if young people go swimming, for example, or engage in a fun activity with others in a youth club, the adult running the club or in charge of the outing has a powerful relationship over those young people. That is a silly contention.

It is important to consider institutional structures such as schools, care homes and other places in which adults have a particular position over children, whether girls

or boys. What is important is that the adult does not transgress the child's trust. The trust exists because the adult has a powerful position, not just because he or she is an adult. That point was made strongly in Committee when we last discussed these provisions—this is the third time in this Parliament that we have done so. I believe that the Committee got it right—looking carefully at the position of trust was the right thing to do.

I have said it before, and I shall continue to say it: this is dependent not on sexuality, but on trust. If people are to trust us to do the right thing, we must look at a way forward that is based on equality, respect, acceptance and love.

4.35 pm

Jackie Ballard (Taunton): I think that most people would agree that the last time this subject was debated in this place, the most eloquent speech was made by the hon. Member for Witney (Mr. Woodward), who was then on the Conservative Benches. So far today, the most eloquent speech has come from the hon. Member for Buckingham (Mr. Bercow), although I suspect that he will not be following all the examples set by his former hon. Friend.

In the past three years, everything that could ever be said about sexual activity, sexual orientation or sexual offences has been said in this House and in the other place. However, this is the first time that I have taken part in such a debate. I will try hard not to repeat arguments that have already been made.

I strongly support the main provisions of the Bill, which will at last bring equal treatment and equal rights, at least in one respect, to my many gay and bisexual friends and constituents. I do not understand people who are obsessed with the sexual activities of others. We have all had letters from people who write in lurid detail, as have some of those who have spoken this week in the other place. I believe that it is no business of mine what consenting adults get up to in the privacy of their own homes, and I do not believe that the law should be interested in that either.

Mr. Robathan: Will the hon. Lady give way?

Jackie Ballard: Certainly.

Hon. Members: He has only just got here.

Mr. Robathan: As it happens, I was here at the beginning.

The hon. Lady talks about consenting adults. The whole point is that we are talking about children, as defined by the Children Act 1989 and the United Nation convention on the rights of the child. I am sure that she will acknowledge that.

Jackie Ballard: It is strange that the hon. Gentleman seems to think that at the age of 16 girls are adults, but at the age of 16 boys are still children, unless he is arguing to raise the age of consent for everyone to 18. I suspect that that would not receive wide, if any, support.

Despite my general support for the Bill—and we have heard eloquent arguments about why we should support it—I believe that it leaves many unanswered questions. It does not go far enough in some areas and goes too far in others. The main areas in which I disagree with the Government are the continuing unequal treatment of gay men and the continued discrimination against them in law. As I indicated in my earlier intervention on the Home Secretary, I also have serious misgivings about the abuse of trust provisions.

Let me deal first with the continuing unequal treatment of gay men. At present, heterosexuals involved in group sex commit no offence as long as it is done in private. However, even after the Bill becomes law, homosexuals will still be committing a criminal act if more than two people are present or if it is deemed to be public. It is clear discrimination when the law makes no such provision of an offence for heterosexuals. I am not asking for the law against gross indecency in public places to be relaxed, but we are discussing equal treatment under the law and equal rights. Therefore, should we not be equalising it in all respects, including the issue of group sexual activity? I hope that the Minister will respond to that point.

My main concerns are about the abuse of trust provisions. I do not take the line proposed by some Conservative Members that we should extend them to everyone. Many aspects of the provisions seem confused. A lot of people who speak in these debates say, "I am a parent, therefore I care more than everyone else." Well, I, too, am a parent, and I take it that we all have families of one sort or another, we all care about our children and other people's children, and we all want to make sure that they are not abused, their trust is not abused and a position of power is not abused. So I am sure that we all welcome the measures that are aimed at protecting children, particularly in residential homes and secure units, where they are especially vulnerable.

However, the provisions contain several anomalies. To check that I was not alone in being concerned about how the Bill applies to teachers, I spoke this week with representatives of four teaching unions in Somerset. Not all of them were new Labour or Liberal Democrat supporters; one, in fact, was a Conservative councillor. All opposed the new criminal offence of abuse of trust as it relates to teachers.

People may say, "They would say that, wouldn't they?" We may think that they have a vested interest. But those representatives made the point that everyone in the teaching profession is bound by a code of conduct that recognises that teachers are in a position of trust. If teachers have a consensual relationship with young adults in their care or under their supervision, they are likely to be abusing their position of trust and authority. Such behaviour can already result in disciplinary action by employers, including summary dismissal, having one's name entered on List 99 and the ending of a teaching career.

It is right to discipline a teacher for forming an abusive or exploitative relationship. However, in my view, in the view of the teaching unions, and, I think, in the view of many people when they think about how far the Bill will extend the law, it is not proportionate to the risk to go further and to determine that that is a criminal offence punishable by up to five years imprisonment.

The abuse of trust provisions were debated at length in Committee when the Bill was last discussed, although no such provisions were included when the age of consent was first debated under the Crime and Disorder Act 1998. The Home Secretary gave two reasons for the scope of the

Bill on abuse of trust. First, teachers act in loco parentis. Secondly, there would be practical difficulties in creating separate groups within education, such as those who teach day pupils at a school where there are also boarders, and that that would create invidious anomalies.

However, other people who act in loco parentis are not covered by the Bill. They include guardians, godparents, step-parents, church leaders, and scout and guide leaders. I am sure that we could think of many others who act in the same way and who are not covered. The Home Secretary referred to teachers' power over pupils in their care, but the Bill also extends to relationships teachers have with students who are at the same institution but not being taught by the teachers. In that case, there is no relationship of trust or power; the two people merely happen to be at the same institution.

However, the Bill does not include areas in which there is a clear relationship of power, such as that between a Member of Parliament and a young researcher, and that power could easily be abused. The same is true of the relationship between any employer and a young employee. The Bill allows for a young teacher to be prosecuted, convicted and registered as a sex offender for behaviour that might be less than sexual intercourse—"sexual activity" is what the Bill specifies, although it does not define the phrase. The same behaviour would not be an offence for a general practitioner or a Member of Parliament. That will place teachers in a vulnerable position. There will be a real danger of false allegations. The net result may be that even fewer young men take up teaching in future.

Dr. Harris: I am sure that my hon. Friend is aware that the scope of the Bill is even wider than that. A 17-year-old at university—as is the case with the majority of first-year students in Scotland—may have a relationship with someone who teaches. That person may be a postgraduate student who does not teach the 17-year-old, but who would be committing an offence if any sexual activity took place. I ask my hon. Friend to prevail on the Government to rethink that provision.

Jackie Ballard: My hon. Friend is absolutely right, and that is why I am taking the House's time today. We shall have no Committee stage in which to examine the matter further and raise issues that should worry anyone who examines the scope of the Bill.

When the NAS/UWT responded to the interdepartmental working group on preventing unsuitable people from working with children, it said that there should be a national register of all those who work with young people and children. I have raised that matter before, and I am sure that I shall do so again as chairman of the cross-party group on the campaign for the registration of workers with young people and children, which is supported by both Labour and Liberal Democrat Members of Parliament.

Abuse of trust or power is always wrong. However, we must ask whether it should be a criminal offence and, if it should, in what circumstances. Should the law single out a particular group of professionals for discrimination? I believe not. Other European countries have laws that try to deal with abuse of trust through age differences. For example, in Portugal it is illegal for someone aged over 18 to have a sexual relationship with someone aged under 18. It would be more appropriate to consider age differences in relationships rather than individual professionals for our provisions on abuse of positions of power or trust.

I suspect that the Government are determined to go ahead with the Bill, but I ask the Home Secretary to reassure me that the Government will not encourage the House of Lords to defeat it so that they can invoke the Parliament Acts on an unaltered Bill. Instead, they could encourage the other place to vote in favour of the Bill—I know that there will be a free vote in the other place, just as there will be here, but I hope that the Government will signal their hope that the Bill will not be defeated—so that a Committee stage could be held there. Then, the abuse of trust provisions, which have never been examined in detail in the other place, could be properly debated.

I also urge the Home Secretary to make a commitment to review the provisions within a year or two after the General Teaching Council, which will strengthen professional codes of conduct, and the General Social Care Council come fully into operation. The Home Secretary referred earlier to orders that could extend the scope of the Bill. I hope that he might consider orders that could reduce its scope.

There is no objective or scientific way to determine the age of consent to sexual activity for young people. It varies across Europe, from 12 in Spain—which many of us would probably think on the young side—to 17 in Greece. Apart from Luxembourg and the United Kingdom, European countries have equal ages of consent, regardless of sexuality. An unequal age of consent gives the message that it is okay to treat gay men differently and discriminate against them. It is not surprising that that homophobic message can lead to bullying, abuse, or, as the hon. Member for Brentford and Isleworth (Ann Keen) said, even worse.

The protection of young people should be one of our key duties. It is best maintained by consistent and fair laws. The passage of the Bill—even with flaws that I wish we could remove—takes us one step nearer to a fairer and more decent society.

4.48 pm

Ms Oona King (Bethnal Green and Bow): I am grateful for the opportunity to speak on Second Reading.

The Bill is about two important matters: equal protection and equal treatment. I ask Members of Parliament not to encourage law breaking. First, there is law breaking by our own country. We have been found to be in breach of European law because we have evidently been discriminatory. Secondly, MPs should not encourage law breaking by those unsavoury individuals who prey on vulnerable young people. As the law stands, it encourages that.

How could any decent-minded person not want a change in the law? I have been wrestling with that question. At the root of the question lies a genuine belief—sometimes lurking in the further recesses of some people's minds but sometimes at the forefront—that gay men are inherently unequal and should be treated unequally under the law, as indeed, currently, they are.

Over the past 200 years, there has been a struggle for progress—a struggle to recognise one simple, basic premise, which is enshrined in article 1 of the United

[Ms Oona King]

Nations universal declaration of human rights: all human beings are born free and equal in rights and in dignity. However, the past 200 years have also been marked by the proclamations of those who are against change—who believe that they are entitled to inalienable rights, but that such rights are not transferable to other human beings. We have heard some of those views expressed by Opposition Members.

Those views are familiar because they were heard 200, even 100, years ago. It was said that black people were inferior to white people, so they could not be treated equally under the law. It was said that women were inferior to men, so they could not be treated equally under the law. If we read *Hansard* from 80 years ago, we will see the names of hon. Members who argued passionately that women should not be granted the vote and that, if they were, it would be the end of society.

When we read those comments today, we can scarcely believe them. We recognise in them the antediluvian, atavistic, primitive and bigoted views that they represent. We might even forgive those ancient Members of Parliament some of their bigotry—perhaps for cultural reasons or because of their sheer ignorance. They lived in an age and in a society that was primitive in its understanding of equality.

That is what we are discussing—a simple inescapable matter of equality. Unfortunately, we do not have to search through 200 years of *Hansard* to find bigotry and ignorance. We only have to listen to recent remarks. For example, we cannot forget Baroness Young. Several years ago, she said:

"If a 16 year old girl has heterosexual relations, the worst that can happen to her is to have a baby. She could lose her heart to an unsuitable man and she may be very unhappy . . . But what is so tragic for the 16-year-old boy . . . entangled with homosexuality is that he denies himself forever the opportunities for marriage, children and a normal life."

I would say that one can have a normal life with or without marriage and children. The shadow Home Secretary might want to reflect on that point.

Lord Longford, a colleague of Baroness Young, said:

"A girl is not ruined for life by being seduced. A young fellow is."

I fail to understand that logic: a young woman can get over being seduced, but a young man cannot. Those poor young men! It seems that they do not have the strength, the resilience or the moral purpose to withstand being seduced. Why are people so concerned about the right of 16-year-old boys to be protected from predatory men, but not about the right of girls? I do not understand that. I take great offence at the suggestion that, in that respect, a girl deserves less protection under the law.

Mr. Gerald Howarth: I have been tempted to intervene.

The reason why some of us take the view that we do is that it is perfectly natural for a boy and a girl to engage in a physical relationship. We feel that there is something less than natural about a relationship—anal intercourse—between two men. I am sorry, but that is how we feel.

Ms King: That is precisely why I was trying to place the debate in the context of history, because in that context, I am afraid that the hon. Gentleman must recognise that views have changed. Sixty-seven per cent. of young British people do not share his views and do not feel that gay men are in any way unnatural. The hon. Gentleman will have to come to terms with that, in the same way that my white racist grandmother came to terms with the fact that racism was unacceptable.

The idea has been expressed that one catches homosexuality like the pox. I find that very offensive—although I would say that hon. Members are entitled to prejudice and prejudicial views in the privacy of their minds. What really concerns me is when hon. Members allow their prejudice to maintain a law that indisputably discriminates against young gay men.

I would welcome the hon. Gentleman's comments on the following issue. There is evidence that the current law actually protects rapists in some circumstances, and no doubt encourages them. I refer colleagues to the debate initiated by Lord Tope in October 1998, in which he read out a letter from a 16-year-old male Londoner who said:

"I was raped by a man. But because I was under the age of consent, at the age of sixteen, I thought that if I told anyone, I would be arrested and put into prison. And so I did nothing"—[*Official Report, House of Lords*, 6 October 1998; Vol. 593, c. 323.]

So a rapist got away with raping a young man. I ask all hon. Members, regardless of their views on this matter, to recognise that if they vote to maintain an unequal age of consent, they are complicit in allowing young people in that situation to have to withstand brutality, violence and rape. By the same token, I believe that they are complicit in allowing rapists to escape justice.

It is not just the morality of those who want to maintain an unequal age of consent that bothers me, but their stupidity. It is an unfortunate fact of life that some men—a minority—rape. If they rape a 16-year-old girl, that young girl can go to the authorities and get the authorities behind her, but if a rapist rapes a 16-year-old boy, that young boy can go to the authorities and go straight to jail. We can see where the prejudice is, but we cannot discern the logic. In 1957, the logic of the Wolfenden report, which recommended a different age of consent for gay men, was that young men should be actively discouraged from choosing a way of life that might have the effect of setting them apart from society. First, as Stonewall has pointed out, that is a circular argument which relies on prejudice to justify prejudice. Secondly, I would hope that, in 40 years, we have made some progress.

Many studies, some of which have been alluded to, have shown that choice does not come into the matter in the way that some hon. Members might have thought it did. Most reputable medical organisations recognise that homosexuality is not a choice—a point on which my hon. Friend the Member for Colne Valley (Kali Mountford) expanded convincingly. In recent research by the Medical Research Council, 74 per cent. of gay men said that they thought that they were sexually different before they first had sex with a man. Of course, there is also plenty of anecdotal evidence. I have many gay friends. I was talking to one of my gay friends the other day, and he said that every single one of his 40 or 50 gay male friends had thought that they were gay by the age of 12. When I was 12 I used to dream of getting married and having children: but he and his friends knew at the age of 12 that they were gay.

Dr. Julian Lewis (New Forest, East): The hon. Lady knows that I much admire her views on many subjects but

I disagree with her on this one. She has used anecdotal evidence, so I remind the House of something that I said when the matter was last before us. The only known gay boy in my secondary school—he was mercilessly teased and bullied and I felt great sympathy for him—told me that he started on the road to being homosexual when he was under-age and was interfered with by an older youth.

Ms King: My first reaction is that I hope that the hon. Gentleman fully supports the repeal of section 28 to prevent such bullying. The second and more general point is that most people recognise that people cannot transfer their sexuality if they violently attack someone. People either have a proclivity, or they do not. It is ludicrous to suggest that, had I been attacked and sexually assaulted by another woman when I was a 16-year-old girl, I would suddenly have thought, "Whoops, you know what? I am not a heterosexual: I'm actually a lesbian." Such arguments are ludicrous.

I want to return to the theme of intolerance, which has run through the debate. If we start from the premise that one group should have less protection under the law than another, we end up with the outcome that one group is worth less under the law than the other. That is the foundation stone of intolerance. Obviously, there are degrees of intolerance. For example, a little bit of intolerance is when people say that they do not like homosexuals and that homosexual relationships are worth less than heterosexual relationships. A lot of intolerance is when someone says, "Homosexuals are worthless, they have no right to life and I am going to blow them up."

The one thing that the bombs last year taught us is that intolerance is a danger to us all. My hon. Friend the Member for Brentford and Isleworth (Ann Keen), in an eloquent account of the devastation that resulted from the bombs, told us how they had affected her and many of her friends and family. I am sure that the bombs affected many people personally.

When the first bomb, targeting the Afro-Caribbean community, went off in Brixton, I, as a black MP, was terribly concerned. When the second bomb, targeting the Bangladeshi community in Tower Hamlets, went off in Brick Lane, I was naturally, as the local MP and as someone who has lived and worked in the area, terribly concerned. When the third bomb, targeting the gay community in Soho, went off, I was very, very concerned, not least because I was standing 60 yards away at the moment of the explosion. I realised, as I watched someone having shrapnel picked out of their back, that homophobia threatens everyone, including straight women like me and the straight men on the Opposition Benches.

We cannot, in all conscience, give intolerance an excuse in the letter of the law. That is why I urge every Member of the House to vote for an equal age of consent. As we know, it is difficult to achieve change and it has been a difficult process. It takes courage to do that.

In particular, I congratulate the hon. Member for Buckingham (Mr. Bercow) on the fact that his logic led him inescapably to decide that it serves no purpose, and that it is wrong and damaging, to have an unequal age of consent. I also congratulate him on the fact that he has learned to put his notes on the Bench and read them from there, which is a good trick. Finally, I congratulate him on doing so well yesterday. I hope that he will accept that those are the last congratulations I will lavish on him for the duration of this Parliament.

Homophobia should have no rock under which to hide, and unless and until we change the law, we are giving it a place to hide.

5.5 pm

Mr. Gerald Howarth (Aldershot): The hon. Member for Bethnal Green and Bow (Ms King) is charming and puts her points forcefully and with good nature, if not always with good humour. She said that there is a streak of intolerance running through the debate—I believe that because many of those who have spoken in favour of the Bill have displayed marked intolerance towards those of us who take a contrary view. I have to tell the hon. Lady that we are much more in touch with the feelings of the people in this country. We may not be represented in large numbers in the House tonight, but we represent the vast majority of the British people.

It is curious that even the changed, emasculated—I will not call it "reformed"—other place has spoken for the nation. It was led by Baroness Young, whom the hon. Lady unwisely disparaged. The noble Lady has shown enormous courage in the stand that she has taken, and their Lordships have followed her lead and spoken for the people.

The *Daily Record* may not be the hon. Lady's everyday reading, and I suspect that it is not the everyday reading of those hon. Members who represent Scottish constituencies and who have gone off to the Scottish Parliament. The *Daily Record* is not a Tory newspaper. There is not a Tory newspaper in Scotland. [HON. MEMBERS: "There are no Tories in Scotland."] They are coming back, and they will be coming back in droves now. If the hon. Lady and her colleagues had read the *Daily Record* over the past couple of weeks, they would have seen that every day it reported the hostility in Scotland towards the Government's proposal to repeal section 28 of the Local Government Act 1988.

Cardinal Winning, who has nailed his colours firmly to the mast, has garnered enormous support and respect in Scotland. An overwhelming majority of people in Scotland are in touch with our view and wholly out of sympathy with the views expressed by Labour Members.

Ms King: I thank the hon. Gentleman for his graciousness in giving way. If his opinions represent the views of the general public, can he explain why a Harris poll showed that 74 per cent. of the general public backed an equal age of consent?

Mr. Howarth: I have not seen that poll. I saw a poll a couple of years ago which showed that 53 per cent. supported the view that I take. However, it is the latest poll in Scotland that is interesting because it reflects people's concern, as do hon. Members' mailbags. That is not to say that we are intolerant of people who have a different life style. I do not want to know what people do in their own home, behind closed doors, provided that it does not involve young people, and I do not want to read about it in the newspapers either.

The hon. Member for Brentford and Isleworth (Ann Keen), who is no longer in her place—*[Interruption.]* What did the Whip say from a sedentary position?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

Mr. Howarth: I do not know what the hon. Member for Harrow, East (Mr. McNulty) said. He was pretty vocal in the previous debate on this matter.

[Mr. Howarth]

When the hon. Member for Brentford and Isleworth made her impassioned speech, she displayed the patronising attitude that those of us who take a contrary view are less intellectually capable than she is and that we care less about other people than she does. That is entirely wrong.

The man who has been charged with the bombing of the Admiral Duncan public house in Soho is a constituent of mine. I resent bitterly, and my constituents will also resent bitterly, the implication of the hon. Lady's remarks that those of us who take a contrary view to hers may somehow, by our language and our actions, be encouraging that young man to do what he is alleged to have done.

That is unacceptable. I resent it, and, on behalf of my constituents, I say that the hon. Lady ought to have the courtesy to acknowledge that when we speak about these issues, we do not give, and do not intend to give, encouragement to people to resort to the bomb or other acts of violence to promote their ends.

Mr. Bercow: I am grateful to my hon. Friend for giving way. He is both capable and caring, but does he agree that even if we are able confidently and accurately to identify majority opinion as being in support of the status quo, that does not of itself absolve us of the responsibility to study the legislation, to form our own view of it and to speak and vote accordingly?

Mr. Howarth: Of course. I shall come to my hon. Friend's views in a moment. I know that his views on the importance of saving the pound are in no way influenced by the fact that the overwhelming majority of the British people, in opinion poll after opinion poll, support it. He is a man of principle and he speaks from principle.

Hon. Members in all parts of the House acknowledge not only that my hon. Friend is extremely able, but that he is a man of principle. However, if he has had a change of heart, I hope that he will respect the fact that some of us have not, and that we are unpersuaded. Despite my hon. Friend's powers of persuasion, I am unpersuaded by the arguments that he advanced today, although I agree with him in his references to Europe in this debate. He and I are entirely agreed on that issue.

My hon. Friend and I may not agree in our attitude to the Bill, but we are agreed on an important aspect of it—its origin. If its origin lay solely in the Government's desire to introduce the measure, we could argue it between us and have a good debate. My hon. Friend said that he did not give a tinker's cuss for what other European countries do, for the European convention on human rights or for the European Commission of Human Rights. He and I are entirely agreed on that.

Labour Members should beware of the way in which, week in, week out, the House is ceding its powers to authorities beyond these islands. *[Interruption.]* The hon. Member for Watford (Ms Ward) can feign boredom and ennui, which is a French word meaning the same thing. She is a charming hon. Member and she will understand this even if the rest of the House will not: I am not flying wholly solo as we speak, but that is between us.

Mr. Swayne: Share it with us.

Mr. Howarth: You might rule me out of order, Mr. Deputy Speaker, if I went down that road.

As I said in an intervention on the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), who is no longer present, when the United Kingdom signed up to the European convention on human rights, it did so only when it was absolutely certain and Ministers had agreed among themselves that the United Kingdom could not possibly be in infringement of the convention as drafted.

At that time buggery was a criminal offence, full stop. How can it be right that we were not infringing the convention then, but are doing so 50 years later? There is an answer to that question: the convention was drawn up in the aftermath of the second world war when the nations of Europe were concerned with ensuring that the atrocities that had been committed, principally by Nazi Germany, were not repeated. They were establishing a framework within which guidelines could be applied to the democratic countries and the emerging democratic Germany to ensure that a code of practice provided some bulwark—however realistic that prospect ever was—against the repetition of the atrocities of the 1940s.

Today we are experiencing a relentless intrusion on the rights of the elected United Kingdom Parliament to determine the composition of Her Majesty's armed forces. At least the Government have in this instance introduced a Bill and we are debating the age of consent, but we were unable to intervene in any way on the lifting of the ban on homosexuals serving in the armed forces as no Bill was introduced.

Mr. Tom Levitt (High Peak): Next Thursday.

Mr. Howarth: The hon. Gentleman intervenes from a sedentary position, but has clearly not read his pager. The Armed Forces Discipline Bill has nothing to do with homosexuals serving in the armed forces and everything to do with the system of courts martial and other procedures related to military discipline. However, I would not expect him to know anything about defence. *[Interruption.]* I am sorry; if I was a bit harsh, I apologise.

The European Court of Human Rights is interfering in sexuality not only in respect of the armed forces. We read in the newspapers today that, apparently, the Government are to introduce proposals requiring employers not to discriminate between heterosexual married couples and homosexuals living together in respect of benefits in kind, which in the vernacular are called perks. According to the *Daily Mail*, which is a very good authority on these matters:

> "It means that a gay couple will in future get the same perks as the spouses of married staff or cohabiting heterosexuals."

I find that extremely worrying. The proposal is being introduced at the behest of the European Court of Human Rights.

Ms Ward: Will the hon. Gentleman give way?

Mr. Howarth: In a moment. The decision on the armed forces was taken by judges from well-known liberal-minded countries such as Lithuania, Cyprus and Austria, whose involvement is ironic, is it not? What right have

they to interfere with our determination to make the laws of this country? We are accountable to the people who elected us; they are accountable to none.

Dr. Harris: Will the hon. Gentleman give way?

Mr. Howarth: The hon. Member for Watford tried to intervene earlier and I allow her to do so.

Ms Ward: I am grateful to the hon. Gentleman for giving way as I must try to regain at least some dignity in front of my hon. Friends by making it absolutely clear that there is no strange liaison between us. Will he explain the real reasons for his opposition to the proposal? He should not use the debate to rant against the European Union or, indeed, anything to do with Europe. This is a matter for the House; it is not a European issue. It is purely to do with equality and ensuring that young people receive the rights that they deserve.

Mr. Howarth: I was not aware that my speech was a rant, and I am sorry that the hon. Lady has made those remarks about our little discussion earlier. I had thought that someone might have written about them and we could have sued them and had a good meal together. She has fundamentally misunderstood the nature of the Bill. It is not about equality, but about the pernicious influence of the European Court of Human Rights on our proceedings. It is no good Labour Members making lovey-dovey speeches. The Bill has nothing to do with the European Union, but has to do with the European Court of Human Rights and its interference in our national affairs.

The hon. Lady suggested that I used the previous argument to mask the real reasons for my opposition to the Bill. The argument that I have just advanced is a fundamental reason for opposing the Bill, but not the only one. The Government claim that the debate is about equality, but I do not subscribe to that view. The debate is—or should be—about protecting children against predators. The Home Secretary kindly allowed me to intervene in his speech earlier to express that view.

Clause 3 deals with abuse of trust. It will provide protection for 16 and 17-year-olds from teachers or others in authority who are over 18. However, it will not protect 16 and 17-year-olds from other young people of 17, 18 or older who are not in a position of trust. Earlier, I gave the example of boarding school, where a young child of 15 or 16 could feel influenced and intimidated by an older boy in a position of authority, but not in a position of trust—for example, a prefect. Those who have been to boarding school know that prefects command a lot of influence.

Ms Oona King: Will the hon. Gentleman give way?

Mr. Howarth: If the hon. Lady will forgive me, I want to reach the substance of my argument.

I do not believe that the Bill provides the protection that the Government claim. We are being asked to change the law. The foreseeable consequences will be deliberate exposure of young boys to abuse from older men and even paedophiles. Worse, the measure is presented in the name of equality and of giving children rights. Those who support the measure want to make it lawful for an older man to bugger a child—a 16-year-old boy—when he is at his most vulnerable and confused as he makes the transition to manhood. As he makes that transition, he is to be exposed to activities that could scar him mentally and physically for life. Parents will ask why Parliament is trying to expose their young boys to that risk, especially when there are so many other matters about which to worry.

The Government want to protect young children from drugs and tobacco. The age at which it is lawful to buy tobacco will be increased from 16 to 18 to protect young people.

Ms King: Will the hon. Gentleman give way?

Mr. Howarth: No, I hope the hon. Lady will forgive me.

Some hon. Members claim that it is nonsense to say that young people will not be scarred for life because homosexuality is genetic. I rebut that. Young constituents have been to see me and told me that they had been pressurised into homosexuality, that they had broken free, and that they were now leading what they—and I—regard as a normal life.

Homosexuality is not a genetic disorder. A wealth of information has been provided on the subject. I shall quote a group of eminent professors and doctors, who stated in a letter to *The Wall Street Journal* on 9 January 1997:

"These young men and their parents have the right to know that, contrary to media propaganda, there is no proven biological basis for homosexuality."

The letter was signed by professors of psychiatry, clinical directors of psychological clinics and other eminent people in the sector in the United States. It is not acceptable to assert that it is a genetic factor; it is not. There is no evidence of that. At best, medical evidence is not unanimous on that.

Once the Bill is enacted—for surely it will be, notwithstanding the fact that it is entirely out of touch with the mood of the British people—we will find that we will go on. We will change the laws relating to employment so that we have to accord homosexuals the same rights as are accorded to heterosexual people. Anyone who thinks the Bill is the end of a process and not the beginning need know only what OutRage! has said:

"Many MPs think we will be content if they equalise the age of consent. They have got to be kidding. We won't be satisfied until every discriminatory law is abolished."

Mr. Bercow: I honestly believe that my hon. Friend is wrong. He cannot at one and the same time assert the supremacy of Parliament and emphasise his belief in the importance of its continuing sovereignty, and suggest that, just because we pass the Bill, we are henceforth handing over the government of the UK in relation to sexual matters to Mr. Peter Tatchell. We are doing no such thing.

Mr. Howarth: I am not saying that. My hon. Friend misunderstands. What I am saying is that it is crystal clear that those who are behind the campaign to reduce the age of consent do not see it as the end of the story. They will ensure that, year in, year out, more legislation is brought before the House further to make homosexuality like heterosexuality. It is only a matter of time before we will be invited to support homosexual marriages, because that is the ultimate conclusion.

[Mr. Howarth]

I will not adduce all the medical evidence, but my hon. Friend adduces many people in medical circles who support the measure. I have plenty of medical evidence that homosexual people are more exposed to illness, particularly to HIV infection. Why does the National Blood Authority refuse to accept blood from any man who has had anal intercourse once?

Ms King: Will the hon. Gentleman give way?

Mr. Howarth: No, I will not.

The authority either knows something that the rest of the medical profession does not, or it knows something that the House wishes to close its eyes to.

The Government are renowned for trying to have it both ways. Not only are they seeking to appeal to the homosexual vote through the Bill, but the man whose name is on the back of the Bill—the Secretary of State for Education and Employment—is also the man who will send new guidelines to schools on the importance of marriage. They cannot have it both ways. They cannot say that they support marriage but also agree to make young men vulnerable, as they will through the Bill. There will be a big price to pay.

5.28 pm

Dr. Evan Harris (Oxford, West and Abingdon): I am delighted to support the Bill, but I want to take the opportunity to respond to a couple of the points that were made by hon. Members, particularly those on the Conservative Benches, who have not taken every intervention; I have not been able to intervene.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) claimed that it is the ambition of all parents for their children to marry and to have more children. She implied that it would be a bitter disappointment to parents if their children did not do that. I do not believe that that is true in every case. I am sure that she would not regard herself as a bitter disappointment to her parents. That sort of language and approach does not show much thinking through.

I think that the right hon. Lady almost accepted that there was not a choice over whether one was homosexual, but she implied that there was a choice over life style; it was as if it was legitimate for her to say that consenting people who are heterosexual need not have any restrictions on how they express their love, but the full force of the law should restrict how consenting people whom we regard as adults express their love, if they are homosexual. It is a restriction on human rights to use the law to do that. The right hon. Lady is entitled, whatever the basis of her belief, to preach her views from any platform or pulpit. But to seek to use the law to restrict the rights to privacy, rights to expression of love, of people whom we regard as adults cannot be acceptable.

Mr. Desmond Swayne (New Forest, West): Does the hon. Gentleman acknowledge that it is not an absolute restriction? It is a restriction that applies only for two years. If the love is that profound, can it not wait?

Dr. Harris: For the hon. Gentleman, the restriction would be for five years or in fact a complete restriction—

Mr. Swayne: Any number of years.

Dr. Harris: The hon. Gentleman is honest enough to say it now. He would not want it to be legal at all. So it is a bit disingenuous for him to say that we should criminalise people for two years if they are homosexual in consenting relationships with other people whom we regard as adults, but that we will not do it for heterosexuals. Even for that two-year period, to criminalise people in that way is not acceptable.

The implication of the argument of the right hon. Member for Maidstone and The Weald was that we should encourage homosexuals to be heterosexual, that so strongly does she believe in the institution of marriage that she would use the force of the law to encourage homosexuals to marry, to enter into sham marriages, to have children, in relationships that are doomed because they are dishonest. The implication is that marriage must be promoted; that we must discourage people at the same time from following homosexual life styles; that the right hon. Lady wants to encourage people who feel that they are homosexual to enter into sham marriages and have children, resulting from those unions, who will face inevitable family breakup.

If the right hon. Lady thought a bit more deeply on the subject, and more fairly, she would see the misery that would be caused by what was implicit, if not explicit, in what she said. I listened to her carefully.

It is appropriate that the hon. Member for Witney (Mr. Woodward) is here. Many of us remember with admiration his speech on two occasions in support of this proposal. If he had been following the debate from outside the Chamber he would have heard a remarkable speech by the hon. Member for Buckingham (Mr. Bercow), who put quite clearly, even from his Conservative perspective, that it is not worth supporting the status quo if doing so does not achieve anything that he wants to achieve. He has been converted to that.

While I accept that the hon. Gentleman's recognition of the correctness of the points that we have been making for some time does not commit him to supporting other matters, such as repeal of section 28, all his arguments in support of his position on equalising the age of consent to 16 apply to stronger sex education in schools. That is something that I support and that I hope he will support.

Dr. Julian Lewis: In the absence of my hon. Friend the Member for Buckingham (Mr. Bercow), I should like to point out that, although he may have been converted to some of the arguments of the hon. Member for Witney (Mr. Woodward), I earnestly believe that he has no intention of following the hon. Gentleman to the Labour Benches.

I should like the hon. Member for Oxford, West and Abingdon (Dr. Harris) to address in this debate, as he has on previous occasions, the difference with regard to the situation of people who are still technically children and who by being allowed to engage in anal sex are exposed to a degree of medical risk that does not apply either to straight sex or to lesbian sex.

Dr. Harris: That is an interesting point. I was about to say in response to points that the hon. Gentleman has

made previously, and in response to the speech of the hon. Member for Billericay (Mrs. Gorman), who did not wish to take too many interventions because she wanted to finish quickly, that the logic of the hon. Lady's position was that people should not be engaging in penetrative sex at all, because all penetrative sex has risks. According to her logic, she should be promoting lesbianism as much as possible, because the risks associated with sexual activity among lesbians are much less than for heterosexuals and for homosexual men, if the sexual activity is not performed safely.

The message, however, is not that sexual activity is dangerous; it is that we must all take measures to reduce the risk of harm from sexual activity, be it heterosexual or homosexual. The organisations cited by the hon. Member for Buckingham—organisations such as the British Medical Association, the Royal College of Nursing, HIV organisations, the Royal College of Physicians and, indeed, children's charities—want to equalise the age of consent at 16 because they want information to be given to people who otherwise, because of criminalisation, have no access to such information, or feel that they are prevented from giving it.

The hon. Lady must recognise that she cannot pray in aid the risks of homosexual activity without the same considerations applying to heterosexual activity. The same argument applies to the ludicrous and, in my view, shameful assumption that predation occurs only in the case of male homosexuals. That is patently not the case. Members who have argued on that basis do not seem to recognise that most predation involves older men—indeed, men generally—and younger women. In fact, predation probably exists to an extent in the case of homosexual females. The obsession with homosexual males is exactly that: an obsession. It is not backed up by the evidence about predation. If those presenting that argument are to have any credibility, they should be consistent.

In an interesting speech, the hon. Member for Sunderland, North (Mr. Etherington) mentioned other legal inequalities—for instance, in employment law. Although the hon. Gentleman is not present now, I suggest that he should consult the record to see how he voted on an amendment to the Employment Relations Bill, tabled by my hon. Friend the Member for Eastleigh (Mr. Chidgey), which sought to prevent any discrimination in employment law on the ground of sexuality. The House divided on the amendment, at the behest of the Liberal Democrats, and nearly all Labour Members voted against it. If the hon. Gentleman and other Labour Members are concerned—I know that Labour Members will sincerely be concerned—they should read the record of that debate and decide whether they can persuade their Front Bench to ensure that there is equality in that regard as well, as the hon. Member for Sunderland, North wishes there to be.

The hon. Member for Aldershot (Mr. Howarth) suggested that the wish for equality in the provision of perks in employment law was due to the European convention on human rights. The convention, however, does not apply to employment law; it is the Amsterdam treaty that will force Britain belatedly to ensure that there is equality in employment law. The argument that perks are part of pay was won in the European Court of Justice, in the Grant case. However, it was only because the company that discriminated against that person and her lesbian partner would also have discriminated against a male homosexual and his partner that the case was found not to come under the jurisdiction of the equal treatment directive, which deals with gender equality. We need to reform our laws.

Last time we debated this issue, I was pleased that the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), was in charge. I hoped that he would accept various amendments that would improve the legislation. I believe that, in terms of equality in sexual offences law, this Bill—and clause 1 in particular—does not go far enough. During the Committee stage of the earlier legislation, the Minister turned into Mr. No, and he returned as Mr. No on Report.

The Bill does not go far enough in terms of equality for homosexuals. As has been pointed out, there is no equality for homosexuals in employment law, in pension law or in housing law and the inheriting of tenancies. There is no full equality for homosexuals in immigration law, and there is no equality for homosexual couples in adoption law. I hope that Labour Members who feel strongly about equality will press the Government to introduce legislation in all those areas.

Mr. Gerald Howarth: Will the hon. Gentleman give way?

Dr. Harris: No, not now; I should like to develop the point.

Even after the age of consent has been reduced, there will not be equality in sentencing provisions on homosexual offences. The Bill will not create equality in sexual offences law. There are huge discrepancies in sentencing provisions between lesbian offences and homosexual offences, regardless of whether the acts were consenting.

As my hon. Friend the Member for Taunton (Jackie Ballard) said—I have also made the point before in the House—compared with the treatment of acts involving heterosexual sex, the privacy laws are highly discriminatory in dealing with acts between consenting adult homosexual men. If two or more such adult men are present, the act simply cannot be defined as private or, therefore, as legal. Arrests, prosecutions and convictions are still occurring on the basis of those laws.

Mr. Howarth: The hon. Gentleman has recited a load of matters in which he hopes the Labour Government will create equality in the law for homosexuals. Is the policy of the Liberal Democrats therefore to allow homosexual marriage, too?

Dr. Harris: Marriage is of course an institution and, in another sphere of law, is dealt with in civil marriage. It also has a religious connotation to it. As I am not a religious person, I do not pretend to know how religious institutions might change their rules. However—specifically to answer the hon. Gentleman's question; I think that he wants this answer—those rights that are available to heterosexual co-habiting couples, who have the choice to marry, should be available to homosexual

[Dr. Harris]

couples in a similar stable relationship. The arguments for such change—in all the spheres that I have mentioned—are overwhelming.

Mr. Howarth *indicated dissent.*

Dr. Harris: The hon. Gentleman disagrees. That is where we differ. Nevertheless, I hope that he recognises that I have answered his question.

Gross indecency is another offence in which sexual offences law is grossly unequal. By definition, it is a homosexual-only offence.

I realise and accept that the Government cannot address all those issues in clause 1. I think that the Government recognised that limitation when, in response to a proposal that I made to abolish that privacy provision, they introduced a most welcome review of sexual offences law.

I ask the Minister, in his reply, to update us on the progress of that review. Will there be legislation on it in this Parliament, or is there insufficient time in this Parliament to introduce legislation based on the review? If there is not sufficient time to introduce such legislation, it will have implications for the way in which—while there is still time—both Houses deal with this Bill. If this is the last chance that this Parliament will have to address other issues, which I shall describe in a moment, we should know whether there is any likelihood of legislating, on the basis of equality, on the review of sexual offences legislation.

Clause 1 fails to deal with two other matters, the first of which is use of the sex offenders register for consenting offences. It is absolutely vital that we dissociate consenting homosexual offences from the remit of sexual abuse unless similarly consenting offences for heterosexuals are included in it. It seems absolutely wrong—I do not believe that the Government can defend it—that consenting homosexual offences occurring between consenting adults should be subject to sex offenders registration legislation whereas similar heterosexual offences are not subject to it. There can be no justification for it.

Although the age of consent will be equalised from 18 to 16, the Bill provides for no subsequent repeal of the sex offenders legislation. It is a serious omission.

Dr. Julian Lewis: Before the hon. Gentleman concludes his remarks, I should be very grateful if he would again address himself to the point that perhaps I did not make clearly enough in my earlier intervention. HIV results from unprotected anal sex, whether between males and males or males and females. Unprotected sex occurs more frequently between homosexual males than between straight couples and of course between gay women. The Bill legalises homosexual relations—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The intervention is far too long.

Dr. Harris: The hon. Gentleman's intervention was far too long and far too incoherent. The point of health education is to ensure that sexual activity is safe, not of a specific nature. The hon. Gentleman does not have to do anything if he does not want to, but he should not criticise others whom we consider to be adults for having consenting sexual relations.

Dr. Lewis *rose—*

Dr. Harris: I shall not give way again, because the hon. Gentleman wants to make an argument that has already been answered by all the medical organisations that can be cited.

Dr. Lewis: Sixteen and 17-year-olds are children.

Mr. Deputy Speaker: Order. I have already told the hon. Gentleman that he had finished speaking. That is the end of the matter.

Dr. Harris: The council of the British Medical Association, which is relatively conservative, voted unanimously that the reduction in the age of consent from 18 to 16 was a necessary step to improve health education and provide information about how people can protect themselves when engaging in sexual activity. The same applies to heterosexuals. That argument was made forcefully by the hon. Member for Buckingham (Mr. Bercow) and I wish that the hon. Member for New Forest, East (Dr. Lewis) would take it on board.

Ms Ward: The hon. Member for New Forest, East seemed to suggest that 16 and 17-year-olds were not capable of making the decision. They are capable of deciding to join the armed forces and go on the front line for their country if necessary. Surely they are able to determine their sexuality.

Dr. Harris: The hon. Lady is right. Sixteen and 17-year-old girls are capable of giving consent to having sexual relations with the hon. Member for New Forest, East. I have never seen an amendment tabled by him to raise the age of consent to 18. Until he tables such an amendment his arguments will be prejudicial because he is selecting one group for criminalisation.

Dr. Lewis *rose—*

Dr. Harris: The hon. Gentleman has had his say.

Dr. Lewis: I was cut off from having my say.

Dr. Harris: The hon. Gentleman will have an opportunity.

Mr. Deputy Speaker: Order. The hon. Gentleman was not cut off from having his say. Interventions should be brief. That is what I was trying to point out to him.

Dr. Harris: In the section 28 debate in the House of Lords, Lord Moran came out with unjustifiable prejudice against homosexuals on the grounds of paedophilia and child abuse. He said that the young had to be defended. I was going to read his remarks, but they were so offensive that I do not want to do so.

Mr. Michael Fabricant (Lichfield): Go on.

Dr. Harris: The hon. Gentleman can look at my copy of *Hansard* if he wants. The implication was that

paedophilia was a homosexual issue but the overwhelming majority of paedophiles are heterosexual. The Government have to recognise that people make that false assumption. They are reforming the law step by step and the Bill is a small but welcome part of that process. They should also alter the law on the sex offenders register. It is unacceptable that people will be subject to the administrative requirements of registering solely for acts that will be legal on the enactment of the Bill. How can the Government justify making someone register as a sex offender because of an act that will no longer be illegal? Even when it was illegal, it was committed between consenting people whom we regard as adults.

In Committee last time we considered the issue, Conservative Members supported my point of view. The Minister was alone among the Front Benches in refusing to move for the simple reason that to find the 78 people whose human rights were being abused would cost money, because the Government would have to go through the court records. I simply cannot believe that a price, especially a modest one, can be put on decent treatment for people. I ask the Minister to confirm that the Government will reconsider an amendment in the other place to close that dreadful loophole.

My final point concerns the absence of a statutory defence for homosexuals. That is important because another clause in the Bill has implications for homosexuals accused of breaches of the age of consent law. Heterosexuals who are accused of unlawful sexual intercourse with a girl under the age of 16 may adduce a statutory defence in court. They can claim that they did not know that the person with whom they have been accused of having unlawful sexual intercourse was below the age of 16 and that they had reasonable grounds for that belief.

It is very common for partners to be picked up in nightclubs, for which the age of admission is 18 or 21. They may have been drinking, so they have already deceived bar staff about their age. Sexual contact may then take place, but heterosexuals can claim in their defence that they had reasonable cause for mistaking the age of their partner. That defence is available to ensure that people are not convicted or locked up when they have been deceived and it is also important that people are not open to blackmail.

In Scotland, that defence is also available for homosexuals who are accused under the law on the age of consent, but that is not the case in England, Wales or Northern Ireland. If the act is proven and the age is proven, there is no possible defence, even if someone was deceived as to the age of the other person. There may be arguments about whether it is right to have that statutory defence for men under the age of 24 who have not been charged with a similar offence before—it is not a universal defence—but if it is appropriate for heterosexuals, it must also be appropriate for homosexuals, because the risk of blackmail also exists.

Clause 2 decriminalises the person aged under 16 in cases of unlawful sexual intercourse, and I welcome that because I proposed it in Committee the last time the Bill was considered, with the support of the hon. Member for South Ribble (Mr. Borrow). At the moment, it is the criminalisation of the younger party that prevents young boys who are pimped from deceiving older men about their age, having sexual relationships and then blackmailing them, because the young boys also risk prosecution. Decriminalising the younger person opens the way again to widespread blackmail of men who are deceived about the age of their partners and do not have the statutory defence that is open to heterosexuals.

Last time during the passage of the Bill, the Government said that they wanted to clamp down, once the law was equal, on age of consent offences, which are often not prosecuted for heterosexuals. If there is a clampdown, and the statutory defence is not open to homosexuals as it to heterosexuals, the only people who will be prosecuted and convicted will be homosexuals, and that would be directly discriminatory in a way that the Government would not welcome. I urge the Government to be open minded if amendments are tabled in the House of Lords, because that will ensure that the Bill goes further towards equality in sexual offences law for homosexuals than it does at the moment. Otherwise, I support part 1 of the Bill.

5.54 pm

Mr. Desmond Swayne (New Forest, West): The hon. Member for Oxford, West and Abingdon (Dr. Harris) is entirely right on his last point about the decriminalisation of the partner under 16 in a homosexual relationship. He will recall that, when we debated the matter earlier, I pointed out to him that the effect of that provision is to abolish the age of consent, not merely to reduce it. However, I do not wish to rehearse arguments that we have had before.

My reading of the mood of the House is that the trenches have been well dug. We have argued about this a great deal and there is little more to be said. In fact, the longer we drag this out, the more danger there is of seeing other spectacular and awful conversions such as that of my hon. Friend the Member for Buckingham (Mr. Bercow), so I do not intend to detain the House for long.

I wish to revisit my earlier intervention on the Home Secretary, when I said that there was a fundamental contradiction between the two principles that underlie the Bill. The first principle is that a boy of 16—I know that the Bill is drawn wider, but I confine my remarks to this particular aspect—is sufficiently mature and developed to decide to have carnal knowledge of another boy of 16. Yet the Bill also provides that boys of 16 are immature enough to require protection from sharing precisely such a relationship with someone with whom they should properly share a bond of trust. I said that those provisions were mutually exclusive, because the obvious truth of the second proposition proves the falsehood of the first. Surely a boy cannot be sufficiently mature to decide to have a homosexual relationship at 16 if he requires the protection of the law against just such a relationship with someone whom he should trust.

The Home Secretary's reply was very revealing. He said, effectively, that the principle that I imagined existed in respect of the first case—namely, that a boy of 16 was sufficiently mature—was not part of the Bill and that the only principle was one of equality. If a boy of 16 is capable of making a decision about ordinary sexual behaviour, he should also be capable of making such decisions about homosexual behaviour. The House is effectively being asked to decide whether homosexual behaviour and ordinary sexual behaviour are equal. That is the clear implication of the Home Secretary's reply to

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my intervention. The House must decide whether those two types of sexual behaviour are equal—of the same value.

I believe that homosexuality and ordinary sexual behaviour are clean different, and not equal in any way. It is proper that the law should establish that inequality. It is proper that young men of 16, who I believe are still very impressionable, should have the assistance of the law in reinforcing a powerful message that homosexual behaviour is not normal.

Mr. Bercow: I might be wrong, but is it not the case that Department for Education and Employment circular 11/95 lists, among other types of misconduct, the engagement of a teacher in an inappropriate sexual relationship with a pupil, even if that pupil is over the age of consent? That seems, if I may say so, fundamentally to undermine my hon. Friend's thesis.

Mr. Swayne: I fear that I do not see how that example undermines my thesis. Indeed, I regard it as entirely irrelevant to the point that I am developing. It is more in tune, certainly, with the provision that gives protection to those who need it from people whom they would otherwise trust. However, I am concentrating on the fundamental principle that the two types of sexual behaviour are equal. It is my contention that they are not. I contend that the vast majority of the people whom we were sent here to represent do not regard it as equal. They are tolerant of different types of behaviour, but they are nevertheless aware that types of behaviour are not equal and they welcome law that reinforces inequality.

As I said to the hon. Member for Oxford, West and Abingdon, there is no absolute abrogation of what might be called human rights in this respect. Those parties disappointed at 16 by being unable to pursue their homosexual desires are only being asked to wait two years until they are marginally more mature and better able to make the decision.

Mr. Fabricant: Does my hon. Friend accept that people will do what they are going to do whether or not there is a law? The point is that the Bill will decriminalise acts that will be performed anyway. It will enable vulnerable young people to seek medical help and, sometimes, the help of the police when they have been obliged to do something that they would not have wished to have done.

Mr. Swayne: Much of what my hon. Friend says has force, but the last part about medical help is fatuous nonsense. People are perfectly capable of seeking advice without bringing any criminal penalty upon themselves.

Ms Oona King: Will the hon. Gentleman give way?

Mr. Swayne: Let me answer my hon. Friend first. He was entirely right to say that many of the acts that we are debating will take place no matter what. If the Bill passes, there will be no huge change in behaviour. It will have an impact only at the margin, but we should not ignore that margin. Young men would undoubtedly be encouraged by the force of the law to sublimate their unnatural desires, which they would in all probability outgrow, so that they could live otherwise blameless lives. Some at the margin will not be so encouraged if we change the law, and they will bring upon themselves a less eligible life style than they would otherwise have. The Bill is important for those few young men at the margin.

The Bill is important for another reason. It undermines our clear message of society's values, which are shared by the people who sent us here. People feel profoundly that homosexuality is not equal. It is, I am afraid, gross and unnatural.

6.3 pm

Dr. Julian Lewis (New Forest, East): Once again, Mr. Deputy Speaker, I found myself quite rightly corrected by you earlier for making an over-long intervention. I trust that I shall not be corrected now for making too short a speech, because I intend to make simply the point that I tried to make in that intervention and one other.

I did not intend to speak, because I made two substantial speeches in our previous debates. They are on the record, and can be found on my website—www.julianlewis.net—for the edification of my constituents and anyone else who wants to know my views.

The argument about the need to decriminalise people who are currently below an age of consent would, if carried to its logical conclusion, undermine the very concept of any age of consent. Yet, as societies have become more civilised, they have taken greater care of their children, raising ages of consent rather than lowering them. The first age of consent in this country was 12. It was later raised to 13, then to 16. At any one of those stages, it could have been argued that it was wrong to pitch the age of consent so high, because it would criminalise those who were below that age.

As I have said before—it remains as true as it was—the purpose of an age of consent is not to criminalise those below that age, but to protect them from being seduced by people above that age. That is the concept on which the age of consent is based. It is thus fatuous to say that the age of consent must be reduced in order to decriminalise those below it, because those people are never prosecuted in any case.

My second and final point is the one that I unavailingly tried—not once, but twice—to put to the hon. Member for Oxford, West and Abingdon (Dr. Harris) during his speech. I was surprised to hear him say that I had not advocated that the age of consent should be equalised. The hon. Gentleman attended a sitting of the Standing Committee for the previous version of the Bill at which I argued that, if equality was the prime issue, there was a stronger argument for equalisation at 18 than at 16. The reason for that is medical—as I started to explain earlier. I maintain that the argument is not about morality, but about health.

I could not attend the whole of today's debate because I had to move an amendment in Committee on another Bill; but, on this and other occasions, I have never heard

a refutation of the medical fact that HIV most frequently results from penetrative, anal sex—whether between two males or between a male and a female.

Ms Ward: Does the hon. Gentleman agree that health issues are not age related, but are the same whether one is 16, 17, 18 or 80?

Dr. Lewis: I am delighted that I gave way to the hon. Lady because her point brings me to what my brief contribution is primarily about—the difference between an adult and a child. Someone aged 16 or 17 is not an adult and is not recognised as an adult. Those Members who argue that such people are adults, when it comes to the risk of contracting HIV through unprotected anal sex with people who really are adults, are the same Members who argue that 16 or 17-year-olds should not be allowed to be put in harm's way in the armed forces. As usual, such opponents want it both ways.

Mr. Shaun Woodward (Witney): I am grateful to the hon. Gentleman for giving way.

There is a serious misunderstanding. HIV and AIDS do not know the barriers of sexuality. The problem with HIV and AIDS is that millions of women and small children will die—not because they are homosexual, but because HIV is a virus that spreads through penetrative sex. It is wholly unfair and irresponsible of the hon. Gentleman not to recognise those problems in Africa.

Dr. Lewis: In forgetting which party he was elected to represent, the hon. Gentleman has also forgotten the content of a debate in which we both participated some months ago. It was explained then that the circumstances appertaining in Africa to resistance to the HIV virus did not apply in this country. The hard medical fact in Britain—it is only for Britons that we legislate at present—is that, if one has unprotected anal sex with a man, whether one is a man, a boy or a woman, one is at much greater risk of contracting AIDS than one would otherwise be.

Mr. Gerald Howarth: I am extremely grateful to my hon. Friend for giving way. Unfortunately, the turncoat hon. Member for Witney (Mr. Woodward) was not in the Chamber when my hon. Friend the Member for Billericay (Mrs. Gorman) mentioned that the chief executive of the Public Health Laboratory Service said that gay men still remain the single largest group at risk of acquiring HIV. Is that not game, set and match?

Dr. Lewis: I believe that, in terms of what has been recognised by the medical authorities in this country, it is beyond doubt, beyond question, beyond a scintilla of the slightest hesitation, that the people most at risk in this country, for whom we are legislating, are the people who engage in unprotected anal sex.

Kali Mountford: Will the hon. Gentleman give way?

Dr. Lewis: No, I will not. I must conclude my remarks.

As a result of that increased risk, the logic of what is being proposed today is that people who are recognised as being under the age of majority—under the age of 18, under the age at which this society recognises that people have the responsibility to take life-and-death decisions for themselves—are being exposed to a greater risk of catching a deadly disease.

Mr. Fabricant: Will my hon. Friend give way?

Dr. Lewis: No, I am not giving way. I am concluding my remarks.

That was my position in the first debate on this issue and that was my position in Committee in that first argument about this issue. Nothing that I have heard this afternoon has encouraged me to alter that position in the slightest degree.

6.11 pm

Mr. David Lidington (Aylesbury): The arguments that have been deployed by hon. Members on both sides of the divide this afternoon have been presented with great passion and have obviously sprung from deep personal belief and commitment. I shall not single out everyone who has spoken—but, although I shall not be in the Lobby with her tonight, I want to tell the hon. Member for Colne Valley (Kali Mountford) that her speech was presented with a generosity of spirit and an idealism which reflected the best of the motives of those who are supporting the Bill tonight.

I want to chide some of those who spoke in support of the Bill, because I think that their arguments, although deeply felt—I appreciate that I differ from them, and I try to understand their point of view—misrepresented the equally strong feelings held by those of us who will vote against Second Reading.

I say to the hon. Member for Brentford and Isleworth (Ann Keen)—I hope that I say this with an understanding of her long-standing and intense commitment to this cause—that what I found striking about the public reaction to the three bombs in London last year was the fact that they brought forth a common horror among people of all political persuasions, whatever view they might take on the issue of the age of consent and from whatever race or social background they might come. That horror arose because we seek to resolve our arguments and our disagreements, however deeply felt, by debate, by vote and by election—not by terror.

I hope that, on reflection, the hon. Lady will understand that those of us on this side of the argument feel that she did not do justice to her cause in what appeared to me to be an elision of argument, so as to represent us as in some way giving succour to those who sought to bring about the terrorist attacks that she rightly condemned.

Ann Keen: I reiterate what I said about the use of language. Offensive language such as we have heard—if not too often in this debate, I am pleased to say, but on previous occasions and in another place—encourages and gives licence to people who feel that they can condone hatred, homophobia and even worse. People have been beaten and gay men have been murdered; they have been under attack and they are still under attack. When offensive language is used in a place like this, it gives licence to such behaviour. I have no intention of offending any Member, but I do not want any Member to offend any member of the public and families outside.

Mr. Lidington: I am grateful to the hon. Lady for, at least, making her position her clear. I agree with her to the

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extent that, in seeking to express strongly held views, we should all use language that does not inflame unreasonable passion and provoke violent and undemocratic action.

My second point applies to several comments made today. There was too ready an attempt to dismiss simply as bigotry or outmoded thoughts the views that are held not just by those of us in the Chamber who oppose the Bill, but by a large section of opinion in the country. We can swap figures about opinion polls. However, even the Bill's keenest advocates would acknowledge that it is controversial and that it is opposed by a large section of public opinion that includes not just the Christian Churches, but Jewish and Muslim leaders. Parliament should not lightly dismiss public opinion.

Mr. Fabricant: I am following my hon. Friend's argument with considerable interest. Does he accept that there are times when legislation may be unpopular but right? Simply to be governed by what the majority of the population might think—and perhaps even to be governed by focus groups—does not necessarily mean that we are doing what is right for the nation and the people who elect us.

Mr. Lidington: I have never argued that we should be governed by a simple arithmetical calculation of public opinion, and certainly not by focus groups. If I had thought that, I would not have voted consistently for the abolition of capital punishment. However, it is incumbent on democratic politicians to reflect carefully when they support a measure that is both controversial and flies in the face of majority public opinion. At the very least, they should express their support for such a measure with a proper understanding of, and respect for, the views of those who oppose them.

I approach the Bill with views of my own. Like my right hon. and hon. Friends, I make it clear that I am speaking as an individual and not on behalf of the Conservative party. My approach was summed up better than I could phrase by the Bishop of Liverpool, the Right Rev. James Jones, when he wrote recently:

"The challenge of a civilised society is to be able to set moral priorities while at the same time being tolerant towards and respecting the conscience of those who dissent. Society has not always got that balance right. There is a history of oppression of homosexuals and the moral certainties of the past have clearly played into the hands of bigots. But as English society becomes more tolerant, it needs to acknowledge that those who give moral and social priority to marriage are not necessarily homophobic. It is important to have the debate on sexuality without demonising each other."

Before I come on to the age of consent, I want to deal briefly with the other important aspects of the Bill and express general support for the measures on the abuse of trust. I join my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) in paying tribute to the courage and energy of the hon. Member for Bassetlaw (Mr. Ashton) in persuading the Government and Parliament to incorporate the provisions in the Bill.

We may, as individual Members, have questions about the scope of those provisions, such as whether the maximum penalty is adequate. However, the procedural motion that the House adopted on Monday prevents a Committee stage and any discussion of amendments to the Bill, so we have to take the measures on abuse of trust as they come.

The amendment to the earlier Bill, which was moved by the hon. Member for Oxford, West and Abingdon (Dr. Harris), will decriminalise an under-age partner in a sexual relationship. That amendment was also mentioned by the hon. Member for Colne Valley. Although I had serious doubts about the amendment when it was first proposed, I now think that the hon. Gentleman was right to introduce it. That measure will tackle the problem that several hon. Members who support the Bill have talked about at length—the problem of young people who fear that if they go to their parents, a teacher, a doctor or the police, they risk criminalising themselves, even though they desperately want to get out of a relationship into which they have allowed themselves to be seduced.

The debate has clearly focused on the basic issue of the age of consent. I am willing to admit that I have had to think about this issue. It is not simply a matter of what we, as individuals, believe. I approach it as someone who is not a libertarian. In my social views, I am an old-fashioned Conservative. I believe in the primacy of marriage and that marriage is the best framework for the mutual love of one human being for another and the best environment in which to bring up children.

I must, however, acknowledge that we do not live in a theocracy; we live in a free society. There may be many things that I, as an individual, regard as wrong, immoral or mistaken, which nevertheless should not be the subject of criminal law. I believe that adultery has done immeasurable harm to family life and has scarred many children for life, but I am not proposing that adultery should be made a criminal offence and the subject of criminal sanctions.

Mr. Stephen Pound (Ealing, North): The Conservative party would lose half its members.

Mr. Lidington: The hon. Gentleman must speak for himself.

Much of the Home Secretary's speech was about equal rights. He talked about wanting to set a legal framework within which people should be free to live their lives in peace. I agree with that as a general principle, but I shall nevertheless vote against the Bill. I accept the general principle that what adults do in private, voluntarily, is a matter for them, and the law generally should not intervene in those decisions. However, we are not talking about the state of Britain in the years before the Wolfenden report or the legal reforms of 1967; we are talking about people who are legally children.

The age at which one draws any line will be a matter of judgment, and whatever age is chosen, there will always be some people who are below that age and have an emotional and moral maturity beyond their years. Equally, there will be some who need, in an ideal world, greater protection, even though they are above the age at which the law states that they are entitled to be regarded as adults.

To set in law any age of majority or any age of consent inevitably involves a judgment based on a generalisation about people of that age. Eighteen is the legal age of majority in this country. It is the age which the Children Act 1989 defines as marking the threshold of adulthood. It is also the age defined by the United Nations convention on the rights of the child as marking the bridge between childhood and adulthood.

Because I believe that the law should not interfere with what adults do in their private lives, when the issue arose in the previous Parliament, after much thought I voted in favour of reducing the age of consent for homosexuals from 21 to 18. That is a logical and sustainable point of view.

Two aspects of the Bill concern me. First, I believe that the Bill sends a message about Parliament's view of the direction that society should take. In his speech, the hon. Member for Sunderland, North (Mr. Etherington) spoke about the way in which legislation can be used to send out signals to the wider society, and we are familiar with the idea that the law can help to lead and shape public opinion. That is a feature of debates about race relations law, equal opportunities law and so on.

However, as my hon. Friend the Member for Aldershot (Mr. Howarth) pointed out, some people and some organisations—by no means all those who support the Bill—see it as part of a wider agenda, which would later seek to reduce the age of consent further, perhaps to 14, the legal recognition of homosexual partnerships and equal rights for gay couples to adopt children. That broad agenda is already part of the active political debate in the United States.

Those who advance that point of view are at least arguing from a coherent position of support for general equality. I acknowledge that the last time the Bill was debated, the Home Secretary made it clear in response to his hon. Friend the Member for Middlesbrough (Mr. Bell) that the Government were opposed to measures of the sort that I have just described, but I believe that when the Bill is enacted, it will only encourage the people and organisations promoting that agenda.

Secondly, in debating the measure, we are discussing the extent to which the law should protect young people below the age of majority by second-guessing their own private decisions. It comes down to a judgment about the maturity of 16-year-olds. One of the most cogent speeches in the House of Lords debate on the Bill was that from the Labour Benches by Lord Mishcon, the last surviving member of the Wolfenden committee, who spoke and voted against a further reduction in the age of consent.

Referring to the Wolfenden report's conclusion, Lord Mishcon said that while there was an element of arbitrariness in any decision about an age of consent,

"all things considered the legal age of contractual responsibility seems to us to afford the best criterion for the definition of adulthood . . . While there are some grounds for fixing the age as low as sixteen, it is obvious that however 'mature' a boy of that age may be as regards physical development or psycho-sexual make-up, and whatever analogies may be drawn from the law relating to offences against young girls, a boy is incapable at the age of sixteen of forming a mature judgment about actions"—[*Official Report, House of Lords*, 22 July 1998; Vol. 592, c. 947.]

of this kind.

Whether or not we accept the verdict of Lord Mishcon and the Wolfenden report must be a matter for individual judgment on the basis of our own experience and beliefs. There is a case, as some hon. Members have noted, for seeking to equalise the age of consent at a higher age for women as well as for men, but that is not in the Bill, and the Government's procedural motion that was passed on Monday means that we are denied the opportunity of discussing that at a later stage. We must accept the Bill as it has been brought before us.

Mr. Bercow: Will my hon. Friend give way?

Mr. Lidington: If my hon. Friend will forgive me, I want to conclude my remarks.

There have been very few prosecutions in recent years for cases of consensual intercourse between young men aged between 16 and 18. The police and the prosecuting authorities have operated a discretionary policy and I would not argue against that, but one of my fears is that passing the Bill would, in practice, extend that de facto tolerance to a younger group and that men in their 20s, 30s or 40s would claim—in Scotland as a defence or elsewhere in mitigation of sentence—that they believed a boy to be 16 although he was 15 or even only 14. We should not dismiss that risk lightly.

Dr. Harris: Will the hon. Gentleman give way?

Mr. Lidington: I will not.

I cannot prove that my fears will be borne out, but my hon. Friend the Member for Buckingham (Mr. Bercow) is mistaken to assert that the burden of proof lies with those of us who defend the status quo. When the protection of vulnerable young people is at stake and when there is doubt, we should put that protection ahead of the principle of equality. My fear is that the House will fail in its duty to those young people and to the country if it supports the Bill tonight.

6.31 pm

The Minister of State, Home Office (Mr. Paul Boateng): We have had a good, wide-ranging debate and one thing is clear: the Bill is not about section 28 and the responsibilities of public bodies. Nor is it about codes of practice and equal opportunity in employment. It certainly is not about gay marriage and an attack on the family. It behoves no party on either side of the House to claim to be the party of the family and we are all agreed that families are a good thing. They contain gay people and straight people and are about ties of mutual love and affection. They are, and need to be, whole and healthy institutions for the good of not only the individuals in them, but, we all surely believe, society. It is no use labelling those on one side or another of the argument pro or anti-family.

The Bill is about the equalisation of the age of consent, the protection of vulnerable people and abuse of trust. Various strands ran through the speeches of all those who contributed to the debate, but each of them—in different ways and from different sides of the argument—clearly acknowledged the importance and significance of respect for difference, in sexuality and in age. They created a sense of the importance of equality before the law, the law as a framework for our actions and people's rights and responsibilities—not only the rights of the young in relation to their own sexuality, important though that is, but the responsibility to them held by older people in positions of trust. They also made it clear that we, as legislators, must get the balance right. We try to do that. The Bill gives the House the opportunity to achieve that balance and to make a judgment. As well as respecting

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differences in sexuality, we must also respect differences in deeply held opinions and convictions. Different convictions can be held with honesty. We do not need to paint each other as homophobes and bigots or as being part of a sort of homintern, or homosexual conspiracy designed to undermine civilisation and the family. We have resisted the temptation to do that in the main, but with some notable exceptions.

We all respect the importance of difference. We understand that the law has to ensure that young people can safely be different in their sexuality: safe from the predatory sexuality of older people and safe from the enormous damage that is done to young people who are made to feel guilty and ashamed of their sexuality.

We should reflect on messages. I understand the point that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) made about them. However, what sort of message do we send young people when we say that their sexuality, which is real to them, is criminal, shameful and should be hidden under a bushel? We know that the mental and sexual health of those who hide such issues and are not prepared to discuss them or share their fears are at risk. There is a high price to pay in self-worth if we criminalise a group of young people because they happen to be gay.

Hon. Members have a free vote tonight. I have always taken the view that equalising the age of consent in law is the best way in which to protect young people. It does not make them vulnerable; it makes us better able to ensure that they grow up without being subject to the risks that have been discussed today. However, hon. Members will make up their own minds about that.

Important speeches have been made in the debate. It is invidious to single out individual contributions, but two struck me as especially significant: the speech of my hon. Friend the Member for Colne Valley (Kali Mountford) and that of the hon. Member for Buckingham (Mr. Bercow). The last person to deliver such a forceful and eloquent speech on the subject that we are considering from the Opposition Benches subsequently had a cup of tea with my hon. Friend the Member for Brentford and Isleworth (Ann Keen), and the rest is history. The Labour party is a broad church. I was delighted that my hon. Friend had a cup of tea with my hon. Friend the Member for Witney (Mr. Woodward), but if she is minded to have a cup of tea with the hon. Member for Buckingham, that will strain the strength of the pillars of the temple.

Mr. Bercow: First, the hon. Member for Brentford and Isleworth (Ann Keen) will be pleased to know that there is no such prospect whatever. Secondly, I reassure the right hon. Gentleman and my right hon. and hon. Friends that, as I approach my death bed, the last words that will trip off my tongue will almost certainly be, "Vote Conservative."

Mr. Boateng: I was just beginning to like the hon. Gentleman, but there we are.

It has been a good and serious debate. It came out of all the speeches that we must ensure that, whatever the age of consent, whatever people's sexuality or gender, we make common cause on protecting people from abuse, which is of the utmost seriousness. It is important to detach the two things. We are not introducing proposals in relation to abuse of trust because we are giving the House the opportunity to vote on equalisation of the age of consent. My hon. Friends the Members for Bassetlaw (Mr. Ashton) and for Newcastle-under-Lyme (Mrs. Golding) both have strong track records in the House in relation to matters to do with children. It is a concern for both sides of the House. In other debates, the hon. Members for Gainsborough (Mr. Leigh) and for Aldershot (Mr. Howarth) have also expressed concerns about the protection of children. Our abuse of trust provisions seek to ensure that we have in place a workable mechanism to prevent young people—be they men or women, the prey of predators male or female, straight or gay—from being abused.

The hon. Member for Taunton (Jackie Ballard) has raised some of the teacher unions' legitimate concerns. We had to make a decision on how to cast that Bill. Of course, it will be important to monitor and to see how the provisions work in practice, but our conclusion was that the relationship between a teacher and a pupil was a particular one—the teacher is in loco parentis.

Jackie Ballard: Will the Minister give way?

Mr. Boateng: The hon. Lady made her point well. If she will excuse me, we have to get on.

We believe that that relationship is one of special trust that needs to be protected by law, but we keep those matters constantly under review and we will co-operate with teacher unions in developing the code of practice. It is for that reason that we decided to proceed in that way.

The right hon. Member for Maidstone and The Weald asked me some specific questions about the position in relation to Scotland, so it is right that I should answer them in some detail. By agreed convention, Westminster will not normally legislate for Scotland with regard to a devolved matter without the consent of the Scottish Parliament. In this case, and with the Parliament Act 1911 in mind, we sought the consent of the Scottish Parliament and it was given. Since this is a pre-commencement enactment, the Royal Assent having been given, if that is the will of this Parliament, the power in relation to Scotland will come into effect when the First Minister makes the necessary orders. That is how it will work in relation to Scotland, and of course Scotland will have the power to amend the legislation for Scotland if it wishes at some later time.

The House has given this matter great consideration over a number of days on three successive occasions. We have been into these matters in great detail, properly so, in Committee and on the Floor of the House. The time has arrived for us to come to a conclusion in this House, and to come to a conclusion that carries with it the full weight of the Parliament Act 1911. So when we send this measure to the other place it will take with it its own message in terms of our vote, and the other place will understand what motivates us.

What will motivate hon. Members in arriving at their decision is the belief that we are talking about equality before the law and the protection of the vulnerable. I end on this note, because the hon. Member for Aldershot (Mr. Howarth) sought to make his point, as he has every right to do, in relation to the European convention on human rights. He suggested that we in this House were somehow subordinating our consideration of these matters

to considerations that belonged to an alien institution far from these shores which had no business telling us what to do.

I do not think that anyone who has heard the debate in this Chamber, anyone who has read the correspondence or met the deputations that have been to see hon. Members on all sides of the argument, could believe that this is not a matter that we are deciding for our country.

Mr. Gerald Howarth: Will the hon. Gentleman give way?

Mr. Boateng: No.

We are, however, deciding it within a context and framework that is, yes, one of human rights. The hon. Gentleman referred to the European convention as something that arose post war, out of the events of that war, and said that it was in no way possible that those who framed that piece of international law would have dreamed that it would ever be applied to issues of sexuality. It was born out of the war, he said.

Well, the hon. Gentleman should reflect on who it was who died in the gas chambers. It was the Jews, it was the gypsies and it was the gays. And he should remember, too, the ground in which intolerance and bigotry grew.

Therefore, for those of us who look to the convention as a reminder of the importance of human rights, to those of us who look to the convention as a reminder of what equality before the law should be, that is a tradition that is entirely honourable, and those of us who will vote for the equalisation of the age of consent tonight will do so because we believe in equality, because we believe in the common humanity of all, regardless of age, regardless of sexuality.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 263, Noes 102.

Division No. 71] **[6.49 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bercow, John
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brady, Graham
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Drown, Ms Julia
Duncan, Alan
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Evans, Nigel
Fabricant, Michael
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kidney, David
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Laing, Mrs Eleanor
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Öpik, Lembit
Osborne, Ms Sandra
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Portillo, Rt Hon Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*

Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prior, David
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth R *(Harrow W)*
Todd, Mark
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Ward, Ms Claire
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Jim Dowd.

NOES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bell, Martin *(Tatton)*
Benton, Joe
Beresford, Sir Paul
Bottomley, Rt Hon Mrs Virginia
Breed, Colin
Bruce, Ian *(S Dorset)*
Burns, Simon
Cann, Jamie
Chapman, Sir Sydney *(Chipping Barnet)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Faber, David
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Gale, Roger
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Heald, Oliver
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Johnson Smith, Rt Hon Sir Geoffrey
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
McLoughlin, Patrick
Major, Rt Hon John
Maude, Rt Hon Francis
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pollard, Kerry
Powell, Sir Raymond
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Swayne, Desmond
Syms, Robert
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Gerald Howarth and
Mr. David Maclean.

Question accordingly agreed to.

Bill read a Second time; to be read the Third time tomorrow, pursuant to Order (7 February).

ROYAL ASSENT

Mr. Deputy Speaker (Mr. Michael J. Martin): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Northern Ireland Act 2000

Comhairle nan Eilean Siar (Eriskay Causeway) Order Confirmation Act 2000

United Reformed Church Act 2000

Alliance & Leicester plc (Group Reorganisation) Act 2000

Baxi Partnership Limited Trusts Act 2000

Police Funding (Lincolnshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

7.2 pm

Mr. Edward Leigh (Gainsborough): I want to examine how the Government are supporting the Lincolnshire police, which is a subject of importance and interest to the people of Lincolnshire. The first duty of any Government is to protect the people and ensure that they enjoy their freedom under the law, safe in their own homes and on the streets. The burden on the Government is to ensure that, within necessarily limited resources, all parts of the country, urban and rural, are given a fair deal on public services, including the police.

The facts speak for themselves: Lincolnshire does not get a fair deal on police funding. That is not party rhetoric. It is based firmly on the facts. Lincolnshire covers about 2,800 square miles, with a population of 620,000. By area it is the fifth largest police force in England. The population is evenly and widely dispersed over 504 parishes. During the summer months there is an influx of tourists heading towards the coast. The population is disproportionately elderly. One in five will over be 65 by 2007. The fear of crime is particularly high among the elderly. In rural areas, burglary—the cruel invasion of one's home that is particularly upsetting to older people—is a real problem.

Sadly, Lincolnshire is in the third quartile nationally for burglary. Rural villages suffer from vandalism and petty theft. Villagers demand a greater police presence which cannot currently be delivered. The standard spending assessment—what the Government think that Lincolnshire should spend on the police—is £62.6 million. If the police authority agreed to spend at that figure, we would have between 150 and 200 fewer police officers and policing in Lincolnshire would be in crisis. The police authority breaks the limit, spending £69.7 million, which is 11.3 per cent. more.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am sure that my hon. Friend is aware that between March and September 1999 the number of officers in Lincolnshire fell by 29. He will be further aware that between April 1997 and the end of 1999, there was a total fall in numbers of about 40 officers. Does not that suggest that we need the Government to introduce the sparsity factor into the formula, as recommended by their independent consultants?

Mr. Leigh: I am grateful to my right hon. and learned Friend because he has raised that issue on several occasions and made some important points about manpower in the Lincolnshire police force. I will come back to that subject in a moment.

The result of the overspend above SSA is inevitable. It means that Lincolnshire people pay more than people elsewhere, and they get less. That is our central problem. Lincolnshire's council tax at band D is £81, compared with the standard council tax of £50. We are top of the league in levels of council tax, but pay in our area is often low compared with national rates.

For all that the council tax is high, we still suffer from poor levels of policing. The population is served by just one police officer for every 535 people, which is one of the poorest ratios in the country. There are just 1.97 officers per hectare, compared to a national average of 8.25. In plain speak, Lincolnshire police are overstretched and undermanned. They have to chase their tails over a huge area.

Gillian Merron (Lincoln): I wish to draw the hon. Gentleman's attention to a couple of brief points. First, Lincolnshire has seen—I am delighted to say—the biggest decrease in crime in the east midlands. Secondly, the chief constable, Richard Childs, said only last month that one of the best ways to explain that reduction is the hard work put into multi-agency efforts to tackle crime and the causes of crime. Does not Lincolnshire's record show that the Government have set a winning formula with Lincolnshire's police?

Mr. Leigh: I am glad that the hon. Lady mentions the chief constable. I am also delighted that my hon. Friend the Member for Grantham and Stamford (Mr. Davies), who takes a keen interest in these matters, is now in his place.

The chief constable has made it clear that he supports our campaign to increase the funding formula because he thinks that it is unfair. We hope that the hon. Lady will join that campaign. Of course I welcome a fall in recorded crime, but it is still too high. When I talked to the mayor of Gainsborough last week, his view was that in certain areas it is so difficult to get a quick police response that people often do not report crime, and that is something that greatly concerns him.

In 1998-99, Lincolnshire received the lowest police grant per head of population. That is worrying. The Minister may argue when he replies that the Home Secretary's crime fighting bids are the answer to our problems, and of course we welcome 41 extra police officers. However, the real issue is that the formula used by the Government in working out the grant is simply unfair. It does not take adequate account of the sparsity factor and the rural nature of our county.

In any event, the 1,000 extra police officers that were announced do not make up for the 1,700 officers lost nationally since the general election. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made clear earlier, we have also lost police officers in Lincolnshire. The Government's announcement yesterday will not solve the problem. The chief constable, my hon. Friends and the police authority agree with me, but more importantly that is also the view of the report that the Government commissioned into the problem. The ORH report provides conclusive evidence of the additional costs placed on Lincolnshire and recommends an adjustment to the formula. If that was implemented, Lincolnshire's SSA would immediately rise by £2.2 million.

Successive Labour Ministers have promised that they would respond to the findings of their research. First, it was the right hon. Member for Cardiff, South and Penarth (Mr. Michael)—now the ex-First Minister in Wales—when he was the Minister responsible. Then the right hon. Member for Brent, South (Mr. Boateng), when he was the Minister responsible, promised that the Government would implement the report. He said that the recognition of the significance of sparsity as an effective needs formula drew support from both sides of the House. We want to know that the Minister now accepts the conclusion of the Government's report.

[Mr. Leigh]

It gets worse. The research was delayed by the Government in 1997 owing to an alleged lack of funds, despite an offer from the rural authorities to fund the report. Ministers now say that they cannot implement the report because they have conveniently imposed a moratorium, or freeze, on changing the funding formula for the police. However, this unilateral freeze was imposed after the research commenced, and the results were originally promised for the current year's settlement for 1999-2000. As such, they would not have been affected by the moratorium. There is no case for not implementing this report, and I hope that the Minister will tell us that the Government will do so. If we do not implement the report, matters will get worse.

I have talked so far about figures. Let me give a few examples of what is happening locally. The call centre in Lincoln is not working adequately—I visited it. Police constables are having to be taken away from other duties to man it. Despite reassurances about the police station in Gainsborough, people are not convinced. It is supposed to stay open until 9 o'clock, but often it is not. I visited a company which had a problem. The director of Impaq Ltd tells me:

"On my way home, I called the main Gainsborough Police station just to let them know that there was a gang of youths loitering on private property. Unfortunately the place was closed at 7.55pm!"

There has also been a problem with vandalism in the churchyard. Very worryingly, there is a hide, and there has been talk of vigilantes in the town. Nobody condones that sort of behaviour, but when the police presence declines to such an extent and people start talking about vigilantes, that is really worrying. I hope that the Minister will take careful note of what people are saying.

We have written to a number of parish councils. This is a typical comment from Hemswell Cliff parish council:

"One parishioner commented that after reporting a burglary in progress at out buildings at their property, it was some 50 minutes before the police arrived, by which time the offenders had fled. The officer apologised for the delay, but stated that they were the only patrol car covering the whole of the Gainsborough area and had been despatched from Lincoln."

That is the constituency of the hon. Member for Lincoln (Gillian Merron). Sometimes, in my constituency, in that enormous area stretching from the boundary close to Grimsby in the north-east right down to Market Rasen, there may be only one police officer on duty, or one car roaming around. It simply is not good enough.

In the 120 square miles covering Keelby, Great Limber, Riby, Caistor, North Kelsey and South Kelsey, Nettleton, Grasby, Searby and Bigby, when the Caistor police constable is off duty, there is just one back-up. Gainsborough town centre has a very good beat officer, but only one, and she also doubles helping with murder inquiries in Lincoln. If there is a murder in the county, she goes—we do not see her again. One could go on giving examples.

In conclusion, the whole county is asking the Government to do the decent thing and recognise the conclusions of their own report. They must recognise that the population of Lincolnshire is evenly spread across that vast county, and that the police simply cannot do the job on the money that they are given. We want action, and we want it today.

7.13 pm

The Minister of State, Home Office (Mr. Charles Clarke): I begin by congratulating the hon. Member for Gainsborough (Mr. Leigh) on obtaining this debate on police funding in Lincolnshire. In a way, it is his second bite at the cherry. When the debate was scheduled for 25 January in Westminster Hall, he was so preoccupied to ensure that the leader of his party was not vulnerable in Prime Minister's questions that he wanted to knock out the next day's business. He therefore spoke in the debate on the Floor of the House, so we lost the debate on this subject. However, I am glad to have this chance to debate it now.

The House debated and approved the Government's proposals for police funding for 2000-01 on Thursday 3 February. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) raised important issues affecting police funding for Lincolnshire police during that debate, and I appreciate the way in which he raised them.

Police funding and rural crime concerns have been raised by hon. Members in the Chamber in previous Adjournment debates, most recently by the right hon. Member for East Devon (Sir P. Emery) on 2 December and in other debates on crime. It is a genuine issue, and I acknowledge the seriousness with which the hon. Member for Gainsborough (Mr. Leigh) takes it.

I should put on the record Lincolnshire's current funding position. For 2000-01, funding will be £65.4 million—an increase of 3.3 per cent. over the previous year, and higher than the national average of 2.8 per cent. In 1999-2000, the force's funding increased by 4.4 per cent., which again compares well with the national average of 2.5 per cent. There have been two years of above-average increases in Government funding for Lincolnshire. That is a good result for Lincolnshire police and the people of Lincolnshire, and it is more than many other forces received. I, like the hon. Gentleman, pay tribute to the chief constable for advancing his case, but I pay tribute too to my hon. Friend the Member for Lincoln (Gillian Merron), who has pressed that case hard in both public and private representations.

Government funding is not the whole picture. It is for the police authority to decide on its final budget, along with any corresponding increase in council tax, but there is scope for the police authority to increase spending power next year by asking council tax payers to contribute more, and we are all familiar with the political judgments and trade-offs that exist in that regard.

The police increase of precept on council tax last year was 3.9 per cent.—the second lowest in England and Wales at a time when many forces took decisions that went the other way. When, at the invitation of my hon. Friend the Member for Lincoln, I discussed education with the leader of Lincolnshire county council last year, we discussed the matter at some length. Issues remain to be discussed openly, involving, as the hon. Gentleman fairly said, Government funding, but also involving decisions taken by the police authority about the appropriate precepting regime.

In 1999-2000, Lincolnshire will spend an estimated £111 per head of population compared with an average for the shire counties of £114.50 per head of population. That figure is slightly lower than the national average, but I would argue that it is not significantly so. As the

hon. Gentleman acknowledged, the Government have taken measures to ensure that the whole community, along with the police and local authorities, can address the issues of crime within the context of partnership. In Lincolnshire, as in many other parts of the country, partnerships can mobilise the resources of the community at every level in order to prevent and reduce crime and the impact of offending.

Many rural communities throughout the country have welcomed the provisions of the Crime and Disorder Act 1998, which institutionalised effective partnerships on the ground and ensured that people could work together effectively. Many partnerships in Lincolnshire seek to develop in a variety of ways and the Government wish to do all we can to help.

The effect of all that on crime in Lincolnshire was noted by my hon. Friend the Member for Lincoln in her intervention. In general, there has been good news for Lincolnshire. In the 12 months to 1999—according to the most recent published figures—crime fell by 2.3 per cent, bucking the national increase of 2.2 per cent. That is a tribute to the police and the local communities and partnerships that have worked hard to reduce crime. The percentage change translates into an average of 7,496 crimes per 100,000 population in Lincolnshire, which is significantly below the national average of 9,984.

I do not want to suggest any sense of complacency. We continue actively to discuss the targeting regime and appropriate procedures to drive down crime further. However, as the hon. Gentleman raised the debate, it is a good time to pay tribute to everyone in Lincolnshire who has played a part in ensuring that it is relatively free of crime in comparison with other parts of the country and is continuing to drive crime down.

Mr. Quentin Davies (Grantham and Stamford): The Minister is an able and competent man who takes his duties seriously. I am sure that he will not wish to use the limited time available to us as a result of the admirable initiative of my hon. Friend the Member for Gainsborough (Mr. Leigh) without addressing the central point of the debate. That is that police funding in England is based on the standard spending assessment system, under which Lincolnshire is structurally underfunded because there is no recognition of the county's sparsity. We have the greatest sparsity of any county in England, and the distribution of population is unusually evenly spread. That means much higher costs for delivering any given level of police service, yet as the Minister has acknowledged, we have the lowest funding—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Mr. Clarke: As always, I am grateful for the intervention of the hon. Gentleman. When we served on the Select Committee on the Treasury, I was well aware of his ability to make powerful and effective points at some length—as he has just done.

The next point in my speaking notes is headed "Sparsity". I do not think that the hon. Member for Gainsborough attended the debate on the police grant—unlike his right hon. and learned Friend the Member for Sleaford and North Hykeham—so he may not be aware that I dealt with sparsity at some length on that occasion, as I intend to do in this debate.

I understand the disappointment that we did not implement the recommendations of the research report on the cost of policing of rural areas. Recently, I met a delegation of representatives from the rural authorities, led by Lincolnshire, and which included my Norfolk authority. The authority that polices my constituency is one of those affected by the sparsity formula. I discussed the matter in great detail, and I pay tribute to the role of the chairman of the Lincolnshire police authority in co-ordinating that group.

Last Thursday, in the debate on the police grant, I mentioned the role of the chairman. He wrote to me asking what I was referring to. I told him that I was concerned about the way in which the Lincolnshire police authority had raised the issue of sparsity in a press release. That press release was intended to be on behalf of the rural authorities affected by sparsity, but several representatives from such authorities—notably from Northamptonshire—said that it did not speak for them.

My advice to everyone prosecuting the sparsity debate is to do so according to the genuine merit of their case. I emphasise that point. The debate should not involve party political point scoring. Some police authorities are in strong Labour areas—others are in strong Conservative areas. Members of Parliament from all parts of the country advance arguments in what is a legitimate and fair debate, but it is not right to make it a party political one, as I tried to point out.

During the summer, the findings of the research report on policing rural areas were considered by a Home Office-led group, including representatives of the police service, police authorities and local authorities. Various views were expressed and there was general agreement that a sparsity factor had been detected—as the hon. Member for Gainsborough correctly pointed out during his speech.

The Government understand that rural police authorities, such as Lincolnshire, will want those research findings to be implemented. However, we set considerable store by stability in the grant system to help police authorities to plan ahead—for the reason given by the hon. Member for Grantham and Stamford (Mr. Davies) in his intervention. We need to ensure that the whole SSA system is right.

My right hon. Friend the Deputy Prime Minister is conducting a review of the system because it is unfair in several respects, including the sparsity aspect. In the light of that, there is a moratorium, so my right hon. Friend the Home Secretary decided that it would be inappropriate to make substantive changes to the method of police grant distribution for 2000-01. However, I can give the House a commitment—as I did last Thursday—that we are actively considering making that change in future years. Many members of the Government strongly support that approach.

We have also responded to the problem in other announcements on the subject. For example, in the crime-fighting fund, which was announced yesterday, there was a specific reference to sparsity. The allocation of 4,000 of the 5,000 officers was based on the general distribution plus a sparsity factor of 2 per cent.—the first time that that has been done—acknowledging the force of the argument made by the "sparsity alliance".

Gillian Merron: My hon. Friend is aware that I think that the report on sparsity should be put into action. I have

[Gillian Merron]

pressed him on that matter, and I am pleased that he has said that change will be actively sought. I hope that it will come soon. I welcome the boost to police recruitment. The Government have awarded Lincolnshire about 80 per cent. of the police authority's bid. The authority was one of the most successful in its bid to the new crime fighting fund. Congratulations are due to Lincolnshire police on the quality of their application and to the Government on their award of the funds.

Mr. Clarke: I congratulate my hon. Friend on raising that point, which is entirely correct. If I may reinforce it, may I just place on the record the remarks of the chief constable, who has been mentioned, on the fund? Mr. Richard Childs—a very fine chief constable—said in his press release:

"We were realistic in our bid for a portion of the Crime Fighting Fund and have been given an additional 41 officers over the next three years . . . We bid for a further 50 . . . and based that . . . number on specific crime and disorder initiatives focused particularly on rural communities where there is a real gap between actual crime and the fear of crime . . . Lincolnshire has been allocated resources to recruit"—

the 41 officers over the next three years. It continued:

"From April we will be able to start redressing the perceived absence of officers across the whole County . . . They are not of course the only officers we will be recruiting as we anticipate replacing those that resign and retire as well as catching up on a few we were unable to recruit this year . . . With our increased investment in information technology to support the front line officers, I am confident we will meet the continuation criteria imposed by the Home Office to ensure we can recruit our full allocation".

In his covering letter to me when he sent me a copy of the press release, the chief constable said that he wanted me to emphasise that his positive approach to the allocation to Lincolnshire complements the allocation with the

"intention to invest heavily in IT and . . . touches upon our ability to recruit as many as leave next year. This is possible only as a direct result of the very significant reorganisation we have gone through and the effective problem solving focus we have adopted within the Force".

That is a powerful testimony from the chief constable, which I am glad to read into the record.

Mr. Hogg: The hon. Gentleman has expressed warm words about the need to introduce to the formula an element to reflect sparsity. Can he give the House an undertaking that, at the end of the moratorium period, he will introduce to the formula the sparsity factor recommended by his Home Office consultants?

Mr. Clarke: No, I cannot give that undertaking. The right hon. and learned Gentleman is a very experienced—I hate to use the word "statesman"—political leader in his own right. He knows that undertakings cannot be given by Ministers when major reviews of funding systems are taking place. The purpose of the review of funding systems is to weigh up the issues and form a view, including in this case on sparsity.

I can give the right hon. and learned Gentleman an undertaking that the issue of sparsity will be very seriously considered—in fact, is being very seriously considered—throughout that process. I can give him an undertaking that the Government intend to focus even more sharply on rural crime as a very important element of our initiatives to build a safe community countrywide. However, I cannot give him an undertaking about the outcome of that review process. No Minister could, and under the Conservatives, no Minister could either, simply because a process is taking place which will give rise to conclusions.

However, I do want to say that, in addition to the sparsity element in the crime fighting fund announcements that we made yesterday, in the CCTV announcements we gave priority to rural funding issues and our new guidelines will reinforce that still further; and we are actively considering, in the context of the Government's priority on rural issues as a whole, the ways in which we can fight rural crime both with resources and with a range of other and different initiatives. I really do believe that the Government are seeking to address these issues very seriously and to ensure that we can address the issues in the fullest possible way.

On rural crime, a wide range of other issues are of concern. We are pursuing a range of inter-related initiatives to reduce crime and the fear of crime. We are delivering new powers to the local crime reduction partnerships and we are providing a significant amount of money through the crime reduction scheme and for CCTV schemes to focus on those most at risk.

We strongly believe that we must address the issues of confidence in rural communities, such as those represented by the hon. Member for Gainsborough. I genuinely commend him on securing the debate. I genuinely believe that the issues of rural crime are important, and he is right to raise them in the way that he has, not only for his constituents but for the wider good. I also genuinely believe that the Government are seriously trying to address these issues in a sharp and focused way.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Seven o'clock.

House of Commons

Friday 11 February 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Point of Order

9.33 am

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Madam Speaker. Is it too early to ask whether you have received any indication from the Secretary of State for Northern Ireland that he may seek to make a statement to the House about possible momentous developments as a result of the Northern Ireland Act 2000 which received Royal Assent just last night? The matter has been mentioned on the radio this morning, and I expected that if there were to be any developments, the Secretary of State might wish to make a statement.

Madam Speaker: At this time, I have not heard from the Secretary of State. It is usual for a Secretary of State who wishes to make a statement to the House to inform me of the fact between 9.30 am and 10 am. There is, therefore, still a little time, but I have had no indication of any statement at this stage.

Orders of the Day

Licensing (Young Persons) Bill

Order for Second Reading read.

9.34 am

Mr. Paul Truswell (Pudsey): I beg to move, That the Bill be now read a Second time.

It is just over two years since my constituent, John Knowles, came to my surgery to tell me the tragic and harrowing story of the circumstances surrounding the death of his 14-year-old son, David. That visit is the reason I am standing here today. David's death highlighted a huge loophole in the Licensing Act 1964, which my Bill seeks to close.

It has been said that hard cases make bad law. I hope that the House will treat my case as an exception to that rule. Most people believe, as I used to, that it is an offence to sell alcohol to someone aged under 18, subject to certain defences. I regret to say that that is not the case. I regret even more deeply the fact that it took the tragic death of David Knowles to demonstrate that selling alcohol to young people is, in many cases, not a prosecutable action.

I shall take a few moments of the House's time to relate the circumstances surrounding David's death. I believe that they point forcefully to a need to amend legislation on the sale of alcohol to young people. David was 14. He attended Priesthorpe high school in my constituency. He enjoyed maths, and his ambition was to be a bank manager. He came from a supportive middle-class family. Those who knew him described him as a normally serious boy.

On one fateful evening in March 1997, David had watched friends play football at school. On their way home, they decided to call at the centre of Pudsey. David's friends, still in their football gear, asked him to fetch them some alcopops. He agreed, and went to a nearby Thresher off-licence, where he was sold the alcopops he asked for. A few minutes after returning to his friends, David decided that he wanted some alcohol of his own. He returned to the same off-licence and was sold four cans of lager.

David returned to his friends, and the group began to make its way home. In due course, they reached the embankment overlooking the Stanningly bypass in Pudsey. The bypass is a very busy dual carriageway with a 70 mph speed limit. It forms part of the Leeds inner ring road. It was then that the normally serious boy, who had drunk three and a half cans of lager, shouted, "Let's run." He ran down the embankment, over the first part of the dual carriageway, across the central reservation and on to the Leeds-bound carriageway. There, he was struck by a car travelling at high speed, and he died shortly afterwards from the huge injuries that he sustained.

The police attended the scene and took witness statements. As a result, they seized security videos at the Thresher off-licence, which showed David being sold alcohol twice within five minutes. On the basis of police reports, the Crown Prosecution Service mounted a prosecution against the two members of staff who had sold David the alcohol. Unfortunately, the CPS then ran into the loophole that my Bill seeks to close—it was discovered that a prosecution could succeed only against the licence holder or the licence holder's servant.

The word "servant" has a particularly narrow definition in law. A servant must be someone directly employed and paid by the licence holder. In David's case, the staff were employed by a national company—Thresher—and not by the individual licence holder who happened to be their manager. They were, therefore, totally immune from prosecution.

I was absolutely astonished to learn of that loophole when David's father came to my surgery to discuss it. My astonishment is largely shared by most people who hear about the loophole. I pledged to John Knowles that I would do everything I could to close that loophole, and I said that not only as a Member of Parliament but as a parent. Standing here today is one means of fulfilling that pledge. When I was drawn third in the ballot for private Members' Bills, I felt honour-bound to use my opportunity to try to fulfil my commitment to the Knowles family.

The withdrawal of the prosecution by the CPS was based on a Court of Appeal ruling of December 1996 in the case of Russell *v.* Director of Public Prosecutions, just three months before David's death. The court quashed a conviction on the basis that the appellant, a trainee manager, was employed by a national company—Unwins—and not by the licence holder.

That loophole has been known about for more than 30 years. In 1968, a pub landlord named Poole left his wife in charge of his bar while he went off to a football

[Mr. Paul Truswell]

match. His wife sold alcohol to two under-age people and was subsequently prosecuted and convicted. However, the conviction was overturned because she was not held, in law, to be her husband's servant.

Two other cases, which occurred in west Yorkshire over the past two years, further demonstrate the nonsense of the loophole that my Bill is designed to close. In one case, a woman sold alcohol to a 13-year-old girl. When the woman was interviewed, she claimed that she was the licence holder at the premises and was accordingly prosecuted. In court, it transpired that she had misled the investigating officers and that, in fact, her husband was the licence holder. It may be that the officers were at fault for not identifying that ploy earlier. However, under my Bill, that would not have mattered. The woman would have been prosecuted on the basis that she worked at the off-licence.

Mr. Tim Boswell (Daventry): I am by no means unsympathetic to the Bill. However, is it not true that currently, if licensees—be they the managers of chain store premises or of off-licences—were to permit any person on those premises to sell alcohol, they would be at some risk of losing their licence, even if they could not be prosecuted? I should not like the House to be under the impression that there are no sanctions at present, although the hon. Gentleman's measure would improve the situation.

Mr. Truswell: I appreciate the hon. Gentleman's question and comment. The licensee would be in danger of losing his or her licence only on a second or subsequent offence. Furthermore, defences are open to licence holders—one such defence prevented the prosecution of the licence holder in the David Knowles case. That licence holder was able to show that she had exercised due diligence in giving training and awareness raising to the staff who had sold David the alcohol, so the CPS decided that it was not possible to pursue the case against her. However, the hon. Gentleman's comments are correct.

In another case—again involving a 13-year-old girl—the person concerned was employed by a national company and was, therefore, immune under the 1964 Act. However, an attempt was made to prosecute her for aiding and abetting an illegal sale. The prosecution failed—perversely—because the defence was able to persuade the magistrate that the shop assistant had given the girl only a cursory glance. Consequently, it was argued that she could not form a positive judgment about the girl's age and thus could not have aided and abetted the offence. The shop assistant defended herself by saying that she had exercised no diligence whatever in trying to determine the age of the girl.

In that respect—as in so many others—the licensing laws are out of step with the present-day reality of supermarket and off-licence chains. Indeed, the law has increasingly created a two-tier system for off-licence workers—those who work for small, independent corner off-licences and those who work for supermarket or off-licence chains. The former are subject to the law, but the latter are immune.

In pursuing this issue, and attempting to fulfil my pledge to John Knowles, I have developed considerable empathy with Sisyphus, a character in Greek mythology. Hon. Members will recall that he was condemned by the gods perpetually to roll a rock to the top of a mountain, only to have it slip from his grasp when he had almost reached the summit. It is notable that some right hon. and hon. Members are to private Members' Bills what the Olympian gods were to Sisyphus—

Mr. Eric Forth (Bromley and Chislehurst) *indicated assent.*

Mr. Truswell: However, I hope that they can be persuaded to help me to push the rock to the top of the mountain, rather than ensuring that it travels in the opposite direction.

Mr. David Maclean (Penrith and The Border): Does the hon. Gentleman agree that he is pushing a smaller rock up the hill this year? His rock last year was much larger.

Mr. Truswell: Indeed, I wholly agree with the right hon. Gentleman. It is a small but significant rock. *[Interruption.]* I am willing to give way to the right hon. Gentleman again if he wants to put his comments on the record.

Some right hon. and hon. Members believe that private Members' Bills are used to further Government business. That may or may not be true, but I hope that the House will accept that I have been pursuing this issue for longer than the Government have.

Since John Knowles contacted me, I have met Ministers and officials several times. I have submitted a Presentation Bill and a ten-minute rule Bill. The first reached Committee stage, where it received all-party support, but there was insufficient time for it to return to the Floor of the House. Furthermore, I presented a petition to Parliament, signed by more than 1,200 of my constituents—those signatures were collected in only two weeks. In the 1997-98 Session, early-day motion 1181 was signed by 120 MPs from all parties.

My Bill is simply a continuation of the quest to remove the loophole. As hon. Members will see, the Bill runs to three pages, but that is somewhat deceptive; the measure is straightforward and specific. Much of it reiterates existing legislation. The main change is to make all persons—paid or unpaid—who work on licensed premises liable before the law, rather than only the licence holders or their servants.

Clause 1 would amend section 169 of the 1964 Act. New section 169A would introduce that extension of responsibility; the defences under the present law would remain. It would mean that Mr. Russell and Mrs. Poole would not have had their convictions quashed. It would also mean that those who sold alcohol to David Knowles would have had a case to face. No one knows whether they would have been able to mount a defence that the magistrates would have accepted—that is in the realms of speculation. However, the issue is not whether they would have been convicted, but that they could not even be tried under existing law.

New section 169B would extend the offence of knowingly allowing the sale of alcohol to a person aged under 18. At present, only the licence holder is subject to that element of the law. The provision would extend to anyone working in the premises who has authority to prevent the sale.

New sections 169C and 169D retain the existing law on the purchase of alcohol in licensed premises by or for persons aged under 18. New section 169E retains the offence for a person who is under 18 and consumes alcohol in a bar. However, at present, only the licence holder or their servant—in law—can be prosecuted for selling alcohol knowingly to someone under the age of 18. The Bill would extend that offence to any person working in licensed premises who has authority to prevent that consumption.

New section 169F extends the offence of delivering alcohol to all persons working at licensed premises, rather than only the licence holder or their servant. It also extends the offence of allowing the delivery from the licence holder alone, to those with authority to prevent the delivery.

Mr. Forth: The hon. Gentleman may intend to return to new section 169D, but I am intrigued by that provision. It makes explicit reference to beer, porter or cider. As I am not an expert at reading Bills, I wonder whether the intention is to make the regime more relaxed with regard to beer, porter and cider. What is the significance of the specific mention of them? Will the hon. Gentleman clarify that?

Mr. Truswell: I thank the right hon. Gentleman for his observations. That issue also exercised me. Current legislation uses those three categories of alcohol. As I have stressed, my intention is simply to close the loophole in the law as it stands. I do not want to debate other matters on which I might hold personal views about the deficiencies of existing legislation. I have asked questions on the point raised by the right hon. Gentleman, but it is a matter that should be discussed in a wider consideration of the licensing laws rather than in the context of my narrow, specific attempt to close a loophole. Nevertheless, he makes a pertinent observation, and one that I have also made. New section 169H would apply the penalties for the new offences under new sections 169A to 169G, and those penalties remain the same.

Mr. Colin Burgon (Elmet): I know my hon. Friend to be an excellent constituency MP and I congratulate him on the work that he has put in, which he has outlined. He is well attuned to local opinion and is quick to make the valid point that the Bill has emerged from concerns expressed by his constituents. Has he met with widespread approval in the Pudsey constituency for the stand that he has taken on the Bill, and might he deal with that when he sums up?

Mr. Truswell: I thank my hon. Friend for his comments. The measure does indeed command wholehearted support, not just from my constituents, and not just from the 1,200 constituents who signed the petition that I mentioned, but from everyone with whom I have discussed the issue. It had all-party support in the House. Over the past two years, I have received many letters from people the length and breadth of the country who have been very supportive. The licensed trade and Thresher, the off-licence involved in the David Knowles case, have also expressed their wholehearted support for the measure, which clarifies the common law, brings it up to date and, more important, removes the two-tier status of staff who work in premises where alcohol is sold.

In conclusion, I hope that hon. Members will accept that the Bill is what private Members' Bills should be all about.

Sir Patrick Cormack (South Staffordshire): A few moments ago, the hon. Gentleman said that the Bill had all-party support, and I am sure that in the Division, when it happens, that will be very evident. Is it not a pity, therefore, that the hon. Gentleman has not sought more all-party sponsorship for his Bill? Why has he not done that?

Mr. Truswell: It was a pure oversight. I was asked whether I wanted any sponsors for my Bill. It is always tempting to carry the ball single-handedly. I had left myself limited time in which to phone round quickly to obtain the approval of the Members whose names appear on the Bill. That was not intended as a slight, and the Bill is not intended to be a party political measure. Indeed, I suspect that one of the Conservative Members whom I would have been tempted to approach could not have supported the Bill because she is now an Opposition Whip, but no slight was intended. It was a shortcoming on my part, nothing more.

I hope that hon. Members will accept that the Bill represents what private Members' Bills should be all about. It emerged from the tragic experience of my constituents, and a tragic incident in my constituency. It seeks to tackle a huge loophole in the law which the House has not chosen to address, although it has known about it for many years. The Bill has been embraced by the wider community and all parties. The House cannot bring David Knowles back to life, but we can acknowledge and act on the lessons of his tragic death. For that reason, I trust and hope that the Bill will today receive a Second Reading.

9.53 am

Mrs. Caroline Spelman (Meriden): I believe that many of the remarks that will be made in the debate will be in memory of the constituent of the hon. Member for Pudsey (Mr. Truswell). Obviously, when such a tragedy occurs, we all have the family in mind, and I hope that all that we say this morning will be said with the sensitivity that should be accorded to a family who have experienced a tragedy of that nature.

I welcome the Bill because it closes a significant loophole in the law, and because it gives us an opportunity to debate the circumstances in which that tragedy occurred. I should like to take a little time to discuss some aspects of that matter because although the Bill is now very specific—I believe that it has just been described as a little stone—there are other stones on the hillside that need to be placed on the record.

Mr. Truswell: I believe that the description was "a little rock". I would hate it to be recorded as something as small as a stone.

Mrs. Spelman: Absolutely; we must not diminish the significance of the hon. Gentleman's effort.

Under-age drinking worries me greatly, not least because it is rising sharply in the 1990s—a fact which should give politicians of all persuasions cause for concern. The proportion of 11 to 15-year-olds who drank

[Mrs. Spelman]

at least once in the last week rose from 13 per cent. in 1988 to 20 per cent. in 1996. Significantly, there is a gender difference between young men and young women, although the trend is the same. Between 1988 and 1996, the percentage of 13-year-old girls who had drunk alcohol in the previous week increased from 11 to 22 per cent. In the same period, the comparative statistic for boys increased from 25 to 37 per cent.

Mr. Desmond Swayne (New Forest, West): I do not dispute my hon. Friend's contention for I know from anecdotal evidence that teenage drinking is rising, but I wonder about the confidence that she is placing in those statistics and whether she might tell the House how they are arrived at. Have they been arrived at from questions asked in surveys? When I think about my youth, I remember that when I was 13 I would tell my friends that I had done all sorts of things that I had not done at all.

Mrs. Spelman: On that basis, those figures may well be an underestimate. Those statistics are contained in a fact sheet produced by the Institute of Alcohol Studies, which was based on Home Office data.

Sir Patrick Cormack: Do those statistics show what an influence the sale of alcopops has had on the increased consumption of alcohol, as the hon. Member for Pudsey (Mr. Truswell) argued in an admirable speech? As I understand it, the purchase of alcopops was the occasion of the first visit to the off-licence by the young man concerned. Therefore, I should be grateful if my hon. Friend would let me know whether that is the case.

Mrs. Spelman: This statistical series does not give a breakdown of different types of alcohol; it concerns the incidence of consumption of alcohol. However, Alcohol Concern has found not only that the types of alcohol most commonly consumed among under-age drinkers are beer, lager or ciders, which account for 57 per cent. of alcohol consumption among under-age drinkers, but that the number of alcopoppers is rising. I know that hon. Members who were in this place before me expressed their considerable concern at the time of the advent on to the market of alcopops, which are specifically targeted at young people and have certainly contributed to the rising incidence of alcohol consumption among those who are under age.

There is an increase not only in the number of under-age young people who consume alcohol but—a matter of equal concern—in the volume of alcohol that they consume. Between 1990 and 1996, units of alcohol consumed per week increased from six to almost 10 among boys and from 4.8 to seven among girls—a comparable trend but at a lower level. At the extreme end of the scale of 14 and 15-year-olds, 5 per cent. are already consuming volumes of alcohol in excess of the maximum recommended adult levels of alcohol consumption. Those levels are, as every hon. Member would know, 14 units a week for women, such as myself, and 21 units a week for the gentlemen of the House. Ten per cent. of 15 and 16-year-olds are consuming alcohol in excess of the maximum recommended for an adult.

That increase, not only in the number of young people drinking but in the volume that they drink, reaches its most extreme expression in hospital casualty units which, increasingly, encounter cases of young children suffering the effects of extreme alcohol intoxication.

Mr. Swayne: Will my hon. Friend assist me? She spoke of units and, although I once had at least some grasp of what they amounted to, I am afraid that I cannot recall what volume of alcohol they represent in measures that we can understand.

Mrs. Spelman: The easiest way for my hon. Friend to grasp the concept is to remember, the next time he uncorks a bottle of wine and fills a glass, that that is a unit. I hope that will help him. I have a lesser interest in other forms of alcohol, so he will have to consult the tables that outline what the beer in his tankard represents in units of alcohol.

Reports from Alder Hey hospital in Liverpool show that children as young as eight have been admitted with acute alcohol poisoning. That is an important aspect of the debate on what we can do about under-age drinking.

We must consider the motives of the youngsters and we should not shy away from the reasons that they give for drinking alcohol. The obvious ones are that they wish to be seen to be cool, grown-up and moving with the pack. They say that they are looking for a buzz or a quick high from getting drunk. Those are the same motives for taking illicit drugs.

To act on their motives, young people need two fundamental ingredients: the money to buy the alcohol and someone willing to sell it. The willingness to sell it is the subject of the Bill, but I want to dwell for a moment on the first of the two ingredients—the money to buy alcohol. I wish to register an important point that was impressed on me by my local police. More often than not, the money comes from parents, although they may be unaware that the money that was given to a child in good faith to go to the local sports centre is being used to purchase alcohol on a Saturday afternoon.

Perhaps parents are ignorant of how the pocket money or the money that they give their children for various activities is spent. However, a certain relaxed attitude is giving rise to more problems in relation to the way in which young people conduct themselves in society. Only last month, I was called out to a town centre by the owner of a Cantonese takeaway who had experienced many problems from gangs of youngsters. They had been climbing on the roof of his premises and so on. The gang was rounded up and most of its members were under 18. Most of the boys were 16 and 17-year-olds, but with them at 10 o'clock at night was a 14-year-old girl.

When that young lady was taken home—I hasten to add that drinking alcohol was among the antics that had gone on in the town centre—her parents showed no real concern about the fact that their daughter had been out with 16 and 17-year-old lads in the town centre, consuming alcohol after 10 o'clock at night. There is an underlying problem here: if parents take too relaxed an attitude to what their children are up to at that time of night, what they consume and what they use their money for, tragic incidents occur. Such incidents are the very reason for this debate.

Sir Patrick Cormack: I want it to be understood that I cast absolutely no aspersions on the parents of the young

man who died so tragically. However, there is a double problem. Sometimes parents are almost wilfully ignorant of the use to which the money that they give their children is put and one feels a certain sympathy with those selling the alcohol. Sometimes, it is extremely difficult to tell whether a child is 14 or 16, or 16 or 18.

Mrs. Spelman: That is a fundamental aspect of the debate. I shall come on to the position in which the vendor of the alcohol is placed. However, we should not move too quickly off the subject of parental responsibility. Policemen and women find it difficult to patrol our streets safely and, as they have put it forcefully to me, they have limited financial resources. Is it right that they should spend their time returning 14-year-olds who have been consuming alcohol in the company of significantly older young men home at 10 o'clock at night? Is that the right priority for the police, or should they devote their attention to preventing car crime, burglaries and other criminal offences?

Mr. Boswell: My hon. Friend is making a constructive speech. Does she agree that the behaviour of young people often interacts with the type of criminal activity to which she referred? Young people may get tanked up and take a car and that can result in tragic accidents such as the fatality that happened near my home when five young people went into a canal, or other public order offences. Such problems go much wider than a night out and a hangover afterwards.

Mrs. Spelman: My hon. Friend makes a good point. He has reminded me to point out that the money needed to buy alcohol is not always acquired from the parents who give their children money in good faith for other purposes. As with illicit drug consumption, drinking alcohol can lead to a habit in which criminal activity is part of the life style. Money has to be sought by other means to feed the habit. My hon. Friend's points were very well made.

My constituency has a black spot of under-age drinking. It is well known by the community, it is visible and it is in a public place. A supermarket on a housing estate is a veritable Mecca for under-age drinkers and it has proved very difficult to crack the problem. Youngsters congregate outside the off-licence in the car park, and there is evidence of drinking all around. There are beer cans under the shrubberies and bottles—both smashed and intact—all over one end of the car park.

It is unfortunate for local residents and users of the supermarket that it is situated next door to the community surgery. The consequence of under-age drinkers being in close proximity to the surgery is that it has been vandalised and there is much graffiti on the walls. The overall effect on the environment is negative. That is a public nuisance for those who live close to the off-licence. Many elderly people live in ground-floor flats that overlook the car park and, unfortunately, they are regularly forced to witness through their windows the type of anti-social behaviour that often follows drinking.

The police have faced real difficulties in resolving the problem and they relate to the key reasons for the Bill. They find it difficult to catch someone in the act of selling alcohol to an under-age drinker. There is another feature to the problem. It is established practice for someone of the correct age to purchase the alcohol and pass it on to younger drinkers. That point is not covered by the Bill, but I remind the House that, in 1997, the Government made a commitment to introduce legislation making it an offence for someone of age to purchase alcohol with the purpose of passing it on to an under-age drinker. I urge the Government to get a move on with that commitment.

Mr. Tony Clarke (Northampton, South): There is confusion in the Bill, particularly in respect of the proposed new section 169F on the delivery of alcohol and that on the purchase and provision of alcohol to individuals. The hon. Lady said that the practice that she has just described was not covered by the Bill, so what does she think needs to be done to close that loophole?

Mrs. Spelman: I shall come on to that point. I know, when I stand in the car park opposite that off-licence in my constituency, that the Bill will not solve all the problems. There remains the problem of people of the appropriate age being complicit in passing alcohol to an under-age group. The police have made it plain to me that that is a problem for them.

I turn now to the position in which the vendor is placed, which is at the heart of the legislation. I said at the outset that I welcome the tightening of the law on that point. There have been far too many cases of under-age drinking in which there has been a failure, either unwittingly or unwillingly, to prosecute. However, I urge hon. Members to imagine themselves in the position of the vendor. I invite them to come past the rowdy gang on the doorstep, into the off-licence where they will see what the problem is. The check-out job is often done by a woman. In my constituency, that is one of the few jobs available to women who want to work part-time and who do not have the skills for a more highly paid job.

Those women have told me that they feel intimidated and vulnerable when youngsters come into the shop to purchase alcohol. There may be closed circuit television in the off-licence, but often there is not. A woman working alone on a Saturday afternoon in a shop containing valuable goods may be confronted by a group of young men who are considerably larger and more physically able than she is. I invite the House to have a little sympathy with the person who must decide whether to sell alcohol to such a group.

There is a way in which we could greatly assist the people on whom the spotlight now rests, because it will be their decision whether to sell alcohol to the youngsters in front of them. My local authority is consulting about a form of identification for youngsters that may help vendors. What is envisaged in my constituency is not purely a stick with which to beat youngsters into obeying the law on the purchase of alcohol. It will be a carrot and stick arrangement because the card issued to 12 to 15-year-olds would have the advantage of making it easier for 15-year-olds of above-average size to gain entitlement to discounts on activities at local sports facilities.

A carrot and stick approach is preferable, and that scheme is, in any event, being introduced on a voluntary basis. It would have the added advantage of helping vendors who are placed in a difficult position, and who are sometimes intimidated, to ask for such identification and to have an objective way of assessing whether they should allow the purchase of alcohol.

I have sought to introduce to the debate some of the wider aspects of the problem of the sharp rise in under-age drinking. We must tackle that problem. We have a duty

[Mrs. Spelman]

as constituency representatives and as Members of the House to do so because the activity is illegal and detrimental to young people's health, so there are sound moral and health reasons for tightening the law. If it has taken the particular tragedy mentioned by the hon. Member for Pudsey to advance the law, that sad case has not been in vain.

10.15 am

Jane Griffiths (Reading, East): We are here to debate the Bill introduced by my hon. Friend the Member for Pudsey (Mr. Truswell), rather than the, admittedly serious, problem of under-age drinking itself, but that issue is a worry to hon. Members on both sides of the House and to people in constituencies throughout the country.

We hear of very young people being admitted to accident and emergency departments suffering from alcohol poisoning. Even more worryingly, some of the parents who come to collect their children express relief, having feared that their children were taking illegal drugs. There is nothing to be relieved about—alcohol is legal, but it is a dangerous drug. I do not want to be insensitive, having heard the tragic circumstances that led my hon. Friend to introduce the Bill.

I am glad that the House is expected to discuss the wider, important question of licensing law reform. We need to acquire a grown-up culture on alcohol consumption and late-night activity. The fact that we have not yet achieved that culture has tended not only to damage our reputation abroad, but possibly to encourage young people to consume alcohol because it seems grown-up.

I warmly congratulate my hon. Friend on introducing the Bill because it will take time for the House to deal with the wider question of licensing reform. In the meantime, it is necessary for employees of any emporium that legally sells alcohol to understand where they may be at risk of prosecution, and for their managers to ensure that they receive proper training.

I have been approached by representatives of independent retailers—corner shops—in my constituency. They are concerned about their position and the difficulty that they may have in knowing whether young people are old enough to purchase alcohol. Those retailers are almost always at risk of prosecution because the person serving is likely to be the "servant" in law or the licensee himself.

We have all had the experience of reaching a supermarket check-out and being served by a 16 or 17-year-old. If we buy a bottle of wine, that person has to call another member of staff and hold up the bottle to show that they have sold it even though they are not themselves legally old enough to sell or consume alcohol. It is hard to understand how those young people could have had proper training and be capable of deciding whether to sell alcohol to a young person who approached their check-out.

We have a two-tier system in which independent, small retailers are subject to more restrictions than supermarkets and large off-licence chains. The Bill will help to ensure that all retailers are under the same obligation regarding the sale of alcohol. Someone who works for a large, anonymous chain should be under the same obligation as the person behind the counter in the corner shop.

The Bill should succeed today, and I hope that it will. Nothing can bring back David Knowles, but we hope that fewer such tragedies will occur in future.

10.19 am

Sir Patrick Cormack (South Staffordshire): The hon. Member for Reading, East (Jane Griffiths) spoke briefly, but movingly and effectively. She probably voiced the views of everybody here in expressing support for the Bill. It is a small measure, but it is the most important legislation before the House today, and it merits the support of hon. Members on both sides of the House.

We all admire not only the manner in which the hon. Member for Pudsey (Mr. Truswell) introduced the Bill, but his refreshing candour when I asked why he did not have sponsors from both sides of the House. His answer was totally disarming. His apology was completely accepted by those on the Opposition Benches. I do not think that he would have found much difficulty in attracting sponsors from among us had he had the chance to do so. I speak in support of the Bill, because it is a small but effective measure. However, it is important that we consider some of its consequences.

I should like first to say how much we all sympathise with the Knowles family. In our constituencies, we have all encountered tragic stories of young people who have died. There can be no more terrible thing for any parent than to lose a child, but to lose a child in such circumstances must add anguish to the dreadful sense of bereavement.

One also feels extremely sorry for the driver of the vehicle. To kill a child in such circumstances is terrible. It could happen to any one of us; nobody is suggesting that the driver was in any way culpable. It is therefore important that, in expressing our sympathy for the parents of David Knowles, we also express sympathy—I do not know the name of the man or woman concerned—for the person who drove the vehicle. One also feels for those who must convey the news of death to the parents. So many lives are affected by such a tragic incident.

The hon. Member for Pudsey was generous and right to say that, had the Bill been in force, there would have been no certainty that those who sold the alcopops and lager would have been convicted. I referred obliquely to that when I intervened on the admirable speech of my hon. Friend the Member for Meriden (Mrs. Spelman), who also dwelt on the problem of telling the age of young people. We all know from our surgeries how difficult that can be.

Not so long ago, a young student came to see me to ask questions for some survey that she was doing—we all get them. If anybody had asked me how old that young lady was, I would have said between 18 and 19 years old and that she was in her first year at university. In fact, she was preparing for her GCSE examinations and was therefore 15 years old. So, one feels for those in the difficult position of selling alcohol.

I should like to raise one point that was not referred to by the hon. Member for Pudsey, or by anybody else. We live in the age of information technology, which, for some of us, is extremely difficult. This very morning, once I leave the Chamber, I shall be going over to my room, where a young man will help me to set up my website. I am woefully ignorant of such things. I see the look of horrified repugnance on the face of my right hon. Friend

the Member for Bromley and Chislehurst (Mr. Forth) as I announce that I am about to enter the last part of the 20th century—although, of course, it does not end until 31 December this year.

I refer to a serious point. Online shopping, as I believe it is called, is increasingly common. I am told by a colleague who has recently established a website that he decided to visit the Tesco one. I hope that I shall not be accused of giving unwarranted publicity to one chain, but, as my colleague told me, it has the most sophisticated delivery system, through which it is possible to order all manner of goods. Indeed, at the moment, it is able to guarantee delivery within—I think—a half or a quarter or an hour of the time specified.

What knowledge do those who are to deliver the goods have of those who have ordered them? Is it not possible for young people at home—perhaps while their parents are at work, away or out for the evening—to call up supplies of cigarettes, alcohol and so on? I want to know—perhaps the matter can be addressed in Committee and referred to by the Minister—about the position of those who dispatch such goods.

The hon. Member for Pudsey has rightly identified a loophole and is seeking to close it, and he has the sympathetic support of Members on both sides of the House in trying to do so. However, we must consider other loopholes.

Mr. Forth: I am grateful to my hon. Friend for introducing the ghastly subject of the internet, to which I have no doubt hon. Members will return during the debate. If I were to catch Mr. Deputy Speaker's eye, I might even attempt to say something about it as well. My hon. Friend raises a wider issue that I would define as the point of responsibility. Does not a similar argument apply to supermarket check-outs, for example? I assume from reading the Bill that responsibility might lie with the person manning a supermarket check-out. Who else is there to take responsibility for such licensed premises? The problem is even wider than that which he has addressed.

Sir Patrick Cormack: I accept that and of course understand why my right hon. Friend wants to bring the debate back from cyberspace to his supermarket check-out. His point was touched on by the hon. Member for Reading, East, when she said that, very often, those manning check-outs are themselves under the legal age for consuming or selling alcohol.

Such people are supposed to summon somebody of the appropriate age, but how many of us have seen, when canvassing in our constituencies, the extent of the pressure of the Saturday afternoon supermarket queue? Vast numbers of people become increasingly agitated as they want to pay for their purchases and get out of the shop, putting pressure on the young people at the check-out. Do all those young people summon somebody? I do not know.

There is the problem of identifying ages. In her admirable speech, my hon. Friend the Member for Meriden talked of the need for some form of identification. A photo-identity card is the only sure way of verifying someone's age, although you would rule me out of order, Mr. Deputy Speaker, if I talked at length on that issue. Nevertheless, it is relevant.

Mr. Boswell: Does my hon. Friend agree that, however admirable a photo-identity card system might be, it would break down in the case of electronic shopping, because such cards would not be available to the person making the sale?

Sir Patrick Cormack: My hon. Friend has it in one. The point that I was seeking to make is that, even with a photo-identity pass, one cannot be certain. How many people checking our credit card slips look at the signature? We have all read ridiculous examples in the press of people who have signed Adolf Hitler or Karl Marx and had purchases accepted. One must recognise that those who conduct the sale are often under great pressure, doing a job that is so constantly repetitive as to be infinitely boring. They have a problem.

In the best traditions of the constituency Member of Parliament, the hon. Member for Pudsey has rightly been deeply moved by a shocking and terrible tragedy, and has sought to do something about it. That is admirable. In doing so as a good constituency Member, he has the support of colleagues in all parts of the House.

If I may say so—I hope that this does not sound flattering or patronising—in my 30 years in the House, I have not heard a better presentation of a private Member's Bill than the hon. Gentleman gave us this morning. He was admirable in his lucidity and did not go in for hyperbole. He stated the case and said what he was seeking to do about it. He deserves our support but just touching on some of these issues makes one realise that there are many other problems that will remain unresolved when the Bill becomes law, as I hope that it will.

In discussing the Bill, we are right to examine carefully the issue of parental responsibility. That is where it all begins. As I said in an intervention, the last thing that I want to do is to cast any aspersions on Mr. and Mrs. Knowles, who I am sure, from what the hon. Gentleman said, are not only anguished but admirable parents.

Many parents, however, are far too cavalier in the way in which they treat their offspring and lavish money upon them. There are many parents who see financial generosity as a substitute for being a proper parent. They claim to be very busy, so they give their children a lot of money and tell them to do what they like and go where they want. As a consequence, the clear moral—I use the word without apology—guidance that many of us were privileged to receive in the parental home is not available to many of today's generation of children.

Mr. Swayne: I suspect that the absence of moral guidance is less of a problem than the opportunities available to younger people now, which were not available even to my generation, such as alcopops, income to spend and time in which to spend it. Those are new pressures.

Sir Patrick Cormack: Those are indeed new pressures, and my hon. Friend is right to underline them. They make the job of being a good parent all the more difficult. My sons are 28 and 30, so they have been away from home for some time. It was easier for me to be a good parent than it is for today's parents, because of the opportunities and pressures to which my hon. Friend alluded, and the opportunity for on-line shopping to which I referred.

Mrs. Spelman: I thank my hon. Friend for giving way; I shall not detain him. On the topic of parental responsibility, I am sure he is aware that there is often a correlation between drinking among under-age children and the drinking patterns of adults. In households where heavy drinking is a feature of the life style, that may well be reflected in the behaviour of youngsters. As a result of the tightening of the drink-drive laws, many parents now consume more alcohol in their own home, in front of their children, and that is a factor in conditioning the attitude of young people towards the consumption of alcohol.

Sir Patrick Cormack: That is a factor, of course, but providing a sensitive and sensible education in the moderate use of alcohol is part of being a good parent.

Our sons were brought up to have a glass of wine with the evening meal—from before the age of 16, I have to say. I do not believe that they suffered as a result. I believe, rather, that they accepted it as a natural part of social eating together as a family, but something that should not be indulged in to excess. Because it was part of the natural family scene, they did not succumb to the temptation to do it away from the parental gaze.

I accept that there are some parents to whom the very notion of alcohol is repugnant. I respect those who are total abstainers, but those who are not have an added responsibility to be sensible and sensitive in the way in which they bring their children up. My hon. Friend is right to point out that, when some parents treat the matter in a cavalier manner and drink as much as they want whenever they want, their children see getting sloshed, as they vulgarly call it, as being part of the parental life style.

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend is developing an important series of points on the issue of responsibility. Does he agree that there is also an issue of corporate responsibility, with respect to some of the advertising campaigns, the products—we have heard about alcopops—and aspects such as what happens at supermarket tills? We should not try to transfer the entire responsibility to parents, although some of it undoubtedly lies with them. Big corporations, which should know better, are making the problem worse, rather than trying to improve matters.

Sir Patrick Cormack: I could not agree more. A child who has a loving, concerned home, with parents who are sensible and give of their time to their child, is much less likely to get into any sort of scrape than children whose parents are careless and merely lavish money on them.

Of course the corporate sector bears a large degree of responsibility. I find some of the explicit advertisements for alcohol on television deeply disturbing. Although I am not by nature a banner—if one has a conservative philosophy, it does not come naturally to ban here, there and everywhere—I believe nevertheless that the advent of alcopops has been almost wholly bad.

If the hon. Member for Pudsey had introduced a Bill to ban the sale of alcopops, he would have found me a willing co-sponsor. Alcopops were an unnecessary product. Many of those who dreamed them up were seeking to exploit certain teenage views. I am strongly opposed to them. My hon. Friend makes a cogent point.

The Bill is a small piece of legislation, as the hon. Gentleman was at pains to point out in his opening speech.

Mr. Oliver Heald (North–East Hertfordshire): On corporate responsibility, does my hon. Friend accept that there have been some rather helpful moves by the industry—for example, the Portman Group produced the Prove It! scheme with the identity card for young people, which most colleagues would agree was a useful initiative. Also, excellent training has been given to staff, to try to avoid some of the problems about which we have heard. The picture is not entirely of the corporate sector showing no responsibility; some constructive measures have been taken.

Sir Patrick Cormack: Of course. Frequently, in responding to an intervention that contains a salient point, we tend to generalise. We are all guilty of that from time to time. I would not want my remarks to be interpreted as an attack on the corporate sector and all who operate in it.

As with every sector, there are rotten apples in the barrel. There are those who do things for the wrong reason. Some of the people who dream up some of the advertisements are at best amoral, and sometimes much worse than that. I am extremely concerned about the effects that alcopops have had on our society. They have been a wholly bad development, and I should love them to disappear.

Mr. Swayne: I am not convinced that my hon. Friend is correct. I share his distaste for alcopops, but that is a personal distaste. I wonder what evidence there is that the advent of alcopops has expanded the market in under-age drinking, rather than simply dividing it up. I believe that lager is as pernicious as my hon. Friend suggests alcopops are.

Sir Patrick Cormack: Alcopops may not have expanded the market to an enormous degree; I am not aware of the figures. However, they expanded the opportunities in a way that is peculiarly seductive to young people and more difficult for their parents to identify. That is the indictment of alcopops, and I do not retract a sentence of my condemnation.

Mrs. Spelman: Research undertaken by the schools health education unit at Exeter university in 1998 established that alcopops were associated with heavier drinking in under-age drinkers. A survey of 8,000 young people aged 12 to 14 found that

"'alcopoppers' were more likely than others to drink in pubs, discos and at parties"

rather than purchasing alcohol from an off-licence. I hope that that information shows the risk that those alcohol products present.

Sir Patrick Cormack: That underlines my point about the expansion of opportunity. I am extremely grateful to my hon. Friend for drawing the survey to the House's attention. We should return to the subject. I would consider promoting a Bill on alcopops if I obtained a high position in the ballot. That has never happened to me but, if it did, I would consider such a measure.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. As the hon. Gentleman said, he is talking about a separate

matter. It may be related to the Bill, but it is a separate issue. I have allowed some leeway, but we must keep to the subject of the Bill.

Sir Patrick Cormack: In a sense, alcopops are the subject of the Bill because it was their purchase that led to the terrible accident that we are discussing. As the hon. Member for Pudsey explained, the first drinks that David Knowles purchased were alcopops. However, I accept your strictures, Mr. Deputy Speaker. We must not expand too much on that subject, except to say that it is relevant and that we may revert to it on another occasion.

Mr. Malcolm Savidge (Aberdeen, North): One of the unfortunate aspects of alcopops is that, while they were clearly designed for the teenage, and, one suspects, the pre-teenage market, they are much stronger than lager or beer.

Sir Patrick Cormack: That is another point. My hon. Friend the Member for Meriden said in her speech that children as young as eight were consuming those products.

The Bill's scope is narrow and its motivation is important. Its results could be wholly beneficial if it made everyone in every retail premises aware that selling alcohol was a great responsibility, which must never be taken lightly, whatever the alcoholic product. It is especially important that those charged with the sale of alcoholic beverages have regard to those to whom they sell the products. Just as the responsible pub landlord will refuse to continue serving drinks to someone who is obviously inebriated, the most scrupulous attention should be paid to the age or apparent age of the potential customer.

The Bill will ensure that the responsibility for deciding to sell rests on the person who conducts the transaction, however that person is employed. The hon. Member for Pudsey has revealed a loophole, which has existed in law for at least the 30 years to which he referred. He has introduced an effective measure to tackle it. He deserves our congratulations, and, in the case of a Division, our support. He certainly has mine.

10.44 am

Mr. Tony Clarke (Northampton, South): I add my congratulations to my hon. Friend the Member for Pudsey (Mr. Truswell). However, beyond that, as other hon. Members have said, we owe him a debt of gratitude for several reasons. I do not want to cast aspersions, but if hon. Members examine the list of private Member's Bills, it is apparent that the majority of subjects are chosen because they are populist, because they engender good media coverage for the promoter, or because an organisation assisted in drafting a measure. Today, we are considering a Bill that has been tabled by an hon. Member on behalf of his constituents: a family who visited his surgery in tragic circumstances. Although my hon. Friend said that he was honour-bound to promote the Bill, the House and the country are in his debt because the story of David Knowles has been repeated throughout the land, and families have lost loved ones through alcohol abuse at an early age.

I support the Bill. I agree that it probably deals with only the tip of the iceberg and that we shall have to reconsider modernising our liquor and public entertainment laws. I risk ridicule when I say that it will not be too long before we have to reconsider whether 18 is a sensible age at which to begin purchasing alcohol. Yesterday, we discussed a different matter, but we may need to modernise the law on the purchase of alcohol and consider lowering the age to 16 so that we can properly enforce the law, rather than having legislation that cannot be enforced. That view is borne out by earlier interventions about the way in which teenagers gain access to drink and their attitude to alcohol.

When I was 14, several friends and I went on a school trip to the continent. We went into a café bar with some new-found continental friends. They were easily able to purchase alcohol, but they did not. We were amazed, and, unfortunately, we behaved like children in a candy shop. We decided to take advantage of the new opportunity and drank too much. We can learn from countries on the continent that have less strict rules on the sale of alcohol to minors and teenagers and have less of a problem than this country.

Mr. Heald: Does the hon. Gentleman believe that the age of majority should be the same for a range of issues? Does he believe that the age of consent for sexual activity should be the same as that for alcoholic purchase, voting and so on, or is he making a less general point?

Mr. Clarke: I do not want Mr. Deputy Speaker to pick me up on straying from the Bill. However, I believe that we should take a more level view on what constitutes adulthood. The hon. Gentleman's points are therefore relevant, and I agree that perhaps we should examine the age for purchasing alcohol in the light of the age of consent for sexual activity and voting. For many years, 18 has been considered the age at which teenagers become adults. However, times have changed, and that age should be kept under review.

Mr. Savidge: I do not wish to detain my hon. Friend for too long on that issue, but does he believe that if we had clear methods of identifying age, it might be easier to decide whether lowering the age to 16 was reasonable? At present, children who are not even teenagers can pretend to be 18 because of the difficulty of identifying age.

Mr. Clarke: I agree. Age is only a number and does not necessarily measure the individual's maturity. We could long debate many associated issues, but they are not connected with the Bill.

Mr. Swayne: We need the Bill because under-18s are being sold alcohol in circumstances in which they ought not to be and that needs tightening up. If that is the case, I see no logic for reducing the age at which they can buy drinks.

Mr. Clarke: The key age of 14 has been referred to by my hon. Friend the Member for Pudsey and by Conservative Members. David Knowles was 14, as was the young girl mentioned by the hon. Member for Meriden (Mrs. Spelman), and we have heard of similar cases of 14-year-olds who drink. The issue is not only what we do to close the loophole, but why teenagers drink and why 14-year-olds seem to be most vulnerable. I hope that those

[Mr. Clarke]

comments and my suggestion of lowering the age at which drink can be purchased from 18 to 16 assist the hon. Gentleman and answer his question.

We need to consider why young people—those aged between 11 and 15—involve themselves in under-age drinking. The Bill closes the loophole by ensuring that any person who sells alcohol to under-age drinkers will be brought to justice. The issue of off-licences, local stores and who serves whom is important, and I agree with my hon. Friend the Member for Reading, East (Jane Griffiths) that young people selling alcohol to young people in community stores is a problem. In some cases, they are peers and school friends who are well known to their customers so the issue is not only whether they are breaking the law, but peer pressure and whether the seller would feel comfortable with refusing. We need to consider how much impact that might have on the problem, particularly in tight-knit communities.

With that in mind, a few years ago in Northampton we started to consider why and where children were drinking and why a problem had suddenly arisen around community stores, off-licences and supermarkets. The results were interesting. Everyone in society is affected by under-age drinking. It is not, as some may think, more prevalent in areas of social deprivation. One of our first findings was that some children from the more affluent parts of town were drinking under age. The comments about the availability of cash to feed a new-found habit may be relevant there, but we also found that many children drank outside shops because they felt vulnerable. In some strange sense, the activity and light from the shop acted as a defence mechanism and although they were causing problems and drinking illegally they wanted other people around in case anything went wrong. They wanted to be safe and did not want to drink in dark corners and alleyways.

Mr. Fabian Hamilton (Leeds, North–East): The hon. Member for South Staffordshire (Sir P. Cormack) referred to reasonable drinking within families. Society's attitude to alcohol can be distorted and, in the minds of under-18s, drinking is cool and brings them kudos. My hon. Friend referred to his experiences on the continent. When I was 14, I visited a Belgian school, was served beer—very weak beer—with lunch and the atmosphere was relaxed. On the continent, it is normal for a 14-year-old to drink weak beer. I am not suggesting for a minute that we should introduce that here, but does he agree that society's attitude to drinking in the home has to change so that young people do not think that drinking will give them kudos?

Mr. Deputy Speaker: Order. My understanding is that we are discussing the responsibility of the licence holder and off-licence staff. We must narrow our remarks to that issue.

Mr. Clarke: I shall bring the comments of my hon. Friend the Member for Leeds, North–East (Mr. Hamilton) into line. This country's outdated social attitude to drink may lead to a number of under-18s trying to procure alcohol from off-licences. Attitudes are part of the argument and important to identifying why we have such a problem. We may need to change our attitude.

There are reams of statistics on the seriousness of the problem and how many young teenagers are drinking and one of the most recent and most useful reports is by John Balding of Exeter university. There is light at the end of the tunnel and good news in respect of what has happened over the past few years. There is no doubt that under-age drinking peaked in and around 1996: John Balding's figures for 1988 show that 20 per cent. of 11 to 15-year-olds were drinking, but by 1996 that had risen to 27 per cent. Fortunately, it had dropped to 21 per cent. by 1998. Were teenagers drinking because it was fashionable or because of the sudden introduction of alcopops? What led to the sudden increase in under-age drinking in 1995-96? We must think about how alcopops are marketed. I find some of the cartoon-style advertisements in magazines and on television offensive and they clearly aim a product that is not available to under-18s at a very young market. We need to return to that issue.

There are further fascinating statistics. The place from which teenagers procure alcohol changes, dependent on age. About 8 per cent. of year eight children buy from an off-licence, but the figure for year 10s is 22 per cent., which is a huge jump. People who begin a habit use an off-licence to feed it. Pubs and bars are used by 4 per cent. of year eight children, but the figure is 14 per cent. for year 10s. The figures for discos and clubs are 6 per cent. and 10 per cent., but 83 per cent. of year eights and 65 per cent. of year 10s said that they got their alcohol from "none of the above" sources. That should be a huge matter of concern for the House. It relates to the comments about delivery, which is covered partly by proposed new section 169F.

We must consider not only internet shopping, but services such as dial-a-booze that take alcohol directly to an event or a house. There could be dangers in respect of separating the sale and delivery of alcohol and knowingly supplying it, which is covered in the Bill. Most of those who operate an internet account—with Tesco, for example—would probably have to be over 18 to set one up, but that would not stop the abuse of that channel for the provision of alcohol to the home. Most teenage drinking occurs in the home.

We owe my hon. Friend the Member for Pudsey a debt of gratitude for introducing the Bill and closing the loophole. If we pass it, we shall do a service not only to his constituents, who lost their young son in tragic circumstances, but to families across the country by preventing their children from being taken away from them.

10.59 am

Mr. Tim Boswell (Daventry): It is a pleasure to follow my constituency neighbour, the hon. Member for Northampton, South (Mr. Clarke), and on this occasion at least to be almost entirely in agreement with his sentiments. Maintaining that note of consensus, I congratulate the hon. Member for Pudsey (Mr. Truswell) on his Bill, the case for which he most elegantly expressed and clearly argued. It will make a contribution to tackling this problem, and is very welcome.

The Bill is an exemplary instance of the relationship between us and our constituents, which we sometimes allow to be overwhelmed by cynicism. We sometimes have difficult constituents who do not have the strongest of cases, but from time to time we all have people with a real and serious problem, sometimes involving tragic circumstances, such as the case of David Knowles.

Grieving parents tell us what has happened, and we make a mental note that in one way or another we will do something about it. We may even be fortunate enough to do so, as the hon. Member for Pudsey is today. In my experience of such cases, the reaction of the parents or members of the family if there has been a bereavement is often that they want not revenge, but an active commemoration of the lost person by a change in legislation or some administrative action that prevents such an incident from ever happening again. As hon. Members have said, such tragedies may have happened elsewhere, but at least some good may come of this one. That is why I welcome the Bill.

As a courtesy, I should tell the House that I may have to leave before the conclusion of the debate, because I have another speech to make this afternoon. I readily reassure the House that I do not intend to make a protracted speech now.

The Bill is exemplary and I am happy for it to proceed into Committee for detailed debate. However, I should like to flag up two points. I am an amateur student of legislation, but I sometimes enjoy reading the small print.

My first point concerns the genesis of the argument for the Bill. We have moved from a situation in which typically the licensee was the proprietor of an off-licence and was in charge of the operation. As the hon. Member for Reading, East (Jane Griffiths) said, it may be a corner shop or small community shop and the licensee is in charge and tells his staff, who may be members of his family, what to do. The more typical off-licence is part of a large chain and is under the general supervision of a manager who holds the licence. The other workers and employees are keyed into that situation.

That must be right in principle, but I have noticed that there is a desire to expand the traditional relationship, which used to be called—offensively in my view—master and servant, to a wider set of relationships to do with employment or economic activity. There has been a slight tendency towards such a change in relationship in other contexts under the present Government. There is a danger that that could go too far, and it certainly needs watching.

I flag up for later consideration the reference in new section 169B to

"a person who works in the licensed premises in a capacity, whether paid or unpaid, which gives him authority to prevent the sale."

I am a little concerned about the extension of the legislation to unpaid workers or people on the premises. It may be possible to try to deny a relationship if someone had made a sale. The licensee may say that he was not paying that person. Someone may fill in for the licensee—Ministers sometimes have to leave the Chamber for a moment, although they are most assiduous attenders on the Bench, and someone may substitute for them for a short time. I am not talking about a stupid or irresponsible person. There may subsequently be an evidential argument about the nature of the relationship. That issue may need examining.

Mr. Truswell: I take the hon. Gentleman's point, and it is a good one. However, the intention of the Bill is to address the circumstances of the Poole case. Often, a member of the family—the wife in the Poole case—undertakes the role of employee without being directly employed or paid. If we did not introduce that section, we would leave the legislation wide open to that anomaly.

Mr. Boswell: I am sensitive to the hon. Gentleman's point. He is probably right, but I flag the matter up for the Committee.

The counterpoint, about which I feel strongly, concerns the licensee. Nothing in the Bill should dilute the licensee's responsibilities. The fact that the responsibility for the sale of alcohol is being spread around the employees at the premises, including those who make the particular sale, although welcome, may run the danger of diluting the licensee's responsibility. Continuing attention must be paid to the training and support given especially to younger or less well-trained, less articulate and less able people in conducting sales.

That brings me to my second point of concern about the detail of the Bill, which has already been mentioned by my hon. Friend the Member for South Staffordshire (Sir P. Cormack) and the hon. Member for Northampton, South. It relates to e-commerce and internet shopping.

Mr. Heald: On my hon. Friend's point about the responsibility of the licence holder, does he agree that, at one time, the licence holder would have been terrified at the prospect of losing his licence, and ensured that staff were adequate to the job and properly trained, could not be intimidated and ensured that the law was enforced? Is he concerned that that may be diluted?

Mr. Boswell: That is so. In fairness to him, the hon. Member for Pudsey, in response to my intervention, made precisely the point that the loss of a licence may be a less rigorous sanction than that proposed in the Bill. We certainly need to explore how the Bill will work in practice.

Mr. Truswell: I am sorry to intervene again, but for the sake of clarity I should explain that nothing in the Bill would dilute the licence holder's responsibility. Its intention is to increase the number of people who are subject to the law, but the licence holder still remains culpable. Even if those to whom these responsibilities are extended are culpable in law, the licence holder may be equally culpable. It does not switch responsibility. The licence holder remains at the centre and must still be seen to be diligent in the discharge of his existing responsibilities.

Mr. Boswell: I am grateful to the hon. Gentleman for clarifying that. That was how I had read the Bill. He may consider and take advice on whether it would be wise to include a declaratory sentence or phrase providing that nothing should be construed as diminishing the licence holder's responsibility for his conduct. I leave that for him to reflect on.

My second concern was about the complexities of e-commerce. I recently had a presentation from the managing director of one of the supermarket chains on its expansion into this growing field. There are many legal difficulties on the verification of individuals. Individuals under the age of 18 should not, in principle, have their own credit cards, but they may hack into their dad's arrangements. We all know that that can be done. When delivery is made, is there a responsible person to receive it at the other end?

[Mr. Boswell]

That brings me to some points that were eloquently made and that require some consideration in the wider context of the conduct of modern commerce. I occasionally call at a branch of the chain of off-licences that has been under consideration in the debate. I pick up supplies and there may be only one person in the shop—that is a one-to-one situation. If there were more than one of me and I really wanted some alcohol and was under 18, I am not sure that that person would be able to see me out.

Supermarkets may be under tremendous pressure and need to keep all stock moving. There may even be a health and safety problem if there is a delay. There are also the complicated issues of when delivery is made and who is responsible. As he is not at the premises, is the van man responsible? Those issues will need consideration in Committee and more widely.

I now come to the wider aspects. I am glad that some sunlight has been shed on the responsibilities of business. I agree with my hon. Friend the Member for North–East Hertfordshire (Mr. Heald) about the present welcome, if slightly self-conscious, tendency to examine ways in which people can enjoy alcohol responsibly without drinking to excess or encouraging others to do so. Work has been done on that by the Portman Group and Alcohol Concern.

People at the most senior levels of management are anxious to put that message across, although it is questionable whether those at the lower levels of line management and those on commission are transmitting quite so clear a message. My hon. Friend the Member for Meriden (Mrs. Spelman) performed a service by pointing out that heavy drinking tends to run in families and specific groups, and is especially prevalent among young people. We must bear in mind when considering narrow legislation such as this that the words we utter and the law that we may pass cannot alone transform the attitudes and behaviour of large numbers of people. It is necessary to deal with the problem of alcohol abuse and the effect that it has on the conduct of both young and older people, and also with the problem of drug abuse, although drugs are forbidden by law to persons of all ages. We know, and should acknowledge, that we are, if not powerless, far from omnipotent in dealing with social ills in this place.

Part of my concern about such social ills relates to heavy drinking, which may become a health problem for the individual and may affect others, as I said when I intervened on my hon. Friend the Member for Meriden. I am thinking of incidents involving taking and driving away, car accidents involving third parties and so forth. I believe that the problem with young people manifests itself mainly in public order offences, and a threat to the welfare of town centres at night. Earlier in the week I received an interesting letter from a constituent, who challenged me to try going around Daventry between 11 pm and 2 am on a Friday night. I replied, "I do sometimes, and I know what you mean." Daventry, moreover, is in no sense a deeply deprived or underprivileged area.

I think that, in due course, we should analyse the situation further. We should perhaps concentrate on two categories. One consists of what might loosely be termed the younger teens or sub-teens, who are clearly not of an age to buy alcohol in any plausible way from anyone in an off-licence who is trying to act responsibly. Such young people tend to gather and cause a nuisance if there are not many coffee bars in the area.

The other group consists of those aged 16 and over, who cannot go into pubs and drink on their own but can acquire alcohol, take it out and then, perhaps, cause rather an enhanced nuisance. We all know of places where alcohol can be bought, and they create difficulties in areas such as my constituency and that of the hon. Member for Northampton, South. I am not sure how much alcopops have affected the nature of the problem, but I think that they have affected its scale because of their attractiveness to young people. Identity cards have been mentioned, and the Minister may want to think about that.

We must accept that, however commendable the Bill may be—and I consider it to be commendable—it is not enough by itself. Indeed, the hon. Member for Pudsey made no exaggerated claims for it. I support Members on both sides of the House who favour longer and wider licensing hours in due course. I have some sympathy with the wish of the hon. Member for Northampton, South to allow people to do certain things that they are currently not permitted to do under the age of 18 at a younger age, on a graduated basis. That certainly applies to alcohol but we need to think it out carefully.

It would be useful if both the Front-Bench teams and, in particular, the Minister could set some of the issues in context. I would like to know how the Home Office sees the phenomenon of the increase in under-age drinking: is it still increasing, or is the fashion tending to diminish? Even if we have statistics, they may not be the most reliable. People do not advertise their habit, and they do not necessarily tell the truth about it. As was pointed out by my hon. Friend the Member for New Forest, West (Mr. Swayne), we do not necessarily know exactly what is happening in these social cases.

We should consider the impact on public order—vandalism, and the effects on amenities in town centres. We need reliable means of identifying those who are under age, and giving those who sell to them a reasonable assurance that they are of age. Perhaps the Minister will consider this along with the Secretary of State for Education and Employment.

As the Minister knows, I have certain Front-Bench responsibilities for young people. The Secretary of State proposes the establishment of a youth support service and a young people's card. I am not sure that everyone wants an ID that might be seen as a control function, but, as Ministers have dangled certain inducements such as cheaper travel and other discounts before young people, it is worth considering whether they might willingly carry a card specifying that they have reached the age of 18, or one which, if available only to those under 18, could be updated to provide the new ID, because there would be a database. It is a sensitive issue, but it needs to be considered.

I hope that the Front-Bench spokesmen can give their perspectives on how we are proceeding generally in regard to responsible alcohol use. Not many of us are total abstainers, although I respect those who are. Those of us who can use and, we hope, enjoy alcohol properly and responsibly know from experience that that was not always an easy path to find during our younger years. We know that a philosophy of total prohibition up to a certain

point followed by, as it were, total licence, is not satisfactory. We need a better perspective on how to encourage the responsible education of young people.

I welcome the Bill, which is well-intentioned, efficient and capable of fulfilling a need in the law. Essentially, we are restoring the intentions of the legislators of 30 years ago, which have been subverted by an unfortunate oversight. The hon. Member for Pudsey has performed a service in remedying that oversight.

11.18 am

Mr. Stephen Pound (Ealing, North): I join hon. Members on both sides of the House in congratulating my hon. Friend the Member for Pudsey (Mr. Truswell) on presenting a timely, appropriate and much-needed Bill that will stand as a fitting tribute to his unfortunate late constituent, David Knowles.

I apologise for not being present for the first 20 minutes of the debate. Having bowled in from Ealing in half an hour with no trouble, I then spent 48 minutes trying to get around Parliament square. I say that not in order to seek any particular favours from the traffic police in the future, but merely to excuse—I hope—what may have seemed a lack of courtesy.

Mr. Savidge: That is Westminster council for you.

Mr. Pound: I rest my case.

There is a slightly odd feeling in the House this morning—not just because of the equanimity that is a tribute to the skills and the excellent presentation of my hon. Friend the Member for Pudsey. As far as I can recall, this is one of the few Friday mornings on which Members on both sides of the House have not sat in fear anticipating the iconoclastic actions of the right hon. Member for Bromley and Chislehurst (Mr. Forth)—the man who put the "chisel" in Chislehurst. He has kicked more Bills to death on a Friday morning than anyone other than the Government Whips. Were sponsorship ever to come to the House, he would surely be sponsored by Doctor Marten's.

Mr. Truswell: It would assist me greatly if my hon. Friend did not tempt fate.

Mr. Pound: I am anxious not to tempt fate. Extraordinarily, not only has the right hon. Gentleman indicated support, but almost uniquely he is absent from his seat. It is a bit like going to the Chamber of Horrors and finding Jack the Ripper is not there—not that I am comparing the House with Madame Tussauds.

Mr. Heald: Will the hon. Gentleman also pay tribute to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) on his award as Opposition Back Bencher of the year?

Mr. Pound: I appreciate that the more popular choice for that award was my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) but, on this occasion, I am sure that the accolade was deserved. However, we stray tangentially from the point.

The fact that the Bill is supported by hon. Members on both sides of the House is not just a tribute to my hon. Friend the Member for Pudsey, but a recognition of its rightness. It has been educative for many of us to read our way through and to come to terms with the arcane minutiae of the Licensing Act 1964, particularly section 169(1), and the quaint, delightful use of the word "servant" in the early 1960s. Philip Larkin said that sexual intercourse began in 1963 between the Lady Chatterley trial and the Beatles' first LP. It was at the trial that Mr. Justice Melford Stevenson said, "Is that the sort of book, gentlemen of the jury, you would want your wives or servants to read?" The use of the word "servants" may have been of its time in the early 1960s, but it has clearly caused problems. That is one of the reasons why this timely Bill to block the loophole has been introduced.

I accept that hon. Members have often felt the need to place the Bill and the problem of under-age drinking in the wider societal context. We have to resist that, even though it is extremely difficult to be objective about the subject. So many of us define ourselves almost in terms of drinking. It has become a rite of passage and we associate ourselves with particular drinks. Clearly, this side of the House is fresh sparkling spring water whereas, with Conservative Members, bitter springs to mind. In the upper House, I have no doubt that crusted port would be appropriate. They are not strangers to the Bishop's Finger, as I recall.

Although no members of the minor Opposition party are present, if anything so defines the modern Liberal Democrat, it is association with the loathsome, fizzy, tasteless, over-hyped, ultimately unsatisfying alcopops, crudely packaged to appeal to the immature and jejeune—liberal democracy in a Two Dogs bottle.

Mr. Boswell: I do not wish to spoil the jokes. Indeed they need to reverberate on the palate, but will the hon. Gentleman assure the House that he does not intend to identify anyone, or indeed any political party—I hasten to say before I mention the word that it is important that it be spelt properly—with the sobriquet "Old Peculier"?

Mr. Pound: I shall resist that temptation.

In many cases, the problems that we face arise from the alcopops phenomenon of the mid-1990s. They were invented by an Australian called Mr. Macgilivray, who found that he had a large stock of possibly knocked-off lemons in a lorry outside his outback boozer and wanted something to do with them. Heaven help us if he had had a load of pork. We would probably have alcoholic sausages to this day, but alcopops are the drink of choice.

My 12-year-old daughter, who speaks to me occasionally, tells me that the preferred drink—not of her group, I hasten to add, but of the group of those who are four years older than her—is peach schnapps and lemonade. The drink is known as Archers, presumably because people cannot remember a blind thing about what they said the next day, unless they get a friend to remind them, but there is no doubt that, in many ways, the arrival of alcopops on the commercial scene has resulted in direct targeting of young people. In many ways, that has increased the incidence of under-age drinking.

My hon. Friend the Member for Northampton, South (Mr. Clarke) referred to some of the statistics. He referred to the Balding report, which someone suggested, somewhat ungraciously, was what my hairdresser says to me. The university of Exeter report shows that there was an increase in the mid-1990s and then a slight decrease.

We have had a number of reports. The Standing Conference on Crime Prevention report on young people and alcohol in 1987 makes the point wisely that alcohol

[Mr. Pound]

problems among young people are not new. It refers to the position in Liverpool—poor old Liverpool—in 1877, when 350 children under the age of 12 were found reeling around the streets. That may not occur today, but it is a long-standing problem, which has been exacerbated by the presence of alcopops on the market.

More appropriately, in August 1996, the Health Education Authority produced its report on the 1995 health education monitoring survey's health of England report. May I beg the indulgence of the House and make a serious point? It seriously analyses the problem of teenage drinking. It makes the point that, although there are few examples of teenage alcoholics, adolescence is the time when people's drinking patterns are established for the rest of their life. In much of the statistical data that we have read, I and my hon. Friend and colleague both saw a trend: drinking patterns in the early teenage years often continue into adult life and excess can lead to all the problems of cirrhosis, of the individual illnesses, and to criminality, even in the shrubbery of the constituency of the hon. Member for Meriden (Mrs. Spelman).

The Health Education Authority report says that most young people use alcohol sensibly during adolescence and continue those drinking patterns into adult life without harm, but there is an essential caveat: the survey was conducted before what is described as the new alcoholic colas and lemonades became widely available.

We had more detailed reports from the Government, although without doubt my favourite piece of research was by Gruber, Diclemente, Anderson and Lodico, who wrote a seminal paper on early drinking onset and its association with alcohol use and problem behaviour in late adolescence. It posits a causative link in relation to teenage drinking; it causes problems—problems can be identified through it—and, in many ways, it is an aspect of the problems of young teenagers. Brain and Parker's Manchester university report is also available. Many people will see the same trend in that.

One of the key features of alcopops is that they are extremely strong: alcohol content is 5 per cent. In many cases, young people are simply not able to realise that what is superficially an attractive drink is a lethal concoction to young people, with the tragic consequences so eloquently expressed earlier. I would say more about the research, were it not that the spirit of unanimity prevalent in the Chamber renders detail unnecessary.

The Bill will not solve the problem of under-age drinking—that is obvious. The responsibility of parents and of the wider society has been mentioned. However, the legislation will result in material improvement by correcting an anomaly and resolving the problems made so evident in Brandish *v.* Poole and the Russell case in December 1996. The hon. Member for South Staffordshire (Sir P. Cormack) said that, in introducing the Bill, my hon. Friend the Member for Pudsey is acting in the best traditions of a constituency Member of Parliament. I wholly endorse and associate myself with that comment. For a Member of Parliament, Back Bencher or Front Bencher, to introduce apparently modest legislation, the effects of which will be far from modest—the Bill will not merely tidy up an anomaly, close a loophole or serve as a tribute to Mr. Knowles, but will further the betterment of society—is a fine example of the work that we are sent here to do.

If the Bill is enacted, we shall have done good work here today. I commend my hon. Friend the Member for Pudsey. I regret that the right hon. Member for Bromley and Chislehurst is still not in his place, as I have a few other bon mots that I would have liked to share with the House.

Mr. Swayne: Oh, go on.

Mr. Pound: If I may respond to the sedentary intervention from the hon. Member for New Forest, East—

Mr. Swayne: West.

Mr. Pound: I am sorry, the hon. Member for New Forest, West (Mr. Swayne)—even though I understand that, when the moon is full, the hon. Gentleman knows no boundaries. Suffice it to say in response to his intervention that the presence of the right hon. Member for Bromley and Chislehurst inspires many of us.

On that note, I thoroughly endorse the Bill and congratulate my hon. Friend the Member for Pudsey. That unanimity reigns in the Chamber today is a tribute to my hon. Friend and to the seriousness of his Bill.

11.32 am

Mr. Tim Collins (Westmorland and Lonsdale): It is a pleasure to follow the hon. Member for Ealing, North (Mr. Pound), not only because he has entertained the House with a characteristically humorous and gracious speech and, while lightening the tone of debate, introduced some important academic research, but because he will recall that, on "Despatch Box" last night, the two of us had an amiable debate on television. I should say that, despite the hour, I did not notice any of my hon. Friends howling at the moon.

I was intrigued by the hon. Gentleman's remarks about the archaic language of "master" and "servant" used in the 1964 Act. Without wishing to cause any rifts in the comity and amity prevalent on the Labour Benches, I should point out that, if he wants to discover whether the concept of servants is still archaic, he should have a word with his new hon. Friend the Member for Witney (Mr. Woodward), who might be able to put him straight on that point.

I am delighted to add to the praise heaped on the hon. Member for Pudsey (Mr. Truswell), who has performed an exemplary duty as a constituency Member of Parliament and has done so in a fashion that all of us would like to think that we could emulate some day. All right hon. and hon. Members are united by the feeling that we are here to put right clear injustices, where that is possible, by bringing an issue to the attention of our colleagues and, as the hon. Gentleman has done, elegantly and eloquently introducing a Bill that will improve matters for our constituents throughout the land. I warmly congratulate the hon. Gentleman, not only on coming high in the ballot but on the excellent piece of legislation that he has chosen to promote.

One or two hon. Members have said that the Bill is narrow in scope, but it is genuinely important, not least because it enables us to get beyond the sometimes sterile debates that we have on other issues. Such debates can be, and often are, caricatured as the Labour party

believing that regulation is the answer to everything and the Conservative party believing that no regulation serves any constructive purpose whatever. Today's debate has been extremely constructive. The hon. Member for Pudsey and many of his hon. Friends recognise that although the Bill is important and will help, it will not in and of itself solve the problem, whereas Conservative Members recognise the case for extending, improving and embellishing regulation in this context.

Although Conservatives are committed to deregulation and to free enterprise, we recognise that certain activities must take place within strict and clear regulations. We acknowledge that there is a wider societal need and that, in certain matters, companies are not always, or even often, the best arbiters of their own interests. It is in the interests of companies and of society as a whole that there is clear legislation that restricts some of the activities in which they might otherwise indulge.

Mr. Pound: I take the hon. Gentleman's point about companies not being the best arbiters, but does he agree that one of the more interesting aspects of the Bill and the background to it is that the Portman Group, comprising producers and suppliers, has acted with great responsibility and is an example of the way in which responsible retailers, wholesalers and producers can anticipate legislation and sometimes respond to a problem more effectively than Parliament can?

Mr. Collins: I entirely agree. That point was made by my hon. Friend the Member for North–East Hertfordshire (Mr. Heald) and I was going to explore it later in my speech. However, the hon. Gentleman has anticipated my remarks.

We have heard about instances in different parts of the country of the problems that have been identified in the debate. In my constituency, in Kendal, close to my own home, difficulties have arisen in exactly the circumstances described by the hon. Member for Pudsey and my hon. Friend the Member for Meriden (Mrs. Spelman). Young people congregating either immediately outside or close to a small corner shop, supermarket or off-licence cause disturbance and concern to local residents. That undermines the fabric of society: people in the area feel intimidated even if they are in their own home, because they look out of their window and see problems occurring outside; and the parents of the young people involved are often profoundly concerned. We must do something to tackle such problems. It may well be that the Bill is not the end of the process, but it is an important starting point.

We must also develop our thinking about vendors and the Bill's implications for them. It has been argued that many of those who sell alcohol are in a similar age group to those who buy it, or feel that they are subject to intimidation. For various reasons, they may feel that they have no choice but to sell alcohol in circumstances that are less than ideal. That is why, although the Bill represents positive and important steps forward, we must think about going further and putting some of the onus and the responsibility under law on the national chains.

When describing the circumstances in which his constituent died, the hon. Member for Pudsey explained that they related to sales from a well-known national retail chain that advertises extensively throughout the country and probably has outlets in almost every constituency. It is one of the most well-known national brands operating in that sector of the economy. It strikes me that we should seek ways to make that retail chain nationally feel responsible for activities that are not merely isolated cases. I suspect that those activities take place in and around a large number of sites—not only those of the national chain that has been singled out, but those of others as well.

I was discussing with my hon. Friend the Member for South Staffordshire (Sir P. Cormack) the need for corporate responsibility. My hon. Friend and the hon. Member for Ealing, North are right to mention the work of the Portman Group and the many companies in the sector that recognise that there is a problem, want to contribute positively toward solving it and have contributed significant sums of their shareholders' cash to that end. Equally, it is difficult to believe that some of the advertisements on national television and in the national media are not targeted at those who, at the very best, are on the borderline of being legally allowed to consume those products.

In some ways, retailers are not providing an environment in which people feel protected against intimidation. I make that point because, as the hon. Member for Pudsey will know, Alcohol Concern very strongly welcomes the legislation. None the less, it has said that, although it welcomes the way in which the Bill closes the loophole, it is concerned about it taking away

"an important incentive for employing companies to ensure their employees are clear about their legal responsibilities and the consequences for neglecting them."

It goes on to say:

"However, by making employees liable to prosecution, it is important that employing companies do not themselves avoid prosecution where they have not made legal responsibilities clear to their employees or provided them with adequate, relevant training."

I accept what the hon. Member for Pudsey said. He has sought to base what he is doing—very narrowly, but quite properly and correctly—on closing a loophole in the 1964 Act. However, I hope that we will hear from the Minister whether he is prepared to contemplate examining provisions that would have the practical effect of giving some of the national retail chains a very direct incentive to provide that form of training and employment guidance. Perhaps we should even go beyond that.

We have heard of cases in which large groups of young people go into retail outlets late at night, with perhaps only one female employee on the counter, who—although there may be CCTV—feels intimidated. Although companies already have an incentive to provide some form of protection for their staff and stock, as the consequences of allowing their properties to be robbed would be very damaging to them, it would be desirable if we could work in partnership—I do not suggest that it should be done purely by means of the stick—with some of those national retail chains in recognising that they all have an interest in a strong, healthy society. They need to operate within such a society as much as we wish to live within one.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien) *indicated assent.*

Mr. Collins: I see the Minister nodding. I should very much welcome anything that he may be able to say on the subject in his reply. Although at least some of the issues that we have heard about in the debate are addressed directly in the legislation, I also invite the hon. Member for Pudsey to think and reflect on the point if—as I very much hope—the Bill proceeds to Committee.

[Mr. Collins]

Proposed new section 169H(2) would clarify the law by providing:

"Where the holder of a justices' licence is convicted of any of the offences"—

that are listed elsewhere—

"and the licence is held in respect of licensed premises in relation to which the offence was committed, the court may order that he shall forfeit the licence if—

(a) he has one or more offences of that or any other offence . . .

(b) he already has one or more convictions of an offence under section 169 of this Act."

To paraphrase the provision, one might say that it is a "two strikes and you're out" principle. The provision, however, applies directly only if it is the holder of the justices' licence who is found guilty of the offence.

The hon. Member for Pudsey was right to say that it is an offence to permit something to happen if one could and should have stopped it. For example, perhaps the genuine holder of the licence is not present and cannot be held directly liable—in the sense of "I was around and could have stopped it"—but he or she may be liable in the broader sense that he or she did not provide guidelines that made it sufficiently clear that, if there was any doubt, the onus on their employee was not to sell alcohol.

Mr. Truswell: I am very grateful for those comments. To clarify the position, the law currently puts the onus on the licence holder. In David Knowles's case—I make no apologies for referring back to it—the licence holder was investigated and interviewed by investigating officers to determine whether she could demonstrate that she had given such training and raised her employees' awareness of the law. My understanding is that she had not been on the premises, but that the investigating officers still wished to reassure themselves that she had done all that she could do to achieve the aims that the hon. Gentleman mentioned. If she had not been able to demonstrate that, I am sure that a report would have gone to the CPS and that she would have found herself in the dock.

Mr. Collins: I am most grateful to the hon. Gentleman for explaining the circumstances and more of the background of the case. His comments were helpful and illustrative. I am sure that he and I would agree that it is important that the compulsion, or at least the incentive, on the licence holder should be as strong as possible. As we know, one of the most important ways in which such compulsion could bear on licence holders is through the fear that they might lose their licence.

As my hon. Friend the Member for Daventry (Mr. Boswell) said, we should ensure that the Bill strengthens rather than weakens licence holders' feeling that, if anyone associated with one of their premises is convicted of one of the offences—although they will not necessarily lose their licence—it will contribute to a process in which they may well lose their licence. Such a process would help to ensure that there are very clear incentives for people to behave.

We have talked a great deal about issues of doubt. There will be uncertainties—we have discussed ways of addressing those—and any solution that we find will never be perfect and enable all licence holders and employees to know the exact age of someone who says, "I wish to purchase this alcohol." Nevertheless, we have to create circumstances in which people think, "If in doubt, do not sell it" rather than, "If in doubt, sell it." Anything that we could do in the Bill or elsewhere to achieve that end would be very desirable.

Mr. Mike O'Brien: I have been listening to the hon. Gentleman's argument with care. Before he concludes, perhaps he would care to comment on the problem that we have been considering—that the loss of a licence is essentially the nuclear option and that a system of graduated penalties may well be preferable. He referred to someone stepping towards losing a licence. However, there could be other steps, such as fines and other sanctions that legislation currently does not allow. Such a system might provide a greater incentive for licensees to keep control of their employees and to ensure that they obey the law.

Mr. Collins: I am very interested in the Minister's comments on that point. It was a constructive and helpful intervention, which suggests some useful ways forward. I was also intrigued by his description of the loss of a licence as the nuclear option. There should be options that are more likely to be used. If the fear is that the loss of a licence is regarded by the courts as such a nuclear option that it is not often used, we should have a graduated system. I am sure that the Minister will agree that the problem with the nuclear option is that it is not often used. There should be some circumstances in which the option is used. Nevertheless, he is offering a constructive way forward.

Mr. Heald: My hon. Friend may wish to comment on another aspect of the matter, which is whether justices, before granting a licence, should not be questioning potential licensees carefully on their exact understanding of the law and on whether they will undertake their obligations sensibly. Perhaps they would also undertake some of the courses available from the British Institute of Innkeeping, and, of course, adopt the Portman Group code of practice.

Mr. Collins: My hon. Friend, characteristically, offers constructive proposals. Perhaps we should begin to consider the notion—I am not saying that we should move all the way down this road—that an application for and the granting of a licence to sell alcohol is treated as seriously as an application for and the granting of a driving licence. Such a licence may have at least as much to do with the preservation of life as a driving licence, and the introduction of written tests and more complicated procedures has made it more difficult to obtain one of those. My hon. Friend was right to refer to the guidelines set out by the Portman Group. Anything that can be done to make licence holders understand and follow those guidelines is worth doing.

Mr. Boswell: In the light of that thought and the Minister's helpful intervention, would it not be worth considering temporary withdrawal of licences, as happens when driving licences are confiscated for finite periods?

Mr. Collins: We should seek, both in Committee Bill and from the Government more generally, the widest menu of options for the courts so that they may express displeasure and condemnation of actions taken either by employees of licence holders or by licence holders themselves. People should believe that the courts will act when something happens. That principle is the genesis of the Bill—the hon. Member for Pudsey introduced it because of the clear injustice that occurred when the courts could not act.

We need to give the courts the widest possible range of measures for application to different circumstances. However, we must make it clear that we want to tackle the general problem, which has recently grown. We want to turn back the tide before the problem increases yet further and before the majority of young people experience these difficulties, which is likely to happen soon on present trends.

Often, when we discuss complex and many-sided problems—in this case we have discussed parental responsibility, corporate responsibility and the roles both of teenagers who sell and buy alcohol—we may feel that the problem is simply too difficult and that nothing can be done. We may even feel that action would make the problem worse. Today, however, we have begun to identify steps that, if they will not solve the problem, will begin to improve the position.

I again congratulate the hon. Member for Pudsey on enabling us to see that we can do something about some problems. When his Bill proceeds into Committee, I hope that we can show that we are doing something.

11.53 am

Mr. Christopher Leslie (Shipley): It is a pleasure to follow the hon. Member for Westmorland and Lonsdale (Mr. Collins) and others who have spoken today. As one who is not a frequent participant in Friday debates, I can only assume that I have heard the usual process of discursive debate and unanimity.

Mr. Pound: Oh no it is not.

Mr. Leslie: Perhaps I should pay more attention in future.

One of today's most telling phrases came from the hon. Member for South Staffordshire (Sir P. Cormack), who said that, in his 30 years in the House, he had not heard a more admirable presentation of a private Member's Bill than that made by my hon. Friend the Member for Pudsey (Mr. Truswell). I, too, support the proposals made by my constituency neighbour. I am a sponsor of the Bill, although I would be happy to withdraw in favour of any Conservative Member if that would help it to proceed. As a sponsor, I am keen to see the Bill come into force because it is extremely well framed. My hon. Friend's argument is focused and sharp, and the Bill has won unanimity by the nature of its design. We must ask how to improve licensing laws.

I pay tribute also to my hon. Friend the Member for Ealing, North (Mr. Pound). He has just left the Chamber, and that will allow me to mention an incident without incurring opprobrium. I recall that he once had bandages on the middle fingers of his right hand as a result of drink. I read that he had broken his fingers by hitting a drinks machine and, although it was a coffee machine, we may feel that mixing with drink has not been to his advantage. It was useful to hear his views.

In many ways, the Bill offers common-sense change. We often talk about common sense, but legislation does not always match that talk. The House can help the police and the Crown Prosecution Service to fulfil their duty to prosecute when the spirit of legislation implies a need for it. However, unforeseen loopholes can prevent prosecution, and it is our duty—especially in the private Member's legislative process—to improve matters. The public expects that of us, and we should scrutinise legislation thoroughly, but also revisit it later to close loopholes and maintain the original spirit of the law.

My hon. Friend the Member for Pudsey has advanced a modernising proposal that considers the changing nature of supermarket and chain store retailing of alcohol. We must try to raise public confidence in the licensing laws. Silly loopholes exist in several areas of the law, and this is one area in which good drafting and a consideration of the changing circumstances of retailing can help.

My hon. Friend has done us a service by defining his proposal tightly. He has not changed the wider general licensing laws, but has taken a one-step approach. The Bill is significant. I have not spoken to the constituents involved in the tragic case of David Knowles, but I have read reports on it and am happy to support my hon. Friend's proposal. By not altering the burden of evidence, and by not significantly changing the defences for people who may be prosecuted under the licensing laws, he has left the gist of the law intact while focusing on the loophole.

The CPS needs to be able to make prosecutions with confidence. If there is any doubt that a case will have a successful outcome, the CPS is reluctant to prosecute it. If we, as legislators, are indirectly responsible for that, by not closing loopholes, we have a duty to deal with the matter.

We need to give the CPS greater confidence in its ability to prosecute cases. The public expect that. My constituents are often bamboozled when they read of cases that seem to be open and shut, but which, in the nitty-gritty of their prosecution, are dropped for technical reasons. We need to frame legislation that is more in line with public expectations.

We must deter licensees and retailers from selling alcohol to minors. We should send a strong message that no loophole will provide an excuse for breaking the spirit of the law. We must ensure that all our licensing laws are properly enforced; a blind eye is turned on far too many occasions. There must be stronger incentives for licensees and retailers to train their staff properly.

Licensees have a responsibility to protect from alcohol abuse those young people who come into their stores, but they also have duties to wider society, which must be reinforced. Licensees must stop young people from purchasing alcohol because of the myriad consequences that can occur. We have heard that the most tragic events can take place in some circumstances.

Alcohol abuse by young people manifests itself in society in many ways, such as vandalism. It has the potential to lead to other forms of drug abuse. Licensees have a duty to themselves to ensure that the spirit of the law is fulfilled. We should support the Bill so as to ensure that there can be no excuse for them not to fulfil their duties.

[Mr. Leslie]

Some wider issues have been raised in the debate. The hon. Member for Meriden (Mrs. Spelman) made some important points about the dangers of high-volume consumption. My hon. Friend the Member for Northampton, South (Mr. Clarke) suggested that we should try to encourage young people to avoid bingeing. When young people reach a certain age, they want to experiment with drinking—they have a candy-shop mentality. We shall probably never be able to stop that, but we need to consider ways of removing the instant temptation to consume large amounts of alcohol.

Some interesting points were made about internet retailing of alcohol. I do not know whether there are regulations as to the use of credit cards, although the age limit for obtaining them is fairly high. However, as only the number of the card is needed for internet purchases, I suspect that credit cards are frequently used. A postal service would be most attractive for people wanting to buy alcohol. I hope that the Government will consider that matter.

We need to discourage teenage alcohol abuse. We have discussed alcopops and the pros and cons of banning them. However, the best way to deter consumption of alcohol is to ensure that its availability is restricted. We must enforce our legislation and tighten up loopholes so that we prevent the sale of alcohol to young people at the sharp end. That is the best way to proceed.

I wanted my comments to be brief. I wanted to support my neighbour in his constituency efforts. I believe that he is following the classic example of how a Member of Parliament should progress a matter, by bringing a tightly defined measure to the Floor of the House and building consensus across all parties.

In the 1997-98 Session, my hon. Friend's Licensing (Amendment) Bill, which was in a similar vein to the Bill before us, progressed as far as Committee, after which the machinations of procedures prevented progress. I sincerely hope that, in response to his constituency case and the deficiencies in the law, progress can be made on this very important proposal, and that we can all focus our efforts not just on licensing regulations but on other deficiencies in legislation in general—on closing specific and discrete loopholes, so that the spirit of what I believe to be a common-sense public desire may be enacted and put into operation by public authorities.

12.6 pm

Mr. Desmond Swayne (New Forest, West): It is an enormous privilege to be called to speak in support of a Bill that is so worthy of support, the case for which was so lucidly made by the hon. Member for Pudsey (Mr. Truswell). I congratulate him on the way that he spoke to the Bill and on introducing it. It is also a privilege to follow so many thoughtful and thought-provoking contributions. I hope that I shall not depart from those precedents.

However, alarmingly, as we analysed the Bill it was drawn to our attention that, as we close this loophole, which we must close, all sorts of new loopholes might open up. I was especially dismayed by the prospect of the internet being used by minors as a means of ordering alcohol for delivery to their home. I am glad that the Minister is in the Chamber, and I hope that, as we consider the Bill, he is considering what may be done to address some of those problems.

The Bill creates new offences, but old defences remain for them, and they are in the Bill. For the new offences that we are creating, it remains the case that where

"a person . . . is charged by reason of his own act,"

it is a defence

"to prove that he had no reason to suspect that the person was under eighteen."

That is the nub of the problem. How does anyone know that a person is under 18?

Some 15 years ago, when I was in my late 20s and a schoolmaster, I took a group of young adults—17 and 18-year-olds—to a public house to celebrate a successful inspection of the school's cadet force, of which I was commanding officer. I took those young men, in uniform, to the pub. I went up to the bar to order them all a pint of beer, and the barman said, "You are not 18"—to me, in my late 20s. I said, "Yes, I am" and he replied, "Show me that you are 18." The only thing that I could think of using to show that I was 18 was a credit card. I possessed a credit card. Surely it is impossible to have a credit card before the age of 18. He said, "Oh, my daughter's at university. She's 17. She's got one of those. Off you go—off to the White Lion. That is the place for under-age drinking"—so we left. It was very embarrassing for me, having to go elsewhere.

When I got back to the school, the headmaster had left a note on the board for me. It said that the publican had rung the school to say that several of our boys who were in uniform had attempted to buy alcohol. The headmaster wanted to know whether I had any idea who they could be. I had to write a note to him to say, "It was me. What's more, the publican was thoroughly unpleasant about it." Nevertheless, the publican was vigilantly doing his duty as so many licensees and publicans do.

Mr. Maclean: If that highly vigilant publican had been uncertain 15 years ago about my hon. Friend's age, is my hon. Friend not concerned about the enormous difficulties that would face young girls and young men at check-out points who themselves might be only 17 or 18? They serve customers, but they might not have all the necessary cognitive skills to identify the age of the person passing through the check-out with a load of alcohol.

Mr. Swayne: That is, of course, true. However, I must point out to my right hon. Friend that, 15 years ago, I used Grecian 2000. That might have led to the mistake that the publican made.

My right hon. Friend is right that young people will be put in a responsible position by the Bill. We owe it to them to assist them. That does not mean that licensees have any right to relax their vigilance and let their servants bear the brunt of the responsibilities created by the Bill. That cannot be allowed. There must remain a duty of care on the licensee to show due diligence and to instruct and train his employees or servants to carry out the responsibilities given to them.

Miss Julie Kirkbride (Bromsgrove): I congratulate my hon. Friend on looking so fresh faced then that he was assumed not to be 18. Given the world that we live in 15 years later, if he were in a similar position and was told

that he could not buy alcohol even though he was the ripe old age of 28, does he believe that that might be a case of discrimination and a matter for the European Court of Human Rights?

Mr. Swayne: My hon. Friend will know that I do not hold with the European Court of Human Rights and would not therefore pursue any imagined slight at that monstrous assembly. However, if I went any further on that point, I would be ruled out of order.

The Bill will place new responsibilities on people, so we owe it to them to assist them. Attention has been given to the issue of identity cards. My hon. Friend the Member for Meriden (Mrs. Spelman) commended the Prove It! scheme run by the Portman Group. I am aware of licensees in my constituency who have attempted to promote several such voluntary schemes. They have all fallen down precisely because of the fact that they were voluntary.

I suspect that we might not make progress unless there is a compulsory requirement, which could be driven by not allowing people to buy alcohol unless they could show that they were of a certain age. It could be 28, as in my case, but we must have a threshold. One should have a card to prove that one is old enough to buy alcohol. Otherwise, people will get round the provisions.

The Bill will benefit licensees and it will be welcomed by them. I know licensees in my constituency who are enthusiastic about it. There is nothing more upsetting—even humiliating—for them than to have under-age purchasers come into their shop and be sent away empty-handed as they should be, only for them to return a quarter of an hour later making gestures through the window because they had acquired the alcohol from a supermarket down the road. That is utterly unacceptable to most licensees. They have that frustrating experience again and again. They are vigilant in enforcing the existing law, but other retailers, either by policy or omission, are not. We owe it to vigilant licensees to assist them.

How can we be sure, however, that the problem will be avoided unless there is some form of identification? As I said, compulsory identification would work. The voluntary schemes, which have been well piloted, have yet to catch on sufficiently to address the problem.

Miss Kirkbride: How would a compulsory scheme work, bearing it in mind that it would present the Government with the issues surrounding identity cards? How could we introduce a scheme for young people that would not lead to identity cards for the rest of us? Does my hon. Friend have any views on that?

Mr. Swayne: The hon. Member for Pudsey was wise not to include such a provision in the Bill. I doubt whether the Bill would have progressed if he had done. My hon. Friend has identified the fact that if we introduced such a provision, we would open up a much wider issue, which I am sure, Mr. Deputy Speaker, you would not want us to investigate fully in this debate. A Bill containing such a wider provision would have to be a Government measure and follow wide-ranging consultation. We have, to an extent, examined those issues in the past 10 years, and we have shied away from them.

I am not certain whether the particular problem dealt with in this Bill is sufficient for us to go all the way to a system of compulsory identification. I recognise that such a remedy would work, but I am not convinced that other policy considerations would lead us to seek that remedy.

Mr. Maclean: I have been listening carefully to all that my hon. Friend has said, including his confession that he used Grecian 2000. I hope that we will hear no more disturbing confessions from these Benches; we have heard too many in the past few days. We have had people admitting to being closet heterosexuals and now to using Grecian 2000. It is not clear to me whether my hon. Friend will support the Bill despite his concern that it might not be possible clearly to identify the age of young people. Does he think that the Bill has merit and should proceed?

Mr. Swayne: I do, because as the hon. Member for Pudsey said, he does not seek in the Bill to address the shortcomings of our licensing laws. He has had faithfully to replicate all those shortcomings to close the existing loophole. If he had attempted to deal with the problem to which I referred, the Bill would be much larger and might not have been appropriate for a private Member's Bill.

Subsections (2) and (3) of proposed new section 169A are necessary corollaries of the existing licensing laws. The same defence offered in those laws must clearly be offered for the offences created in the Bill; otherwise the hon. Gentleman would have departed from what he set out to do and the progress of his measure would have been much more difficult.

It is precisely because the hon. Gentleman has done what he has done that he is assured of my support, but as this is a Second Reading debate, I draw attention to the wider problem that we have to address because it is not solved by closing this loophole.

Mr. Maclean: My hon. Friend has been patient and courteous in giving way. I think that he quoted Alcohol Concern. Has he seen its comment that the Bill does not go far enough? It would like test-purchasing schemes. I assume that that issue is within the scope of the long title. Has he considered pushing the hon. Member for Pudsey (Mr. Truswell) to include such a scheme in the Bill?

Mr. Swayne: Were I the hon. Member for Pudsey, I would not countenance such an amendment precisely for the reason that other Bills on this subject have failed as a result of containing a provision for mystery shopping.

None the less, if we are creating a new offence, it is perfectly proper to consider how we should test whether it is being committed. Let us face it, the person who is sold alcohol illegally under the Bill's provisions is hardly likely to enter a complaint at a police station about the law being broken. We are of course aware of the law being broken from more general symptoms in society on Friday and Saturday nights and from drunken disorder on estates and shopping parades, although finding out who is breaking the law would be assisted by the amendment for which Alcohol Concern has asked.

Alcohol Concern has raised hon. Members' worries about empowering police officers and trading standards officers to wage a vendetta by attempting entrapment, but I would have all sorts of difficulty with such an

[Mr. Swayne]

amendment. I do not know whether, on balance, I would have opposed the Bill if it had contained such a measure. I doubt that it would have been sufficient impediment for me to have withheld my support—I could be persuaded that the measure would strengthen the Bill—but I am certain that there would be sufficient Members not of that view. Therefore, if we are to enact the Bill, it is better to do so without the provision.

Miss Kirkbride: My hon. Friend surprises me because he is suggesting that there should be provision to incite someone to break the law. Given that I have served on many Standing Committees with him, I would not have thought that he would have been tempted by that.

Mr. Swayne: My hon. Friend is right; I am not tempted by that. However, we are faced with a grave social problem and one remedy would be to instil a proper fear among licensees and their servants—that is the terminology that we have been using—so that they are more vigilant. The test-purchasing provision would achieve that. For all my concerns for liberty and entrapment, however, we must consider expediency. We are faced with an enormous problem, and these problems sometimes require such solutions. As I said, I would not have regarded the provision as a weakness, but I am certain, especially from the thrust of my hon. Friend's remarks and precisely because she sits on the Opposition Benches, that it is better for the Bill that it is not included.

I said that the Bill was good for licensees. It is also good for our constituents, particularly on Friday and Saturday nights. There has been much discussion of why people are seeking alcohol in greater amounts, which has prompted us to try to close a loophole.

My hon. Friend the Member for South Staffordshire (Sir P. Cormack) said that that could be attributed largely to the decline in what he called responsible parenting. He said that he had always encouraged his two sons to drink socially—to share a glass of wine at the dinner table—from a youthful age to encourage a responsible attitude to drinking.

I entirely understand that point of view, but my hon. Friend must recognise the social reality. These days, many families rarely sit down together for a meal. It is all very well for us to say that they ought to do so, but if they do not, we must address our public policy to the reality, rather than to some ideal that existed in the past.

My hon. Friend the Member for Meriden produced statistics to quantify the problem that the Bill seeks to tackle. I view those statistics with some scepticism. I have the Institute of Alcohol Studies fact sheet, "Alcohol and Young People", to which, I think, she was drawing attention. It seems to be compiled largely of statistics that can have been acquired only by asking the young people concerned.

My first reservation is that such surveys tend to be skewed. The people who tend to be asked are those who have evidenced a problem. The very nature of the sample therefore produces a distorted view. Secondly, as I noted in an earlier intervention, there is a tendency among young boys between the ages of about 11 and 16 to exaggerate their achievements, whether in the consumption of alcohol, sexual prowess or any other activity. People tend to boast.

Some of the alarmist surveys that draw dramatic attention to the problem have a use, in that they focus attention on the problem, but they tend to exaggerate. The problem needs no exaggeration. We all know from our constituency case load how bad it is. There are estates—even in the New Forest, for heaven's sake—

Mr. Forth: No.

Mr. Swayne: I have the Forest, Totton and Waterside edition of *The Southern Daily Echo* of last Wednesday. The headline on the front page is "Shame of the Teeny Tipplers". One expects such a headline from a tabloid, but the front-page article is fair and well researched. It names and shames off-licences and public houses that openly sell alcohol to under-age drinkers.

Mr. Forth: I hope that as my hon. Friend develops his argument, he will not only make a case for a new restrictive approach in off-licences, but will deal with the problem of young people being driven away from off-licences into supermarkets or on to the internet as an alternative source of drink. We must not be too complacent about the fact that if the Bill is successful, it may simply open up to under-age people other possibilities for drinking.

Mr. Swayne: I draw my right hon. Friend's attention to the *Official Report* when it is available on Monday morning, and the remarks that I made earlier to the Minister, specifically highlighting that problem. We must deal with it.

In that respect, I believe that there is an omission from the Bill. That belief is shared by Alcohol Concern, which asks for the promotion of an amendment that would make sure that the purchase and supply of alcohol on behalf of a person under 18 for public, unsupervised consumption is illegal.

It was my opinion that that was not covered by the Bill. Some doubt was raised in my mind by the hon. Member for Northampton, South (Mr. Clarke) when he questioned my hon. Friend the Member for Meriden.

I am not sure whether I understand correctly proposed new section 169F(2), which states:

> "A person to whom this subsection applies shall be guilty of an offence if he knowingly allows any person to deliver to a person under 18 intoxicating liquor sold in licensed premises for consumption off the premises."

Does that cover the eventuality that we are considering? I suspect that it does not because of the first line,

> "A person to whom this subsection applies".

The subsection applies only to the licensee's servants. An 18-year-old who is sent into a shop to buy alcohol and supply it to under-age drinkers in the parade of shops on a Friday night is not covered. We are all aware and thoroughly fed up of such a scenario. We have all heard the complaints of the people who live nearby. The Bill does not address that.

However, we should not criticise the hon. Member for Pudsey because the Bill does not set out to deal with that problem. The object of the measure is to address the loophole that applies to the licensee's servants.

Miss Kirkbride: I am grateful to my hon. Friend for pointing out where the Bill falls short in stopping the sale

of alcohol to young people. However, I wonder whether the Bill does not include the sort of provision to which he refers because it would cover parents who bought a bottle of wine, opened it over dinner and gave it to their children. Enforcement of such a provision could therefore be difficult. How can one distinguish between a responsible adult such as the parents I described, and an irresponsible adult who acts for young people who want to go out and get drunk?

Mr. Swayne: That is a good point. I do not know whether existing law covers it, but an obvious provision could be made to cover such an eventuality. It could exclude responsible parents and alcohol consumed in the home of those parents. However, we face a problem of youths on Friday nights who are properly denied alcohol by licensees or their servants, but seek a sympathetic friend to purchase the alcohol for them. They consume it in the parade of the shops outside the licensee's premises and cause misery for the surrounding estate because they become inflamed by alcohol.

I have written to Ministers to draw attention to the problem, and I have raised it on the Floor of the House. I have asked how we should deal with such individuals. The frequent answer is that we should consider anti-social behaviour orders. I accept that that is of some comfort. However, the root problem is that the crime can be committed in the first place. Perhaps the Minister could tell us whether the Bill is amendable to cover the eventuality we are discussing.

Mr. Maclean: I agree that a serious social problem exists and that the Bill should get through today. I have examined the official Home Office statistics to which my hon. Friend referred a few moments ago on the abuse of alcohol by young people. I am alarmed to discover that the peak year for convictions of people aged between 18 and 21 for drunkenness and alcohol problems was 15 years ago in 1985, when he allegedly had dark hair and was evicted from a public house in the company of young people. Sixteen thousand people were convicted in 1985; the figure fell to 6,000 in 1995. A serious problem exists, but the numbers have reduced from the time when he may have been leading the statistics.

Mr. Swayne: All that can be said of my experience is that I was unlucky as I was turned out of the pub for at least having given the appearance of being under 18. Many others were clearly lucky in that they were able to purchase alcohol, but unlucky in that they were subsequently apprehended for being drunk and disorderly.

Why are the conviction statistics declining, even though we all know from anecdotal evidence that the problem is increasing? After all, the hon. Member for Pudsey has introduced the Bill because of the nature and size of that problem. One could speculate that the police are firefighting and have to deal with other crimes, which is certainly the case on the estate I know that is plagued with the problem. The police might be called on a Friday or Saturday evening because drunken youths have lit a fire in a pathway and broken a few windows, but lower priority would be attached to that than to all sorts of other incidents taking place in Southampton or on the waterside.

I have detained the House for half an hour, which was not my intention because I greatly favour the Bill. I reiterate my congratulations to the hon. Member for Pudsey, particularly on his speech, and assure him of my support.

12.36 pm

Mr. Ernie Ross (Dundee, West): I congratulate my hon. Friend the Member for Pudsey (Mr. Truswell) on his success in reaching the stage at which, I hope, the Bill will shortly be allowed to proceed in Committee. As a young Member some 21 years ago, I finished high in the private Members' ballot and proposed a Bill to introduce a death grant, but it suffered the fate of many others, as there was insufficient time to allow it to proceed. This Bill is much more likely to become law. Although I am not a good attender on Fridays, I have always had great sympathy for private Members' Bills and wish him every success, and that is why I am here today.

As my hon. Friend the Minister and other hon. Members know, the loophole does not exist in Scotland and the Bill would apply only in England and Wales. However, we in Scotland are not unaware of the problem. Licensing in Scotland is governed by the Licensing (Scotland) Act 1976, under which an offence can be committed by a licensee

"or his employee or agent".

That is the difference between the two sets of legislation. The constituent of my hon. Friend the Member for Pudsey had a tragic accident and the Justice Department in Scotland has considered the situation to see whether "agent" would apply in such circumstances. I must report to the House that we in Scotland are satisfied that section 68 of the 1976 Act, which uses that word, would cover disastrous incidents such as that involving David Knowles.

Hon. Members have asked whether the terminology covers unpaid workers—the wife, the son or a person who drops into a licensed premises to relieve the licensee for a short time. The Scottish Executive and the Scottish criminal justice system believe that "agent" would cover a company in such a situation, even if it employs the people working in the shop and the licence holder is a named individual. It is clear that a national retailer and a wife, son or relative working unpaid in a licensed premised would be covered by the word "agent".

The word "agent" appears in various sections of the 1976 Act, and the Law Officers in Scotland are confident that it causes no confusion. Under that Act, the word "agent" is used in an application for a license, and is understood to be a solicitor acting for the applicant. I do not know whether my hon. Friend intends to keep the wording of the Bill or to use the word "agent", but Scotland has had no problem with it and the Scottish criminal justice system has had no difficulty pursuing prosecutions using that description.

In all other aspects, the liquor laws in Scotland and England are similar. This has always been a devolved matter, but it is now completely and absolutely devolved to the Scottish Parliament. I am sure that my colleagues in the Scottish Parliament will be keeping a close eye on what is going on here today and will take note of the comments that have been made.

It is necessary not only to stop the offence occurring, but to build in the safeguards that Opposition Members in particular have asked for during this short debate. For example, what happens to the individual behind the till in Tesco or any other supermarket or licensed premises if he is approached by one of his peers and is under peer pressure not to disclose the fact that he knows that that person is under 18?

[Mr. Ernie Ross]

The same can happen when young people try to buy cigarettes. A number of schemes have been tried in Scotland. I draw the House's attention to the scheme run by South Ayrshire council, which announced last year that it hoped to be the first local authority to tackle the problem of the sale of alcohol and cigarettes to youngsters through a proof-of-age scheme. It appreciated the difficulties that it would face, so it sought a partner for the project. It wanted to provide a free scheme that would encourage young people to participate.

The council set up a scheme in partnership with Photo-Me, the largest international operator and manufacturer of photo booths throughout the world. It offered the scheme to secondary school pupils aged 16-plus. The scheme is now run by the trading standards department. It goes into secondary schools in the area and, with a nominated teacher, offers the validate card to youngsters who want to take advantage of the scheme. So far, 3,800 young people have done so.

The scheme was financed solely by Photo-Me, but it is now funded by Photo-Me, the local health council and South Ayrshire council. The only cost to the applicant is the cost of the photograph. Obviously, Photo-Me hopes that the photographs will be taken in its booths, although there is no guarantee that they will be. That is the only sense in which the firm can claim to have a financial interest in the scheme.

The trading standards department supplies cards and posters to secondary schools. The cards are issued to pupils aged 16 and above. The nominated teacher checks each applicant's age with the school records, and fills in two boxes on the card. One box will contain the date on which the applicant becomes 16, the other the date on which he or she becomes 18. The photograph is then attached to the card, the word "validate" is stamped on it, and it is hermetically sealed. The card is then issued to the applicant, who can then carry it.

The card allows retailers to see at a glance whether the card holder is old enough to buy alcohol or cigarettes. They must look at the photograph, and at the information in both boxes. To sell cigarettes, they must ascertain that the individual is 16, and to sell alcohol, they must ascertain that he or she is 18.

South Ayrshire council has not yet conducted a survey to establish how often the scheme has been abused, whether it has entirely succeeded and whether every 16-year-old in the area has a card, but the response from both retailers and young people has been positive. The scheme has solved a number of problems for youngsters.

When I spoke to trading standards officers in South Ayrshire, they told me that there had been a knock-on benefit. South Ayrshire, like most areas, contains a number of night clubs, most of which specify a lower age limit. It varies from club to club, but it is usually 18. I hope that the hon. Member for New Forest, West (Mr. Swayne) does not visit the White Lion pub tonight; I hope that he will be on the telephone immediately, assuring those at the White Lion that under-age drinking is not allowed on its premises, and that if, any takes place, there will be a visit from the licensing authority pretty soon.

When I was in the age group that we are discussing—a very long time ago—I was regularly questioned about whether I was old enough to drink, because of my slight stature. People who have had difficulty in gaining access to night clubs in South Ayrshire have asked the trading standard officers to give them cards demonstrating that they are 18. The scheme has been helpful not just to retailers selling cigarettes and liquor, but in reducing the number of young people who, once through the front door of a night club, could easily avail themselves of cigarettes and alcohol because those behind the bar would assume that, as they had convinced the door staff that they were 18, they were entitled to purchase both. Therefore, the scheme has had a knock-on effect there as well. It has also helped those people who find it difficult to convince door staff that they are 18. They find it useful to produce the validate card and to demonstrate to door staff that they are 18.

I do not want to delay the House too long. I thought that it would be useful to speak briefly about the experiences in Scotland, which will not be affected by the Bill but which has some of the associated problems. I recommend the validate scheme. If Ministers in Scotland, or the Under–Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) are looking for a scheme that might help to obviate the dangers involved when someone has to make a decision, the validate scheme has proved to be very successful.

I apologise to my hon. Friend the Member for Pudsey for missing the first 10 minutes of his helpful introduction. I wish him every success, and much more success than I had with my private Member's Bill.

12.51 pm

Miss Julie Kirkbride (Bromsgrove): I think that the whole House would like me to thank the hon. Member for Dundee, West (Mr. Ross) for sharing his experience in Scotland and offering a way forward on enforcement. As we have gathered from the debate, there is a problem of enforcement, which we must deal with if we are to make the law on those who are not allowed to buy alcohol more effective. It is helpful to know where schemes have had some benefit. It was nice of the hon. Gentleman, given that the Bill will not apply in Scotland because of its different licensing laws, to give some elucidation as to how we might proceed.

I apologise to the hon. Member for Pudsey (Mr. Truswell) that I could not be here for his speech. We have builders at home at the moment and Friday mornings are one of the few mornings when I can be at home to see what is going on. However, I congratulate him, along with, I think, every other hon. Member who has spoken, on introducing this relevant and necessary legislation to make the law work better.

Like other hon. Members, I send my condolences and good wishes to the family of David Knowles, whose case prompted the hon. Gentleman to introduce the legislation. Let us hope that, in David Knowles' memory at least, we can do something that might make it possible to stop such accidents among young people who do not realise the dangers of alcohol.

I hope that the Minister will give the Bill fair speed through Committee, that it will be able to get on to the statute book, and not fall, as similar attempts have, for

reasons that are difficult to explain outside the House. Necessary legislation does not get on to the statute book because we have those rather odd procedures.

Mr. Maclean: My hon. Friend is right to draw attention to the procedures, but they are a valuable part of our democracy. Does she accept that the hon. Member for Pudsey (Mr. Truswell) has introduced an important Bill, but that it is different in one important respect from the previous measure: it does not contain the test-purchasing provisions, which concerned some Conservative Members, including me? That is why I was unhappy about his Bill last year. I am much more content with his Bill this year.

Miss Kirkbride: I am glad that I gave way to my right hon. Friend because that is an important point to put on the record. I agree with the Bill, but I, too, would have had difficulties with the test-purchasing provision. I am not sure of any area in criminal law where we entice people to commit a criminal offence, however noble the aim. It is difficult to accept that we should put into legislation an enticement procedure that would allow people to commit a criminal offence, however good the reasons for doing so—for example, to establish who is behaving irresponsibly in licensed premises. That would set a dangerous precedent, especially given the dreadful murder case in which police evidence could not be used in a court of law because it had been obtained by a honey-trap procedure—the individual had been encouraged to admit to the murder within the context of a relationship. To enshrine such practices in law would create great difficulties.

However, I am glad that the hon. Member for Pudsey has had another chance to introduce a Bill—this time, one to which we can all sign up—and has thereby enabled us to make progress in an important matter. I am grateful to my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) for clarifying the position for less regular attenders of Friday debates, among whom I count myself.

It is slightly uncomfortable to stand here talking about teenage drinking. I do not want to admit to any criminal offences, but I fear there were days, some time ago, when I, too, was keen to ensure that my mother did not find out what I was doing—even though I do not think that I ever behaved terribly irresponsibly. Nevertheless, there is something slightly jarring about middle-aged people saying how disgraceful it is that young people drink.

It is a fact of life that young people drink, and that drinking is an enjoyable activity, provided that it is indulged in responsibly. However, the law states that people under the age of 18 should not be allowed to buy or use alcohol, and however old-fogeyish it sounds, I have to say that we as legislators have a duty to make the law work.

When preparing my speech, I made an effort to learn about the law covering young people and drinking, and I was rather amused by what I found. It is an offence for any of us to be found drunk on a highway or in a public house, in licensed premises, or in a public place or building when in charge of a seven-year-old. I do not know why that age and no other is specified, but that is the law as it stands.

Parents trying to get their children to sleep should be wary of a provision that the Home Office might like to publicise: no intoxicating liquor can be administered to a child under the age of five, except under medical supervision in cases of sickness. I suppose that some parents might consider sleeplessness a sickness, but I know some mothers who could be said to breach that provision when they are at their wits' end.

In some ways, the law has been made more complicated and difficult to enforce. Because the previous Government wanted more parents to be able to use pubs and the facilities that they offer, children under the age of 14 accompanied by their parents or an adult are allowed into children's areas of public bars. In addition, children over the age of 16 but under 18 are allowed to consume alcohol with a meal in a public place; and children over the age of five may be supplied with and consume alcohol in registered clubs, but may not consume or buy alcohol in licensed premises. In short, the law on young people, from babies to 18-year-olds, and the consumption of alcohol is a curious patchwork.

Mr. Maclean: Listening to my hon. Friend gave me time to read the better regulation task force's review of licensing legislation, which states:

> "It seems illogical that it is an offence to purchase alcohol in a bar for someone under 18 but for no equivalent offence to exist for off-sales in the same situation. The Government needs to consider afresh the rationale for the present differences, particularly as a 'cafe society' develops and the old distinctions between pubs and restaurants blur."

That sums up my hon. Friend's point. Will she, too, call for a more comprehensive review of licensing and drinking legislation, albeit not necessarily in the context of the Bill?

Miss Kirkbride: I thank my right hon. Friend for those comments. As usual, he has made a good point, and described better than I have done the complicated picture in current regulations. As all Back Benchers know, if we want to get a Bill on to the statute book, we have to be very clear and narrow in drafting it. If we do so, our Bill might have a fair wind in its passage. Therefore, although I am sure that the hon. Member for Pudsey will not wish to address any of those broader issues, because of the patchwork quilt in current legislation, the Home Office may well wish to examine some of them. Nevertheless, we all know the minefields involved in addressing such issues.

As the current law is not being applied as we should wish, it must be deficient. The Bill seeks to put right some of those deficiencies. The law states that young people under 18 should not drink except under their parents' supervision, and there are many reasons why young people should not drink except in those circumstances. We all know about the sad case of David Knowles, whose accident was caused by an alcohol-induced state. I fear that that is not the only case in the United Kingdom in which young people have done themselves serious injury, possibly resulting in death, because they were under the influence of alcohol.

Responsible alcohol use involves a learning curve. One has to become accustomed to the effects of alcohol. Sometimes, even for those who are a little more seasoned in alcohol use, the effects of alcohol are not always obvious. We live in terrible fear of driving a car after drinking largely because it is difficult to know what effect a given amount of alcohol will have on us, even if we have experience of drinking. We need to

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[Miss Kirkbride]

protect young people from their lack of experience of the effects of alcohol, especially as it affects their capacity to look after themselves. Therefore, although we may seem to be debating an old-fogey subject, we are taking it very seriously. We are seeking to prevent young people from becoming involved in accidents.

We are also only too well aware of the rapid rise in the number of teenage pregnancies. One is led to assume that, in some of those cases, alcohol may have caused young people to think less about the possible consequences of their actions. It is very serious when young people have a child in such circumstances. Additionally, although abortion is never an attractive option, moral considerations may subsequently lead some young people to decide not to have their child. We should better enforce legislation partly to prevent young people from acting as they would not act if they were not in an alcohol-induced state of mind.

Another reason to enforce the legislation is to prevent another problem that many elderly people suffer from, including my mother, who lives in Cirencester. For obvious reasons, young people tend to congregate in parks, drink alcohol, make noise and leave litter. It is difficult to criticise them for it; although it is a wretched nuisance for those who suffer from it. Many elderly people feel very uncomfortable when there is such activity close to their property. Moreover, if those elderly people go out in the evening, they see young people who are drunk congregating in the streets and other public places.

Although there are regulations—which were passed by the previous Conservative Government—to enable those young people to be moved on, their ability to buy alcohol is the root of the problem, making public places unwelcoming for local residents. If the Bill will tighten up the law on licensees selling alcohol to young people, it is another good reason to support it. The intention of the law is clear, and it is odd both that it has been circumvented and that it has taken so long to change it.

I was interested in what the Minister said about penalties. The ultimate penalty must be removal of a licence from a landlord who does not adhere to the law. However, he was right that a graded scale of penalties would be appropriate. Fines could act as a warning signal before a licence was removed.

This problem may affect people aged between 10 and 20, and possibly people older than that: I envy my hon. Friend the Member for New Forest, West (Mr. Swayne), who was taken for 18 when he was 28, and other hon. Members who had similar difficulties. Enforcement is difficult and we must consider whether identity cards might help licensees to operate a system in which people may have confidence. Supermarkets could also require evidence of age when young people shop for alcohol.

Off-licences often struggle for sufficient custom. It is tempting, when there is doubt, to sell alcohol, especially if the quantity required is large. Licensees want to make a profit. They have bills to pay, wives to keep, children, and the costs of keeping a roof over their heads. They do not want to break the law, but they do not want to be taunted by children who, as my hon. Friend the Member for New Forest, West said, when refused a sale, simply say that they will go to the supermarket. Off-licences are frustrated when supermarkets take their trade, particularly if they are ignoring the law.

In most villages and small communities, everyone knows who owns the local licensed shop. The licensee will feel a great commitment to the community if he knows that the son of his friend, Bill, is not over 18 because he can remember his birth. Licensees who know young people exercise their duty responsibly by not selling them alcohol, but supermarkets do sell it, threatening to undermine shops on which all of us rely every day.

We must create confidence. A system used in my constituency seemed to work well. I share concern that the introduction of an identification system would open the floodgates towards an identity card, the many pros and cons of which are not relevant to the Bill. However, if young people want to buy alcohol, it is not wrong to expect them to carry some form of identification that has the sanction of the local police. The hon. Member for Dundee, West mentioned a scheme that worked well in his constituency.

Mr. Ernie Ross: It is on the other side of the country. It is in Scotland.

Miss Kirkbride: I beg the hon. Gentleman's pardon. I hope that he will forgive my imprecise knowledge of the geography of Scotland. I may not have been paying as much attention as I thought, for which I apologise.

A scheme is working—in Scotland—and we should learn from it. Another worked in my constituency, but we need a nationwide scheme. We could then reasonably expect people who wanted to buy alcohol to provide themselves with an identity card; we could all have confidence in such a system.

Third-party buying of alcohol would pose a difficulty for the operation of the measure. We are all aware that older brothers and sisters buy alcohol for their siblings and friends. The measure would not stop that. Perhaps the Minister has some views on how to deal with that loophole. Furthermore, we would not want parents potentially to commit an offence by having alcohol at home. However, it might be possible to clarify matters as regards the passing on of alcohol that is then consumed in a public place.

Mr. Mike O'Brien: I am listening carefully to the hon. Lady's remarks. She has expressed concern about the purchase of alcohol by someone aged over 18, who then passes it to someone aged under 18 who drinks it in a public place. It is one thing for a parent, in the confines of the family home, to offer someone aged under 18 wine at a family meal, but quite another for under 18s, under 16s or even under 14s to booze on lager—bought for them by someone who should know better—in a public place and to cause disturbance to others.

Miss Kirkbride: I am grateful that the Minister has reassured the House on that distinction in the law. That supports the measure, because it is even more necessary that we should not encourage unscrupulous licensees.

Some licensees conform scrupulously and properly to the intention of the law; they should not be castigated while the measure is under discussion.

Mr. Heald: Would my hon. Friend like to pay tribute to the work of Robert Spink, a former colleague in the House, who promoted the Confiscation of Alcohol (Young Persons) Act 1997? That measure came into force shortly after the general election and allows the police to confiscate alcohol from young people in certain circumstances.

Miss Kirkbride: I thank my hon. Friend for drawing my attention to that measure. Obviously it was passed before I became a Member of the House, although I should have paid greater attention when I was sitting in the Press Gallery as a *Daily Telegraph* correspondent. I am grateful to my hon. Friend for reminding me of the important efforts of other Members.

Some allusion has been made to statistics. The number of under-18s convicted or cautioned for alcohol-related offences during the past few years makes interesting reading. When my parents were young, there was obviously not such a great interest in alcohol, because in 1955 only 669 convictions were of under-18s. Recently, the problem has grown. In 1995, there were 2,904 convictions for that age group. In 1955, 669 represented 1.2 per cent. of all convictions for such offences, but by 1995, 2,904 represented 7 per cent. of all convictions.

That is a high percentage of convictions for illegal acts relating to the consumption of alcohol and to drunkenness. They provide us with reasons to act. Furthermore, the statistics are old and, sadly, time marches on, so the figures may now be even higher.

When my right hon. Friend the Member for Penrith and The Border intervened on my hon. Friend the Member for New Forest, West, my attention was drawn to the fact that there was an extraordinary blip in the figures for 1975 and for 1985. In 1975, we had the greatest number of convictions for drunkenness and alcohol problems in all age groups since records began—104,452. I have been racking my brains to try to recall what happened that year to cause such drunkenness. I do not remember its being world cup year.

Mr. Maclean: It was the Labour Government.

Miss Kirkbride: My right hon. Friend says that it was the Labour Government. In a non party-political debate such as this, I was not going to say that, but it is quite curious.

Mr. Mike O'Brien: I must defend the previous Labour Government. That was about getting convictions—enforcing the law. The hon. Lady will note that the point at which convictions dropped to their lowest was in 1995, if I remember rightly from what was said by the right hon. Member for Penrith and The Border (Mr. Maclean), the former Home Office Minister who was then responsible for these matters, who quoted the statistics earlier.

Miss Kirkbride: Gosh, I must defend my right hon. Friend the Member for Penrith and The Border. I do not believe that that is true. The 1975 figure for convictions for under-age drunkenness and alcohol problems represented 4.6 per cent. of all such convictions, and by 1985 it represented 7 per cent., so the Conservative Government obviously took due and appropriate action, too.

Nevertheless the figures are worrying, as is evidence of the problems that some areas are experiencing. Sadly, the areas that experience the greatest difficulties with young people and alcohol tend to be—but are by no means exclusively—among the more socially deprived. It is worrying that some of those communities are having great difficulties.

I note that, at the Alder Hey hospital in Liverpool, children as young as eight are being admitted with acute alcoholic intoxication. It is deeply shocking that any parent responsible for a child could allow him or her to get into such a state. In 1986, just 20 children were treated at the Alder Hey for alcoholic intoxication. By 1996, that figure had increased tenfold, to 200.

I do not wish to single out Liverpool as the only area that has such difficulties; I fear that the experience at Alder Hey represents a much wider picture throughout the United Kingdom. The figures are most worrying. One cannot believe that the sole cause is the fact that the local off-licence sold those children alcohol. It may be more an issue of parental responsibility. Nevertheless it is worrying, and we need to do something about it, because research shows that children who start abusing alcohol at a young age—not just working it out for themselves and then enjoying it later, as a responsible adult—are likely to have alcohol-related problems in later life. That is a tragedy for them but, as we also know, alcohol-related problems are a great problem for the rest of society.

If we could ban alcohol in the way that we ban drugs, it would be in our interests to do so because of the violence and irresponsibility that alcohol creates. In case anyone in the Press Gallery is paying attention, I am not advocating that, but the problems of alcohol abuse are very serious for us all, as well as for those involved. Although I certainly do not wish to prohibit the enjoyment of alcohol, I believe that we must ensure that the law is treated seriously, and that young people are protected, in their own best interests.

1.19 pm

Mr. Kelvin Hopkins (Luton, North): I join hon. Members in congratulating my hon. Friend the Member for Pudsey (Mr. Truswell) on introducing this seemingly modest but important Bill. It is about a serious subject, which should concern all of us, especially parents. I apologise for having had to leave the Chamber briefly, earlier in the day, to attend to other business. I hope that I did not miss too much. I have listened with great interest to what all other hon. Members have said.

Before I come to the body of my speech, I should like to comment on some of what has been said. I generally agree with my hon. Friend the Member for Northampton, South (Mr. Clarke) on just about everything. However, I was concerned by his suggestion that we might reduce the age at which one can legally consume alcohol. He drew a parallel between that and the equalisation of the age of consent in sexual matters, but I do not think that such a parallel exists. The issue needs further debate before that idea gains currency. In fact, many of the problems caused by alcohol need further discussion in the House, and I look forward to future debates on the subject.

[Mr. Kelvin Hopkins]

My hon. Friend the Member for Leeds, North–East (Mr. Hamilton) talked about the importance of developing appropriate and sensible attitudes to alcohol consumption, particularly in the family. He quoted practice in Belgium, but I would caution against referring to continental practice. Alcohol consumption is still considerably higher on the continent than in this country. The gap is narrowing somewhat, but continental countries have much more serious problems with alcohol than we do.

I remember my late father telling me of his first visit to Paris in the late 1940s. He saw a Government advertisement on a metro train and, roughly translated into English, the legend was, "No more than two litres of wine a day." By my calculation, that is a safe limit of 24 units a day. We have made some advance since then, but that example illustrates the problems that used to exist on the continent of Europe. They are reducing, we know, but they are still a good deal more serious than ours. I hope that those countries imitate our practice rather than us imitating theirs.

Alcohol is a legal drug that is used and enjoyed by most people in a sensible way, but it is also dangerous. It can be addictive, it causes accidents and it underlies much anti-social behaviour. It is chemically very simple. For the organic chemists present, it is C_2H_5OH, which is ethyl alcohol. It has certain effects on the body, especially if it is used to excess over long periods. It is chemically next door to methyl alcohol—meths—which destroys body tissues and causes blindness fairly quickly. We are dealing with chemistry that is rather worrying and dangerous for the human frame.

It was inevitable that humankind would discover alcohol. Hon. Members may have seen a wildlife programme on television in which monkeys lapped up puddles of fermenting fruit in a forest, and they were obviously very drunk. Their behaviour, not surprisingly, mirrors what happens to human beings when they imbibe too much. Some were clearly exuberantly happy, others were aggressive and, although it was not on screen, some were no doubt behaving in a sexually licentious way.

For the monkeys, however, the experience was a very rare event. They could not walk into an off-licence or a supermarket and buy unlimited quantities of mass-produced alcohol. They did not face the risk of excessive, prolonged drinking over many years and the addiction that can follow. It was a rare and interesting event for the monkeys, and it did not pose them any serious dangers. I suppose swinging through the trees after drinking a lot of alcohol might not be safe, but I hope that they had enough sense not to do that.

We humans have to build in constraints on our drinking, especially for the young. That is why I so strongly support the Bill, and I hope that the House will permit me to refer briefly to my family background to demonstrate why I feel so deeply about it. My grandmother was a member of the Salvation Army and other members of my family were Baptists—indeed, one was a member of the Plymouth Brethren. They were a pretty puritanical lot and absolutely teetotal. I might add that another branch of my family produced a great grandfather who was a musician and he enjoyed alcohol. I perhaps follow more in his tradition than that of the Salvation Army, even though I have great respect for it. However, I think that there are elements of both traditions in my character.

My grandmother was a formidable, interesting and impressive lady. She was a socialist as well as a teetotaller, but I do not want to introduce a political note into this harmonious debate. She lived in poor circumstances and taught herself algebra and French in her middle age. She was respected and feared by her children, including my father.

Mr. Maclean: I am sorry to interrupt the hon. Gentleman's train of thought. He said that his grandmother was a teetotaller and a socialist. With regard to the Bill, how would she view today's Labour party, which is champagne socialist?

Mr. Hopkins: I am not sure that she would be terribly proud of her grandson, given that he has certainly given up the teetotal habit but retained the socialism.

When my father was a student, he entered a pub for the first time in his life and consumed half a pint of mild ale. He was so terrified of his mother that he did not go home that night because he preferred her to suspect that he had been out all night with a young woman than to know, by smelling his breath, that he had drunk alcohol.

I make that point because we must instil in everyone, including young people, a proper respect for alcohol. The extremes of my teetotal family may be too much for most, but people should be aware of the dangers of alcohol. I grew up in a family where alcohol was treated with respect and even an element of fear. When I was young, I was very cautious about the amount of alcohol that I drank, and I have remained so. I tend to count the units that I drink, as sensible drinkers do. I enjoy wine, but I try not to drink it to excess.

Many young people and, indeed, adults are not so careful and have no awareness of the dangers of alcohol. To them, drinking is simply something that they like to do and they continue to do it while they have the money and the opportunity. I have many intelligent adult friends who cannot understand why anyone would have alcohol in the house that is not automatically consumed until it is all gone. The idea of restraining oneself and putting the bottle away for another day is strange to them. We have a long way to go to educate adults as well as young people.

I remember, some years ago, the *Financial Times* reported a survey of business men in the City. Conservative Members may be more familiar with such people than are Labour Members. The business men were asked how much they drank, and they gave details of the whisky that they drank. After the survey, the researcher asked, "But what about beer and wine?" They replied, "Oh, we don't count beer and wine." Only whisky was counted as a serious drink.

There is a case for much more education. We must go beyond the Bill and, at a later stage, discuss wider aspects of the alcohol problem. Internal constraints are essential, and we build them in through schools and parents, but external constraints are also necessary. I would not go to the extremes that exist in America, where restrictions on alcohol consumption in some states come close to prohibition and any alcohol consumption is frowned upon. Those constraints go too far and spoil the responsible enjoyment of alcohol.

I have an interest in these matters because I am an active member of the all-party group on alcohol misuse. It has been suggested that I might stand for chair of that group because there is a vacancy. I am not suggesting that I should win that post because, as hon. Members will know, elections are fought very fiercely on this side of the House—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We ought to keep the hustings out of this debate.

Mr. Hopkins: I apologise, Mr. Deputy Speaker.

The all-party group does valuable work and strongly supports the Bill. I have also been in touch with Alcohol Concern, as have other hon. Members.

I am the patron of a group in my county, called Bedfordshire Alcohol Services in the Community, which is concerned about these matters. I work hard to try to promote the group's ideas. It recently launched an initiative to help to promote alcohol awareness among schoolchildren, and hopefully that will reinforce the measures in the Bill, and make young people aware of the dangers of alcohol and encourage them to be sensible and responsible in their approach to alcohol as they grow older. So I am involved at local level.

I also see the terrible effects of alcohol through the work of another local group, Noah Enterprises, which used to be the Luton day centre for the homeless. It deals with people whose lives have been wrecked by alcohol and who live in the streets. They are taken in by the organisation and gradually rehabilitated until they can lead useful and productive lives. The group does extraordinarily good work, but it would be less necessary if the damage that alcohol causes were not so great and it could persuade many more people not to drink in a way that leads to such a life.

I support the Bill very strongly because I have seen at first hand the effects of alcohol and been made aware throughout my life of its dangers. At the same time, I appreciate that drinking is normal and pleasurable for most of us. I could speak at greater length, but I have probably said enough. I would add only that I am rather disappointed that the hon. Member for New Forest, West (Mr. Swayne) is no longer in the Chamber, because I wanted to ask him whether he still looks much younger than his years and whether he has a portrait in the attic.

Mr. Maclean: On a point of order, Mr. Deputy Speaker. When Madam Speaker was in the Chair this morning, she said that she had not received any request from the Secretary of State for Northern Ireland for a statement on the possible suspension of the Northern Ireland Assembly. I have just heard on the 1 o'clock news that such a suspension is expected within the hour. It is not too late for the Secretary of State to make a statement on the momentous changes. The legislation did not come into effect at an exact time. Indeed, suspension might not have occurred this weekend. Now that it is expected to happen, I hope that you agree that it is important to interrupt our proceedings briefly with such a statement, especially considering that –

Mr. Deputy Speaker: Order. The right hon. Gentleman must not get into argument. So far as the Chair is concerned, the situation is unchanged, but those on the Treasury Bench will have heard his words.

1.32 pm

Mr. Oliver Heald (North–East Hertfordshire): The hon. Member for Luton, North (Mr. Hopkins) treated us to a speech in which he explained that he comes from a family that is both teetotal and musical. He is obviously remaining true to his genes in his work in the House, because I notice that next week he has secured an Adjournment debate entitled "Support for Jazz" and, as he told us, he is running for the office of chairman of the all-party group on alcohol misuse. It just shows that not all conditioning is social and that there is something genetic, too.

I congratulate the hon. Member for Pudsey (Mr. Truswell) on his success in the ballot and, along with my hon. Friends the Members for Meriden (Mrs. Spelman), for South Staffordshire (Sir P. Cormack), for Daventry (Mr. Boswell), for Westmorland and Lonsdale (Mr. Collins), for New Forest, West (Mr. Swayne) and for Bromsgrove (Miss Kirkbride), on raising such an important subject which was prompted by the tragic death of his young constituent David Knowles. The Opposition as a whole join in expressing the deepest sympathies to the Knowles family.

As the hon. Member for Pudsey explained, David had purchased alcohol on two occasions in a short time immediately prior to meeting his death. He was described by everyone as a serious and sensible young man, and the purchase was very much out of character. The subsequent prosecution of those who sold the alcohol to him was not proceeded with because the Licensing Act 1964 is out of date in the way in which it deals with the offence of selling alcohol to those under 18 years old.

I imagine that, when the Act was passed—it was a milestone, consolidating previous legislation and an attempt to control the problems of licence holders and alcohol generally—the world was rather different. Public houses were tenanted; it was the era before the beer orders that led to so many joining chain ownership and management arrangements. Supermarkets were far less obviously a source of alcohol, and probably far fewer off-licences were owned by chains. In 1964, when the Act was passed, it was acceptable for it to state that the licence holder or the servant of the licence holder would be the people guilty of an offence if they sold alcohol to people under 18.

The background has changed since then, and it is recognised by the Government, the industry and all those involved that it is necessary for the 1964 Act to be overhauled. The Brewers and Licensed Retailers Association and others prepared detailed papers for the Home Office two years ago. The parliamentary beer club has produced proposals, and the Government's own proposals are thought to be due in March.

There is a wide consensus of support for the Bill and for the view that the 1964 Act should be amended. The industry—the Portman Group, the BLRA and others—fully support the Bill. Alcohol Concern is supportive, although it wants reform to go further.

The Bill introduces a sensible reform. It is aimed at reducing under-age drinking by making sure that those who sell alcohol to people under the age of 18 can be prosecuted. In many ways, it re-enacts the old law, but I agree with the hon. Member for Pudsey that it does so in a more readily accessible form.

[Mr. Oliver Heald]

The way in which the Bill is set out is commendable. It widens the ambit of the offence of selling to cover sales by any person in licensed premises, and therefore meets the problem of the loophole that the hon. Gentleman outlined. It reinforces the policy of "two strikes and you're out": licensees who have a second conviction may be liable to forfeit their licences.

During the debate, important points were made. My hon. Friend the Member for South Staffordshire said that the hon. Member for Pudsey had made one of the best speeches introducing a private Member's Bill that he had heard. I agree, and I would add that the debate that followed was rather a good one for a Friday, as other speakers amplified the points made by the hon. Gentleman.

My hon. Friend the Member for Meriden, reinforcing the hon. Gentleman's comments, cited statistics showing the extent to which alcohol is being abused by young people. She pointed to a substantial rise in alcohol abuse. The Schools Health Education Unit survey showed that 30 per cent. of year 8 pupils had drunk alcohol in the previous week, as had 50 per cent. of those in year 10. Statistics show that lager is the favourite drink for men and wine for women.

The quantity of alcohol consumed by young people has increased. In the 14 and 15 age group, 20 per cent. of males and 10 per cent. of females had drunk more than 10 units in the previous week. Off-licences are the most popular source. I can add that a recent London survey showed that more than half of 14 to 16-year-olds said that when they had purchased alcohol, they had not been asked for their ID.

The figures thus show that there has been a substantial rise in alcohol abuse by young people, particularly since the 1980s. My hon. Friend the Member for Meriden reported evidence showing that if people start drinking young, the chances that they will become addicted to alcohol are greater. That is particularly worrying. That is true not only of alcohol but other addictions. However, alcohol leads not only to the health problems about which we have heard but other serious problems.

My hon. Friend the Member for South Staffordshire discussed the way in which people purchase alcohol in the modern world, and new methods of shopping, such as online and internet shopping, which are increasingly popular. It would be helpful if the Minister gave his views on proposed new section 169F, which deals with the offence of delivering or permitting the delivery of alcohol.

The hon. Member for Northampton, South (Mr. Clarke) pointed out the danger of separating the sale and delivery of alcohol. Some people may sell alcohol without knowledge of the ultimate recipient. They could not therefore be said to have knowingly sold it to a young person. However, the person who delivers it knows that the recipient is a young person. Does the division between sale and delivery of alcohol constitute another loophole? Is the Minister satisfied that proposed new section 169F tackles that?

Mr. Maclean: I am conscious that, despite my best efforts, I may not be allowed to serve on the Committee that considers the Bill. I hope that my hon. Friend will not mind if I explore the internet sales problem on Report, possibly through an amendment. I shall happily vote for the Bill, and I hope that it becomes law, but I also hope that he agrees that the problem is worth exploring on Report.

Mr. Heald: It would helpful to hear the Minister's view, which is backed by the Home Office's considerable research facilities, on the extent to which internet purchase of alcohol is a problem. Most internet arrangements involve the use of a credit card, and most credit cards are not in the hands of people under 18. However, various hon. Members commented during the debate that abuse is possible. It would therefore be useful to know whether proposed new section 169F tackles the problem adequately and whether there is a need for the amendment that my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) mentioned. He has a background in the Home Office; some years ago, he held the job that the Minister now fills. He did it in a distinguished way.

My hon. Friend the Member for South Staffordshire referred to alcopops. He pointed out that many young people who go into off-licences purchase alcopops. During the debate, hon. Members considered the reasons for the attraction of alcopops to young people. Alcohol Concern explained that attraction in its advice, which states:

> "An established control on young people's drinking has been that youngsters find the taste of traditional drinks unpalatable. With alcoholic lemonade, cola, flavoured milks etc"

the natural element of control was removed. Alcopops present such a danger because they are attractively packaged and flavoured.

We should not be too hard on the industry. The Portman Group has done useful work through its code of conduct. It has tried to provide sensible guidelines for the promotion of alcopops. Its Prove It! scheme, which involves cards, has also been useful. Last year, 62,000 cards were issued, and 500,000 have been issued since it began.

A general point was made about identity and how to tell whether a person is of the right age. The Minister ought to comment on whether the youth card, which is being promoted by the Department for Education and Employment, is likely to prove useful. It proposes issuing such a card to all young people in their final year of compulsory education to represent their entitlement to further learning and to remind them of their continuing access to careers guidance and education. It is proposed that the card might even use smart technology so it would be interesting to hear whether he thinks that it might be used to identify young people who want to purchase alcohol.

My hon. Friend the Member for Daventry made a wide-ranging speech, but remarked particularly that we should not forget the effects of under-age drinking on the wider public. He made the point that public order is a substantial issue when young people cluster round supermarkets or other outlets that sell alcohol and others are prepared to buy it for them. The Minister might refer to that when he publishes his final proposals in March, but is he satisfied that existing measures—including the Bill promoted by Robert Spink in 1997—are adequate or does more need to be done to tackle the problem?

In an amusing speech, the hon. Member for Ealing, North (Mr. Pound) described political parties by drink. My right hon. Friend the Member for Bromley and

Chislehurst (Mr. Forth) was not in the Chamber then, but he described the Conservative party as bitter. That is rather shocking, considering the smooth and mild way in which we have received the Bill. We were shaken, if not stirred, after the general election, but we have become pure genius. I shall not continue in that vein and notice a certain amount of relief at that.

My hon. Friend the Member for Westmorland and Lonsdale asked whether licence holders are being satisfactorily dealt with if the only real penalty is taking away their licence. We should note that the position of the licensee has been as important as the offence in controlling the dispensing of alcohol. For many years—this may still be the case—large numbers of publicans said that losing their licence was the most terrifying prospect because they would also lose their livelihood. Therefore, there is already considerable pressure on publicans to ensure that their staff are properly trained and able to cope with slightly intimidating situations in which young people want to buy alcohol.

The licence is of great importance, but the Minister intervened to refer to graduated penalties. We could have a sensible debate about them and in its submission to the Home Office, the Brewers and Licensed Retailers Association suggested such penalties as a good way forward. I hope that he will consider them seriously, as he seems to be doing, before he makes his own proposals.

I am sorry that my hon. Friend the Member for New Forest, West was unable to buy drink at the pub and was sent off to the White Lion. I hope that nowadays he finds it possible to buy a drink. He made a range of points about identity and the difficulties faced by staff. Hon. Members on both sides of the House will agree that he made a valuable contribution.

It was interesting to hear from the hon. Member for Dundee, West (Mr. Ross) about the operation of the identity card scheme in South Ayrshire. It was a good initiative to use as an example. My hon. Friend the Member for Bromsgrove is right that we should not be too old-fashioned and patronising towards young people on the subject of alcohol, as though none of us had a youth. However, it is right that young people should be persuaded that alcohol has real dangers.

The comments of my hon. Friend the Member for Bromsgrove that we should not be fuddy-duddy and patronising with young people were counterbalanced by the remarks of my hon. Friend the Member for Meriden who said that parents must take responsibility. Parents need to strike a difficult balance: they must exercise responsibility without patronising young people, and they should treat them as intelligent sentient beings. Parents have an educative job.

It is often said that young people nowadays have many more pressures on them than they did some years ago, but being a parent is not that easy either. We often argue that parents must take responsibility, and of course that is right, but they need a good deal of help and support to do that. I would be interested to hear the Government's views on how parents could be supported in trying to instil in their children sensible ideas about alcohol use.

Hon. Members have referred to the problem of older brothers or relatives going into stores to buy alcohol for young people. Does the Minister believe that a suitable way of dealing with that would be to enhance the power to confiscate alcohol from young people outside premises, or does he think that it would be possible to have an offence of purchasing alcohol for a young person if it is not intended to be taken back to the home? It is difficult to deal with the person who buys alcohol for another without attacking the parent who legitimately wants to buy a bottle of wine to have with a meal and may want to give a small glass of it to a child. With all the advice and help available to him, does he think that it is possible to frame such a law to enable the mischief to be attacked without damaging responsible parenting and attempts to teach young people to be careful when drinking wine?

Does the Minister see any parallels with the way in which alcohol abuse has been tackled on the continent? That issue was raised by the hon. Member for Luton, North (Mr. Hopkins). Is there a method of educating young people that we should consider? In France, attitudes towards alcohol have changed dramatically. The problem there is still worse than ours, but a substantial change has occurred. Is that something that an alcohol concern education package can tackle? Does the Minister have any such proposals?

The Opposition support this measure. It closes a worrying loophole in the law, and I hope that it will send a message to those who retail alcohol that it is not acceptable for it to be sold to young people, irrespective of who in the shop sells it. We wish the Bill well.

1.54 pm

Mr. Malcolm Savidge (Aberdeen, North): I congratulate my hon. Friend the Member for Pudsey (Mr. Truswell) on the Bill. It is an ideal private Member's Bill, because it comes out of a constituency case, albeit a tragic one, and attempts to introduce a small amendment. That was interestingly brought out in the exchanges between the right hon. Member for Penrith and The Border (Mr. Maclean), and the hon. Members for New Forest, West (Mr. Swayne) and for Bromsgrove (Miss Kirkbride). It tries to sort out this clear injustice in law that I am sure the quaint language of the licensee and servant, to which my hon. Friend the Member for Ealing, North (Mr. Pound) and the hon. Member for Westmorland and Lonsdale (Mr. Collins) referred, did not intend to create. If a young person—or a group of young people—visits a small corner shop and a shop that is part of a large off-licence chain, and makes under-age purchases in both, it must be wrong that the staff in one shop can be prosecuted and the staff in the other cannot.

The Bill does not introduce new law, which makes me optimistic about the Sisyphean task faced by my hon. Friend the Member for Pudsey. I am hopeful that, in pushing his little rock to the top of the hill, he will be able to enlist the support of all Members—including two right hon. Members who could be described as traditionally not the most enthusiastic supporters of private Members' Bills, and who, adopting what I think is termed the "libertarian right" position, usually take the view that new laws should not be introduced. This, as I have said, is not a new law, but an amendment to an existing law.

Interestingly, the same can be said of my Health and Safety At Work (Offences) Bill, which also features on the Order Paper; but I shall not stray on to the subject of my Bill, and my own Sisyphean aspirations.

Let me return to the serious matter of the Bill that we are discussing. The tragedy of David Knowles was the ultimate tragedy, but the figures showing a rise in youth

[Mr. Malcolm Savidge]

alcohol abuse cited by, in particular, the hon. Member for Meriden (Mrs. Spelman) reflect a number of other sad possibilities. People are injured; as I know from my experience as a teacher, children must sometimes have their stomachs pumped to avoid serious illness. There is also the problem of crime. I know that the Bill would apply only to England and Wales, but it is said that, in Scotland, 80 per cent. of cases of youth involvement in breaches of the peace result from alcohol abuse, and that it is responsible for 88 per cent. of cases of criminal damage.

As we know, there is a more general pattern among young people, who may under-achieve and end up unemployed. They may become involved in drugs. They may engage in street drinking, which can not only damage them but cause great distress to those around them. I see that in my constituency, and I suspect that many other hon. Members do as well.

The hon. Members for South Staffordshire (Sir P. Cormack) and for North-East Hertfordshire (Mr. Heald) suggested that alcopops were a relevant factor. As I said earlier, they seem to be aimed at the teens and the pre-teens. I find it particularly worrying that the alcoholic strength of alcopops is often greater than that of the beer, porter and cider referred to by the right hon. Member for Bromley and Chislehurst (Mr. Forth)—of whom I shall speak with even more deference than my hon. Friend the Member for Ealing, North, although of course that has nothing whatever to do with my Bill. Unlike my hon. Friend, who did not invite sponsors from Opposition Members, I did—perhaps tongue in cheek—invite the right hon. Gentleman to be a sponsor, but I think he felt that that was a bridge, or a Bill, too far.

It would have been much better if alcopops had been introduced with a low alcoholic strength. If they had been, perhaps they could have been used to introduce young people to drinking sensibly, in a family environment. That brings me to my next point. Parents must have a major role: this really is a question of parental responsibility. I have encountered cases in which, given the state of the children involved, their parents cannot possibly not have known, when they arrived home, that they had drunk far too much. I am talking about very young children. The question of the internet, which has been raised a number of times, must be relevant to parental responsibility.

Parents are the one group of people who cannot claim ignorance of the age of the children with whom they are dealing. Obviously, licensees and their staff may experience difficulties in determining age, but it is worrying that one in five children aged between 11 and 15 who obtain drink do so from off-license premises.

I shall need to abbreviate my comments and miss out one or two points. My hon. Friends the Members for Northampton, South (Mr. Clarke) and for Luton, North (Mr. Hopkins) asked what was the correct age for drinking. Many would ask, "If people can get married at 16, why cannot they drink at 16?" The answer is that, in marriage, people's ages are identified precisely. That brings us to the whole question of identity cards, or youth cards.

I take on board the point that was made by the right hon. Member for Penrith and The Border, but café society, family pubs and such things are part of a wider question. The Bill deals not with those wider questions, but with a small, but significant point in trying to cure a serious problem. I congratulate my hon. Friend the Member for Pudsey on his Bill.

2 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I join many colleagues in congratulating my hon. Friend the Member for Pudsey (Mr. Truswell) on his success in the private Members' ballot and warmly commend his decision to introduce this Bill. I share his deep and heartfelt concern about the unlawful sale of alcohol to young people. I am glad to support the Bill's intentions. As he has said, we cannot bring back David Knowles, but we can try to reduce the number of such cases. I join all Members in extending our condolences to the family of David Knowles, who will obviously be concerned to ensure that the Bill is passed. We will do all we can in the House to ensure that it is.

The hon. Member for South Staffordshire (Sir P. Cormack), who has considerable experience of the House, praised my hon. Friend's speech as one of the most cogent, lucid and effective to introduce a private Member's Bill. My hon. Friend did well and deserves our support. Indeed, throughout the debate, he has had that support. My hon. Friends the Members for Northampton, South (Mr. Clarke), for Ealing, North (Mr. Pound), who made an entertaining and academically thorough speech, for Shipley (Mr. Leslie), for Dundee, West (Mr. Ross), who described the experience in Scotland, where the law is, it appears, much more effective, for Luton, North (Mr. Hopkins) and for Aberdeen, North (Mr. Savidge) have all supported the Bill.

Support has also come from the Opposition—from the hon. Members for South Staffordshire and for Meriden (Mrs. Spelman). The hon. Member for Westmorland and Lonsdale (Mr. Collins) made a thoughtful speech, and we heard a well-argued, not to say revealing, speech by the hon. Member for New Forest, West (Mr. Swayne), as well as a helpful contribution from the hon. Member for Bromsgrove (Miss Kirkbride) and interventions that were helpful, in this case, from the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean), which we respond to with gratitude. We are grateful for their assistance and concern.

The Government have repeatedly made clear their concerns about the potential manipulation of young people by cynical traders. Our prompt action on taking office demonstrated the strength of that concern. In May 1997, we set up a ministerial group to look carefully at those issues. The group contained ministerial representatives from a dozen Whitehall Departments and was one of the earliest examples of our ensuring that Government joined up to make an effective difference.

A statement of the group's conclusions was published in July 1997. We set out the action that we considered necessary for all concerned parties to take. In the statement, we made clear our determination to tackle alcohol misuse by young people under 18. Alcohol abuse often leads to crime, under-achievement, damaged lives, poor health and poor employment prospects. The evidence then available showed worrying levels of drinking, reaching down even to primary schools.

Hon. Members will recall that, in the immediate aftermath of that debate, media attention focused on alcopops, which had recently come on to the market.

However, they have never been the only alcoholic drinks illegally obtained by children in this country, as has become clear during this debate. Some suggest that the action taken in respect of alcopops was a knee-jerk reaction to a passing fad, but they are wrong.

I agree with the hon. Member for South Staffordshire and my hon. Friend the Member for Aberdeen, North that alcopops represent a worrying trend. Their strength can be masked by fruit and other flavours that are especially appealing to children and that diminishes both awareness of alcohol content and children's traditional taste threshold. Our concern was that many of the drinks were fashion items, packaged and marketed in a way that made them attractive to teenagers and even younger children.

Our view was that several such products had been marketed irresponsibly and that some producers and retailers had lost sight of their duty to their fellow citizens. We all noted that some of the items bought by David Knowles were alcopops. We worked closely with the Portman Group and called on producers and suppliers to discharge their social responsibilities with regard to the problem of under-age drinking. A range of additional controls within the industry's code of practice is a vital outcome of that work and has had a significant impact on the merchandising and packaging of alcoholic drinks.

The additional controls included: appropriate names, packaging and promotion of alcoholic products; avoiding artificially bright colours in either the product or the packaging; ensuring that the taste and texture of products do not mislead about their true alcoholic nature; ensuring that steps are taken to remind sales staff of their responsibilities; ensuring that alcohol is made less accessible to children in shops; ensuring proper staff training and introducing suitable sanctions for breaches of the code; arranging pre-launch clearance of relevant products; ensuring swift compliance with decisions of the independent panel; and requiring compliance with the spirit as well as the letter of the code.

We have monitored progress made by the industry and have been encouraged by its positive response. The number of complaints made under the new code has continued to decline, which is a good sign. Where complaints have been made and upheld, swift compliance with the independent panel's decisions has become the norm. That all helps to ensure that under-age drinking is not encouraged by irresponsible marketing of alcopops.

I join the hon. Member for North–East Hertfordshire (Mr. Heald) in paying tribute to the Portman Group and the alcohol industry. It is inevitable that, during consideration of the Bill, harsh comments will be made about the liquor industry and examples given of its irresponsible behaviour in the past. However, we can point to examples of the industry's responding positively and responsibly to concerns; it deserves credit for what it has done right, as well as criticism for its failures.

The industry has been responsive to our concerns. Addressing the issues raised by the Bill does not put the House in conflict with the industry—it is not us against them. The progress that the Government have made in the past three years in protecting young people has been achieved by co-operating closely with the industry, encouraging it to put its own house in order, providing it with leadership and direction, and ensuring that it is brought along with efforts to make changes and protect young people.

The industry has shown a willingness to do that. A reflection of its new approach can be seen in the British Institute of Innkeeping's social responsibility initiative. That important initiative involves the industry in several courses of action: first, identifying areas of social responsibility that are relevant to the licensed sector; secondly, developing, co-ordinating and promulgating best practice approaches to social responsibility issues; thirdly, agreeing an agenda for action, especially at local level; and fourthly, publicising the work of the industry to the public and the licensing trade. All of that feeds into the agenda expressed in today's debate.

The Bill is only one element of a wider strategy. One of the main issues to which the industry has started to respond positively is the need for training, which is vital to that broad strategy. In the context of a comprehensive strategy, I cannot emphasise strongly enough the importance of effective training for staff working on premises that sell and serve alcohol—not only licensees, but all staff. They must know the law, and they must understand their responsibilities for doing all in their power to ensure that off-licences, pubs and clubs prevent disorder and crime. For pubs and clubs, that includes not only under-age drinking, disorder and drunkenness, but drugs penetration.

The initiatives represent crucial support for the provisions that we introduced in the Crime and Disorder Act 1998. However, such initiatives will be wasted unless the industry as a whole commits itself as a body to the reduction of crime and disorder. It will be action taken in local pubs and off-licences and in local communities that really makes changes and that counts in achieving better long-term results.

I believe that the industry is ready to make that type of commitment. The Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), recently hosted an important seminar that was attended by leading figures from the alcohol industry, and work was begun on development of a comprehensive national strategy for dealing better with the impact that alcohol has on crime and disorder. The work has included an examination of the case for further action to combat under-age drinking and its impact.

I, too, regularly meet representatives of the industry. They have been keen to assure me personally that they are keen to play a full part in combating the impact of alcohol misuse.

As hon. Members have said today, there has also been good progress in expanding proof-of-age card schemes, such as the Portman Group's card. Other cards have emerged, often in a broader context than that of alcohol sales. The schemes, which include the CitizenCard and the validate card, are important in helping to prevent children from unlawfully obtaining alcohol. We continue to monitor and support their development.

The hon. Members for Daventry (Mr. Boswell) and for North–East Hertfordshire mentioned the Department for Education and Employment's young people's card and its youth support service, and asked whether that might be a way of supplementing the work done by the Portman Group and other organisations with cards. The Department for Education and Employment and Home Office officials are exploring the possibility of using the new card in that manner, but I can give no guarantees now, as it depends on how events develop. The idea is a

[Mr. Mike O'Brien]

good one in principle, but it remains to be seen whether we shall be able to develop the technology and the administrative back-up to ensure that it is a reliable basis on which to determine the age of young people.

We also sought to toughen the law by bringing into force the Confiscation of Alcohol (Young Persons) Act 1997, which has been mentioned in the debate. The Act allows police to confiscate alcohol held in public by under-age people or from individuals holding it for someone not entitled to buy alcohol. However, more action is needed. The hon. Member for Daventry asked me to explain how the Government would review the provisions on liquor and public entertainment. We have almost completed the review, and should soon be able to publish a White Paper and to make further announcements.

Our review has been the most thorough review of liquor and public entertainment laws for a generation. Some hon. Members suggested today to my hon. Friend the Member for Pudsey that his Bill should perhaps try more broadly to amend current law. Quite rightly, however, he has focused on the mischief that, for constituency reasons, he feels he needs to address. Nevertheless, I tell hon. Members who are concerned about other issues that the Government share many of the concerns expressed in the debate, and that we want eventually to provide the opportunity for the discussion of such issues that follows publication of a White Paper and, eventually, legislation.

Mr. Heald: Will the White Paper be produced before the end of March?

Mr. O'Brien: We expect it to be available before the end of March, but I do not want to give a cast-iron date at this stage. It is well in order and we have merely to sort out some of the detail. It will be published in a matter of weeks, and certainly in less than two months' time.

At the heart of the White Paper intended to modernise our licensing laws will lie the need to build on the work done so far by the strengthening of the law on under-age purchase and consumption. The Bill can be part of the platform on which we build our reforms. Our existing licensing laws are in many ways archaic and unnecessarily complex. They are riddled with red tape and bureaucracy that appear to contribute little to protecting children, preventing crime, ensuring public safety or minimising public nuisance. There can be few parents who understand well—if at all—the laws on under-age purchase and consumption of alcohol.

The hon. Member for Bromsgrove drew attention to some key points in the Licensing Act 1964. I agree that it is difficult to understand the rationality of some of the provisions in that Act. Persons under 18 cannot buy a drink anywhere on licensed premises, whether in the bar of a public house or elsewhere. The only exception is people 16 or over who can buy beer, cider or porter for consumption with a meal not served in a bar. Persons under 18 cannot drink in a bar, but those aged five or over can lawfully drink alcohol elsewhere in licensed premises, such as in a family room or a pub garden. Persons aged five or over can drink in a private club, a public place or at home. Persons under 14 are not allowed in the bar of licensed premises during permitted hours unless a children's certificate is in force. It is an offence to be drunk while in charge of a child under seven. Finally, it is an offence to give a child under five an alcoholic drink anywhere.

The law is complex, and parents and licensees need to understand it. We need a simpler, more rational approach.

Mr. Forth: We may also wish later to discuss references in previous legislation, which may still be in force, to liqueur chocolates. Given what the Minister has just said about young children, we may wish to consider how relevant those provisions continue to be. We might ask whether provisions on the availability and consumption of liqueur chocolates remain relevant.

Mr. O'Brien: I have to confess that the right hon. Gentleman raises an issue that I have not delved into. In view of what he has said, I shall certainly find out what the rules are. *[Interruption.]* It appears that the right hon. Member for Penrith and The Border may be able to quote the precise clauses involved, and I shall certainly look into them.

On the one hand, we ban sales to minors in very precisely defined places. On the other, purchases by small children are permitted in registered private clubs, on trains, on boats and on planes. Such a confused variety of laws makes no sense in today's world. The law relies too heavily on the good faith of people serving alcohol in clubs, on boats and on trains. That has led to problems, such as boats offering coastal water excursions that allow 14-year-olds the opportunity to dance and to drink alcohol lawfully. We fully intend to deal with such problems, and the White Paper will outline how we propose to do so.

My hon. Friend the Member for Shipley argued persuasively that we need to restore confidence in licensing law. The Government can and will seek to reform and modernise complex arrangements, and our starting point for new licensing laws will be the protection of the young and vulnerable in our society. We need a fundamental rethink of those issues; that is what the Government have been doing.

Since the early 19th century, the basic principles governing licensing law have not changed significantly. Although alcohol consumption in this country had by that time been falling for more than 50 years, in the mid-19th century the Temperance Society pressed for tighter restrictions. In some places, hours were reduced and punishments increased. Victorian reformers addressed the question whether children should be drinking; for the first time, the fundamental issue of protecting the young was placed at the heart of our licensing laws.

In 1872, it was made illegal to sell spirits on licensed premises to children aged under 16. In 1886, sales of any alcoholic drink for consumption on licensed premises were made illegal if the children were under 13. For the sake of context, it is important to remember that at that time a girl of 12 and a boy of 13 could lawfully marry—so much for Victorian values.

In 1901, the sale of alcohol to children under 14 was banned, with some exceptions. The present age limit of 18 years was introduced in 1923, as was the law permitting 16 and 17-year-olds to buy beer, porter, cider or perry with a meal. Several emergency statutes were introduced, which further restricted the hours for the sale of alcohol.

My hon. Friend the Member for Northampton, South asked about lowering the age at which alcohol could be purchased. We do not take the view that there should be a lowering of the present age of 18. There are several reasons for that. As my hon. Friend pointed out, it is possible to portray much inconsistency in the statutory setting of age limits associated with certain activities.

However, there is a well-established practice of placing age limits on the purchase of certain goods, both for the protection of children and to protect others from the immature or uncontrolled use of dangerous items. For example, alcohol, fireworks, solvents and certain videos and computer games all share an age limit of 18 for purchase. Knives, unsealed razor blades, axes, national lottery tickets and cigarettes all share the lower age limit of 16 for purchase.

It is, therefore, by no means unusual for Parliament to assess the degree of risk involved for children and to impose an appropriate age limit on purchase. The issue is not consistency, but risk. In addition, we believe that we have reflected widespread public concern by putting a strong focus on the need to reduce youth crime. There is no doubt that there is a strong association between crime and alcohol consumption.

No representations have been made to the Government by the hospitality or leisure industry for a reduction in the age limit. There is no pressure for change that we can detect. In recent years, we have reacted to public concerns over alcopops. I have already referred to the battle over marketing to youngsters. We consider that any change in our position on the age limit for drinking by young people would be taken as a green light for the industry to return to targeting them in its marketing strategies. We do not want that.

Our policy will be reflected in the forthcoming White Paper—it is to maintain the age of 18 for the legal purchase and consumption of alcohol. Alcohol in the hands of young and immature people is bad news. Too early an exposure to alcohol can produce the worst possible consequences, as shown by the case of David Knowles.

The Bill points us to an example of the archaic nature of our alcohol laws in the words "licensee and their servants", and to the problems those words have caused for those seeking to prosecute irresponsible and criminal retailers in today's world. The era of master and servant has gone. The courts have ruled that the term "servant" does not include those who are not directly employed by the licensee. As has been explained, those employed by a chain of retailers are exempted from the provisions of the 1964 Act.

It is unacceptable that the words of an Act which Parliament intended to protect young people now serve the irresponsible and the criminal as an immunity from prosecution. No retailer who sells to children should be able to evade prosecution.

The impact of that loophole is tragically illustrated by the outline of the case of David Knowles. The Bill deals with the issue by making it an offence for anyone—regardless of the precise nature of their employment status—to sell alcohol to someone under 18. Correspondingly, anyone in a position of authority, whether or not they are the holder of the licence, will commit an offence if they allow someone to make such a sale. In both cases there are appropriate defences. It will be a defence for anyone making a sale to establish that they had no reason to think that the buyer was under 18, and it will be a defence for someone who allows that sale to prove that they exercised due diligence in seeking to establish the age.

Prosecution is important under licensing law not merely because an offender faces the possibility of a fine. By rendering himself or herself liable to prosecution, the licensee puts his or her licence at risk. We want to ensure that we put in place a new mechanism which has the ability to enforce these laws more effectively.

In exchanges with a number of hon. Members, I have said that we have in mind, as part of our review, a graduated range of sanctions—warnings, tough fines, reduced trading hours, temporary closures or suspension of a licence and, of course, revocation of that licence—as possible penalties if someone were to breach licensing laws by selling to children under age. We believe that that would lead to more effective enforcement and would better protect young people. That is our aim, and it is certainly the aim of the Bill.

The off-licence is an important part of our high streets. Most alcohol is bought not for consumption in pubs, clubs and bars but for consumption at home. We intend to ensure that our law in respect of off-licences and supermarkets is brought up to date and modernised.

Several other points were raised during the debate. My hon. Friend the Member for Reading, East (Jane Griffiths), with her expertise on licensing law, said that large retailers should be under the same regime as small businesses. I agree. My hon. Friend the Member for Pudsey said that Thresher, whose employees escaped prosecution owing to the loophole, had a sense of social responsibility, and I was pleased to hear that that large retailer supports the Bill. It is to its credit that although the circumstances that led to the Bill's introduction arose in its shops, it is prepared to support the Bill.

Several issues were raised about the use of information technology. As part of our review and the preparation of our White Paper, we shall examine the issues of sale through information technology. We shall also consider the issues of education and alcohol and seek to ensure that, in the development of that policy, all the points of substance that were raised during the debate are examined in the course of the preparation of our White Paper.

We all accept that the Bill has limitations. Recent data from research sponsored by the Portman Group suggest that children are obtaining a great deal of cheap alcohol from unlicensed individuals who are peddling smuggled alcohol, for example. That is a cynical trade, with little regard for the consequences for the young or for parents. The Government are stepping up their campaign to defeat the bootleggers.

The Bill must be seen as part of a strategy fought on many fronts. Licensing reform, the prosecution of bootleggers, better education in schools about the perils of alcohol misuse, joint action with the industry and tough penalties for those who put children at risk all have a part to play. The importance of the Bill in closing an unacceptable loophole in the law is therefore of considerable importance in the broader context.

The Government therefore give their full support to the Bill and welcome the move to close the loophole that my hon. Friend the Member for Pudsey has so clearly identified.

2.28 pm

Mr. Truswell: I am conscious of the time, so I shall limit my comments to thanking all Members who have contributed to the excellent debate. People outside the Chamber all too often adopt a very sceptical or cynical attitude towards our proceedings. I hope that some of those who have witnessed today's discussion will feel that sometimes Parliament can get it right. I think that we have been a credit to ourselves, and I hope that the consensus that has existed today will ensure that we continue to be a credit to the public.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Sex Discrimination (Amendment) Bill

Order for Second Reading read.

2.29 pm

Mr. Robert Walter (North Dorset): I beg to move, That the Bill be now read a Second time.

I seek to amend the Sex Discrimination Act 1975, passed by the House 25 years ago. It is also useful to reflect that, 24 years ago, the House passed the Race Relations Act 1976, which outlawed discrimination on the ground of race. My Bill seeks to amend—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 5 May.

Remaining Private Members' Bills

NEWSPAPER AND MAGAZINE RECYCLING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

HEALTH AND SAFETY AT WORK (OFFENCES) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

BEST Pensions

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

2.30 pm

Mr. Russell Brown (Dumfries): I am grateful for the opportunity to discuss this issue in the House. I know only too well that several right hon. and hon. Members would have been in the Chamber had it not been for constituency engagements. Many colleagues have apologised to me, and they have wished me well in highlighting the long-running issues surrounding the Bus Employees Superannuation Trust and the National Bus pensions fund.

It is important that I move quickly to the matters on which I seek ministerial guidance and support, but it is necessary to outline how I come to be raising the issue today. In 1986, following the privatisation of the National Bus Company, the two employee pension schemes were wound up and the pensions frozen. The Government agreed to meet any liabilities so long as they could receive any surplus. Under management pressure, the trustees amended the BEST winding-up clause to divert any surplus to the employer—that is the Government—rather than share it among the employees, as had always been the rule.

During 1990, a sum of £168 million was paid to the Department of Transport. At that time, angry pensioners and bus company employees suddenly saw their pension fund being raided. One of them was Mr. Frank Wheeler, who now lives in my constituency. Over time, he decided to take the issue to the pensions ombudsman and eventually, in 1996, the ombudsman determined that there had been

"a breach of good faith and a fraud on a power"

and that a surplus of £200 million should be repaid to the pension trust. Most people would have said that that was a job well done and a victory for decency, but it was not on this occasion.

Solicitors were employed to fight the case and, just as Frank Wheeler was determined to battle for what was rightly the property of bus company pensioners, the solicitors were intent on making his life a complete misery. He was threatened with High Court action and thereby heavy legal costs against him if he persisted with the case.

The issue dragged on for a number of years, and I know that Frank Wheeler would wish me to thank my hon. Friends the Members for Weaver Vale (Mr. Hall) and for Crewe and Nantwich (Mrs. Dunwoody), who were so supportive to him in a trying and lengthy period. It was only natural that, when I was elected, Mr. Wheeler urged me to help him and, to be completely honest, I had to be careful how I handled his case. I knew that there was a great deal of sympathy for it in Government circles and that my right hon. Friend the Deputy Prime Minister was particularly keen to see the injustice rectified. It became clear to me at an early stage that it was important that the issue did not find its way back into the courts, where it might have been lost for months and might have resulted in the loss of significant sums of money because of legal costs.

To everyone's delight, on 30 September 1998, my right hon. Friend the Deputy Prime Minister said:

"Look at what happened when the Tories privatised the National Bus Company. They raided the pension funds and refused to recognise the pensioners' claim to millions of pounds of pension surplus.

The legal wrangles have gone on for years, while thousands of pensioners have had to wait. Tragically, some have died. I can say today, I have instructed our lawyers to stop the legal fancy dancing. I have told them to open discussions with the pension trustees, to achieve a just out-of-court settlement, as quickly as possible in the coming months, and end this shameful delay."

That was more than 16 months ago.

In the middle of June 1999, the Deputy Prime Minister was able to announce that the pension trustees were intending to recommend that the offer of £300 million for the BEST scheme and £55.77 million for the NBPF scheme be accepted. The funds were eventually handed over about six weeks later, at the end of July.

In view of that fair settlement, it was appropriate to press the trustees for payment of Frank Wheeler's out-of-pocket expenses. It has to be borne in mind that Frank is now in his early 70s and has spent 12 or 13 years fighting this injustice. Time that he should have spent enjoying retirement with his wife was spent fighting a battle against bureaucracy and the legal profession. The campaign has taken its toll on Frank's health and he is currently recovering from a stroke that he had towards the end of 1999. I am pleased to be able to say that Frank has, at long last, had his out-of-pocket expenses reimbursed, but that was not without a battle.

There is still, however, the issue of legal costs incurred by Frank Wheeler. Certain costs were recovered, but additional costs arose in the period from mid-August 1998 to early June 1999. The solicitors acting on behalf of the trustees argued that those were unnecessary costs as a result of unnecessary action taken by Frank Wheeler. There is a belief that, without his further action and the pressure that he brought to bear, the settlement may have been only about £200 million, not the £355 million that was eventually agreed.

Some of Frank's time was spent trying to ensure that one legal firm in particular, which had created severe difficulties for him in the past, would not be involved in the latter stages of the settlement.

That preamble brings us to today's position. Almost eight months after the moneys were transferred to the trustees, what have the pensioners received? They have been given two information bulletins, one in July last year and one in December, and no money whatsoever. It is estimated that, as each month passes, the interest accrued on the fund realises just over £1.1 million. The trustees have been working with their legal advisers, Taylor Joynson Garrett, and their administrators, Standard Life Assurance Company, to try to update records. Possible ways of distributing the money have also been under consideration and, as might be expected, there are many different views about what should be done.

Behind all that, however, has been the desire to ensure that pensioners do not find themselves paying large amounts of tax. While the trustees' efforts on taxation have to be applauded, there is a general feeling that they are dragging their heels and that the only people who are getting paid are the solicitors who are providing the legal advice.

[Mr. Russell Brown]

The matter of court proceedings continually raises its head, and there is no doubt that the trustees' legal advisers need to ensure that, if those proceedings must be gone through, they do not take up a lot of valuable time. The pensioners now fall into four categories. There are those who were members of the BEST and those who were members of the National Bus pension fund, but each group is split into those who remained in the pension funds—Standard Life pensioners—and those who transferred out. To represent those four groups, four representative beneficiaries have been appointed, and I am delighted that Frank Wheeler, my constituent, is one of them.

There is, however, a serious worry about how this matter is to be dealt with if there are court proceedings. All four representative beneficiaries have been told that one firm of solicitors will represent them all, but there must surely be a conflict of interest. Standard Life pensioners cannot and should not be dealt with in exactly the same way as the transferees. Conflicts of interest have been a problem with this matter from a very early stage. Also at an early stage, there was genuine concern that any possible success with the case would lead to exorbitant costs and that, therefore, it was appropriate to keep costs as low as possible. That is no longer so, and there is every justification now in seeking the services of a second legal firm to deal with the interests of the transferees, thereby eliminating any allegation of a conflict of interest.

I know that many hon. Members have constituents who are affected by this matter, and I am pleased to be able to say that the trustees have agreed to meet me and some of my hon. Friends. However, I must add that this morning I received a letter from the trustees offering several dates on which to meet—some six weeks away. I am sure that, when I relay that information to my hon. Friends, they will be disappointed about that delay.

From his comments in the House earlier this week in reply to a question from my hon. Friend the Member for Doncaster, Central (Ms Winterton), I know that my hon. Friend the Minister intends to meet the chairman of the trustees in the near future. Perhaps it might be a good idea to include my hon. Friends and me in that meeting.

The trustees' legal advisers issued a statement towards the end of last week saying that they intended to make an interim payment to about 8,000 pensioners within the next six or seven weeks and that the remaining Standard Life pensioners would receive an interim payment around July. A court decision on the transferees has still to be made, but I see no reason why proceedings should not run in tandem with all other activities. Regrettably, the statement also mentions a final distribution in spring 2001.

There is a serious question about how pensioners would wish to receive whatever they are entitled to. Although, as I have previously stated, I understand the trustees' endeavours to ensure that as little money as possible is returned to the Treasury in taxation, it is becoming clear that pensioners want a one-off lump-sum settlement and that there is no great support for an increase in the annual pensions payable. The fact that many pensioners have died during this episode and that many more are very elderly leads me to believe that a one-off payment should not be discounted by the trustees with any great haste. As long as recipients are made aware of the fact that taxation may be an issue, trustees can rest easy knowing that they have informed the pensioners.

As I said, I am delighted to have been able to secure this debate. May I quickly re-emphasise the important points for my hon. Friend the Minister? There is a need for Frank Wheeler's additional legal costs to be paid from the fund. After all, his additional effort put an extra £150 million into the trust fund. Another firm of solicitors needs to be appointed to assist representative beneficiaries, thereby eliminating any conflict of interest. Proper support in terms of travel and accommodation costs needs to be given to the representative beneficiaries who come to London for meetings. They are elderly people and cannot be expected to conduct business and travel up and down to the City in the same day. There is also the important need to make all payments to recipients well before spring 2001.

The pensions ombudsman made a determination and it is right that those who were unjustly dealt with should be given what is rightfully theirs. This is an issue not about pensions, trustees or lawyers, but about people—elderly people. In the words of someone from the legal profession, perhaps City-slicker solicitors should hang their heads in shame.

2.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): The National Bus Company pensions issue has been a matter of concern and contention for a long time. Indeed, it goes back far beyond the lifetime of this Government to how our predecessors handled the privatisation arrangements for the National Bus Company in the mid-1980s.

I congratulate my hon. Friend the Member for Dumfries (Mr. Brown) on his thoughtful and helpful speech, and on raising an issue which I fully understand is of great concern to a large number of former NBC employees. I also congratulate other hon. Members, such as my hon. Friend the Member for Doncaster, Central (Ms Winterton), who have actively pursued the case of the pensioners over the long years through which the matter has been in dispute.

Regardless of their view on the merits of the case, hon. Members will understand that these matters have been complex and difficult to resolve. However, the Government's aim has been to achieve a just and honourable outcome for the many thousands of pensioners affected. We have given a high priority to ensuring a fair settlement for bus pensioners, and that is what we have achieved.

Opening the debate, my hon. Friend the Member for Dumfries outlined the background to the case. I shall not detain the House by describing in detail its long history. Suffice it to say that when the Government took office, legal action was already in process as a result of our predecessors' offer in November 1996 to fund an action by the trustees to pursue recovery of the BEST surplus through the courts. That followed the decision by the pensions ombudsman, to which my hon. Friend referred.

Given that litigation on the much larger BEST scheme was already under way, we extended the offer to cover an action on NBPF—the National Bus pensions fund—the

other National Bus Company pension scheme, thus enabling all the outstanding issues to be covered in a comprehensive settlement.

It took the trustees' lawyers considerable time to prepare their formal detailed arguments on both cases. The final part of the claims was not submitted by them until July 1998. We were strongly advised that negotiations on an out-of-court settlement should not be opened until all the complex legal issues and arguments had been fully considered and brought out into the open.

However, as soon as that stage had been reached, my right hon. Friend the Deputy Prime Minister announced in his speech to the 1998 Labour party conference that he had instructed lawyers to open discussions to achieve a just out-of-court settlement as soon as possible.

Those discussions were successful, and the negotiated settlement that we announced last summer was the culmination of our efforts to achieve a just outcome on the pensioners' behalf. As my hon. Friend reminded the House, that resulted in the Government agreeing to a total settlement of £356 million—moneys that were paid over immediately following the endorsement of the settlement by the High Court at the end of July 1999.

That was a full and final settlement of the long-standing claim regarding the two schemes. I know that there was widespread appreciation that the settlement was achieved, and also of the part played by my right hon. Friend the Deputy Prime Minister in particular in ensuring that the case was taken forward and a just settlement reached.

I should make clear at this point that now that the Government have paid over the funds in question, responsibility for distribution of the settlement rests entirely with the trustees. It is the trustees who have, and must have, the legal responsibility for deciding on and implementing the settlement's distribution to individual pensioners.

I should also say a word about the composition and role of the trustees. They are independent of the Government. They are appointed by the Official Solicitor, who acts not for the Government, but in the interests of those for whom, for example, he is acting as judicial trustee or on whose behalf he is conducting litigation. The trustees are chaired by an independent, expert and widely respected pensions trustee, and they include a former NBC bus driver whose name was put forward by the National Union of Rail, Maritime and Transport Workers.

Mr. Brown: That point is the subject of conflict. The bus employee who sits as a trustee is a deferred pensioner. Pensioners do not believe that their best interests are being looked after by that person.

Mr. Hill: I am grateful to my hon. Friend for that information. Like all the other issues, I shall consider it after the debate and raise it in due course with the trustees.

The trustees take the view, and I understand their reasons, that any final distribution of the settlement must be approved by the courts to ensure that it is recognised as fair and equitable to all categories of potential claimant. That clearly limits the scope for an interim distribution ahead of court approval. It should also be recognised that the trustees face a substantial and significant task in taking forward the necessary arrangements for distributing the benefits to pensioners on an equitable basis. There has been a need to set up a comprehensive database of the 50,000 potential claimants and to establish their entitlements to share in the distribution. Significant issues involving tax liability may apply to specific categories of pensioner. That has required detailed discussions between the Inland Revenue and the trustees.

Having said that, it is a matter of considerable concern to us that there has not been more progress in the distribution of the funds. We have received continuing expressions of anxiety from pensioners about the delays. We have made it clear to the trustees in the strongest terms that we share and understand those anxieties. We have also made clear our concern about the lack of information to pensioners on progress. We recently emphasised to the trustees the need to keep pensioners informed as fully and as frequently as possible. The trustees have responded by issuing the first of what I believe is a series of information bulletins.

The most worrying issue is the delay in getting benefits to pensioners. While we acknowledge that it is clearly the trustees' responsibility to take the matter forward, we have nevertheless discussed with them over recent weeks our growing concern about the delays. We have emphasised the increasing concern that that is causing. Indeed, I spoke to the chairman, Sheila Gleig about our anxiety last week.

My hon. Friend suggested that I should meet the trustees to discuss all those matters. I expect to meet them next week, so I have anticipated his kind suggestion. I shall also bear in mind his suggestion for a joint meeting with interested parliamentary colleagues in future if not at next week's meeting. I shall take the opportunity of the meeting to emphasise our dissatisfaction with the delay and to review with the trustees the scope for taking matters forward at a swifter pace. I shall also raise with them the important points that he made in this debate. I intend to pursue those matters in further regular meetings with the trustees.

However, progress is already being made. I was pleased to tell the House earlier this week that the trustees intend, as my hon. Friend acknowledged, to make initial payments to older pensioners in March and April. Some 8,000 pensioners who were in receipt of pensions before April 1986 will benefit by a total of £18 million in the form of an interim pension enhancement and arrears. Those are the oldest pensioners and, of course, the most in need of early payments. The trustees are also urgently investigating the feasibility of making initial payments to other pensioners as soon as possible. I understand that it is their intention to seek court approval of the distribution of the balance of the settlement by the end of this year which should enable a final distribution early in the new year. I shall certainly examine with the trustees whether it need take that long.

My hon. Friend asked whether there should be a change of solicitors by the trustees. I must make it clear that that must be a matter for the trustees rather than the Government. However, I understand that the trustees are reviewing whether they have sufficient legal resources.

A further sign of progress is that I am informed that papers are shortly to be served by the trustees in respect of interim legal proceedings aimed at determining the eligibility of certain categories of potential beneficiaries.

We must hope that those proceedings, and, indeed, those later in the year to endorse proposals for the final distribution, can be brought to an early and successful

[Mr. Hill]

conclusion. I am sure that all those who have taken an interest in this issue over the years will wish to avoid any unnecessary legal hurdles being placed in the way of the early distribution of what has been widely recognised as the just and full settlement that we made last summer.

Understandably, my hon. Friend spoke about the major role of his constituent, Frank Wheeler over the years. I pay tribute to Mr. Wheeler's contribution and also to those hon. Members who supported him through his dogged endeavours over so many years.

I did not recognise from earlier discussions, of which I have been aware, the issue of additional legal costs that my hon. Friend mentioned. However, I know that Mr. Wheeler has accepted the sum of £20,000 from the trustees in settlement of his claim for compensation for all his efforts and that the trustees understand that there are no outstanding claims from Mr. Wheeler before them. If, indeed, there are further claims I can suggest only that he puts any new information to the trustees. I am sure that they will consider it on its merits.

My Department paid Mr. Wheeler's costs for advice on the negotiated settlement last summer and for representation at the court hearing then to consider approval of that settlement. I am also informed that he has accepted appointment, as my hon. Friend said, as a representative beneficiary in the interim proceedings. The trustees will meet his costs in that regard.

As the House will acknowledge, we are seeing tangible progress and the first benefits will soon reach a significant number of pensioners. The Government will maintain close contact with the trustees to ensure that they do everything possible to minimise the delays for all concerned and that all eligible pensioners can, before too long, enjoy the benefits to which they are entitled. I assure the House that we shall continue to take the closest interest in the trustees' progress in bringing the fruits of the settlement, which we initiated, to those who have had to wait so long for a just outcome to this prolonged dispute.

Question put and agreed to.

Adjourned accordingly at four minutes to Three o'clock.

House of Commons

Monday 14 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Clandestine Immigrants

1. **Mr. Gwyn Prosser** (Dover): How many lorries which contained clandestine immigrants have been stopped by the police in the last six months. [108235]

The Minister of State, Home Office (Mrs. Barbara Roche): The police do not keep records of that information. However, I can tell the House that the records of the immigration and nationality directorate show that 11,500 clandestine illegal entrants to the United Kingdom were identified between July and December 1999.

Mr. Prosser: I am grateful to my hon. Friend. Does she recall visiting the port of Dover last September with me, and the discussions that we had with immigration officers? Is it not right that those dedicated, hard-working, experienced professionals in the port of Dover were all convinced that the single most effective measure that Government could take to deter the racketeers and those who would smuggle clandestines in the back of their lorries was the introduction of civil penalties? Against that background, does she find it extraordinary that the Conservative party is still opposed to that measure?

Mrs. Roche: First, I was very grateful to my hon. Friend for accompanying me when I visited Dover, and immigration officers are very grateful for, and pleased about, the very strong support and commitment that he has shown them as a local Member of Parliament. That makes it all the more astonishing that Conservative Members should have spent their time in the Committee on the Bill that became the Immigration and Asylum Act 1999 filibustering to deny the introduction of that civil penalty. Even now, they continue to oppose it. I would ask the right hon. Member for Maidstone and The Weald (Miss Widdecombe), if she and her colleagues returned to office—if the country were unfortunate enough for that to happen—would she reverse that legislation? What would she do?

Mr. Jonathan Sayeed (Mid-Bedfordshire): What would the Minister's advice be to a haulier who suspects that he has illegal immigrants in the back of his truck? Should he drive to a police station and say, "They are in the back of the truck," or should he try to tackle those people, some of whom might be armed?

Mrs. Roche: This is the refrain that we constantly hear from the right hon. Member for Maidstone and The Weald and her colleagues. [HON. MEMBERS: "Answer."] If they care to be a little patient, I will tell them what the answer is. First, hauliers should check that they have the systems in place to ensure that such a situation does not arise; but then they should check before they drive on to the ferry.

The aim of the civil penalty is to encourage road hauliers to carry out effective checks on their vehicles to prevent the carriage of clandestine entrants to the United Kingdom. Defences are built into the system to protect the honest and careful driver, but may I say to the right hon. Lady, the hon. Member for Mid-Bedfordshire (Mr. Sayeed) and their Opposition colleagues that their mealy mouthed opposition to this important penalty does nothing at all for the hard-pressed people of Kent or the immigration service and just goes to show why it would be so inappropriate for the Conservative party ever to hold office again.

Mr. Robin Corbett (Birmingham, Erdington): Does the Minister share my view that those who pay money to be illegally smuggled into this country should forfeit their right to claim asylum, given that those with a real fear of persecution or who are subject to a real threat to themselves and their families simply have to come to a port of entry and make clear their wish to apply for asylum at that point?

Mrs. Roche: I know of my hon. Friend's great interest in this subject, and of course he is Chairman of the Select Committee on Home Affairs. The Government are determined to do two things; first, to say that of course Britain will always uphold our international obligations; but, secondly, not to put ourselves in a position where those who engage in the absolutely illegal trade of human smuggling receive any encouragement. That is why I say to my hon. Friend that we have increased the penalty for criminal acts in this area from seven to 10 years, why we shall continue, with the immigration service, to take very firm action indeed, and why we say to all those people who are thinking of making unfounded applications, "Do not do it."

Police (North Yorkshire)

2. **Miss Anne McIntosh** (Vale of York): What representations he has received on the proposed standard spending assessment for North Yorkshire police for the next financial year. [108236]

The Minister of State, Home Office (Mr. Charles Clarke): I have received representations on the funding of North Yorkshire police from the hon. Member for Vale of York (Miss McIntosh) and from other Members who represent that area. I replied to the hon. Lady on 25 January. Under proposals approved by the House on 3 February, North Yorkshire police's funding will increase by 2.7 per cent. next year.

Miss McIntosh: Does the Minister agree that he is failing to deliver on the Home Secretary's pledge of more

police on the beat, and that he is failing to deliver the necessary resources in North Yorkshire? Representations that I have received from the police authority and from town and parish councils show that the North Yorkshire police will not have enough to cover the millennium policing and the cost of the police radios, that the increase in funding is below the national average and that the rise in police pension costs will leave a shortfall of 2.5 per cent. That will require an equivalent rise in the reserves as well as an increase on the levy. When will the Government deliver on their pledges?

Mr. Clarke: I do not accept what the hon. Lady says. The facts are as follows. First, in the 12 months to October 1999, crime in North Yorkshire decreased by 0.1 per cent. at a time when crime nationally was increasing. Secondly, the spending capacity of North Yorkshire police in the current year—1999–2000—is an increase of 3.2 per cent. over 1998–99, and that is above the national average of 3.1 per cent. Thirdly, North Yorkshire will receive funding from the crime-fighting fund for 25 police recruits over the next three years, which is a significant improvement for that force.

Mr. John Grogan (Selby): Does my hon. Friend recognise that the standard spending assessment for North Yorkshire police and for other police forces in rural areas would be significantly affected if a sparsity factor were introduced? What are the prospects of such a factor being introduced in future years?

Mr. Clarke: I have received representations on the sparsity factor from a variety of different forces and from my hon. Friend and colleagues on both sides of the House. We are taking that factor fully into consideration. We have published the report. The details and that factor will be part of the considerations in future spending reviews.

General Pinochet

3. **Mr. David Winnick** (Walsall, North): If he will make a statement on his policy in respect of General Pinochet. [108237]

The Secretary of State for the Home Department (Mr. Jack Straw): My policy in deciding the case of Senator Pinochet is to carry out my responsibilities under the Extradition Act 1989 in accordance with the law.

Mr. Winnick: Is my right hon. Friend aware that many of us are pleased that the processes regarding Pinochet are continuing in this country and that he has not been sent back? On the more recent speculation that his health may be worsening, is my right hon. Friend also aware that human rights groups would like to see hard medical evidence about this former criminal dictator, who in my view should certainly face justice?

Mr. Straw: I am certainly aware of the concern that my hon. Friend expresses. On the question of whether the medical report should be published, the House will be aware that the matter has been before a three-judge court of the divisional court, which is due to give its judgment later this week. In those circumstances, it would not be appropriate for me to comment further on the matter.

Mr. John Wilkinson (Ruislip-Northwood): I am glad that the right hon. Gentleman has said that, because the matter is clearly sub judice before the High Court. The case would have been eligible for judicial review had it not initially been a criminal matter. However, could Her Majesty's Government stop playing cat and mouse with the sitting senator who was admitted into this country as a VIP by the Foreign Office and whom the Government of Chile request be returned to the proper legal jurisdiction, which is in that very country?

Mr. Straw: As I have said throughout the many months in which there have been extradition proceedings in respect of Senator Pinochet, in making decisions on the case I have sought to follow the duties that are imposed on me by the Extradition Act 1989. I shall continue to do that.

Mr. Jeremy Corbyn (Islington, North): My right hon. Friend the Home Secretary will be well aware of the article published in *El Pais* some time ago and of the release of correspondence between his office and that of Senator Pinochet. He will also be aware that he has since placed that correspondence in the Library of the House. Could he explain why an official in his Department wrote to a lawyer acting on behalf of General Pinochet to offer him medical confidentiality, which, in effect, has given him a power of veto over subsequent proceedings?

Mr. Straw: The House will understand that the issue that my hon. Friend raises is precisely one of the issues currently before the divisional court. For that reason, I do not think that it would be appropriate for me to comment further until we have a final judgment from the courts.

Mr. Douglas Hogg (Sleaford and North Hykeham): Is it not odd that we should have contemplated the extradition of General Pinochet at the same time as we were creating the circumstances in Northern Ireland for Sinn Fein-IRA Ministers to serve in the Government there? Is not the truth something like this? When a democratic state makes a positive decision to overlook past misdeeds to create a new democratic settlement, other states should respect that decision.

Mr. Straw: I am afraid that I do not accept the parallel that the right hon. and learned Gentleman draws. We are signatories to the European convention on extradition and we are subject to the Extradition Act 1989, which was passed by an Administration of whom the right hon. and learned Gentleman was a member. It is my duty, as the Secretary of State, to follow the responsibilities laid down by that Act.

Private Detectives

4. **Mr. Lawrie Quinn** (Scarborough and Whitby): What plans he has to conduct a review of the work of the private detective industry; and if he will make a statement. [108238]

The Minister of State, Home Office (Mr. Paul Boateng): We have no plans for a review, but we issued a White Paper last year proposing that a new authority be set up to license those who work in private security and to improve standards in the industry. We propose that the scheme should apply to private investigators in due course.

Mr. Quinn: I thank my right hon. Friend for that answer. Will he confirm that the situation in which my constituent Mr. Kelvin Pickup found himself would not occur under the Government's proposals, which I hope they will introduce soon? Private detectives seemed to act as agents provocateurs to try to get Mr. Pickup to conduct certain physical activities that were damaging to his health, because of his forthcoming industrial injuries case. Will my right hon. Friend confirm also that he will closely examine the relationship between private detective agencies and the insurance industry?

Mr. Boateng: My hon. Friend's constituent's case certainly highlights concerns that exist in the industry and stresses the importance of ensuring that the reputable industry is supported by the codes of practice and regulatory mechanisms that we have in mind. We shall certainly bear in mind the importance of ensuring that the industry is well regulated and kept in good order, because it has an important role to fulfil.

Asylum Seekers

5. **Sir Teddy Taylor** (Rochford and Southend, East): If he will make a statement on the numbers of political asylum seekers located in seaside towns. [108239]

The Minister of State, Home Office (Mrs. Barbara Roche): Local authorities are currently responsible for accommodating asylum seekers. Owing to the pressure placed on local authorities in London and the south-east over recent years, a number of asylum seekers have been placed by local authority social services departments in towns and cities around the country. Information is not collected centrally on the numbers of asylum seekers in seaside towns. Once the Home Office takes over responsibility for supporting asylum seekers, such information will be available.

Sir Teddy Taylor: Does the Minister accept that there is a serious problem in seaside towns, partly because of the shortage of accommodation and partly because other local authorities are dumping refugees in those areas? Bearing in mind the problems that this creates for education and housing and for maintaining good community relations, is there any message of hope that I can give to people in Southend? Is the Minister willing to come to Southend or other seaside towns to discuss the position with local authorities?

Is it really the case that many asylum seekers who have no right to remain—six out of seven, it is said—are not deported? Southend and other areas would be helped enormously if there were a clear assurance that the issues are being taken seriously and given priority and that the Government take a close interest in the problems.

Mrs. Roche: I understand the hon. Gentleman's points. I am certainly prepared to visit Southend. I have visited other places facing similar problems. I say with all respect to the hon. Gentleman that the problems arise from the policies of the previous Administration, who placed the whole responsibility for in-country applicants on hard-pressed local authorities. That is why we have introduced interim arrangements, and I hope that the forthcoming new support arrangements will relieve local authorities. The hon. Gentleman will know that we have made great progress on removals, and there has been increase of about 50 per cent. on the figure under the previous Administration.

Mr. Neil Gerrard (Walthamstow): Is my hon. Friend satisfied that the interim scheme that local authorities are being asked to operate is working to relieve the pressure on seaside towns and parts of London and the south-east that have large numbers of asylum seekers? What level of co-operation is being achieved? Are some local authorities causing difficulties by not being prepared to accept asylum seekers? When can we expect to be given the details of places becoming available through the Home Office scheme, which is supposed to come into operation on 1 April?

Mrs. Roche: I can perhaps reassure my hon. Friend. We have had very good contact with local authorities throughout the country, and we are grateful for the support that we have received from local government associations, with whom we are having detailed discussions. We are also engaged in detailed negotiations with accommodation providers, including local authorities and the voluntary and private sectors. Arrangements and discussions continue, and we are very grateful to everybody who has participated so far.

Mr. David Lidington (Aylesbury): Will the Minister confirm that, in a letter to the Public Accounts Committee on 13 October last year, the permanent under-secretary to her Department declared that the Government's aim was

"to clear all current asylum cases by October 2000"?

Does the Minister think that target will be achieved?

Mrs. Roche: I refer the hon. Gentleman to the targets that we set out in the White Paper, which were confirmed, rightly, by the permanent under-secretary. Decision making is increasing the whole time and the period is being reduced. I am grateful for all the efforts that staff have made to accomplish that.

Crime (Metropolitan Police Area)

6. **Mr. Clive Efford** (Eltham): What measures he is taking to improve the success rate in fighting crime in the Metropolitan police area. [108240]

The Secretary of State for the Home Department (Mr. Jack Straw): We have put in place a comprehensive strategy to cut crime, with new powers for the police, investment in new technology such as the DNA database and a streamlining of the criminal justice system. Crime reduction partnerships between police and local authorities are well established and the Metropolitan police are being reorganised on a borough basis.

Today, I have announced challenging crime reduction targets for all police forces. The Metropolitan police's target is to reduce domestic burglary by 10 per cent., vehicle crime by 31 per cent and street crime by 15 per cent. The new Metropolitan Police Commissioner, Sir John Stevens, will play a key role in that strategy.

Mr. Efford: I thank my right hon. Friend for that answer, and in particular for the initiative that he has announced today which sets targets for cutting burglary and vehicle crime, but does he share my concern at the negative effect on the recruitment of new officers of the recent adverse publicity that the Metropolitan police in particular have suffered? As the Member of Parliament for Eltham, perhaps I am better placed to understand that than most. More needs to be done to demonstrate to the public the police's important role and the respect that they have in the eyes of the community, to deal with the adverse effect on recruitment.

Mr. Straw: I am grateful to my hon. Friend for what he says about the development of our strategy, the establishment of the targets and the investment that we have been making in the Metropolitan police, including putting some millions of pounds into various crime reduction programmes under the crime reduction fund and the crime fighting fund. I accept that there is a problem over the recruitment of officers to the Metropolitan police service. I am not certain of the extent to which that goes back to problems that have arisen following the Macpherson report.

This morning, with the Prime Minister, I visited Newham borough and met officers of various ranks from that Metropolitan police service division. We were told that morale was good there and it palpably was, but there is a problem in relation to the relative pay of Metropolitan police officers, which goes back to the implementation in 1993 of the Sheehy report, which has led to increasing disparity between the pay of officers who were recruited to the Met before 1993 and that of those recruited afterwards. We are seeking to address that matter, not least within the police negotiating board.

Mr. Simon Hughes (Southwark, North and Bermondsey): Does the Home Secretary accept that crime reduction, about which he made an announcement this morning, is the responsibility of everyone, not just the police? There should be targets for central Government and local government in London, just as there should be for the Metropolitan police. Can he assure us that the selection of those three categories—car crime, burglary and robbery—will not distort policing priorities. particularly in London and elsewhere, on violent crime, where the figures have been rising hugely? What does he say to chief constables, including the new Commissioner of the Met, who have asked for additional resources, who have had only some of their requests met by last week's announcement, and who will say that, unless they see the numbers going up to the figures they want, the Government cannot expect the crime figures to go down to the targets that they are setting them?

Mr. Straw: On the last point, I want police numbers to start to rise. That is why we will put in the additional funds—£35 million in the next financial year and many millions more in the following two financial years—to ensure that the police are able to recruit an additional 5,000 officers over and above the 12,500 that they say they were planning to recruit in that three-year period in any event. However, those officers will be best used when the police service is working at optimum efficiency.

It is a matter of record that under the previous Administration, the number of officers in the Metropolitan police service was cut by 2,000 between 1992 and 1998; that is the biggest cut that any force has ever had to suffer. None the less, owing to good leadership in the Metropolitan police service, crime was reduced to a significant extent in that period. We have to ensure that the investment is made in the police service, not least in London, so that the police can build on that sort of record.

I accept that the responsibility for getting crime down is not one for the police service alone. We have placed a statutory duty on local authorities to be involved in crime partnerships. As I announced this morning, targets will be set for local authorities as well as for the police service. The targets announced today by my hon. Friend the Minister of State and I were set by the chief of police and they are due to be confirmed by the police authorities in due course.

On the question of the range of crimes, we believe that domestic burglary, vehicle crime and robbery in the main metropolitan areas are among the crimes that cause the greatest concern to the public. Police services that deal effectively with those crimes are likely to be those that are generally the most effective in dealing with other crimes as well.

Mr. Mike Gapes (Ilford, South): Does my right hon. Friend agree that to combat crime most effectively is not merely a question of resources, but one of public attitudes? Does he accept my congratulations on the fact that this year, we shall have a Greater London Authority that will, for the first time ever, ensure the democratic accountability of the police service in London to the people of London?

Mr. Paul Flynn (Newport, West): Ken will make sure of that.

Mr. Straw: I share my hon. Friend's delight—[HON. MEMBERS: "Oh!"]—that is, at the subject of the question, not the sedentary intervention. I support the comments made on the record by my hon. Friend the Member for Ilford, South (Mr. Gapes) about the importance of establishing a Metropolitan Police Authority. My delight is all the more personal in that, 20 years ago, I introduced a private Member's Bill proposing that there should be an elected authority for the Metropolitan police area. I am delighted to have been the Secretary of State who has carried through his own ten-minute Bill.

Mr. Oliver Heald (North-East Hertfordshire): I am sure that the Home Secretary accepts that, during the last Parliament, the number of front-line crime fighters in police forces throughout the country rose by 2,200. Since the last general election, he, as Home Secretary, has cut the Metropolitan police force by 1,100 officers who actually work in London. Is it not a cheek for him to set crime reduction targets for the police without setting

himself a target of restoring police numbers to the level at which they stood when he took office? Instead, he continues to stretch the thin blue line ever thinner.

Mr. Straw: First, I congratulate the hon. Gentleman on his appointment as Opposition Front-Bench spokesman on home affairs. However, may I offer him some friendly—not to say comradely—advice? When he produces such figures, he should remember who set the budgets for the Metropolitan police. The budget for the Metropolitan police service for 1997-98 was set in January 1997, when the Conservative party was in power—that is on the record. If we take account of the fact that the Conservatives set the budget for 1997-98, about which we could do nothing on entering office, we see that, over the six years from 1992 to 1998, there was a 2,060 reduction in the strength of one single police service, namely the Metropolitan police service.

I am concerned about the decline in numbers of police officers which has taken place since 1992 and which has continued under the present Government, but I will take no lectures whatever from the Conservative Opposition, not least because of the dramatic and unacceptable changes in police numbers that they forced on the Metropolitan police when they were in office.

Clandestine Immigrants

7. **Mr. Ben Chapman** (Wirral, South): What penalties are available to ensure road hauliers do not bring illegal immigrants into the United Kingdom. [108241]

The Minister of State, Home Office (Mrs. Barbara Roche): The Immigration and Asylum Act 1999 provides new powers to impose civil penalties on those who bring clandestine entrants into the United Kingdom.

Additionally, penalties of up to 10 years' imprisonment are available on conviction for facilitators of illegal entrants.

Mr. Chapman: Does my hon. Friend agree that whereas it has traditionally been the role of the Conservative party, as evidenced in the House again today, to put the interests of the road hauliers first, it is the job of Labour to put the interests of the British public first? Does my hon. Friend agree, therefore, that it is necessary to see that both the facilitators of the trade and the immigrants are appropriately dealt with?

Mrs. Roche: I am astonished by the attitude of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) and her colleagues. Criminal gangs are facilitating illegal entrants into the United Kingdom, often preying on extremely vulnerable people, yet once again the right hon. Lady and her colleagues refuse to back the Government on an important measure to deal with the problem. They have refused to do so time and again. They say one thing and do another, which is typical of their behaviour.

Sir Sydney Chapman (Chipping Barnet): Does the Minister agree that the problem not of illegal immigration, but of political asylum seekers could at least be alleviated if it were Government policy not to entertain any application from people who come from the seven countries in Europe that are members of the Council of Europe? As the Council of Europe has high standards on democracy, the rule of law and human rights, no one ought to be allowed in from those seven countries, and if there is cause for such a person to be allowed in, that should be a matter for the Government to take up immediately with the relevant country or with the European Court of Human Rights.

Mrs. Roche: The hon. Gentleman makes an interesting and important point. As he knows, the difficulty is that the Government, like the Government whom he supported, are a signatory to the 1951 convention on the rights of refugees. That gives us an obligation to consider applications for asylum on an individual, case-by-case basis. Nevertheless, I shall certainly pursue the hon. Gentleman's point.

Fiona Mactaggart (Slough): Is my hon. Friend aware that in my constituency, Slough, there is a belief among those who support asylum seekers that there is a lorry driver or someone else bringing in people from Romania once a week on a particular day of the week? I suspect that our local experience is not unusual. Will my hon. Friend make sure that when the urgently needed measure is introduced, such local intelligence is used to make sure that we target the organised gangs of lorry drivers who are bringing in people seeking asylum, sometimes as a totally bogus arrangement and sometimes genuinely, but who are in every case being facilitated by that kind of criminal activity?

Mrs. Roche: I am grateful to my hon. Friend, who makes an important point. There is a problem with organised crime being behind the vile trade in the smuggling and trafficking of human beings—men, women and children. My hon. Friend is right to say that we need intelligence-led operations. Those are being implemented, and I am pleased with the professional approach of the immigration service. Once again, however, we are being let down by the right hon. Member for Maidstone and The Weald and the Conservative party, who are soft on that crime.

Asylum Seekers

9. **Mr. Michael Fabricant** (Lichfield): If he will make a statement on the numbers of asylum seekers currently awaiting a decision on their asylum application. [108243]

The Secretary of State for the Home Department (Mr. Jack Straw): The overall backlog of asylum seekers awaiting a decision is currently just over 100,000. Of those on board the hijacked Ariana Airlines aeroplane, 73 have returned to Afghanistan, 13 men have been arrested and charged in connection with the hijack, and 69 passengers have applied for asylum.

Mr. Fabricant: Does the Home Secretary accept that the backlog of unprocessed asylum seekers has doubled under this Government since 1997? Is it not the case that while the Government estimate that 38,000 people can be processed in a year, more than double that number are appealing for asylum? Can the Home Secretary understand the anger and incredulity of people in Lichfield, at a time when both Staffordshire and West

Midlands police are being slashed and when hospitals are under threat, that asylum seekers from Afghanistan are put up in luxury accommodation in the Hilton hotel? Does he understand that that gives the wrong sort of message and leads people to believe that Britain is a soft touch?

Mr. Straw: I think that what the electors of Lichfield will understand is that the hon. Gentleman is soft. They will also understand that the Administration he supported left extraordinary chaos behind them and that, despite the backlog, the time taken to make initial decisions in asylum cases has decreased from 20 months—the length of time they took in April 1997—to 13 months today. We do not plan only to deal with 32,000 asylum applications a year—thanks to the fact that we have returned investment in the immigration and nationality directorate to an upward path following extraordinary Conservative party plans to cut 1,200 staff even though people were waiting 20 months for an asylum decision. Asylum decisions are 250 per cent. higher than they were before the problems last year.

As for the litany of problems that the hon. Member for Lichfield (Mr. Fabricant) alleges have arisen in his area since the election, including in education, the police service and the health service, I feel sure that the incredulity will be directed at him, because he is a member of a party that calls for increased investment in all key public services but votes against such investment and describes it as reckless.

Mr. Bob Russell (Colchester): I accept that hijackers must be dealt with firmly under international law, but does the Home Secretary agree that all asylum seekers must be judged fairly on the evidence, and not in relation to political statements that he or other members of the Government make?

Mr. Straw: I made it clear in my statement last Thursday and in subsequent comments that asylum applications are judged in accordance with the law—the 1951 convention as it has been interpreted by statutes here and decisions of the courts—but I wish also to make it clear that the hijack presents us with a clash of obligations. We have obligations under the 1951 convention; we also have clear obligations under international law, which the British public plainly support, to ensure that we take the strongest possible measures to prevent and deter the international terrorist crime of hijacking.

Mr. Geoffrey Clifton-Brown (Cotswold): The Home Secretary knows that the national fire college at Moreton-in-Marsh is in my constituency. I say in parenthesis that it would have been courteous if someone in Gloucestershire had been informed, before we heard it on the news, that the refugees were coming there. I want to re-emphasise the Home Secretary's comments on "On the Record". We in Gloucestershire hope that the status of the asylum seekers will be determined as quickly as possible, partly for their own good—because the accommodation in Moreton-in-Marsh is spartan and unsuitable for long-term residential use—and partly because the asylum seekers should either be granted asylum, in which case they will receive long-term accommodation in this country, or refused it and immediately sent back to Afghanistan. Will the Home Secretary use whatever influence he has to ensure that the hijackers are brought to justice and dealt with swiftly so that, if they are convicted, they can be sent back to Afghanistan as a deterrent to others?

Mr. Straw: On the first point, I am sorry that the hon. Gentleman and the authorities in Gloucestershire were not informed, but he will understand that decisions had to be made very swiftly. In a perfect world, he would have been informed: we do our best to ensure that people are informed in similar circumstances. If he does not mind my saying so, we are getting a mixed message from the Opposition. The Essex police are criticised for using the allegedly luxurious accommodation in the Hilton hotel, yet the hon. Gentleman seems to believe that accommodation that is perfectly acceptable for trainee firefighters for many weeks is too spartan for asylum seekers.

On the speed with which those decisions will be made, I made it clear in the House on 10 February that my aim is to take them as quickly as possible, although the hon. Gentleman will also understand that there may be other processes thereafter.

On bringing the hijackers to justice, as I told the House a moment ago, I understand that 13 men on board the plane have been charged with offences in respect of the hijacking, but plainly it would not be appropriate for me or any other Member of the House to comment further on those charges.

Miss Ann Widdecombe (Maidstone and The Weald): The right hon. Gentleman informed the House on 10 February:

"In the special circumstances of this hijacking . . . I personally will make the determination of any application for asylum made by persons on board the aircraft."

A sentence later, he said that he

"would wish to see removed from this country all those on the plane as soon as reasonably practicable."

Does he accept that that statement was prejudicial to an independent determination? If so, was it a clanger or a ploy?

Mr. Straw: Again, the Opposition need to sort out their line.

Miss Widdecombe: Answer the question.

Mr. Straw: I am answering it. On Sunday, the right hon. Lady was saying the things that she is saying today; on Friday, she was, unusually, expressing sympathy for me, saying, "This is a horrible decision and not one that I would want to take"—I happen to believe that that view is shared by the country. The right hon. Lady said that she was quoting from the record; in fact, she was quoting only partially. What I said was:

"Subject to compliance with all legal requirements, I would wish to see removed from this country all those on the plane as soon as reasonably practicable."

That is a very different statement from the one that she has attributed to me, and of course it will not prejudice my determination of those claims.

Miss Widdecombe: Can the right hon. Gentleman imagine a circumstance in which a judge would say to

a jury, "Subject to all your deliberations, I expect you to find a guilty verdict"? That is the exact equivalent of what he said.

May we move to another of the right hon. Gentleman's ploys? *[Interruption.]* Another ploy. He said over the weekend that he was interested in searching for third countries that might be willing to accept the asylum seekers on the hijacked plane. How many people who sought asylum in the last full year for which statistics are available have been removed from Britain to a third country, other than safe European countries through which they had passed?

Mr. Straw: I note that the right hon. Lady slid fairly quickly off her first point. She well knows that no Secretary of State is in the same position as a judge and jury—or even magistrates under our Criminal Justice (Mode of Trial) Bill.

On third countries, we are in discussion with a number of such countries as possible destinations for those who have remained in this country. The right hon. Lady asked me about the number of removals to third countries and I shall have to give her details of that in writing. However, I can tell her—and I am delighted to tell my hon. Friends—that the number of people removed from this country following failed asylum applications was 50 per cent. higher last year than during the last year of the Conservative Administration.

Miss Widdecombe: Will the right hon. Gentleman confirm that when he talks about removals being 50 per cent. higher, what he actually means is that he removed 3,000 asylum seekers in the last full year for which statistics are available—compared with the many tens of thousands of refusals of asylum applications? If not, his figures are wrong, and he should apologise, because that is what he said in a parliamentary answer.

May I return to my first question, as the right hon. Gentleman seems unwilling to leave it? Can he name any circumstance in which a Home Secretary, acting in a quasi-judicial role, has announced in advance the outcome that he would prefer? Is he not inviting judicial review? Would it not suit him to sound extremely tough and then find that his decisions were overturned by the courts?

Mr. Straw: I made it quite clear to the House last Thursday—I thought to the general approbation of the House, including the right hon. Lady and her party—that I would consider the asylum applications on their merits, as I always do consider decisions involving a quasi-judicial matter that is before me. What I said remains the case:

"Subject to compliance with all legal requirements, I would wish to see removed from this country all those on the plane as soon as reasonably practicable."—[*Official Report*, 10 February 2000; Vol. 344, c. 418.]

I thought that it was important to place that on the record.

Members of the Conservative Front-Bench team have obviously been taken over by an infection of dodgy figures. I have the figures before me, and they show that the number of asylum applicants, excluding dependants, who were removed in 1999 was 7,650, compared with 4,840 in 1996.

Witness Protection

10. **Mr. Dale Campbell-Savours** (Workington): If he will discuss witness protection arrangements with chief constables. [108244]

The Minister of State, Home Office (Mr. Charles Clarke): We set up an inter-departmental working group in 1997 on vulnerable or intimidated witnesses. Its report "Speaking up for Justice", published in June 1998, made 78 recommendations aimed at improving the way in which vulnerable or intimidated witnesses are treated and providing better access to justice. We have made considerable progress in implementing those recommendations, and Home Office officials regularly meet representatives of the Association of Chief Police Officers as part of the national witness support unit network to ensure that progress is maintained.

Mr. Campbell-Savours: My hon. Friend is aware of my concerns about the judgment in the Oyston case and the handling of the McGrath case in Preston. Will he ask the chief constable of Lancashire why it is that Lancashire constabulary refuses to respond to the complaint made by my colleague Mr. Andrew Rosthorne against a north-west business man, of harassment during inquiries that he has been carrying out into the Oyston and McGrath cases? Can we find out whether the Cellnet records have now been checked?

Mr. Clarke: I shall certainly refer my hon. Friend's comments to the chief constable of Lancashire.

Mr. Edward Leigh (Gainsborough): On the subject of vulnerable witnesses, what arrangements has the Home Office made with the Prime Minister to give political protection to the party's nominee for mayor of London following the successful defenestration of the Prime Minister's nominee as Welsh First Secretary last week—as that London nominee, with increasingly faltering steps, bears witness to the collapse of the new Labour project?

Mr. Clarke: That was a rather contorted political point—possibly following the hon. Gentleman's failure to land any punches in an Adjournment debate on funding in Lincolnshire last week. I do not think that any of the Labour candidates for mayor of London could be described as vulnerable.

Closed Circuit Television

11. **Mr. Bill O'Brien** (Normanton): What criteria he has set for the funding of portable CCTV; and if he will make a statement. [108245]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Under the crime reduction programme, portable closed circuit television systems should be directed at specific crime problems with targets for reductions. They should also integrate well with the local crime reduction strategy and include measures to preserve privacy. The general criteria

that must be met by all bids will be explained in the prospectus for the second round of the CCTV initiative, which is due to be issued shortly.

Mr. Bill O'Brien: I thank my hon. Friend for that response, and I congratulate him on the Government's campaign to reduce crime. However, some areas in my constituency require special attention, as crime is causing fear among many of the people living in those areas. Portable CCTV would be an economical and impressive way of reducing crime and the sources of crime in those areas. I therefore hope that Ministers will give serious consideration to an application that has been submitted for portable CCTV in the West Yorkshire area, which would service my constituency.

Mr. Mike O'Brien: I can assure my hon. Friend that we shall indeed give very serious consideration to all applications for portable CCTV. To date, seven proposals solely for mobile systems have received awards totalling £627,000, and 16 others proposals—to the value of £2.3 million—are being deferred for further consideration of bid details. I very much hope that my hon. Friend's application will be considered as part of that initiative.

Mr. Ian Bruce (South Dorset): When considering both portable CCTV and fixed systems, will the Minister consider very carefully the affordability of those systems to local authorities and to police? We have just been granted CCTV in Dorset, but we are trying to ensure the availability of match funding. Weymouth and Portland borough council—which is a Labour council—has received no additional grant from the Government in the past two years, so it will have to find funding from somewhere. Furthermore, although council tax is being increased by about 10 per cent., our police are being forced to cut back on everything, including uniforms, just so that they can ensure that there are bobbies on the beat. It is most important that we receive match funding.

Mr. O'Brien: I urge the hon. Gentleman—if he is pressing us to spend more money—to ensure that the Conservative party is also advocating the expenditure of more money. Currently, Conservative Members seem to be describing all extra expenditure as reckless. Nevertheless, this Government have the biggest ever investment programme in CCTV, totalling £170 million, to add to the £250 million in the crime reduction programme. In their four years in office, the last Government spent a total of £38 million on CCTV, which is less than a fifth of what we are spending on it. This Government are showing that we are the Government who are tough on fighting crime. The previous Government totally failed in that.

Robbery Statistics

12. **Mr. Tim Loughton** (East Worthing and Shoreham): If he will make a statement on the number of robberies in England and Wales in the year to 30 September 1999. [108246]

The Minister of State, Home Office (Mr. Charles Clarke): The number of robbery offences, in the year to 30 September 1999, is recorded as 74,843. The figure represents about 1.4 per cent. of all recorded crime.

Mr. Loughton: In the past three years, in the relatively incident-free town of Shoreham in the heart of my constituency, not only have several banks been robbed in daylight hours, but one building society has been robbed three times. We seem to have taken more than our fair share of the first increases in robberies and violent crime since 1993. To what does the Minister attribute the increases? Is it anything to do with the facts that we have 1,700 fewer policeman or that 16,000 prisoners have received early release—or does he have another explanation for the surge?

Mr. Clarke: As the hon. Gentleman knows, I know Shoreham because I have relatives there—who, unfortunately, are his constituents. The facts are that, in the Sussex force area, to the year ended September 1999, 911 offences of robbery were recorded, against total recorded crime of 135,000—so the number of robberies as a proportion of all crime in his area was lower than the national average. Generally, I believe that the Sussex force has been extremely effective in fighting robbery and other forms of crime, and that the various initiatives that we are taking, on CCTV and on local government crime and disorder partnerships, are extremely effective in bearing down on that type of crime.

Mr. David Heath (Somerton and Frome): I understand that the Minister intends to have targets for robbery at basic command unit level. Is he concerned that the local resources may not match the targets and, more important, that the targets will distort the deployment of police resources in a constabulary area so that the cities and high-crime areas continue to act as magnets for police resources, denuding the rural areas and areas with low crime?

Mr. Clarke: We intend to have targets for violent crime, not only robbery, in all basic command units over time. We have set out our programmes today. Our targets for vehicle crime, burglary and violent crime are reasonable, and most people will welcome them. They will prioritise certain issues in a way that is necessary. They will also draw resources to where they are most needed to fight such crime. I do not accept the suggestion that that will result in some areas being denuded of resources.

Demonstrations

13. **Mr. Howard Flight** (Arundel and South Downs): What guidance he issues to chief constables with regard to protecting property and persons in neighbourhoods which are subject to regular demonstrations; and if he will make a statement. [108247]

The Minister of State, Home Office (Mr. Charles Clarke): None. The policing of demonstrations is an operational matter for chief officers of police, who are well aware of the need to protect the public and property from harm and who have the necessary powers to do so.

Mr. Flight: I wrote to the Home Office more than three weeks ago about my constituents living adjacent to Shamrock farm. They have had their windows smashed and have at times been barricaded in their houses for three hours as a result of demonstrations which the police admit are aimed at achieving the closing down of the farm. Will the Home Secretary hold discussions with Sussex police to ensure that their measures to protect citizens meet the criteria of the Public Order Act 1986?

Mr. Clarke: The hon. Gentleman wrote to my right hon. Friend the Home Secretary on 24 January about the policing of protests at Shamrock farm, and copied his letter to the chief constable of Sussex police. I am advised that a new dedicated team has been established under a chief inspector as an acknowledgement of the growing seriousness of the situation. The police hope that those protesters who have been targeting the owners and work of Shamrock farm will soon end up before the courts. Those are operational matters for the chief constable, but we are in touch with him on them. I acknowledge the seriousness for the hon. Gentleman's constituents of the events that are taking place at Shamrock farm. I assure him that the new dedicated team that his chief constable has established will focus energy on resolving those issues.

Electoral Reform

14. **Mr. John Bercow** (Buckingham): What representations he has received on the report of the Jenkins Commission on reform of the electoral system. [108248]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): We have received several hundred representations both for and against the proposals made by the Jenkins commission.

Mr. Bercow: I am grateful to the Minister for that reply. Given that our electoral system is used in 62 countries and by no less than 49 per cent. of the world's electors and that there is no evidence of a public demand for change, will the Minister confirm to the House that he will fight, fight and fight again to save the system that works? What better day's work could he do than to slap down Lord Jenkins, the Foreign Secretary and the people whom his boss, the Home Secretary, has described as the "scavengers of British politics"—the Liberal Democrats?

Mr. O'Brien: The straight answer is that setting up the independent commission on the voting system was a way of offering the people of this country an opportunity to vote on a suggested system. It is part of our manifesto commitment, which we intend to honour.

Mr. Peter L. Pike (Burnley): Will my hon. Friend admit that we have seen enough of the failures of the proportional representation system and that the best thing to do with the Jenkins proposals is dump them in the waste bin, where they belong?

Mr. O'Brien: I suspect that there are many who share that view on this side of the House. *[Laughter.]* Perhaps I should say on both sides of the House.

Asylum Seekers

16. **Mr. Ben Bradshaw** (Exeter): If he will make a statement on progress in relieving the pressure on accommodation for asylum seekers in London and the south East. [108250]

The Minister of State, Home Office (Mrs. Barbara Roche): About 1,000 asylum seekers have been dispersed from London and Kent to other areas of England since the start of the interim dispersal scheme on 6 December 1999.

Mr. Bradshaw: Will my hon. Friend do what she can to expose and publicise the apparent double standards of some political parties whose representatives in London and the south-east make loud demands for dispersal while those in other parts of the country not only resist dispersal but use the issue to fan the flames of anti-foreigner feeling?

Mrs. Roche: My hon. Friend is absolutely right, as has been illustrated once again this afternoon. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) says one thing one day and another thing the next. She goes to Kent and says that something must be done to relieve the burden and the pressures there, and then she supports an amendment tabled in the other place that would delay dispersal—which would help the people of Kent—and cost our hard-pressed taxpayers £500 million a year.

Thames Safety Inquiry

3.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): With permission, Madam Speaker, I should like to make a statement about river safety.

The House will recall that a little over 10 years ago, on 20 August 1989, on a fine, warm summer evening, 132 people were enjoying a riverboat party on the Thames. Within minutes, their boat, the Marchioness, would be sunk, struck by a dredger, the Bowbelle; 51 young people would lose their lives and many more would be injured. Many questions about the cause of the collision, the reason why so many died, and the handling of the whole affair following the incident have remained unanswered.

The search for the truth was not helped by the failure of the then Government to institute a full public inquiry. On 18 August last year, I announced a wide-ranging public inquiry into safety on the River Thames and the circumstances surrounding the Marchioness disaster. It was chaired by a senior judge, Lord Justice Clarke. It was an open public inquiry. Its scope was broad and its examination detailed, including written and oral evidence. For the first time, all the relevant documentation was gathered in one place and everyone concerned could make their case.

The inquiry reviewed current safety standards on the river and Lord Justice Clarke's report was published quickly, as I requested, on 2 December 1999. Lord Justice Clarke was also asked to advise

"Whether there is a case for a further investigation or inquiry into the circumstances surrounding the Marchioness disaster and its causes."

His second report, dealing with that issue, is being published today. Copies of both reports are in the Library of the House. I am greatly indebted to Lord Justice Clarke and his team for producing such thorough, well-considered and impressive reports so quickly.

Lord Justice Clarke recognised that the regulation of safety on the Thames is much improved since 1989. This is due in no small part to the efforts of the survivors of the Marchioness tragedy and the relatives of those who died. The Government accept all 44 of Lord Justice Clarke's recommendations; 10 have already been implemented on the Thames, and action is well advanced on implementing the rest.

I have today placed in the Libraries of both Houses an action plan on river safety, explaining how my Department, working with the Maritime and Coastguard Agency and the Port of London Authority, intends to implement the recommendations. These include a consultation on the consumption of alcohol by people in charge of vessels; funding a formal safety assessment on search-and-rescue facilities on the Thames; and funding the provision of experimental life-saving equipment at locations along the Thames.

Although the inquiry's recommendations are confined to the Thames, our approach will be to pursue the recommendations on a UK-wide basis. Safety is as important on other rivers as it is on the Thames, as I am sure the House will agree.

In his second report, Lord Justice Clarke considers the case for a further investigation or inquiry into the circumstances surrounding the Marchioness disaster and its causes. He concludes:

"I have no doubt in my mind that if such a tragedy happened today, there would be a widespread public demand for an inquiry. In my opinion such a demand would be entirely justified."

He goes on to say that the tragedy

"cried out for public scrutiny in order to discover how it was that such a terrible event could occur."

To put matters right, I can announce today that I have ordered a judicial inquiry, under section 268 of the Merchant Shipping Act 1995, into the collision between the Marchioness and the Bowbelle, and the search-and-rescue operations that followed the collision.

The Lord Chancellor has agreed to appoint Lord Justice Clarke to conduct the inquiry, which will have the power to obtain documents, to issue summons for the attendance of witnesses, to take evidence on oath and to order cross-examination. Lord Justice Clarke considers that the scope of the inquiry will be sufficient and that the public interest does not require a further inquiry into the police investigation, the two inquests or the failure to secure criminal convictions. The Government accept his recommendations on those matters.

I recommend right hon. and hon. Members to read Lord Justice Clarke's searching and thorough review. Lord Justice Clarke also addressed the question of the relationship between inquiries, inquests and criminal and civil proceedings. That can be a cause of great frustration and is an issue which concerns me greatly. It can sometimes lead to delays in inquiries, or in the publication of reports. Those problems can extend far beyond transport.

We therefore need to consider Lord Justice Clarke's proposals carefully, across government. The Government will report to Parliament when we are in a position to do so. However, on one issue, I intend to go beyond what he recommends. The bereaved families have expressed forcefully their great distress at the removal of the hands from the victims for fingerprint identification purposes, without advising the next of kin. Lord Justice Clarke looked at that matter in detail but did not recommend that it be covered by the inquiry. However, in consideration of the anguish that that incident caused, I have set up a non-statutory public inquiry into that specific matter under Lord Justice Clarke to run side by side with the judicial inquiry. The full terms of reference will be published today and have been placed in the Library.

On the matter of costs, I shall look favourably on applications made by the relatives of the victims and the survivors for reasonable legal costs to be met from public funds. Such funds need to be used efficiently so that work is not duplicated and the inquiry's timetable is adhered to. Lord Justice Clarke will ultimately decide on the award of costs at the inquiry.

The Marchioness disaster was the last and worst of a series of collisions on the Thames. It raised concerns about boat design, numbers of crew, the readiness of emergency services and the way people were treated after the incident. The Marchioness families and many others over the last 10 years have made representations to this Government and the last Government. The families have felt strongly that no full public inquiry took place and that they had had limited opportunity to express their

concerns. In 1992, I myself condemned the "legal fancy dancing", which caused confusion and stood in the way of a full public inquiry.

The Marchioness families have lived with their grief for 10 years. A new public inquiry cannot bring their loved ones back, but it can, I hope, bring some peace of mind to know that their case can be told and lessons can be learned for the future. Our main purpose is to look to future safety on our rivers. There must never be a repeat of those events of 20 August 1989.

I am sure that the whole House will join me in welcoming Lord Justice Clarke's report and looking forward to this new inquiry, which can at last draw a line under an incident that shook the nation at the time and left a legacy of misery and grief with which the Marchioness families have lived ever since.

Mr. Archie Norman (Tunbridge Wells): First, I thank the Deputy Prime Minister for his statement to the House and for providing me with an advance copy. We join him in his objective of ensuring that everything possible is done to contribute to transport safety in general and safety on our rivers in particular, and to ensure that there is no repetition of that appalling incident. I also join him in expressing sympathy for the families of the 51 victims, as well as the 80 survivors of that appalling disaster.

The Marchioness action group and the families have fought a longstanding campaign on the issue and we pay tribute to their vigour and resolution in pursuing the matter. We recognise, too, that the accident and its aftermath raised several aspects of deep concern. For instance, it is clear that one of the vessels involved, the Bowbelle, had been involved in half of the 18 collisions on the Thames in the previous 20 years, but no steps were taken after the collision to investigate why that was the case. It is reported that the captain of the Bowbelle was under the influence of drink at the time and yet, to date, there are no restrictions on so-called drink-driving on the river.

In the light of the circumstances surrounding the tragedy, in 1995 a coroner's court decided that the 51 people killed had been unlawfully killed, yet no successful prosecution subsequently proved possible.

The Deputy Prime Minister also mentioned the very worrying specific incident of the removal of the hands of 27 victims—a bizarre episode that has caused understandable further distress to the families and to the bereaved. We welcome the right hon. Gentleman's inclusion of this within the scope of the inquiry.

Despite a series of thorough investigations, there has never been an opportunity for all the issues to be aired in public, and for witnesses and relatives to satisfy themselves that no stone has been left unturned in the pursuit of justice and a proper explanation of the background to the incident.

For all those reasons, particularly in the light of the conclusions of Lord Justice Clarke's report, we welcome the public inquiry and hope that it can be conducted thoroughly and expeditiously to resolve finally the remaining questions surrounding the disaster. It is, however, important that the initiation of the inquiry does not give rise to a general lack of public confidence in river transport. This will not be the first time that the disaster has been investigated, although it will be the first time that it has been investigated in a public inquiry. The Deputy Prime Minister has described the various investigations as "fancy dancing". However, the disaster was substantially investigated at the time, albeit not in public forum.

The day after the accident, for instance, the then Secretary of State for Transport, now Lord Parkinson, announced two measures to improve passenger safety, and they came into force on 12 April 1990. In addition, within two weeks of the accident, an interim report by the marine accidents investigation branch published a series of recommendations to improve river safety. However, in April 1990, the Director of Public Prosecutions announced that the master of the Bowbelle was to be prosecuted. This meant that the report of the chief inspector of marine accidents, due at the same time, could not be published as it was sub judice, but the then Secretary of State for Transport accepted all 27 of its recommendations and made sure that they were published at that time.

A further inquiry carried out by John Hayes, Secretary of the Law Society, which made further proposals in July 1992 for improved safety, was implemented and the then Secretary of State for Transport acted upon the conclusions.

In June 1993, the first annual summary of the progress made on the recommendations following the disaster showed that recommendations had been implemented in all 27 cases.

The House will also recognise that the marine accidents investigation branch was set up specifically with the purpose of providing thorough, prompt and definitive investigations of marine accidents, along parallel lines to the air accidents investigation branch. It is important that the public and the Government recognise the good work undertaken by both organisations since that time.

Since the implementation of the MAIB recommendations, the safety record of the River Thames has been encouraging. In a period of more than 10 years, eight incidents have required investigation, of which only one, very unfortunately, involved a fatality. Therefore, although there are exceptional circumstance surrounding this case, and we accept the understandable and proper demand for an inquiry in which all the issues can be publicly aired, it is important to keep in perspective the fact that the river remains a safe place to travel. That was confirmed by the report of Lord Justice Clarke. The issues were, for the most part, thoroughly investigated at the time, and although that is no reason for complacency, the recommendations published were acted on properly and comprehensively when they were made.

In conclusion, may I ask the Deputy Prime Minister to clarify various aspects of his statement? First, will he take this opportunity to express in full his confidence in the MAIB, its structure and its operations, and to confirm that the decision to instigate a public inquiry in no way reflects poorly on its standard of work and professionalism?

Secondly, how soon will the inquiry begin, and how long does he expect it to take?

Thirdly, will he elaborate on his own serious point about Lord Justice Clarke's recommendations on the relationship between inquiries, inquests, and criminal and civil proceedings? In his statement, the Deputy Prime Minister said that the Government will report to Parliament on that matter when they are in a position to do so. How long will it take them to form their conclusions?

[Mr. Archie Norman]

Fourthly, why does he feel that further consultation is needed on consumption of alcohol by people in charge of vessels when there is a strong suspicion that that was a determining factor in the Marchioness disaster? The case for introducing legislation on that matter is, on the face of it, clear.

Finally, given that the Deputy Prime Minister promised in 1991 that the

"next Labour Government will grant a public enquiry immediately"

on the Marchioness, why has it taken the Deputy Prime Minister nearly three years to deliver on that commitment?

Hon. Members: Shame. Outrageous.

Mr. Prescott: The hon. Gentleman's last comment was, indeed, completely outrageous. I have tried to approach this matter impartially, and I thought that he was right in what he said about safety and in welcoming our inquiry and our investigation into the removal of hands from the bodies for identification. The hon. Gentleman's tone on those matters was absolutely right, and I was grateful for his support.

The hon. Gentleman asked for reassurance that confidence in river safety would not be undermined. That is one of the reasons why I ordered the first part of the inquiry to be into river safety. Indeed, that report was produced in only a few weeks because I was concerned about the increase in river traffic, particularly with the millennium celebrations. Lord Justice Clarke produced an excellent report, and there has been considerable improvement in safety on the river since 1989, partly because of the Hayes report, as the hon. Gentleman said.

The hon. Gentleman is new to his job, and he will find out that the Hayes report was not about the sinking of the Marchioness, but about river safety. Hayes was unable to investigate the Marchioness, and one of the greatest problems with that matter was that relatives were ruled out of giving evidence in various forums, including inquests and public and private inquiries, which caused great dissatisfaction. Many conclusions were not properly drawn, and a lot of the evidence was not even given.

I said in 1991 that I believed that there should be a public inquiry. If we had been elected, I would have hoped to implement that promise, but that was not to be. I said what I said in 1991, but it is a bit much of the hon. Gentleman to suggest that it has taken us so long to implement an inquiry that, frankly, should have been carried out immediately. He would do himself a favour by reading Lord Justice Clarke's report. Lord Justice Clarke found it confusing that the Government at the time did not set up an inquiry; he did not understand that. The reason given was that the investigation had been referred to the MAIB. Frankly, the MAIB did not do that job properly and did not conduct a full investigation, which is why we are setting up an inquiry.

When the hon. Gentleman reads Lord Justice Clarke's report, he will find that one of the gravest limitations of the previous inquiry was that it could not take public evidence. It was believed at the time that such inquiries could adopt the same procedures as those used in aircraft investigations, but that did not work out well. It has taken us 10 years to clear up the mess.

I am proud to announce that an inquiry will take place. The procedures that I have adopted are correct. First, I asked the Clarke inquiry to investigate the safety of the river. Secondly, Lord Justice Clarke was asked to look into the circumstances surrounding the loss of the Marchioness. His report is detailed and thorough, and I advise the hon. Gentleman to read it before he reaches any conclusions. The investigation process has taken time, but such a thorough approach should have been taken by the previous Administration, who could have prevented a lot of damage and grief among relatives who felt that their concerns were not properly addressed.

We are consulting on alcohol, as is proper. There are differences of opinion, and the Port of London Authority feels that it does not have enough powers in certain circumstances to enforce fines. Several bodies are involved, and it is right that we should consult, as Lord Justice Clarke points out.

As for confidence in the MAIB, I am the Secretary of State at the Department concerned with that body, and I work closely with it. The MAIB has done better since the Marchioness inquiry, and is striving to do better still. However, it would not have been sufficient to order a private inquiry, instead of a public one, into the circumstances relating to the loss of 51 lives on the Thames. It would not be fair to judge the MAIB against that background. It has a job to do—to improve safety; it will continue to do that job and I shall give it the necessary support.

In relation to the conflicts over the various bodies and courts involved, currently there is much controversy about corporate manslaughter—corporate killing as it is now called. The Law Commission has reported on those difficulties and the delays that might result. My right hon. Friend the Home Secretary is preparing a consultation document, which will be released shortly. We shall then be able to correct that aspect of the law.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my right hon. Friend aware that no one who lost someone on that night will ever accept that justice has been done, and has been seen to be done, until their real worries and fears are explored in public and on the record? My right hon. Friend's announcement today will begin a healing process that is long overdue. We hope that, even now, the evidence will show clear examples of the need to improve river safety—perhaps through co-ordination between the emergency services. The whole House, and anyone who was involved, will know that my right hon. Friend's announcement is a long overdue and deeply needed response to the real misery and unhappiness of the families concerned.

Mr. Prescott: I thank my hon. Friend for her support and for the work of the Transport Sub-Committee, which she chairs—especially the Committee's work on safety. I reassure her that, of the 44 recommendations made by Lord Justice Clarke in his first report, 10 have already been implemented; the rest are to be implemented through an action plan that I have deposited in the Library. Furthermore, over the next two or three years, the Maritime and Coastguard Agency will undergo an audit covering the same matters. We shall report to my hon. Friend's Committee and to the House; people will then be able to make a judgment.

I have no doubt that we have the right priorities; we are improving safety. Indeed, since 1989, safety has already improved. I want to improve it even more, especially on the Thames—although, as I said earlier, we are talking about safety not only on the Thames but on all the rivers in the United Kingdom.

Mr. Don Foster (Bath): Bearing it in mind that publication of today's report will reinforce the memories of that dreadful incident in 1989, may I reiterate, from the Liberal Democrat Benches, our sympathy to the friends and families of the 51 people who died?

I unreservedly congratulate the Secretary of State not only on having established the initial Thames safety inquiry, but on honouring today his commitment to set up a judicial inquiry. I reject—at least on the part of the Liberal Democrats—the implication of the shadow Secretary of State, the hon. Member for Tunbridge Wells (Mr. Norman), that the Secretary of State has, in some way, taken the deaths of 51 people out of perspective. We do not believe that he has done so.

Mr. Norman: I did not say that.

Mr. Foster: The implication was clearly there.

I welcome the action plan that the Secretary of State announced. Will he confirm that the various measures will apply to estuaries as well as inland waterways?

Although I welcome the action that the Government are now taking, as a result of Lord Justice Clarke's concern about the relationship between inquiries, inquests and criminal and civil proceedings, does the Secretary of State agree that the matter has been on the Home Secretary's desk since he took office? In the light of the Law Commission report, will the Secretary of State initiate discussions between all the political parties to try to find an urgent solution to the problem?

Mr. Prescott: I thank the hon. Gentleman for his kind words of support and, especially, for the remarks he made about the relatives of those who died in such terrible circumstances. I also welcome his support for the establishment of the inquiry. It is not the only such inquiry that I have dealt with—the Derbyshire and the Gaul inquiries were also about enabling relatives to find out what happened when those vessels were lost.

The relatives have been experiencing grief for a long time. If the House can make things better for them by instituting an inquiry for the first time—as in the case of the Marchioness—or by reopening earlier inquiries in relation to the Derbyshire and the Gaul, those are important steps that will help people find some peace and will help to reconcile them to the circumstances surrounding the loss of their loved ones.

We are concerned about safety on estuaries and inland waterways. I have asked the Department to study the matter to see how we might cover it in our transport safety review, which is in its final stages. Safety is important, whether on estuaries, inland waterways or rivers. Many vessels ply those waters for pleasure and commercial reasons. We shall deal with that, and I shall write to the hon. Gentleman about that in our next stages.

I did raise the issue of inquiries with the hon. Gentleman. I have always been an advocate of that method of dealing with this matter. I am pleased that it was mentioned in the Labour party election manifesto at the most recent general election. We did receive a report from the Law Commission; my right hon. Friend the Home Secretary is studying that. We are now in the final stages of preparing the draft copy before it goes out for consultation. I hope that we shall then get justice in this area, which has created such a great feeling of injustice.

Joan Ruddock (Lewisham, Deptford): My right hon. Friend will recall that I was the shadow Minister for Transport in London at the time of this tragic event, and that the contact that I had with the families at that time was one of the most difficult things with which I have ever had to deal. I therefore thank him very much indeed for a personal promise kept. When he said that there would be a public inquiry, we put our faith in him, not knowing just how long it would take, but none the less waiting for this day.

I thank my right hon. Friend further on behalf of all our constituents in London, because on the night of that event and in its aftermath, every family dreaded the idea of any family member taking a pleasure trip on the Thames. For those reasons, I thank my right hon. Friend and urge him to continue with the work that he is undertaking to ensure that we are all safe on our great river at any time.

Mr. Prescott: I thank my hon. Friend for her words. We had to deal with this matter ourselves when we were in the same Front-Bench team on transport, and we felt very strongly about that promise. No one could feel less so, having met the relatives. The fact that we are now delivering on that promise is something that I am especially pleased about—more important, so are the relatives. My hon. Friend played quite a part in ensuring that that came about, and I am grateful for her support.

Mr. Gerald Howarth (Aldershot): May I invite the Deputy Prime Minister to join me in congratulating the efforts of the Marchioness action group, led by my constituent, Margaret Lockwood-Croft, on the tremendous resilience that they have shown and on their indefatigable determination to ensure that a full public inquiry was brought about? Although there have been various other inquiries, I believe that the only way to resolve the matter finally was to use the mechanism of a full judicial inquiry.

However, will the right hon. Gentleman accept that many changes made under the Conservative Government have led to a safer river, as my hon. Friend the Member for Tunbridge Wells (Mr. Norman) made absolutely clear in his remarks?

Can the right hon. Gentleman tell the country why, uniquely, those who are in charge of vessels on our waterways are not subject to the same laws relating to alcohol as those who are in charge of every other form of transport? The country will be slightly concerned to know that the Government are not going to act more swiftly on the matter.

Mr. Prescott: I am finding some difficulty—the question starts pleasantly and ends with a sting. May I just say thank you very much for the remarks that were made about the relatives? There are a number of action groups. I met them before I came here to say that we would be making a statement today, and I believe that

[Mr. Prescott]

they are watching this event on the parliamentary channel. I believe that we would all want to say that we are well aware of the dedication and patience that those groups have shown in attempting to obtain an inquiry into the Marchioness disaster.

Although I readily agree—indeed, I said it in the statement—that improvements in Thames safety have flowed from a number of these inquiries, the reality is that the relatives knew, as the hon. Gentleman will know, that they wanted a full public inquiry. Every year they have asked for it, and every year they have been denied it. I am delighted to have announced such an inquiry.

The hon. Gentleman is right to say that alcohol is not treated in the same way on river as it is on land, but that has been pointed out in several reports, published over many years, on which the previous Administration did nothing. I immediately set in hand a consultation process to see how we could correct that anomaly. We published a consultation document. It does not only concern people who are in charge of a vessel; youngsters can buy liquor on these vessels because the laws on ships differ from those on land. We are now trying to correct that difference, and consultation has been going on. I hope to see a conclusion to that. I do not believe that we can be criticised for acting in the first two years of a Government on problems that were known for 20 years, and on which the previous Administration did nothing.

Mr. Chris Pond (Gravesham): My right hon. Friend is right to consider the announcement of the inquiry a matter of pride and to say that all the families and the Marchioness groups should receive a tribute for their determination and courage in ensuring not only that what happened on that fateful night more than 10 years ago is properly investigated, but that such events do not happen again. The fact that the Thames and other rivers are safer now and that we can encourage greater use of them is also partly attributable to their actions.

The House will very much welcome the action plan on safety. However, given Lord Justice Clarke's comments, is there an issue about the role of the Port of London Authority, which has a major control centre in my constituency? We all know that the PLA places the highest priority on issues of river safety and that it is giving them greater priority. However, is there not a conflict of interest, in that the authority has to obtain much of its income from charging river users and, at the same time, to police those users to ensure river safety?

Mr. Prescott: I thank my hon. Friend for his remarks and words of support and very much endorse what he said about the role of the relatives. I also thank him for giving evidence to Lord Justice Clarke. Along with other Members, he gave evidence on the improvement of Thames safety.

My hon. Friend asked about the role of the PLA and about a possible conflict of interest. The PLA is responsible for navigation on the river and my Department is responsible for the administration of that. Lord Justice Clarke took account of my hon. Friend's remarks and has dealt with that point in his final report. He did not find the conflict of interest that my hon. Friend is concerned about, but I suggest that my hon. Friend reads the report to see what is said about it. There is a difficulty of duplication and Lord Justice Clarke raised the issue of democratic accountability on the river. Consideration of the Greater London Authority Act 1999 raised the question of whether greater responsibility could be handed to the new authority for London. At present, direct responsibility is with my Department, but I ask my hon. Friend to consider what Lord Justice Clarke's report says about the specific issue of a conflict of interest.

Mr. Simon Hughes (Southwark, North and Bermondsey): First, I join others in thanking the Secretary of State for his commitment and consistency on the issue, his private office for its work and Lord Justice Clarke and his officials. The right hon. Gentleman's commitment has ensured that we have arrived at this day and I thank him on behalf of not just the relatives and survivors whom we both know, but my constituents and Londoners as a whole, who have waited far too long for this day. The right hon. Gentleman's determination to have an inquiry is in marked contrast to the approach of Baroness Thatcher and her transport Ministers, who did not deliver one.

The right hon. Gentleman will receive all-party support if, with his colleagues in the Home Office, he is minded to introduce legislation to deal with alcohol regulation on vessels before the end of the Parliament or in the next parliamentary Session. Such legislation is urgently needed.

I hope that the right hon. Gentleman will be able to join me and others in finding a way to honour those who helped in the rescue. I single out those who were on the Hurlingham and who risked their lives to save lives on that terrible night 10 years ago last August.

Finally and slightly more controversially, I follow the hon. Member for Gravesham (Mr. Pond). When the Secretary of State considers the recommendation on who should have responsibility for search and rescue, will he take account of the strong case for making that body publicly accountable? Can we not at least have an open debate about that and ensure that, in future, we do not have the secrecy surrounding such issues that, I am afraid, has been the way of officials and, indeed, the wish of some officials? We must put that behind us in legislation and in practice in the future.

Mr. Prescott: I thank the hon. Gentleman for his words of support and for acknowledging the role played by the relatives. I thank him also for his encouragement, because this has not been an easy time. There are people who felt strongly that we should not have a public inquiry and who had genuine doubts. I have arrived at my judgment, and I am grateful for the support that I received from the hon. Gentleman and others in the House. It is always difficult when relatives feel for a long time that they have not had justice, and people do not always get what they want.

I should have said before that the Home Office intends to produce in March a White Paper on licensing matters, which will deal with the differences between licensing laws onshore and on the water.

Great courage was shown by many people on that evening, particularly by those on the other boat, the Hurlingham, in providing assistance in those difficult circumstances. One of the rewarding factors of reviewing such matters, after the heat of the moment, is realising

that there are many people who are prepared to do a great deal to help others in such circumstances, whether in a train accident or a boat accident. We should acknowledge the emergency services, whose members play a wonderful part in dealing with those difficulties.

Search-and-rescue matters have been considered and are in the action plan. We shall consider the important issues that the hon. Gentleman raised of democratic accountability and openness, which were missing in this case and caused such grievance, and decide whether they should be dealt with by London's new elected authority. We shall be able to find a satisfactory solution. In the meantime, responsibilities lie with me, and I can delegate them.

Mr. John Cryer (Hornchurch): I welcome my right hon. Friend's statement. I was not a Member of the House when the tragedy occurred, 11 years ago, but I represent a Thameside constituency and many of my constituents work on the Thames and use it daily. My right hon. Friend will be aware that many craft are plying the Thames with no qualified personnel whatever. Will he assure the House that the inquiry will consider that issue?

Mr. Prescott: I thank my hon. Friend for his support. If he looks at the action plan, he will find that the earlier report on the safety of the river dealt with that point and made a number of recommendations for the various bodies involved in qualifications, including not only the Department but the PLA, which has responsibility for navigation. Some recommendations have therefore been made, but the inquiry will consider performance and other factors that contributed to the loss of the Marchioness.

Mr. Patrick McLoughlin (West Derbyshire): As one who was the Parliamentary Under-Secretary of State on the fateful evening of the accident, I realise that the right hon. Gentleman will have had many difficult meetings with the relatives. I, too, had meetings with relatives, along with Secretaries of State for Transport, Lord Parkinson and Malcolm Rifkind.

One reason why it was decided not to hold a public inquiry was that the marine accidents investigation branch had been set up. It is worth noting that the air accidents investigation branch has long been accepted as an authoritative body, and there has not been a public inquiry into an air accident since 1976, although there have been serious incidents involving great loss of life. Is it the Secretary of State's wish that the MAIB should be held in the same regard and respect as the AAIB, and that he would therefore look to the MAIB to carry out future inquiries?

Is the Secretary of State considering the problems that arise when a public inquiry takes place immediately after an accident, when necessary legal proceedings may also be in the melting pot? That was certainly one of the great impediments to faster progress in this matter.

Mr. Prescott: I am aware of the hon. Gentleman's involvement in the matter. There were difficult decisions to make at the time. I was involved in transport matters on the Opposition Benches at the time and I know that there was a hope that the MAIB, the maritime body, could get the same reputation as the aviation body. Unfortunately, the Marchioness was the MAIB's first case and it could hold hearings only in private. Fifty-two people had died. A public inquiry was ordered right away into the loss of the Herald of Free Enterprise. Is it simply the number of deaths that decides whether a public inquiry, or an inquiry by the maritime body, is held? Those are difficult questions. That is why we are looking at the various inquiries and trying to find a consistent approach.

I hope that the MAIB will get the same reputation as the aviation body and develop in such a way that people can have confidence in it to carry out such inquiries, but people want public, open examination. Lord Justice Clarke is absolutely right. It is part of the proposal. If we do it in private, it will be extremely difficult. All the MAIB does is take evidence from people and make a judgment; it is like a court of experts, if you like, that gives its opinion. That is not the proper way in which to do it. In a matter as serious as the Marchioness accident, a mistake was made.

I understand that the number of court cases that was pursued by the Crown Prosecution Service made such action much more difficult. I was critical of that at the time, because it complicates the matter. When a long time passes, people say, "You cannot hold an inquiry now because it is so long after the event." I am doing it 10 years after the event. I think that it is right because the circumstances surrounding whatever investigations took place denied the relatives the opportunity to put their case. That is what made it more difficult.

In the meantime, we have to build on the safety bodies that we have, ensure that they can do a good job, and get proper terms of reference, so that we can decide how inquiries take place. After all, relatives who are watching the debate will have said to themselves after the Paddington rail crash, "A public inquiry has been automatically announced. Why has one not been announced for us?" They will have been right to ask that question. I am answering it today.

Miss Anne McIntosh (Vale of York): I thank the Deputy Prime Minister for his statement and for the opportunity to demonstrate to the bereaved that our thoughts continue to be with them. I think that we are all mindful of the fact that, with the dome, there is probably more boat traffic on that stretch than hitherto.

May I make a plea that accidents on any river be treated in the same way as accidents at sea? The Deputy Prime Minister mentioned the Herald of Free Enterprise. When that disaster and the Estonia disaster happened, boat design was looked at for a simple reason: to try to keep boats afloat for as long as possible, should a similar disaster occur. I wonder whether the Deputy Prime Minister has had any thoughts on that.

May I make another plea? Rather than concentrating, as I know the Government are under great pressure to do, on the amount of alcohol in the blood of drivers on roads, will he please make some limitation on alcohol on boats on any river a higher priority?

Mr. Prescott: I thank the hon. Member for her remarks of support. She is right that we are not just concerned with the Thames. I know that she is readily informed on matters of the Ouse and the York and vessels that ply them. It is important to do that. That is why we have made it clear that not only the Thames but all rivers will be looked at. It is important for us to take the opportunity to do so.

[Mr. Prescott]

Looking at the design of vessels is important. The Opposition spokesman, the hon. Member for Tunbridge Wells (Mr. Norman), mentioned that the Bowbelle had been involved in about 50 per cent. of such incidents. It was also clear that all those incidents involved vessels that had restricted visibility—namely, the launches that the Bowbelle collided with in one form or another. All investigations showed that there was restricted visibility. It is tragic that, over 20 years, nothing was done about restricted visibility, which contributed to the Marchioness disaster. What happened with the Marchioness has happened a few times over the 20 years, and reports were made under those circumstances. Frankly, nothing was done. It is an important issue and we shall look at it.

With regard to the alcohol issue, we hope that our White Paper will bring together shore and sea. We are looking at the other circumstances surrounding alcohol use by crew members. The matter is raised in some of the recommendations that have already been made and that are under consultation. No doubt the issue will be visited again by the inquiry.

Points of Order

4.14 pm

Sir Brian Mawhinney (North-West Cambridgeshire): On a point of order, Madam Speaker. Because of the significance of the Deputy Prime Minister's statement, I slipped out after he had made it, only to be told by the Library that it does not have copies of Lord Justice Clarke's report. I am not accusing the Deputy Prime Minister of deliberately misleading the House, but would you undertake, on behalf of Members on both sides of the House, to look at the arrangements for the delivery of such documents either to the Vote Office or to the Library when statements are made, so that Ministers do not mislead the House and Members have a chance to read the documents?

Madam Speaker: As the right hon. Gentleman says, no Minister or Secretary of State has misled the House today. However, in recent times, there have been examples of Ministers saying, in all good faith, that a document is available, only for hon. Members to find that that document is not available.

I hope that all Departments of State will heed my comments today and see to it that those who are responsible for serving Ministers do their job. They must see to it that the documents that should be available are made available, and that the Minister is properly supported. It is rather disappointing to me that, of late, that has not been the case.

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Further to that point of order, Madam Speaker. I apologise if any discourtesy has been done to the House. I made my statement in good faith, and you can be sure that I shall ask why my instruction was not carried out.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Madam Speaker. I seek your guidance on the subject of General Pinochet and what is or is not sub judice as far as the House is concerned.

You will recall that when, during oral questions this afternoon, I questioned the Home Secretary about a letter that his Department had sent to Pinochet's lawyers on 5 November, he said that he was unable to answer because it now formed part of the legal proceedings; however, he made a statement to the House that was derived from the exchange of letters at that time. Given that he made that statement, I should have thought that the Home Secretary must answer hon. Members' questions on the matter. I realise that there is a court case in which a decision is expected imminently. Then, will we be able to question the Home Secretary on the details of that correspondence?

Madam Speaker: As the hon. Gentleman knows, if he goes to the Table Office and attempts to table a question, he will be given guidance. I am concerned to ensure that hon. Members are able to ask questions about that issue in respect of the medical evidence and the policy of the Secretary of State. However, I am also concerned to protect our proceedings in respect of the sub judice rule.

Mr. John Wilkinson (Ruislip-Northwood): Further to that point of order, Madam Speaker. May I point out that "Erskine May", page 383, makes it clear that there should not be

"reference to such matters if it appears that there is a real and substantial danger of prejudice to the proceedings"?

The proceedings in the matter we are discussing are continuing: the three High Court judges have deferred judgment until tomorrow or Wednesday. Germane to their deliberations is the question of whether or not the Home Secretary was correct to withhold the findings of the panel of medical specialists whom he appointed. Notwithstanding your letter to me of 10 February about early-day motion 340, in the name of the hon. Member for Islington, North (Mr. Corbyn), will you ensure that, on the matter of questions, the staff of the Table Office are extremely careful to make quite certain that no prejudice is caused to proceedings currently in train?

Madam Speaker: The staff of the Table Office are, of course, rightly cautious, but I know that they are very helpful to hon. Members when approached on the tabling of questions. I know, too, that the Home Secretary is concerned about the sub judice rule and about the role he plays in the House. Today, he was certainly in perfect order when answering the questions put to him on that matter.

BILL PRESENTED

ANALYSIS OF COSTS AND BENEFITS (NAFTA MEMBERSHIP)

Mr. Michael Fabricant presented a Bill to establish a Parliamentary Commission to investigate and report to Parliament on the potential costs and benefits of membership by the United Kingdom of the North American Free Trade Agreement: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 67].

Orders of the Day

Political Parties, Elections and Referendums Bill

[1ST ALLOTTED DAY]

(Clauses 1 to 18 and 95 to 120, Schedules 1, 2 and 11 to 14, and New Clauses and New Schedules relating to Parts I and VII)

Considered in Committee.

[SIR ALAN HASELHURST *in the Chair*]

4.19 pm

Ordered,

That the order in which proceedings in Committee of the whole House on the Political Parties, Elections and Referendums Bill are to be taken shall be: Clause 1, Schedule 1, Clause 2, Schedule 2, Clauses 3 to 18, new Clauses and new Schedules relating to Part I, clauses 95 to 103, Schedule 11, Clause 104, Schedule 12, Clauses 105 to 111, Schedule 13, Clause 112, Schedule 14, Clauses 113 to 120, new Clauses and new Schedules relating to Part VII.—*[Mr. Mike O'Brien.]*

Clause 1

ESTABLISHMENT OF THE ELECTORAL COMMISSION

Question proposed, That the clause stand part of the Bill.

Mr. Robert Walter (North Dorset): I hope that in our deliberations in the Committee of the whole House, the spirit of co-operation that existed in Committee upstairs will persist. As I stated on a number of occasions in that Committee and on Second Reading, the Bill is based on the Neill report, the spirit of which is strongly supported by the Opposition.

Clearly, if we support the Neill report, we must support the basic tenet of clause 1, which is the establishment of the Electoral Commission. However, we have a number of concerns with regard to clause 1, on which we seek reassurance from the Minister.

Recommendation 77 in the Neill report states:

"The Commission should consist of five part-time members".

However, the clause states that there should be at least five and up to nine commissioners. Therein lies a deviation on the part of the Government from the Neill report.

At paragraph 11.27, Neill reports:

"It was suggested to us in evidence that the Election Commission should, among other things, assume the responsibilities of the present Boundary Commissions. This proposal falls outside our terms of reference, and we have neither taken evidence bearing on the point nor considered it in detail. We would only offer the thought that the existing system for the revision of parliamentary boundaries seems to work reasonably well and that to transfer it to the Election Commission might seriously overload that body, whose responsibilities, it seems to us, will be onerous enough as it is. We are not inclined to recommend change."

Why have the Government felt it necessary to deviate from Neill's inclination not to recommend change?

The second and more probing question concerns timing. The establishment of the commission seems to be a relatively straightforward procedure. However, a letter sent

[Mr. Robert Walter]

by the Home Office constitutional and community policy directorate on 17 January to the nominating officers of all registered political parties states in paragraph 6:

"Subject to when Royal Assent is given to the Bill, we aim to have the Electoral Commissioners appointed and Electoral Commission functioning by November 2000. As soon as possible thereafter (and we are tentatively looking at December 2000)—

that is key—

"it is proposed to bring Part II into force so that the transitional arrangements set out in clause 30 can come into play. There will then be a six-week period during which existing registered parties will need to notify the Commission of the name of their registered treasurer and deposit a scheme setting out their financial structure. Following this six-week transitional period (ie. in February or March 2001) the accounting requirements and the controls on donations and on campaign expenditure, set out in Parts III to V, will then come into force."

The next paragraph is telling. It states:

"This is a demanding timetable, not only for the Home Office in establishing the Electoral Commission but also for all registered parties, who will need to prepare themselves for these significant changes to the way they operate."

The Electoral Commission, which clause 1 sets up, will be responsible only a few weeks after its establishment for taking over the register of political parties. I have a copy of the register, which shows that there are approximately 100 political parties in this country. Many of them have fanciful names, ranging from the Alternative Labour List and the Caring party to small groups such as the Hull Independent Labour Group, well-known names such as the Official Monster Raving Loony party, and a couple that appealed to me: the Tax-Avoid for the Self-Employed party and the Walked-Over-Women party.

Those 100 registered political parties are to be made aware of the Bill's provisions—the commission will have to make them aware—in a short period so that by March 2001 all the procedures will be completed and the scheme will be up and running. What are the timetable's implications for a possible election in spring 2001? I hope that the Minister will give us some guidance on that.

May is popular with incumbent Prime Ministers. If an election were to take place in May 2001, the commission would have to implement quickly the Bill's provisions not only for a register of political parties, but for their expenditure, donations to them and the specific rules that apply in an election campaign, which are different from the rules that normally apply.

The commission will be new and fresh and the political parties will be new to the regulations. The major political parties will probably have their systems in place and therefore be reasonably comfortable. However, I fear that chaos might reign among some of the smaller political parties. Some of them are represented in the House, and they may find the timetable onerous. I seek the Minister's guidance about the practicability of implementing clause 1.

Mr. Eric Forth (Bromley and Chislehurst): This is an exciting moment for those of us who are new to the Bill and have been unable to participate in the proceedings hitherto. The debate gives us an opportunity to turn our attention—in, I hope, a focused way—to the Bill's comprehensive and complex provisions. I am pleased about that, and about the fact that the selection list gives us ample opportunity to probe, examine and analyse the Bill.

Clause 1 gives us an opportunity to put our discussion in context. On first reading the clause, I thought that it was relatively straightforward. It is a standard clause, which we have come to expect in the sort of measure that we are considering; especially its provision for the commission to consist of electoral commissioners, who should number

"not less than five, but not more than nine".

However, I began to worry about that when I read on—as I hope you, Sir Alan, agree one has to in this context—to the commission's general functions and the proposed number of members.

4.30 pm

Very much in my mind was the thought that to discharge its functions adequately the commission may have to appoint sub-committees of its members to give proper attention to the various responsibilities given to it by the Bill. I ranged quickly over the general functions, such as preparing and publishing a report after each election and referendum. It must also

"keep under review, and from time to time submit reports to the Secretary of State on . . . such matters"—

that is a very general remit—

"relating to elections . . . such matters relating to referendums . . . the redistribution of seats at parliamentary elections".

That in itself is an enormous responsibility, but as we know, the block transfer of the boundary commissions' responsibilities to the new commission will take place later and we find that it is to be consulted on changes to electoral law.

There is another catch-all responsibility in clause 8:

"The Commission may, at the request of any relevant body, provide the body with advice and assistance as respects any matter in which the Commission have skill and experience",

which, of course, we assume will be very wide indeed. However, I shall not go into detail at this stage. This is simply a broad review.

Mr. David Maclean (Penrith and The Border): Before my right hon. Friend completes his general introduction to clause stand part—

Mr. Forth: And to my remarks.

Mr. Maclean: Indeed. Before my right hon. Friend completes his introductory remarks, I remind him that he has not mentioned the fact that the Bill applies to the whole United Kingdom. The nine commissioners—at most—will have to deal with four separate legislative systems as the Government continue their policy of disintegrating the United Kingdom. How can nine commissioners possibly deal with the Northern Ireland legislative system, Scotland, the Welsh Assembly and what remains of the United Kingdom Parliament?

Mr. Forth: I am grateful to my right hon. Friend, because he has reinforced the difficulty in which I find myself on being asked whether the clause should stand part of the Bill. In normal circumstances, I confess, I would argue for the membership to be at the lower end of the numbers so as to establish a compact body capable of making good decisions, but quickly. On this occasion, my worry is the reverse, and I wonder whether nine is sufficient.

My right hon. Friend is absolutely right to draw the Committee's attention to the fact that the commission would face a bewildering array of electoral arrangements—not only our traditional and excellent first-past-the-post system, but a number of different proportional systems will have to be considered; and what may seem, on the face of it, to be the routine responsibility in clause 4(1) to

"prepare and publish . . . a report on the administration of the election or referendum",

which would appear to be a standard process in normal historical circumstances, will take on an altogether new character. The different systems of proportional representation in the different parts of the United Kingdom are in their early stages and it is possible—I think it is a certainty—that the reports that we would expect from the commission on those matters would have to be much more detailed and much more considered than might otherwise be the case.

I hope that the Committee and the Government do not accept that we have had the last word on whether the proportional systems that have been introduced up and down the United Kingdom are the final versions. The commission may recommend that we return to the first-past-the-post system, and I hope that it will. Even in that seductively simple provision in clause 4 we already see that the commission might have an extremely complex and demanding series of responsibilities, and clause 5 refers to the

"redistribution of seats at parliamentary elections".

We are beginning to see the real possibility of the "not more than nine" electoral commissioners having to cover an awful lot of ground. To do so, they may have to constitute themselves into a series of working committees or sub-committees—hon. Members may call them what they will.

At that point the question arises whether nine commissioners could remotely be sufficient. One could have in one's mind's eye a sub-committee of even three or four members setting out to fulfil the responsibilities put on the commission under any of the clauses that I have mentioned—clause 4, clause 5, which has a number of different requirements, the consultations under clause 6, or the giving of advice under clause 8. Some matters will be continuous, whereas others will be ad hoc and refer to specific events.

Mr. Andrew Stunell (Hazel Grove): The right hon. Gentleman has gone through a number of clauses. Has he directed his attention to clause 13, which enables the electoral commissioners to appoint deputy electoral commissioners?

Mr. Forth: Indeed, I had cast my eye over clause 13. The hon. Gentleman may think that he is solving the problem that I have set out, except that it says in clause 13(3):

"The functions of a Deputy Electoral Commissioner are limited to serving as a member of any Boundary Committee to which he is appointed."

I do not think that the deputy electoral commissioners will solve the problem. I concede that they will solve part of the problem. They may take the burden of the responsibilities of the hitherto boundary commission—now boundary committee—but that still leaves all the others. I accept that the hon. Gentleman intervened in a spirit of helpfulness, but he has solved only a small part of the problem.

We have this peculiar mix of a continuity of responsibility, purpose and process, and the specifics that will arise from each election and referendum, to which the commission will have to turn its attention.

At this early stage in the proceedings of the Committee on the Floor of the House, I am beginning to wonder how much thought has been given to this matter. I cannot judge that in detail at this early stage—although the opportunity will arise over the following hours to do so. One has to merely glance at clause 1 and out come tumbling all these questions about whether this proposal has any chance of working properly. As it is fundamental to our constitutional and electoral provisions, surely the Government should have given it more thought than they obviously have done.

The Minister may think that nine commissioners will be able adequately to discharge the responsibilities that the Bill gives them, but I shall take an awful lot of persuading. The Minister will have time to do his persuading at the end of this part of the debate, but he will have to be pretty good to convince me that nine electoral commissioners can do justice to the enormous responsibilities that will be laid on the commission under clause 1 and the following clauses in this part of the Bill.

I confess that a Bill which I hoped would have general agreement and would be relatively straightforward seems already to be in trouble on clause 1. The Committee has its work cut out to examine these provisions properly and to come to proper conclusions. I say that as a preliminary observation, Sir Alan. You would not want me to go further at this stage. We shall mercifully be able to examine many of these matters in detail.

I am uneasy about this process. I am not satisfied that the Government have given this legislation proper consideration. I am grateful to my right hon. and hon. Friends whose amendments have been selected, because that will enable us to scrutinise this matter thoroughly. It may be that the Bill should not be rushed on to the statute book in its present state, because if it were, the Committee and the House might be making a serious mistake. I hope that we shall do our job properly and seriously and with due diligence.

Mr. Stunell: In view of the remarks that have been made, I just wanted to put on record the view of the Liberal Democrats that the Bill is overdue, and that the material it contains is broadly and properly in line with the Neill committee recommendations.

The first reading of clause 1 by the right hon. Member for Bromley and Chislehurst (Mr. Forth) was more accurate and to the point than his subsequent divertisements on the subject. We should consider the principle that is being established. It commands the support of the Liberal Democrats: we should have an unfettered and independent body that is undertaking careful supervision of one of the most fundamental and precious aspects of our democratic system. The general shape of the Bill and the particular shape of this clause should be supported.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Clause 1 gives effect to the Neill committee's recommendation that an Electoral Commission be established. Indeed, establishment of an independent Electoral Commission

[Mr. Mike O'Brien]

lies at the Bill's heart. Creation of a commission will represent an important step in the modernisation of our constitution, and in ensuring public confidence in the integrity of our electoral arrangements.

Many commentators have argued or supported the case for the establishment of a single body with a remit to oversee the United Kingdom's electoral machinery. The Government share the view of those commentators that there is a clear need for a body with a broad role to play in the conduct of elections and of referendums. The role should extend beyond policing the income and expenditure of political parties, to the broader matters of electoral law, increasing voter participation and defining electoral boundaries. The authority of that body should be grounded in its neutrality and independence from both political parties and the Government of the day.

Subsections (1), (2) and (3) provide for the establishment of an Electoral Commission which will consist of between five and nine electoral commissioners. The Neill committee recommended that the commission should consist of five members. The intention was that the five commissioners should be appointed in the first instance, but that a further four should be appointed when the functions of the various boundary commissions transfer to the Electoral Commission.

Subsection (4) specifies that the electoral commissioners may be appointed by Her Majesty. The appointment procedure is described in more detail in clause 3. However, the key point is that the commissioners will not be appointed directly by a Minister.

The Neill committee recommended that the commissioners should be part-time appointments. However, the Bill does not specify whether the commissioners should serve on a part or full-time basis. Until the body is fully established, it is perhaps difficult to be certain about how far the commissioners' work load will merit part or full-time appointments. That point is perhaps partly related to the point made by the right hon. Member for Bromley and Chislehurst (Mr. Forth).

The Government would expect initially to appoint a full-time chairman, but the four other commissioners on a part-time basis. However, it seems unnecessary for the Bill to make explicit provision on the point. Some flexibility in meeting future arrangements would seem to be desirable.

The hon. Member for North Dorset (Mr. Walter) asked various questions. On the boundary commission, we said in the White Paper that the first priority was to put in place controls on donations and campaign expenditure. Accordingly, the commission would not take on the boundary functions until 2002 at the earliest, and perhaps not until 2005, after the fifth general review of parliamentary boundaries has been completed. As the hon. Gentleman said, the Neill committee did not examine the matter in any great detail. We see considerable advantage in bringing all electoral matters under one roof. Various efficiency gains would also be realised if the functions of the parliamentary and local government boundary commissions were merged in one body.

In its comments on the draft Bill, the Neill committee did not raise any objections to vesting the boundary functions in the commission. Indeed, on Second Reading, the right hon. Member for South Norfolk (Mr. MacGregor), who is a member of the Neill committee, welcomed the proposals.

Mr. Walter: Earlier, I quoted the Neill report, which referred to the boundary commission. The report said that to transfer that work

"to the Election Commission might seriously overload that body, whose responsibilities, it seems to us, will be onerous enough as it is. We are not inclined to recommend change."

Mr. O'Brien: The Neill committee took an initial view, and we expressed to it our view that there would be advantage in bringing the work under one roof. As I understand it, the committee broadly accepts the approach that we proposed. Therefore, while the committee may have taken the view that such change would not be helpful, we have described to it the way in which we are proposing to go forward, and it has made no objection to that. We would not want to bring in the boundary commission recommendations immediately, but in the longer term there will be advantages. This is the proper body to bring all the matters together.

4.45 pm

The hon. Gentleman also talked about the commission starting in November 2000 and the clause 30 provisions coming into play. He rightly said that the timetable was demanding, but the public demand that political parties get our act together. They are fed up with a flexibility in party funding arrangements that amounts almost to a public scandal. They want the issue sorted out. Many of us want to address the public concern about what the media have called sleaze in politics. There is a lack of proper controls and of systematic ways of dealing with party funding. Passing the Bill would address much of that public concern. That is why we want to ensure that we do so as soon as reasonably possible.

I do not resile from the views that Home Office officials have expressed about the timetable being demanding, but it is not unrealistic. We can achieve it. The hon. Member for North Dorset fears that chaos may reign among smaller parties. No party is immune from public concern. Some of the smaller political parties may not yet have been the focus of the keen eye of the media or public concern, but without systematic regulation they could have problems if they receive more careful attention.

We need to ensure that the public concern is addressed as soon as possible. That is part of the process of restoring public confidence and trust in our constitutional and parliamentary system. It is an important task of the Bill. We can debate the details, but there can be no doubt about the urgency of responding to public concerns. I appreciate that the hon. Gentleman is asking whether we are able to meet the timetable. We have looked at the issue with great care and have been assured by those who will be carrying out the task that it is possible to get the administrative systems in place. We are going to proceed step by step, trying to ensure that the important areas of public concern are addressed first, then moving on to more administrative—although still important—issues such as parliamentary boundaries. We can create the structures that will enable us to deliver.

The right hon. Member for Bromley and Chislehurst believes that we need more commissioners and perhaps a body that can provide lots of working parties. I know that he is interested in who gets the commissioner roles. He clearly wants to create lots of opportunities for people to apply for such jobs. Neill did not see the commission as a job-creation scheme for long-winded politicians. I am sure that the right hon. Gentleman would not have any interest in that. He can be assured that the Neill committee looked at the matter with a great deal of care and wisdom. When we put the wisdom of the right hon. Gentleman against that of the Neill committee in the divine balance, I expect it to come down on the side of the Neill committee.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Schedule 1

THE ELECTORAL COMMISSION

Mr. Mike O'Brien: I beg to move amendment No. 6, in page 94, line 9, at end insert—

'Powers

1A. The Commission may do anything (except borrow money) which is calculated to facilitate, or is incidental or conducive to, the carrying out of any of their functions.'.

As a body corporate, the Electoral Commission will be able to do anything that is incidental to the carrying out of its functions. That principle has been established by case law dating back to 1880. The issue is not in serious doubt, but we think it sensible to have a clear statement of the position in the Bill. New paragraph 1A has numerous precedents in other legislation establishing bodies corporate.

Sir George Young (North-West Hampshire): I want to press the Minister a little further. The amendment is extremely wide and might have brought a smile to the lips of King Henry VIII. It gives the commission virtual carte blanche. I note that the Treasury, which never sleeps, managed to get "except borrow money" inserted into the amendment before it was published.

What will the amendment provide that the commission cannot do under the Bill as drafted? Clause 8 allows it to do certain things but only "at the request of"; clause 3 allows it to do other things "with the agreement of"; clause 5 bans it from doing certain other things; clause 11 adds further parameters; and then along comes the amendment and makes much of the rest of the Bill wholly redundant by allowing it to do virtually anything to facilitate the carrying out of its functions. If such broad provision is required, can it be restricted in some way so as not to conflict with the parameters laid down elsewhere in the Bill?

Mr. Maclean: I am concerned about the amendment for several reasons, the first of which is its location in the Bill. It is my experience that when such a body is set up, its functions and powers are described in various clauses and then there is a general subsection saying something like, "Notwithstanding any of the above, the Commission can exercise any other powers, duties or functions that are incidental to its purpose", but here we have a free-standing Henry VIII power stuck in a schedule.

The schedule says:

"The Commission shall not be regarded—

(a) as the servant or agent of the Crown, or

(b) as enjoying any status, immunity or privilege of the Crown."

It continues:

"The property of the Commission shall not be regarded as property of, or property held on behalf of the Crown."

Why should that be followed by such a broad power as the amendment will bestow? It is rather scary that the Government are taking such a power in a mere schedule.

There could have been better places to put such a power. Clauses 4 and 5 describe the commission's functions, and clause 7 lists

"Powers exercisable only on Commission recommendation."

Other parts of the Bill also describe the commission's proposed powers and functions. It might have been more appropriate to attach a general catch-all.

At the risk of being rude, I hope that the Minister's explanation will be slightly better than his previous one. It will be not satisfactory for him to say, "The Neill committee said one thing, but the right hon. Member for Bromley and Chislehurst (Mr. Forth) said another, and I prefer the opinion of Lord Neill." It is this Chamber that is making the legislation and I hope that the Minister will take seriously the views of all right hon. and hon. Members and not depend on someone else for his judgment.

The placing of the amendment is odd, wrong and somewhat sinister, but I also find its terms unacceptable. The Minister will doubtless have some precedent before him—unless his officials have gone downhill radically in the past three years, and I doubt that—showing that the Home Office put through some legislation between 1993 and 1997 that contained a clause roughly similar to the amendment. At the time, I may have advanced impeccable arguments to support the case that the inclusion of general powers such as those contained in amendment No. 6, was appropriate—in the appropriate place, of course—in certain legislation. However, I find the phrase

"which is calculated to facilitate"

very worrying.

I am certain that I must have put through legislation that allowed an organisation to do anything that was incidental to, or conducive to, the carrying out of its functions, but the amendment contains that new phrase. Neither my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) nor I would have tolerated a word such as "facilitate" in legislation, and indeed the phrase would make the powers of the commission much wider.

While I can see that certain items might be incidental or conducive to the carrying out of the commission's functions, who will judge whether they are "calculated to facilitate"? If the commissioners came to an irrational decision—about something which they thought was calculated to facilitate their functions—their irrationality would not mean that they would fail a judicial review, provided they could argue that the decision was "calculated to facilitate", no matter how illogical, irrational or off the wall it might have been.

What is the precedent for the phrase? It is the widest such phraseology that I have seen in legislation and will give an already wide-ranging power an even wider range.

[Mr. Maclean]

Will its insertion make it much more difficult for people to win a judicial review against the commissioners, because they could say that something was "calculated to facilitate" even though 99 people out of 100 might disagree? The commissioners' calculation may have been silly, wrong, naive or foolish, but they could still claim that it was "calculated to facilitate". When was the phrase last used and what is the justification for its use? Although I am concerned about the location of the amendment, I would be happy to accept it if the phrase were removed.

Sir Michael Spicer (West Worcestershire): Like my right hon. Friends the Members for North-West Hampshire (Sir G. Young) and for Penrith and The Border (Mr. Maclean), I am mystified by the amendment. It would give unlimited powers to the commission to carry out the functions as specified in the Bill, but it begs as many questions as it answers. The more one considers the functions and powers of the commission as defined in the Bill, the more of a dog's breakfast it seems.

5 pm

Are the powers of the commission purely advisory, as defined in clause 5, so that while the Home Secretary must listen to its advice, he need take no particular account of it? The clause lists the factors that the commission must keep under review, but under clause 7, for example, the powers are more executive in nature. That gives rise to the question: what is the nature of the commission's powers?

The Bill is extremely muddled about functions and the commission's powers. The best that one can say is that it is permissive. Is the commission to have any part in the wording of a referendum? Is it to have any part in saying how far the Government may become involved, and at what point their involvement should cease, during the run-up to a referendum? Is there to be minimum threshold voting, for example, and, if so, is the commission to be involved in that? The Bill is completely silent on those vital matters, yet the amendment, which purports to be clear, begs more questions than it resolves. I hope that the Minister can explain the purpose of the amendment, other than just to draw our attention to these matters, and tell us what the commission's functions will be. The Bill refers to functions—it is up to the Minister to be much clearer as to what they will be.

Mr. Forth: The debate is in danger of getting off to a bad start. The Minister must not presume the good will of the Committee; he must not simply stand up and say, "There are precedents for this, so it is all right." Precedent, of course, plays a powerful and important part in our constitutional and judicial arrangements. However, simply to say that something has been done before, so the Committee must accept it, is not proper treatment of the Committee.

If I may give the Minister a bit of friendly advice, he might find that proceedings would go more quickly if he did the Committee the honour of giving a proper explanation up-front. That might even make a debate otiose sometimes. Who knows? The hon. Gentleman might like to give it a try. If he gave the Committee a full explanation up-front of one or two of the following groups of amendments, he might find that matters progress that little bit more quickly. I am trying to be helpful to him, and I am sure that he will, as ever, give the matter some thought.

Nor should the Minister imagine—and I am trying to be helpful here as well—that it is good enough simply to say to the Committee that as someone called Neill says that this should be the case, it must be accepted. This is the legislative process—this Committee and this House of Commons. Of course, we are entitled—some might say obliged—to take advice from many different sources. However, simply to say that an outside body has said something and that the Committee effectively has no choice but to accept it is not a compelling argument. We must consider what someone called Neill said, but that is all we need do. If the Committee believes that what Neill said is not correct, it must feel free to reject that view—as the Minister seems to do from time to time, when it suits him. So let us not have any of this business about something being pre-ordained, so that the Committee need only skip through this formally and accept it. We surely will have none of that.

My right hon. and hon. Friends have identified the difficulty in amendment No. 6. My worries are not simply theirs, although I share them, as I share the amusement of my right hon. Friend the Member for North-West Hampshire (Sir G. Young), who noted that the commission can do everything except borrow money. That raises some interesting questions about funding, to which we may have to return in a future debate, possible on the schedule as a whole. We must satisfy ourselves that funding is available to the commission so that it can fully discharge its responsibilities—wide and varied though they are—but not by borrowing money, which is what the amendment says. We already have a clue about the Government's attitude, albeit via the Treasury, to the way in which the provision will work.

The amendment includes the words "may do anything", the type of very wide provision that always sets our nerves a-tingling. Another of the amendment's intriguing phrases is "calculated to facilitate". Calculated by whom? The amendment does not tell us. It may imply that the commission will make the calculation, but it is not impossible that it could be made by the Secretary of State, or by the commission collegiately, or by the chairman, or by individual commissioners. We are not told who will make the important calculation about whether "anything" will "facilitate, or" be

"incidental or conducive to, the carrying out of any of their functions."

The provision is somewhat circular: the more one considers it, the less one understands it, except that it is a catch-all with no limits. We may feel that if the body is to discharge its responsibilities properly, it must be totally untrammelled. That is what the amendment proposes. However, we should do that only with our eyes wide open. We are becoming involved in the very nature of the political process, political parties, electoral provisions and so forth. It is a large step, therefore, to say that the body to which we are giving wide responsibilities should have no limit to its remit, powers and scope.

Some hon. Members may feel that it would be wiser to draw some boundaries around what the commission can do, at least in its early stages. The Government's approach to these matters worries me because they offer none of

the pilot studies of which we, in the previous Administration, used to be fond. *[Interruption.]* Some people may find that approach amusing, but the more I dealt with such schemes, the fonder I grew of them. They enabled one to experiment, analyse and assess matters before determining whether they had worked out as one had hoped that they would.

The Government often seem to plunge wholeheartedly and experimentally into our electoral and political arrangements without providing any escape clause or any means by which they can be hauled back, except through further primary legislation. Here we go again. We are faced with an entirely new, powerful and influential body, but instead of exercising caution, we are heading for the other extreme. Not only will we trust it totally as we take a leap in the dark, but we will allow it to do anything that it deems fit to allow it to meet the wide responsibilities that we are giving it. I wonder whether that is wise.

I hope that the Minister will take my helpful advice. On this occasion, he will have to offer an explanation at the end of our short debate—*[Interruption.]* It is a short debate; by some of our standards, it has hardly begun. We have suggested enough concern and anxiety—

Mr. Richard Shepherd (Aldridge-Brownhills): I have something more to say.

Mr. Forth: I speak only for myself; my hon. Friend need not fear that I seek to curtail debate; he should know me better than that. We are merely clearing our throats at this stage.

However, so that we can avoid Divisions and suchlike—surely we want to avoid them at this stage, although they may come later—I hope that the Minister may feel it necessary to give us a full explanation rather than the trite and patronising remarks that he made earlier. I have expressed my anxieties, and my hon. Friend is about to express his. I hope that the Minister will satisfy us so that we may make modest progress.

Mr. Shepherd: I am grateful to my right hon. and hon. Friends who have spoken so far in the debate, because the amendment is curious. On Second Reading, we discussed the powers and duties of the commissioner. However, between Second Reading and Committee, the Government had a rethink and decided that perhaps the commissioners did not have enough powers to discharge their functions. The Government decided to insert an amendment.

I shall come to the words of the amendment later, but, as my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) pointed out, it has not been inserted in the most obvious place. One would have expected to find it in the early clauses. Perhaps this is the paranoia of opposition, but why insert such a wide and sweeping power—one that almost rolls up all the other powers of the commission—at the end of the first paragraph of schedule 1?

As my right hon. Friend correctly pointed out, that paragraph deals with the status of the commission—its relationship to the Crown, its immunity and the question of property. Why do the Government want to include something about powers in that paragraph? It seems an odd place to insert such profound and important powers, especially because, on Second Reading, we discussed a Bill that excluded them.

As my right hon. Friends the Members for Penrith and The Border and for Bromley and Chislehurst (Mr. Forth) have pointed out, the amendment states:

"The Commission may do anything (except borrow money) which is calculated to facilitate".

Our attention has been drawn to that point. I should have been grateful to the Minister if he had begun by explaining why that phrase was deemed appropriate. Is "intended" the word that is meant? Do the Government mean that the commission may do anything—except borrow money—that is "intended to facilitate"? Do we need such a qualifying verb? Should the provision read

"which facilitates the carrying out of any of its functions"?

I am being cautious, because I know that such matters are often important in legal terms—for the purposes of judicial review or any other means by which we tackle what we judge to be an unfair decision of the commissioners. However, my right hon. and hon. Friends have opened up that line of questioning, so I have no doubt that the Minister will address those points.

After 20 years as a Member of this place, I am nervous about conferring on the Government or on any body set up under the authority of Parliament, the powers implied by words such as "incidental or conducive to". I have no idea what the Minister understands by such concepts in the context of the measure.

The powers of the commission are made formidable by the amendment. It is wrongly placed and not easy to understand—at least on first reading, although I understand the word "conducive"; it means "to be helpful to". Why is the amendment to be inserted in this part of the measure? What is the meaning of the words

"which is calculated to facilitate"?

Although the words look simple, what is the meaning of

"is incidental or conducive to"?

Why was it necessary—in the short time between Second Reading and the Committee—to introduce such a new and formidable provision?

Mr. Mike O'Brien: There is nothing frightening, sinister or formidable about this minor—even mundane—little amendment. The incidental powers that it will confer will be powers to enter into contracts; for example, to provide research facilities for the commission or to obtain services, such as secretarial back-up when its secretaries are ill. It is fairly mundane stuff. The provision will enable the commission to dispose of property, perhaps to buy new office space.

What is important is that the provision does not extend any of the commission's functions. They are circumscribed by the other clauses. The powers conferred by the amendment are limited to the carrying out of the commission's functions as set out in the Bill. It does not extend the commission's functions any further. Therefore, when I describe the amendment as mundane, I really mean that.

5.15 pm

The right hon. Member for Penrith and The Border (Mr. Maclean) asked where the amendment came from and whether I had been given any precedents for such wording. I quote directly from an Act that he voted for and supported, from which we took the wording. It is a

[Mr. Mike O'Brien]

provision relating to the Local Government Commission in the Local Government Act 1992. Paragraph 4(1) of schedule 2 of that Act says:

"Without prejudice to any powers exercisable apart from this paragraph, the Commission shall have power to do anything (whether or not involving the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the carrying out of any of its functions."

We thought that that essentially meant that the commission shall have the power to do anything which is calculated to facilitate, or is conducive or incidental to, the carrying out of any of its functions, and we used that as a precedent.

Sir George Young: I appreciate that the Minister is trying to be helpful, but did that precedent have something that specifically excluded the extension of the powers to other matters?

Mr. O'Brien: It is the case that the words

"Without prejudice to any powers exercisable apart from this paragraph"

appear at the start of that paragraph, but—and I am conscious that those who may have to interpret the legislation will read the debate—it is not argued that the amendment will extend any functional role of the commission at all.

The right hon. Member for Penrith and The Border asked whether the amendment was really necessary, whether it was required to extend what the commission could do anyway, and what it extended that to. The answer is that, no, the amendment is not necessary, in the sense that case law dating back to 1880 makes it clear that a public authority such as the Electoral Commission would in any event have the facility to do anything incidental to its functions.

We considered whether we could be certain how the wording in the amendment would be interpreted and decided to make the provision explicit. When the Local Government Commission—in many ways a very good model—was set up, such explicit provision was included in the legislation.

The amendment is fairly minor. The hon. Member for Aldridge-Brownhills (Mr. Shepherd) asked why the provision was to be incorporated in the schedule. My answer is that, essentially, it is fairly minor and does not deserve a prominent place in an early part of the Bill. It is entirely incidental to the broader powers.

The principles in case law were established way back in 1880, so there is little more that I can say about the amendment. We are merely trying to help those who may, in due course, have to run the commission, by letting them know that they have powers to enter into contracts and to sell and buy buildings, and that they need not go running to the Home Office or another Government Department to do so. The amendment just makes it clear in the schedule that the commission has those incidental powers. It does not extend the functions of the commission in any way. It is no Henry VIII clause, or anything like it. I hope that hon. Members will be reassured by the fact that the record of the debate will be read by those who, in due course, have to interpret the words of the provision.

Mr. Maclean: I welcome the tone that the Minister has adopted in his response. I appreciate that he can quote precedents for the use of such wording, but am I right in saying that when it has been used previously it has always followed a list of things, such as, "The commission may buy office furniture, rent offices, hire staff, bring in a tea lady" and so on? Is there any precedent for its use as a totally free-standing phrase, without any of the preceding list?

Mr. O'Brien: Just before the provision for incidental powers in the Local Government Act 1992, there is a reference to staff, remuneration, pensions and other things. I am informed that there is a precedent and that other legislation carries similar provisions. I can ask my officials to provide information to the right hon. Gentleman, so that he can examine the legislation in which such minor, mundane and incidental provisions appear. I am conscious in using those words that they will be considered when the provision's meaning is interpreted.

Mr. Shepherd: I wish to make a simple point in the light of the Minister's remark that such provisions already exist. Have the courts ever interpreted or examined this formula? Has the matter ever come before them?

Mr. O'Brien: I cannot quote the case law at this point. However, I suspect that the courts have not so much considered whether the law was valid, but merely whether public authorities have the right to enter contracts. Since 1880, case law has established the principle that we are adding to the schedule merely for the sake of clarity. Although I do not know whether there has been interpretation of the 1992 Act, I suspect that a fair amount of case law exists, given the quantity of litigation that goes on in local government. I can ask my officials to find the case law if the hon. Gentleman so wishes. If he still has concerns, he can speak to me about them.

Amendment agreed to.

Mr. Stunell: I beg to move amendment No. 1, in page 94, line 20, at end insert—

'(4A) An Electoral Commissioner shall cease to hold office if he accepts nomination for office on any elected public body.'.

The Chairman: With this it will be convenient to discuss the following amendments: No. 2, in page 94, line 20, at end insert—

'(4B) An Electoral Commissioner shall cease to hold office if he takes up any office of profit under the Crown.'.

No. 3, in page 95, line 44, at end insert—

'(g) he has accepted nomination for office on any elected public body

(h) he takes up any office of profit under the Crown.'.

No. 22, in clause 3, page 3, line 11, at end add—

'(7) No serving or former member of the House of Commons, the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly or the European Parliament shall be eligible for appointment as an Electoral Commissioner.'.

Mr. Stunell: The three amendments in my name hang together and have a clear intent. Amendments Nos. 1 and 2 deal with the qualifications—or, perhaps more accurately, the disqualifications—for being an electoral commissioner and amendment No. 3 deals with the

disqualifications that would apply to deputy electoral commissioners who can be appointed under the provisions in clause 13.

In the Standing Committee, we considered the Bill's broad sweep and reminded ourselves that it represented the first fundamental review of our electoral procedures since 1883—117 years ago. The Government's intention—Liberal Democrats support them on this—is that the overhaul should be thorough and enduring. Although, given the speed of legislative change, I have no doubt that our successors will return to the issue long before another 117 years have passed, we must bear in mind that we are putting in place provisions that will have a long life. Indeed, they may have a longer life than any of us in this Parliament or even the current political parties. In the Standing Committee I reminded the Minister that the Labour party did not even exist in 1883, so who can say where we might be in another 117 years?

Everyone in this Committee is, of course, sane, wise and full of good intentions and good will. It is inconceivable that any Member here today would ever seek to stuff the Electoral Commission with friends, cronies or those with ill will towards the democratic process in their hearts.

Clause 1 and schedule 1 put in place the first steps to ensure that the Electoral Commission is a buffer or intermediary between the harsh and sometimes fractious realities of party political conflict in the House and outside and the administration of the electoral and democratic process. The aim is to set up an authoritative, neutral and non-partisan body, untainted by outside interests. The Bill goes a long way towards achieving that.

I add in passing that the House and the British constitutional system are adept at forming such bodies, which in many other democratic systems might be regarded with the utmost suspicion and thought of as unworkable. We already have a good number of such bodies in our system, so the process of setting them up and their operational viability are certain.

The amendments would go one step further and try to ensure that there will be no circumstances in which there can be the impression or reality of an improper interest or improper influence being brought to bear on the electoral commissioners or the deputy electoral commissioners.

The amendments are simple and straightforward. The first would prohibit any electoral commissioner from being a person who holds a publicly elected office. That may seem so obvious and simple that it does not need to be stated, but it is appropriate that it should be spelt out in the Bill. We should be clear that the commissioners are without any personal interest in the outcomes of the decisions that they make or may make. It is important also that the public perception is that they are completely without any taint of personal interest in those outcomes.

Amendment No. 2 would hopefully rule out the possibility that any future Government or Secretary of State would pack the Electoral Commission with place people, by making sure that commissioners cannot simultaneously hold an office of profit under the Crown. That is intended to preserve their independence of thought and action and to prevent any perception that they might come under undue influence from a future Government or any of their agencies.

Amendment No. 3 would deal with the role of the deputy commissioners, which I mentioned in an intervention on the right hon. Member for Bromley and Chislehurst (Mr. Forth). In every practical regard, they will have the same duties and responsibilities as the commissioners, and they will be appointed by the commissioners subsequent to the appointment of the commission. The deputy commissioners will have the same freedom of action within the terms of reference in the Bill and the functions given to the commission to exercise powers on its behalf. It is therefore entirely sensible that they should be subject to precisely the same restrictions on holding elected office and office for profit under the Crown.

These straightforward amendments are intended to strengthen the hand of the Electoral Commission and to make sure that it is seen to be, and is, completely above suspicion in a future that may stretch through different and difficult political times, when it may be extremely valuable to us all for the commission to have that safeguard of independence and freedom to exercise its own judgment in the face of possible substantial and sustained pressure by a hostile Government.

5.30 pm

Mr. Walter: I think that the Opposition have always made it clear throughout the deliberations on the Bill in the Standing Committee and, I hope, on the Floor of the House that, in our amendments and comments, we seek to improve the Bill. It will come as no surprise that there were occasions in the Standing Committee when the official Opposition and the Government found themselves on the same side in discussing Liberal Democrat amendments.

In tabling amendment No. 22, we were trying to ensure that the commission is independent. I know that those were the sentiments that were expressed by the hon. Member for Hazel Grove (Mr. Stunell), but I should like to quote what the Neill committee said.

Mr. Mike O'Brien: It may assist the hon. Gentleman to know, as he develops his argument, that he does not have to convince me of the principle of the amendments. I am not far from him. My only question is whether he considers that councillors should be included in the amendment.

Mr. Walter: I thank the Minister for his intervention, but the point that I wish to make is important. Although I shall not necessarily quote the Neill committee at length to aid my argument, it is worth repeating what it said:

"An Election Commission in a democracy like ours could not function properly, or indeed at all, unless it were scrupulously impartial and believed to be so by everyone seriously involved and by the public large."

It went on to say in paragraph 11.8:

"In our view, a number of important consequences follow. The first is that the members of the Commission should not, in the normal course of events, be people who have previously been involved in any substantial way in party politics."

The substance of amendment No. 22 is that we should exclude from membership of the commission those who are, or have been, Members of Parliament, Members of the National Assembly for Wales, Members of the European Parliament, Members of the Scottish Parliament, or Members of the Northern Ireland Assembly.

The Minister asked whether local councillors should be excluded. I should like to look a little more deeply at the implications of amendment No. 1 for local councillors.

[Mr. Walter]

The question is: how local do we want to get in excluding people who might sit on the commission? The hon. Member for Hazel Grove suggests that anyone who has stood for, and been elected to, a public body should be excluded. Does he—the Minister might have some views on it, too—include members of a parish council, or a community council in Wales? Does the hon. Member for Hazel Grove think that we should exclude church wardens, who hold an elected public office?

The Church of England is an established Church, governed by statutes that were passed in the House, as are members of parochial church councils of the Church of England and those who go on to stand for office—

Mr. Stunell: Although the hon. Gentleman's questions are legitimate, he is perhaps making slightly heavy weather of it. Clearly, an elected public body includes local councillors and parish and community councillors. It does not include bodies such as the Church of England, as he has indicated.

Mr. Walter: I hesitate to accept the hon. Gentleman's explanation because I believe that those elected in the Church of England—it is the only Church that is the established Church—are holders of public office. Elected churchwardens are elected by the general electorate of their parish—those who are resident in the parish. Members of parochial church councils are elected by those on an electoral register, to which anyone resident in the parish can seek registration. By implication, those who serve on bodies from the deanery synod to the General Synod of the Church of England can be regarded as having been elected.

What about parent governors of state schools? They are elected by the parents within a state school; a state school is a public body; therefore, its governing body is a public body. I think that parent governors would fall foul of the definition set out in the Liberal Democrats' amendment.

More important is amendment No. 2 and the issue of what constitutes an "office of profit". If the amendment were accepted, it would kill a later amendment standing in my name and those of my right hon. and hon. Friends, but that is not the reason why I specifically object to it. Quite simply, the reason is that, in pursuing independence by making the amendment, we would kill off the possibility of several independent office holders joining the commission—people who would otherwise provide a great deal of weight to the Electoral Commission's independence.

In addition, the provision falls foul of the Government's proposal that the Electoral Commission should absorb the work of the boundaries commissions. The chairmen of the boundaries commissions as constituted are normally High Court judges, who are holders of an office of profit under the Crown. Therefore, the amendment would preclude from appointment to the Electoral Commission people who are already in post in bodies that are likely to be incorporated into the commission.

In passing, I should point out that if, as the Minister says, the chairmanship of the Electoral Commission is to be a full-time post and if, as I imagine they will, the part-time commissioners are to be paid a salary or form of allowance for their endeavours, they will, by virtue of their appointment to the commission, become holders of an office of profit under the Crown and so will, immediately on their appointment, become ineligible to continue to hold the office. Amendment No. 2 is, therefore, somewhat illogical. I shall not dwell on amendment No. 3, as it is consequential on amendments Nos. 1 and 2.

I am reassured by the Minister's intervention, in which he stated that he leans a long way toward being sympathetic to amendment No. 22. He asked whether local councillors should be included. The spirit of the amendment is to preclude from membership of the commission those who hold significant elected office. It covers Members of Parliament, of the Scottish Parliament, of the National Assembly for Wales, of the Northern Ireland Assembly and of the European Parliament, but the Conservatives would be quite content if the Government thought it necessary to extend the principle of the amendment to local councillors.

Mr. Forth: I am rather uneasy about the direction of the amendments. It seems that an unfortunate pincer movement is being deployed, whether wittingly or unwittingly—who knows, in this day of consensual politics? My right hon. and hon. Friends on the one hand, and the Liberal Democrats on the other, seem to be closing in on the unfortunate commissioners from two directions, and I am not sure that I agree with either of them.

The wording of amendment No. 1 says that a commissioner

"shall cease to hold office if he accepts nomination for office on any elected public body."

We must deal with the important distinction between nomination and election. We must consider whether it is wrong, improper or unacceptable for an electoral commissioner to allow himself even to be nominated, whether or not he is elected.

In the case of the Liberal Democrats, a mere nomination would rarely cause them to be elected, so that might seem a little hard on them. In the case of Conservatives or Labour party members, election may well follow nomination fairly regularly, so the approach is uneven. Liberal Democrat Members are being unfair on their own colleagues.

Leaving that issue to one side, I query the principle itself. The interesting contrast between amendments Nos. 1 and 22 is that my colleagues seem to seek to deny the commission the benefit of political experience, whereas the Liberal Democrats seem to wish to deny to the political process previous experience on the commission.

My argument is that an interplay between the commission and the political process may not be as undesirable as both the Liberal Democrats and my right hon. and hon. Friends suggest: the commission may well benefit from that two-way process. I suspect that we are beginning to see the effect of the bodies that we keep setting up to intervene in the political process, which Ministers keep quoting as the final word on the subject. Any possibility of a causal connection or a connection of membership between the commission and the political process is, the amendments suggest, unacceptable.

That is an odd argument, unless one starts from the proposition that any interconnection is per se undesirable. I would approach the matter from an entirely different

direction and say that the commission may benefit from a proper degree of representation of people with political interest, prior political experience, or indeed political aspirations.

Mr. Stunell: I entirely accept the right hon. Gentleman's point. The purpose of my amendment is to make sure that there is nothing to stop a poacher becoming a gamekeeper, because I can think of nobody better than a poacher to become an effective gamekeeper. However, my amendment seeks to prevent the gamekeeper reverting to being a poacher, and perhaps setting rules as gamekeeper that will benefit him when he once again becomes a poacher. My amendment addresses precisely the right hon. Gentleman's argument.

Mr. Forth: I doubt whether the amendment would have that effect. If an individual were able to do what the hon. Gentleman suggests, and single-handedly get himself on to the commission or on to a political body, and then single-handedly influence the other commissioners or Members or Parliament, he would probably deserve what he was aiming to achieve, if he were that good. I doubt whether many people can exercise such mesmeric influence. Perhaps the hon. Gentleman would.

Mr. Stunell: I am sorry that the right hon. Gentleman, who contributes so fluently to these debates, spends less time listening to the contributions of other hon. Members. If he had listened, he would have heard me say that there were two evils to be avoided—one, the real possibility that that might happen, and the other, the public perception that it could happen, which would fatally undermine the credibility of the Electoral Commission.

Mr. Forth: That gives the game away, and worries me more and more. The idea of the public perception, which is generated almost entirely by the media anyway, is in danger of causing us to have such a lack of confidence in ourselves, our processes and our integrity that we will no longer be capable of making properly independent decisions of the kind that an electorally accountable legislature should make.

5.45 pm

I am not going to be frightened or stampeded by talk of public perception. Public perception is important, but it is generated almost entirely by the words and images of the media. I should be surprised if the hon. Gentleman's postbag were stuffed full of letters from irate and outraged constituents, complaining about any interchange between members of the Electoral Commission and elected Members, even at the nomination stage. I have received no such letters, and I should be astonished if the hon. Gentleman had received even one. The hon. Gentleman's paranoia about public perception of the alleged evils of the political process is dangerous and could lead the House, or even the Committee over which you are presiding, Mr. Lord, to be so afraid, and so lacking the self-confidence to use our judgment and make free-standing decisions—accountable as we all are to our electors—that we become the instrument of outside bodies or, even worse, that of purported public perception.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I am surprised by the right hon. Gentleman's point about public opinion. He may not have received any letters about the Government's proposed action to try to prevent candidates for the mayoralty of London from issuing individual communications for which the public pay, but I have received such letters. That matter might well be tackled by an independent commission.

Mr. Forth: I do not doubt that, or query the fact that we all want an independent commission. We are discussing whether a former Member of Parliament serving on the commission would prevent it from being independent, or whether the proper political aspirations of a member of the commission would undermine its independence. Neither proposition is self-evident or credible. We must be cautious about putting too many constraints on the political process, in case that reduces or demeans the commission's effectiveness.

I am surprised at the view that my right hon. and hon. Friends have taken in amendment No. 22, which would provide that serving or former Members of the House of Commons or the other distinguished elected bodies would, having served with distinction, be ineligible to make a contribution to the Electoral Commission. I go further: a proper degree of representation by a former Member of the House of Commons would add enormously to the commission's breadth of vision and practical experience. A commission bereft of such experience might be a lesser body. I must differ totally from my right hon. and hon. Friends and I cannot therefore support amendment No. 22. If the Government agree to it, I cannot support them. I hope that the Minister will give the matter further thought in the short time that our little debate allows him.

I want to consider amendment No. 1 and the important distinction between nomination and election. Aspiration to political office and the willingness to allow oneself to be nominated is an important process. It makes a statement, but there are a million miles between that and being elected. Are we so nervous and tentative that we claim that even being nominated should debar someone instantly from serving on the commission?

Mr. Stunell: The very title, "Electoral Commission", suggests that the commission's principal purpose is to deal with matters prior to election. A candidate who has sought nomination is at the heart of the business to which the Electoral Commission is entirely devoted. It is right and appropriate that such a person should be debarred.

Mr. Forth: That is the hon. Gentleman's judgment. A less harsh and more liberal view, if I may put it that way, and one that I might espouse, is that a member of the commission should step down from its deliberations for the period of his nomination as a candidate. That proposition, which I might have felt more able to support, is not unreasonable, but total disbarment or the need to dismiss a commissioner merely because he has accepted a nomination seems to be overly illiberal. However, we are becoming increasingly used to such proposals from the Liberal Democrats. Perhaps their proximity to government makes them that way.

I do not want to prolong the debate unduly, but I am alarmed. I had hoped that the Minister would take his usual approach of not accepting any amendments—

[Mr. Forth]

I would have felt cheered by that and he would have had my wholehearted support—but I am horrified to learn that, apparently, he likes them and the Government are minded to accept. I make a plea, although it gives me no joy. I hope that the Minister will not accept even the spirit or substance of amendment No. 22, which was tabled by my hon. Friends, because it strikes me that the commission could be severely weakened in the discharge of its functions and responsibilities if

"No . . . former member of the House of Commons"

were eligible for appointment. That would be a big mistake and I hope that the hon. Gentleman will think again, if he were ever minded to accept that amendment. I certainly do not.

Mr. David Wilshire (Spelthorne): It is always a delight to listen to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), the Opposition parliamentarian of the year, as I am always reminded of how much I have to learn. It therefore pains me greatly to take a slightly different tack and I apologise to him for doing so. The words "Committee of the whole House" always signal great importance and, whether we have been involved in previous stages of a Bill's consideration or not, it is dangerous to leave such matters to the specialist few. Therefore I make no apology for becoming involved in the debate.

When confronted by a Minister who is prepared, it seems, to make a small concession, it is always tempting to pocket that concession, shut up and go away, but for two reasons we should be careful not to be seduced. The Minister might want an early night, but we should not stop all debate because he is offering us the odd crumb of comfort. First, we are not sure what he is offering and if we do not speak before he makes his offer, the chances are that we shall be not be able to do so afterwards. Secondly, even if he offers us a goody that we like, it is important that the record shows why we are concerned and why we want that concession. At some stage in the unforeseen future, somebody may want to look back at Parliament's intention when it was offered.

I want first to discuss amendment No. 22. I was surprised by it, not for the reasons given by my right hon. Friend, but because I had assumed that the Bill would say a great deal about the commissioners. However, even though the explanatory notes refer to the commissioners on some 20 pages, they are silent on the skills required and on impartiality, which is crucial. As far as I can make out, the Bill is also silent on that and I am amazed by that silence.

In principle, amendment No. 22 has my support. Although it pains me to agree with the Liberal Democrats—I promise them that I do not intend to make a habit of it—I was also surprised by amendments Nos. 1, 2 and 3 for the same reasons. I listened carefully to the hon. Member for Hazel Grove (Mr. Stunell) and all I can say is that, despite the reservations of my right hon. Friend, the principles he was driving at are so obviously right that they should have occurred to the Government. It should not be necessary for an Opposition Member—if Liberal Democrats are Opposition Members; for the moment, let us assume that they are—to table amendments that are so evidently necessary and sensible, no matter which party he belongs to.

History is littered with examples of party hacks seeking unfair advantage for their party, and the Bill offers the commissioners all sorts of opportunities to take advantage for a party that they support. They will be involved in registering parties and overseeing party political broadcasts, which will both offer huge temptations, as well as in the regulation of donations to parties. We need only read the newspaper reports of what has happened in Germany to learn what those temptations could be.

History is also littered with examples of candidates at elections seeking to bend the rules. Again, we should consider the powers that are being offered to the commissioners, who will be able to determine boundaries. Gerrymandering is an art form in some countries, but I do not want it to become an art form here. On the control of spending at elections, America offers an example of what happens when spending gets out of control. How that spending is regulated can be a partisan matter if people want it to be. The commission's ability to oversee the conduct of polls and make regulations will provide almost limitless scope for taking advantage, should someone be so minded.

History is further littered with examples of organisers of referendums seeking to distort the result to their own advantage, yet the commissioners will be told that they can determine the permitted participants in a referendum. That represents a wonderful opportunity for someone to cook the books to his own advantage. They will also be involved in deciding how money will be provided and there will be enormous scope for those who want to take advantage of it.

On amendment No. 22, I would not for a moment suggest that any Member of this honourable House would want to do any of those things, so we can exempt all current Members of the House of Commons from that. However, I would support the amendment for the benefit of future Members who may not be as trustworthy and upright as we are. There is good reason, without criticising ourselves or each other, for going down that track. Whatever else might be said, we all have to admit, "Once a politician, always a politician." People will always worry about what we might be up to if we appear to make our own rules, so the Electoral Commission must be utterly, completely, totally impartial, but that is not enough. It must not only be impartial; it must be seen to be impartial above all doubt.

Despite the reservations that one might have about what the media will make of things, perception is important on this occasion. These proposals are so central to the way in which a democracy functions that we have to make it clear that political activists are not involved. The Minister asked my hon. Friend the Member for North Dorset (Mr. Walter) whether councillors should be included. My reply would have been that, although I had not thought it through thoroughly, I would be tempted to say yes, although there are doubts about parish councillors. The parliamentary draftsman would have to make that distinction. In return, I would have put a question to the Minister along the same lines.

Sir Michael Spicer: Presumably, councillors would have be to excluded if the argument is that anybody who has been contaminated by party politics at any time has to be excluded, but would not ex-councillors also be excluded? Is not that a reason why my hon. Friend is

pushing his argument a little further than he might otherwise do in agreeing to exclude former Members of Parliament from the commission?

Mr. Wilshire: I understand my hon. Friend's argument. If we are not careful, we shall have such a long list of people who cannot serve that it might be difficult to work out who is left to serve. In trying to help the Minister by responding to his query about councillors, I said that I should like to think it through, but my instinct goes in that direction. Former councillors would be caught as well.

6 pm

The question that I was about to ask the Minister, in much the same spirit—he may like to ponder it rather than give a definitive answer—was whether someone who belongs to, or has belonged to, one of the registered parties would be seen to be tainted. Perhaps the Minister may care to contemplate that point. That would leave us with even fewer people, but the same arguments apply to party political activity as apply to elected activity.

The details of all four amendments may not be perfect, but the little morsel that the Government are about to throw to us may not be the right one. The principle behind the amendments—and, I suspect, behind the concession that we are about to be given—is right, and I hope that the Committee supports them.

Mr. Maclennan: I support the thrust of all four amendments. It is imperative that the commission should be, and should be seen to be, independent. It is impossible for us to legislate for independence. Anyone who is appointed to a job of such importance is likely to have views: political eunuchs are few. However, we can legislate to prevent holders of offices who have declared views and who are not independent—by virtue of their holding of those offices—from holding such office as that of an electoral commissioner.

It is clear that behind this measure lies the desirability of ensuring that decisions about elections are taken with the maximum objectivity and are as far removed as possible from party interest as we can devise. It cannot be doubted that the decisions that are taken or recommended by commissioners will have major political import—sometimes disadvantageous to particular political parties. The dissatisfaction that flows not infrequently from boundary commissions' decisions demonstrates the point.

Furthermore, under clause 5(2), the Secretary of State may request a review of the commission. Now we learn that the commission may do anything, except borrow money, which is calculated to facilitate the carrying out of that review. It is an extensive power to take action on behalf of a Minister of the Crown, who will undoubtedly have a view. Although commissioners are not agents of the Crown, as specified in schedule 1, they clearly act under instruction from the Government, in that instance at least.

We must do all that we can. Mere asseverations of the Government's intention that these roles should be conducted with objectivity and independence of mind are not good enough. If the language of the amendments does not stand up, for some technical reason, I hope that the Government will agree to come forward with their own language designed to shore up the independence that we all seek.

Mr. Mike O'Brien: As the debate has shown, the amendments raise important issues concerning the eligibility of certain persons to be appointed as electoral commissioners or deputy electoral commissioners. Amendments Nos. 1, 2 and 3, in the name of the hon. Member for Hazel Grove (Mr. Stunell), would prevent anyone who accepts nomination for office on any elected public body or who holds any office for profit under the Crown from serving on the Electoral Commission. Amendment No. 22 is along similar lines to amendment No. 1, and would prevent any serving or former Member of the House, the European Parliament or a devolved legislature from serving as an electoral commissioner.

Until I saw the battering that the proposal in amendment No. 22 was given by Conservative Back Benchers, I was disposed to accept the underlying spirit of that amendment and of amendment No. 1. However, interesting and important issues have been raised, so I ask that the Government be allowed time to consider this matter. Some pertinent points have been made that we should weigh in the balance in considering how we move forward.

I shall set out some broad principles. It is important that the Electoral Commission is scrupulously impartial in the conduct of its business. If it is to be seen to be above the party political fray, appointees to the commission should be politically neutral figures who have not previously been involved in a substantial way in the party political process. Anyone who has in recent years held senior office in a party, been elected or been a major donor to a political party would obviously be seen as partial. It follows that, once appointed, an electoral commissioner or a deputy commissioner should be excluded from such activity.

I can see an advantage in including at least some of these restrictions in the Bill. It would be impossible to legislate for all possible conflicts of interest. That may be better dealt with in the terms of appointment.

If the hon. Member for Hazel Grove will agree to withdraw the amendment, I should like to consider introducing a Government amendment that will take on board at least the core principle of amendments Nos. 1 and 22, bearing in mind some of the valid points that have been made.

Mr. Wilshire: Will the Minister give way?

Mr. O'Brien: Perhaps I could give way when I have completed my argument, because the hon. Gentleman will then see where I am going.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) asked how long someone should be excluded from the nomination process. The hon. Member for Spelthorne (Mr. Wilshire) asked whether any person who is a party member should be regarded as tainted. There must be a willingness to have people with at least some awareness of the political process on such a commission. They need not be elected or have previously held political positions, but they should at least be aware of the political process and have the benefit of being impartial.

[Mr. O'Brien]

In the past, we have taken the view that certain former Members of the House and some serving Members of the other place provide an element of impartiality, even when they have expressed partial comments. For example, the person who chairs the Metropolitan Police Committee is a former Member of the House. When we wanted to examine the issue of proportional representation, we did not consider a commission headed by someone who had never said a word on the subject. We believed that we should have people with some knowledge of the issues. Likewise, we do not consider that people who formerly served in the House should not act as judges, and that their partiality is so obvious that they should be for ever excluded from such positions.

However, an appointee who has recently stood for election, or has obvious partiality because of his party political affiliation would undermine the commission's credibility. Striking a balance is important. It cannot be right to tell people that it is their duty as citizens to be politically interested and involved, and then, when they have completed that duty, exclude them from serving on a commission at some point and for all time because they lack the necessary objectivity, integrity and impartiality.

I should like to consider the point raised by the right hon. Member for Bromley and Chislehurst, who asked whether exclusion should be for ever. What the public really want is to know that people serving on the commission can reach reasonable and objective judgments and that the commission will not be tainted by past political affiliation. Ensuring that those objectives are achieved will be a matter for those who appoint the commissioners.

The only reason why I have not yet gone into detail on disbarring is that, as I said, the debate has raised some important issues on various matters. My initial view on disbarring was that we should disbar for a time former Members of Parliament, Members of the European Parliament and Members of devolved legislatures. We should also disbar certainly serving and probably recent unitary, borough and shire councillors. I would be reluctant to go as far as excluding parish councillors. However, as in my area, some parish councillors stand for office on a party political ticket. There is therefore an issue of whether we should be concerned about the impartiality of those who have very recently stood on a party political ticket for a parish council, or who are currently serving as parish councillors after election on that basis.

Although there is a strong argument for clearly addressing those issues in the Bill, I should like to consider further the detail of amendments Nos. 22 and 1. I accept the principle behind the amendments, and the fact that there should perhaps be relevant provision in the Bill, but I should also like to consider the various other views expressed in the debate.

Amendment No. 2 presents a rather more difficult problem. I understand the wish of the hon. Member for Hazel Grove to avoid conflict of interest. However, it is not self-evident that a conflict of interest automatically arises if an electoral commissioner holds some other public office. With the exception of the chairman, the commission's members may well be part-time appointments. Therefore, we would be unnecessarily restricting the field of candidates if we restricted anyone who holds judicial office, for example, as a part-time recorder or as a member of some type of non-departmental public body. Indeed, we may positively welcome such candidates.

I am not sure whether, if we were to accept the proposed restrictions on candidates, we would also wish to exclude from the commission Lord Neill or members of the Neill committee. Therefore, although we have to think much more about such restrictions, I cannot accept amendment No. 2.

Eventually, it might make sense and be desirable to have on the commission a commissioner, a deputy commissioner or one or two people who have served on the parliamentary or local government boundary commissions. Some of the amendments, however, would exclude such people from serving on the commission, and I do not think that that would be right or desirable.

I suspect that the distance on the issue between the hon. Member for North Dorset (Mr. Walter) and me is less than that between him and the right hon. Member for Bromley and Chislehurst. Similarly, the distance on the issue between the Government, the official Opposition and the Liberal Democrats is not too great. We all agree that the Bill should contain some provision to ensure that political partiality is not seen to be obvious in the commission.

We should, however, constrain such provision a little more carefully to take on board the fact that, although people may hold various offices or be former hon. Members and have some knowledge of the political process, they should not be excluded. We should at least not exclude them from consideration. Perhaps after a given time has elapsed, consideration of their appointment should be allowed.

On that basis, I ask the hon. Member for Hazel Grove to withdraw amendment No. 1.

Mr. Stunell: Although there are still some points of difference between us, I thank the Minister for his very helpful and constructive reply. The debate has been worth while. If it has at least caused the Government to consider what the right level of skills qualification and disqualification should be, and to agree to present further proposals to the Committee, it will certainly have been worth while.

6.15 pm

Various points have been made in the debate, and I shall not even attempt to deal with them comprehensively. I should, however, like to deal with one difference between the view that I expressed and the view of the right hon. Member for Bromley and Chislehurst (Mr. Forth), who seemed not to be as concerned as I believe that the Committee should be about the impact of public perception in this sphere of public policy. Surely he has learned from the previous general election that public perception is utterly vital to the integrity of the political process and the public perception of that process. If the Electoral Commission should at any point lose public credibility, the consequent damage would be very serious.

As I said when moving the amendment, the Neill review is the first fundamental review of the electoral system for 117 years. There may be another review soon,

but equally, there may not be another one soon. Therefore, our fundamental objective should be to get the grounds rules for the Electoral Commission right.

In the Standing Committee, when concerns were expressed about other parts of the Bill, the Parliamentary Secretary, Privy Council Office—dealing with us very fairly—said, "Don't worry. Our intention is that this is a matter that the Electoral Commission will come back to in due course." It is one of the Minister's favourite phrases.

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping) *indicated assent.*

Mr. Stunell: Revisiting issues is fine, as it will provide a mechanism for keeping electoral processes up to speed—whether those processes involve new technology, new avoidance techniques developed by the political parties, or as yet unforeseen circumstances—but that benefit will be undermined if the Electoral Commission itself has lost public credibility and validity in the eyes of hon. Members. Furthermore, not only the Government of but the Opposition of the day will have, implicitly, to be able to place their trust in the commission and to have confidence that the commission is able credibly to conduct elections.

In other countries with different political backgrounds, the majority of general elections are won not by campaigns, but by their equivalent of the electoral commissioners and the rules that they operate. That is why it is so very important that the Committee should ensure that we have appropriate rules which command public support and deliver what Parliament wants.

I thank the hon. Member for Spelthorne (Mr. Wilshire) for his very time-limited but specific support for my amendments. I shall not tempt him by saying more than that. Nevertheless, there is one important distinction between my amendments and amendment No. 22, which was tabled by Conservative Front Benchers. I ask the Minister, in considering the issues raised in the debate, to consider those differences very carefully. I have characterised the argument as one involving the poacher and the gamekeeper.

I see absolutely nothing wrong with people with experience of poaching joining the commissioners and showing not only that excesses exist, but how those excesses might be controlled or mitigated. I take the point made by the Under-Secretary, that there should perhaps be a period of purdah, so that one does not go from being Chancellor of the Exchequer to being an electoral commissioner. Such a restriction seems sensible. However, it is also worth bearing in mind the Minister's other point—that pre-existing political experience and knowledge of political culture are important.

I tell Conservative Members that the truth of that proposition was evident in the Committee's previous consideration of the Bill. Each hon. Member has experience of fighting elections, raising money and taking part in keen political debate, making us perhaps uniquely well-equipped—perhaps too well equipped—to know what we are talking about when debating this subject. So often, a Committee's consideration is perhaps not terribly well informed by practical, first-hand experience. However, in the Committee's consideration of this legislation, everything from the auctioning of Mrs. Thatcher's handbag to the most minute detail of electoral law has been explored by people who know what they are speaking about. Let us have some poachers.

Mr. Forth: Who auctioned the handbag?

Mr. Stunell: That is for Conservative Front Benchers to explain.

I hope that the Minister accepts that we should not throw away the idea of having commissioners with political experience. However, we must ensure that there is not the slightest appearance or reality that they are returning to political activity. I accept that some issues are best put into employment contracts and others are best put in job descriptions, but some are best put in the Bill. The Bill should specify that such people should not participate in current political activity.

I shall not pursue the argument about whether parish councillors should be included. I do not want my practical intention to be sunk by sticking too rigidly to an interpretation that I offered the Committee on the spur of the moment in an intervention. But it would be a shame if we did not take into account, for example, the fact that someone had been the leader of a local authority in a major city for 10 years.

I understand the Minister's reluctance to accept amendment No. 2, which deals with taking an office of profit under the Crown. A Conservative amendment lists several offices of profit under the Crown from which some candidates for the commission would have to be chosen. I understand those arguments, but I hope that the Minister understands the concern that a less benign future Government—not containing any current Members of Parliament, who are full of good will to all men and women—might seek to use the appointments system to undermine the integrity and independence of the Electoral Commission. Hon. Members may think it far-fetched to fear that we could get into a situation such as obtains in some other so-called democracies, where the equivalent of the Electoral Commission is manipulated by the ruling party, but we should not leave that as a feasible option.

We have had a useful debate and the Minister has made some useful concessions. We shall watch carefully to see the form of those concessions when they reappear. I hope that he will bear our concerns in mind and will treat them not as party political knockabout, but as a genuine desire to ensure that we establish a secure, long-lasting foundation to monitoring our democratic process. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Dominic Grieve (Beaconsfield): I beg to move amendment No. 35, in page 98, line 14, after '17(8)', insert—

'or by the Scottish Parliament in pursuance of section [*Transfer to Commission of functions of Local Government Boundary Commission for Scotland*](8).'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this it will be convenient to discuss the following: amendment No. 23, in clause 5, page 4, line 7, after 'however', insert—

'save with the consent of the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly (as the case may be)'.

[Mr. Michael Lord]

Amendment No. 24, in page 4, line 26, at end insert—

'(iv) local government elections in Scotland (with the consent of the Scottish Parliament); and'.

Amendment No. 28, in clause 8, page 6, line 28, after 'Scotland', insert—

'unless the Scottish Parliament requests otherwise'.

Amendment No. 34, in clause 11, page 8, line 14, after 'Scotland', insert—

'except with the consent of the Scottish Parliament'.

New clause 3—*Transfer to commissions of functions of Local Government Boundary Commission for Scotland*—

'.—(1) The Scottish Parliament may by order make provision for the transfer to the Commission of any one or more functions of the Local Government Boundary Commission for Scotland (in this section referred to as "the Scottish Commission").

(2) The Commission shall make arrangements for functions transferred to them by an order under subsection (1) to be exercised by the Boundary Commission for Scotland.

(3) Where each of the functions of the Scottish Commission is transferred by an order under subsection (1), the Scottish Parliament may by order make provision for the abolition of the Scottish Commission.

(4) An order under subsection (1) or (3) may include provision for the transfer to the Commission.

(a) of the staff of the Scottish Commission, and

(b) of any property, rights and liabilities to which the Scottish Commission are entitled or subject;

and an order which contains provision such as is mentioned in paragraph (b) may in particular provide for the order to have effect despite any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by the order.

(5) An order under subsection (3) may include provision for the abolition of any duty in compliance with which the Scottish Commission was established or constituted.

(6) An order under this section may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions amending, repealing or revoking enactments).

(7) Any power of the Scottish Parliament to make an order under this section shall be exercisable by statutory instrument.

(8) The expenditure of the Commission, so far as attributable to the exercise of any functions transferred by an order under subsection (1), shall be met by the Scottish Parliament.'.

Mr. Grieve: Amendment No. 35 is perhaps the least important of the amendments in this group, because it is consequential on the others, so the fact that it is the lead amendment might be misleading.

The amendments concern the possible applicability of the aspects of the Bill relating to the commission to local elections in Scotland. It became apparent in the Standing Committee that, as a consequence of devolution, although the new regime that we are establishing for the funding of political parties will apply to elections to this place and to the Scottish Parliament, it will not apply to local government elections in Scotland, by virtue of the Scotland Act 1998.

Lord Neill was unequivocal about the desirability of the reforms that he was proposing applying to every part of the United Kingdom. He said:

"We have considered whether the Election Commission's remit should cover the whole of the United Kingdom for all purposes or whether, in connection with elections and referendums in Scotland, Wales and Northern Ireland, there should be separate election commissions for those parts of the country. Our view is that the Election Commission should have UK-wide authority, especially since all aspects of election law (save for local government elections) are to be reserved for the UK Parliament under devolution legislation."

It is curious that, when the Bill is passed, the regulations on election expenditure and political donations for those standing for the Scottish Parliament will be different from those that apply to candidates in local government elections.

We respect the decisions of the House as regards the Scotland Act 1998. The decision on whether the anomalies on funding are tolerable or sensible must be a matter for the Scottish Parliament, even if we have our own views on the matter. However, we should consider how far we facilitate any wish of the Scottish Parliament to come within the umbrella of the Bill, which appears to have been welcomed in principle by all parties. That is the aim of the amendments. In each of the clauses relating to the commission, the amendments would enable the Scottish Parliament to invite the commission to take over some of the functions that will otherwise have to be exercised elsewhere. I shall run through them briefly.

Under clause 5, the commission is required to keep under review and to submit reports on a range of issues, but that requirement does not extend to local government elections in Scotland. We propose in amendment No. 23 to enable the Scottish Parliament to request the commission to provide such information on local government elections in Scotland or elections to the Scottish Parliament.

Mr. Tipping: I have been following the debate closely. It mirrors a debate that we have had elsewhere. Clause 8(1) says:

"The Commission may, at the request of any relevant body, provide the body with advice and assistance as respects any matter in which the Commission have skill and experience."

That may deal with the matters about which the hon. Gentleman is concerned.

Mr. Grieve: That is a half-reassuring comment, but I am not completely convinced. Some clauses specifically provide for the right of the National Assembly for Wales to sign up, but the same has not been done for the Scottish Parliament. I understand that the Scottish Parliament probably can be defined as a relevant body, so it might be possible for other provisions to be implemented, but nothing will be lost by spelling out in the relevant clauses the provisions from which it will be possible for the Scottish Parliament to benefit.

The Minister's argument about the more general aspect of clause 1 may have some force in relation to amendment No. 23, but it has much less in relation to amendment No. 24, which specifically concerns local government elections and which would allow reviews to be carried out under clause 5, subject to the Scottish Parliament's decision.

6.30 pm

Amendment No. 28 relates to clause 8, which is all about allowing the commission, at the request of a relevant body, to provide advice and assistance. As the clause stands, it is specifically provided that a

"'relevant election' means any election falling within section 19(3) other than a local government election in Scotland."

If the Minister says that that is covered in clause 1, I will have to express a certain amount of doubt, because if that is so, the two clauses are incompatible and there has been a drafting failure. The Bill has been notoriously difficult to draft, as we will doubtless discover on Report when we see what amendments the Government come back with.

Amendment No. 28 would in no way fetter the Scottish Parliament—in no way could it be described as a gross intrusion by Westminster—but would provide a straightforward mechanism whereby the commission, if asked, could provide what Conservative Members believe to be an important service, without further legislation being needed.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Has the hon. Gentleman consulted his party colleagues in the Scottish Parliament on the amendments; if so, what is their view?

Mr. Grieve: Their view, which I believe is shared widely in the Scottish Parliament, is that the Parliament will have to attend to local government election rules in the near future, and that having a separate set of rules which might be regarded as inferior—in clarity and effectiveness in the elimination of corruption—to those that will apply in Westminster might be undesirable. They have no objection to the amendments, which do not fetter the Scottish Parliament. If the Parliament thinks that it can come up with something better, it is free to do so. No one can suggest that we are trying to interfere with prerogatives handed out under the Scotland Act 1998.

The amendments would allow my colleagues in Scotland, and doubtless other Members of the Scottish Parliament—having read the Neill report and considered the fact that the legislation will apply to Scottish Parliament elections and that similar provision might be beneficial for Scottish local government elections—to sign up if they so wished. If the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) has an objection, I cannot fathom what it is.

New clause 3 exactly mirrors the provisions in clause 17 in respect of the Welsh Assembly. Clause 17 allows the National Assembly for Wales to

"make provision for the transfer to the Commission of any one or more of the functions of the Local Government Boundary Commission".

The Scottish Parliament may decide that it wants to spend a great deal of its block grant on having a completely separate boundary commission, or it may want to take account of the fact that there is likely to be at least one Scottish member of the Electoral Commission, and to take advantage, under the new clause, of the expertise that will be on offer to all our democratic institutions.

It has often been said that the secret of devolution's success will lie in the ability of the two Parliaments to co-operate creatively without treading on one another's toes. The amendments and the new clause are designed to achieve exactly that. The Minister took the view in Standing Committee that the Scottish Parliament might want to implement specific electoral rules that we set down in amendments, but that we did not need specifically to provide for them. Now we are talking specifically about the commission.

Mr. John Bercow (Buckingham): My hon. Friend talks about working creatively without treading on one another's toes. Can he assure me that the new clause contains provision to ensure that in future the Scottish Parliament and the Welsh Assembly will indeed be able to work creatively but without treading on everyone else's toes?

Mr. Grieve: One of the consequences of devolution—especially in Scotland—is that considerable autonomy has been granted, and I do not want to interfere with that. It is worth remembering that, even under the Scotland Act 1998, the question of the franchise in local government elections remains a matter for the House, so the matters are inextricably linked. Because they are so linked, the commonsense view in Scotland would not in any way take exception to introducing the possibility of the Scottish Parliament's taking advantage of what the amendments and the new clause would offer. I hope that the Minister will see that it makes sense to allow that to happen, rather than wasting resources on further legislation.

Mr. Tipping: The amendments and the new clause cover familiar ground, as the hon. Member for Beaconsfield (Mr. Grieve) acknowledged. I accept the spirit of what he is saying. It may well be possible to find common ground. The amendments may be premature. The meat—the strongest part of the argument—lies in new clause 3, which, as he rightly says, mirrors the provisions in clauses 16 and 17.

We are actively discussing the way forward with the Scottish Executive, who are considering whether they want such a provision inserted in the Bill. The hon. Gentleman generously acknowledged that we should defer to them, given that local government is a devolved matter. If they conclude that they would like to transfer responsibility for local government boundary reviews to the commission, we will table a suitable new clause at a later stage.

Such a provision would no doubt look not unlike new clause 3, but for the time being I ask the hon. Gentleman to allow the discussions to proceed. Detailed discussions are being held. The amendment may be the appropriate vehicle to achieve the aims, but at this stage it is not in our gift. The hon. Gentleman should recognise the powers involved, because amendments Nos. 24, 28 and 34 are also the subject of discussions with the Scottish Executive. I cannot promise him that the amendments will be accepted, but he is right to raise the issues.

Mr. Alasdair Morgan: The Minister has referred to discussions with the Scottish Executive. Have the Executive told him whether they will take the results of those discussions to the Scottish Parliament before they give him their opinion on the amendments?

Mr. Tipping: The hon. Gentleman tempts me a step too far. He will acknowledge that the issues involved have been devolved and are therefore a matter for colleagues in Scotland, who must be accountable for their own actions. However, I will undertake to draw the attention of the Scottish Executive to the discussion this evening and, in particular, to his remarks, which appeared to be a warning to the Executive.

Amendments Nos. 23, 24, 28 and 34 tread similar ground. The key issue underlying the amendments is the devolution settlement. This Parliament has devolved

[Mr. Tipping]

certain matters to Scotland and Wales, including local government elections in Scotland, the funding of political parties represented in the Scottish Parliament and the conduct of referendums in Scotland and Wales on devolved matters. Having devolved those issues, it would not be appropriate for us to give the Electoral Commission free rein to undertake reviews in respect of such matters. Nor should the commission have free rein to conduct voter education programmes under clause 11 in respect of local government and local government elections in Scotland. That is not to say that the commission should not get involved in such matters if invited to do so by the National Assembly for Wales or the Scottish Parliament or Executive. The important point is that the initiative should come not from the commission but from the devolved administrations. I welcome the fact that amendments Nos. 23, 24, 28 and 34 accept that principle.

Clause 8(1) already covers some of the territory addressed by the hon. Member for Beaconsfield. It provides that

"The Commission may, at the request of any relevant body, provide the body with advice and assistance as respects any matter in which the Commission have skill and experience."

A relevant body is defined in clause 8(6) to include the Scottish Parliament and Executive and the National Assembly for Wales. Given that clause 8 has almost exactly the same effect as the amendments, I ask the hon. Gentleman to reconsider his position. There is little difference in principle, and it must be right that the provisions of the Bill should extend across the United Kingdom.

I have told the hon. Gentleman that discussions are being held with the Scottish Executive, and I have drawn his attention to new clause 3 and the fact that his drafting may contain some plagiarism. However, I readily acknowledge that if the Scottish Executive, perhaps after discussion with the Scottish Parliament, were minded to accept the provisions, we would table a new clause 3 on Report in terms almost identical to the one he has tabled. Given those assurances and the fact that I foresee the need for further amendment, I hope that the hon. Gentleman can be persuaded to withdraw his amendment.

6.45 pm

Mr. Grieve: In the face of such courtesy and helpfulness from the Minister, it would be churlish to press the amendment to a vote. I am not sure whether I should look forward to the Report stage, because we will have so much to discuss. The same may apply when the Bill comes back from the other place, although I hope that we will send it there in a satisfactory condition. In view of the Minister's remarks and the fact that we can return to the issue, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the schedule, as amended, stand part of the Bill.

Mr. Maclean: I did not trouble the House with detailed amendments that might have delayed matters unduly, but I wish to say a few words about some of my concerns, especially about the financial provisions. Paragraph 4 states that an electoral commissioner shall be paid such salary and allowances

"as may be specified by a resolution of the House of Commons."

The obligation seems to be placed on the House to decide the salaries and expenses of the electoral commissioners, but when I searched through the schedule, I found little guidance for the House in completing that task.

Paragraph 10 contains a little guidance about the salaries of the staff of the commission, because it states:

"In determining the terms and conditions of staff . . . the Commission shall have regard to the desirability of keeping the remuneration and other terms and conditions of employment of its staff broadly in line with those applying to persons employed in the civil service of the State."

That seems reasonable, but there is no obligation on the commission. However, the fountain of all knowledge on the matters under the commission's consideration are the excellent staff of the Home Office, and why should they wish to be lured away to the commission unless the terms and conditions are superior?

The commission will probably have to employ those civil servants who have not been promoted to higher grades, and who will conclude that moving sideways to the commission might give them a good chance of promotion. However, that is not what we want for such an important body, and it will have to recruit some of the cream, the fast-streamers, and those who are currently serving at grade 5 or 3. Indeed, if the commission is to get off the ground, it will need someone at grade 3 level—or perhaps even higher—as the chief executive, several grade 5s and lots of grade 7s and higher and senior executive officers. If we are to get properly qualified people, I suspect that salaries will have to be more generous than the suggestion contained in paragraph 10 that they should be broadly in line with those of the civil service. The Minister and the Government must know that. It is why they have not laid down conditions that the salary, terms and conditions shall be the same as the those of the civil service, merely exhorting that they shall be broadly in line.

If commission staff are to have civil service-type salaries broadly in line—and, as I suggest, more—than those of the civil service if the commission is to recruit properly qualified staff, what salary shall we in the House of Commons provide for the commissioners, deputy commissioners and assistant commissioners? I assume that we will not pay them less than their own staff. It would not be a good signal if we suggested to the commissioners that the House of Commons thinks that the commission is so important that we will pay them less than their civil servants or their chief executive.

Sir Patrick Cormack (South Staffordshire): Our staff are paid more than we are.

Mr. Maclean: My hon. Friend is right: we could set that precedent. Members of Parliament are often paid less than many of the staff of the House, and certainly less than some of the chefs and catering workers. That may give an important signal to our electorate and to others, although for the life of me, I am not sure what it is.

We must expect that the commissioners will be paid more than the staff. The Government should have a system for ensuring that that pay is appropriate.

Our salaries in the House are tied to the recommendations of the Top Salaries Review Body, and I believe that Members of Parliament are tied in to a grade 7 in the civil service. Some Members of Parliament may have a view about being paid the same as grade 7 civil servants, excellent though they are. In my first few days at the Home Office, no one as junior as a grade 7 was allowed to come to see me on his or her own. Eventually, when they discovered that I was not as ferocious, nasty or terrible as had been rumoured—

Sir Patrick Cormack: They were wrong.

Mr. Maclean: Yes, they were wrong. As I was saying, after that, staff as junior as a grade 7 were allowed to see the Minister on their own. That is what some Departments regard, rightly or wrongly, as the status of Ministers and of grade 7 civil servants.

Mr. Bercow: Unfortunately, my right hon. Friend has failed to vouchsafe one crucial piece of information in developing his argument. Was he, as a Minister, ever allowed to see a grade 7 on his own?

Mr. Maclean: That is the case. One day I went walkabout on the fifth floor, unescorted, before my private secretary caught up with me. I made contact with a number of admirable staff, who were equally surprised to see the Minister. But I digress.

How are we to decide the appropriate salary for the commissioners? The schedule should provide a mechanism linking in the Top Salaries Review Body, or one that allows the House to determine the appropriate amount. Otherwise, the Government will simply move a resolution.

Clause 2 sets up a Speaker's Committee. For the life of me, I cannot see that it does anything except consider the financial report prepared by the commission—which it will not be entitled to amend or change one iota—and present it to the House. In this Bill, the Speaker's Committee seems no more than a rubber stamp. It does not appear to have the power to determine the salaries of the commissioners. If I have got that wrong, I am happy for the Minister to say so, and tell me that the Speaker's Committee can determine the salaries of the commissioners and then advise the Government and the Leader of the House on the sort of resolution that should be brought before the House to fix their salaries. The mechanism by which the commissioners will be paid and the reasons for determining their salary should be made clear somewhere in the Bill.

Another little point that struck me when looking at the schedule was that although clause 1 invites us to appoint between five and nine commissioners, we seem to have no control over the number of assistant electoral commissioners who may be appointed. Paragraph 6 of the schedule allows the commission to appoint one or more assistant electoral commissioners. The commission lays down the terms and conditions, and will pay them any salaries and allowance that it thinks fit. Paragraph 7(1) of the schedule provides that the commission may establish any committees that it thinks fit.

We are giving the commission significant power to appoint any number of assistant electoral commissioners and staff and determine their salaries, yet we will be asked to determine the salary of the commissioners once the salary infrastructure has been established. Once the commission has determined, in its independence and wisdom, the salary levels for all its staff and assistant commissioners, how can we have any freedom of choice in determining the commissioners' salaries? Are we not tied by the decisions that they will make for their juniors? It would be perverse for us to determine salary levels for the commissioners at a level that we may think appropriate if those levels are the same as those that they have already determined for their junior staff.

Mr. Andrew Miller (Ellesmere Port and Neston): Does not the right hon. Gentleman believe that the independence created by the provisions in the schedule's final paragraph on the function of the Comptroller and Auditor General answers all his questions? There is an independent mechanism to determine whether the commission is running economically, efficiently and effectively.

Mr. Maclean: Paragraph 24, the final paragraph of the schedule, refers to delegates, but I see the provisions to which the hon. Gentleman refers. They deal with the accounting officer, the audit and the accounts. Paragraph 15 refers to the Comptroller and Auditor General's annual examination of the commission. The CAG can conclude that the organisation is efficiently run, with reasonable economy and effectiveness, but I see nothing to suggest that he can rule that the salary structure selected is inappropriate. That is not the solution. Surely it is up to us, if we are moving a resolution on salaries, to be clear in our mind what the salaries should be.

It is totally unacceptable to me, and I hope that it is to the hon. Gentleman, to suggest that we pick a salary figure for the commissioners, then wait for a year until the CAG carries out an audit and says that we have got it wrong. The onus is on the House to get it right in the first place. It is not good enough to have this rather sloppy schedule, which gives the commission significant powers to determine the salaries for its staff and the salaries, terms and conditions of work for assistant electoral commissioners without giving us any mechanism to come to an appropriate determination of their salary or the number of assistant commissioners who will be appointed.

As I wish to make progress—I wish to unburden myself of other opinions—I will leave it there for the moment. I had a number of concerns regarding other provisions of the schedule, but these were the principal ones. I look forward to the Minister's response.

Mr. Tipping: I am interested in the right hon. Gentleman's points. I will consider those matters more closely than, I confess, I have to date. He made some strong points. In the debate on a previous group of amendments, were it not for the fact that he is, as it were, in quarantine and could not be a commissioner for a good length of time, I thought that he was making a job application to be a commissioner, or at least the chief executive of the new organisation.

The right hon. Gentleman has a long history as a marketeer, and of telling us that salaries are set by the market. The market will determine salaries for the commission, and, as he rightly said, there are already several benchmarks. Some Home Office staff may want to transfer to the new commission. Boundary commission and Local Government Commission staff will certainly

[Mr. Tipping]

wish to transfer in due course. They will provide a first benchmark, with salaries broadly in parity, although there may be variations.

7 pm

Another likely benchmark will be provided in relation to deputy commissioners, who, in a sense, already exist in a different role as commissioners to the boundary commission. I cannot recall what they are paid for that task, but I shall write to the right hon. Gentleman.

We employ the Comptroller and Auditor General and the Data Protection Registrar, who provide another useful benchmark against which to set the salaries of commissioners. Finally, as the right hon. Gentleman said, the House will have to approve the figures. Decisions have not yet been taken on commissioners' salaries, and he will have an opportunity to express his views, as I am sure he will. As my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) said, the CAG has a supervisory role.

Schedule, as amended, agreed to.

Clause 2

THE SPEAKER'S COMMITTEE

Sir Patrick Cormack: I beg to move amendment No. 17, in page 2, leave out lines 6 to 20 and insert—

'(2) The Speaker's Committee shall consist of the Speaker of the House of Commons, the Leader of House of Commons, a nominee of the Leader of the Opposition and three other members appointed by the House of Commons, none of whom shall be a Minister of the Crown.'.

The Second Deputy Chairman: With this it will be convenient to discuss the following amendments: No. 18, in schedule 2, page 102, leave out lines 17 to 21.

No. 19, in page 102, leave out lines 34 to 40 and insert—

'3.—(1) The Speaker of the House of Commons shall be the chairman of the Speaker's Committee.

(2) The Committee may appoint a member of the Committee to act as Chairman at any meeting of the Committee in the absence of the Speaker.

(3) In the case of a vote being taken in the Committee and the result being a tie, the Chairman of the Committee for the time being shall have the casting vote.'.

Sir Patrick Cormack: The Minister is in extremely conciliatory mood, and I hope that he will respond in the same spirit and with alacrity to these amendments, to which the official Opposition attach enormous importance.

We heard protestations earlier from the Under-Secretary about the absolute need for the commission to be wholly independent. That theme has been reiterated throughout our debates, and it is regarded as of great importance by hon. Members on both sides of the House. However, that principle does not sit well with the Government's proposed membership of the Speaker's Committee.

The Neill report makes no call for such a Committee, but we believe that the Government are right to have included it in the Bill. The explanatory notes to the Bill say that

"the Speaker's Committee will have general oversight of the exercise of the Commission's functions and, in particular, responsibility for approving its budget and five-year corporate plan."

If ever there were a need for a body—*[Interruption.]* I had hoped that I might have the support of the Liberal Democrats on this amendment. If ever a body needed to be entirely respected for its impartiality, that body would be the Speaker's Committee. Yet the Government propose a Committee including

"two Government Ministers, the Home Secretary and the Minister for Local Government. The other members will be the Chairman of the Home Affairs Select Committee"—

almost inevitably a member of the governing party—

"and six Members of the House of Commons appointed by the Speaker."

We may expect those six Members to be selected in a ratio that reflects the majority of the Government of the day. I cast no aspersions on anyone by saying that such a committee would not enjoy respect and support across the House for its total impartiality on electoral matters.

We propose that the Speaker's Committee should replicate the Commission of the House of Commons. It would consist of the Speaker of the House, the Leader of the House, a nominee of the Leader of the Opposition—probably, though not necessarily, the shadow Leader of the House—and three hon. Members appointed by the House of Commons, none of whom would be a Minister of the Crown. We have recent memories of the House exercising its role in deciding who should be a commissioner—a debate in which the hon. Member for Ellesmere Port and Neston (Mr. Miller) took a prominent part. We believe that such a Speaker's Committee would command wide respect for its impartiality.

I cannot for the life of me see why the Government should not accept the amendment. We do not propose any differentiation of functions. We do not suggest that the committee should do anything other than what the Government have suggested. We suggest, however, that the Speaker's Committee should actually include the Speaker.

Many precedents exist for the Speaker's participation in committees and commissions with an electoral remit. In 1908, the Speaker played a prominent part in a royal commission on electoral reform. There was a Speaker's conference on electoral reform in 1917, and further Speaker's conferences in 1930, 1943–44, 1965 to 1968, 1972 to 1974 and 1977–78. The Speaker also chairs the House of Commons Commission, the membership of which would be replicated on the Speaker's Committee if our amendment were accepted. The fact that the Speaker takes the chair gives the Commission special authority. In the same way, the new Committee would achieve special authority if the Speaker chaired it.

The House perhaps takes greater pride in the impartiality of the Speaker than it does in anything else. It matters not in which part of the House we sit that, when a Speaker is elected at the beginning of a new Parliament, that man or woman is invested with the authority of the House and respected for total impartiality. The first thing a new Speaker does is to renounce any previous political allegiance. Madam Speaker used to be a member of the

Government party; she is no longer. The fact of her former membership causes not the slightest concern on the Opposition side, any more than it did when we were in Government while she was Speaker. She is universally respected—inside and out of the House—as a person of total impartiality, as was her predecessor, who happened to come from the Conservative Benches. So it has been for nearly 200 years, and so, I hope, it will always be.

The Committee would be invested with extra authority if it were chaired by the Speaker. If any committee deserves chairmanship by a person of total probity and impartiality, it is the Committee that the Bill would establish. I urge the Minister to continue with the admirable mood of conciliation that he has displayed this afternoon, and to accept the amendment.

Mr. Miller: I respect the hon. Gentleman's grasp of the history of this place—as, I am sure, do all hon. Members. He admirably describes the way in which the Chairmen of Committees emulate the role of the Speaker. In considering the powers vested in those Chairmen, does he not think that subsection (4) is stronger than his proposals? It states that

"members of the Committee mentioned in subsection (2)(d) shall be appointed to membership of the Committee by the Speaker of the House of Commons."

Sir Patrick Cormack: Yes, but on what basis are they to be appointed? The convention is that the usual channels play an important part.

I am not attacking the integrity of any Member of the House. That is the last thing that I would do. For about 16 years, I sat on the Chairmen's Panel. I know that, when a Member of the House chairs a Committee, he or she conducts the proceedings with an impartiality that emulates that shown by the Speaker in the Chair of the House. When we cease to chair a particular Standing Committee, we can take part in the full hurly-burly of debates on the Floor of the House.

The Opposition believe that the Speaker's Committee is so special that it should have a unique status among the Committees of the House. It should emulate the House of Commons Commission by having the Speaker in the Chair and by including only one Minister—the Leader of the House—and only one member nominated by the Leader of the Opposition. The other members should be elected, after debate, by the House.

The amendment is modest, but far-reaching. We believe that it will strengthen the new procedures that will be established by the Bill. We believe that it will strengthen the Commission. We hope that the Government will accept it; we can see no valid reason for their not doing so.

We are not attempting to change the powers, functions or responsibilities of the Committee. We are acknowledging that the Government have gone one step further than Neill by establishing the Committee. Neill referred to monitoring—the Committee is the form that the Government have chosen. The Opposition applaud them for choosing that form, but we want to make it as strong, effective and widely respected as possible. How could we do that better than by selecting a Committee that has the Speaker in the Chair and has the type of membership suggested by the amendment?

I hope that the Minister will respond by accepting the amendment with alacrity, so that we can move on to the next matter.

Sir Michael Spicer: My hon. Friend the Member for South Staffordshire (Sir P. Cormack) is correct to argue that the Speaker's Committee must be more impartial than is proposed.

I have tried to work out what the proposed composition of the Committee would mean in relation to party affiliation. Subsection (2)(a) states that the Committee will consist of

"the Member of the House of Commons who is for the time being the Chairman of the Home Affairs Select Committee".

That is likely to be a member of the Government party.

The subsection continues:

"the Secretary of State for the Home Department . . . a Member of the House of Commons who is a Minister of the Crown".

They will certainly be members of the Government party.

Six members of the Committee will be

"Members of the House of Commons who are not Ministers."

If they were chosen in proportion to the composition of the present Parliament, there would presumably be three or four who were members of the Government party.

Between six and seven members of that "impartial" Speaker's Committee would be members of the governing party. In view of some of the earlier comments that were made about impartiality and about the need to be especially impartial in such a Committee, that causes me some concern. It is a matter of particular concern that Madam Speaker would not be a member of the Committee.

7.15 pm

My reservations about the amendments are that I am not quite clear as to their importance, because I am not sure how important the Committee is under the measure. That is one of the problems with which we shall have to wrestle throughout our deliberations. As my hon. Friend pointed out, the explanatory notes state that the Speakers's Committee

"will have general oversight of the exercise of the Commission's functions."

However, schedule 1, which contains the only serious attempt to define the role of the Committee in relation to the commission, primarily covers financial matters. It provides that there will be a financial plan and compliance with certain administrative arrangements. The measure includes no statement that, for example, the Committee can determine the broad direction of the commission; that the Committee could direct the commission to be involved with general matters to do with referendums—whether Ministers should be involved or what the electoral thresholds should be.

Those matters are fundamental for the conduct of referendums, but they will not be part of the agenda of the Speaker's Committee. As I understand it—I stand to be corrected by the Minister—the Speaker's Committee will be concerned only with administrative matters. I wholly support my hon. Friend in his argument as to the need for impartiality on the Committee—that is sensible and fair. However, I have reservations because I do not know—until we hear more from the Minister—how fundamental a role the Committee will play.

[Sir Michael Spicer]

I want the Committee to play a fundamental part; it should be wholly impartial—especially in relation to Government and to those important matters in respect of referendums. No other body could offer proper guidance to the Commission.

I hope that, in pressing that argument, my hon. Friend will consider whether the Speaker's Committee has been given appropriate powers.

Mr. Stunell: I am certainly sympathetic to the general direction of the amendments, although I cannot give them my unqualified support.

There is nothing in the Bill to prevent the Speaker from appointing herself to the Committee—the Parliamentary Secretary, Privy Council Office might want to refer to that point. Schedule 2 states that the Chair of the Committee is to be appointed from among the members of the Committee.

However, the Minister is under some obligation to give us the view of Madam Speaker as to the role that she might play in that mechanism. The Committee should take note of that view and reflect it as we deal with this and related amendments.

There are a couple of matters to weigh on the other side. The Speaker has an exceptionally full and heavy programme. The relevant point has been made that, if the Committee is to be extremely proactive, that would be a good reason for the Speaker to appoint one of the Deputy Speakers, or some other person, in her stead. However, the Minister should tell the Committee of any consultations that have been held with Madam Speaker or her Office on that point.

The hon. Member for South Staffordshire (Sir P. Cormack) drew a parallel between the Committee and the House of Commons Commission. I hope that the Minister will not go too far down that track, because the Braithwaite report may make recommendations that would free the Speaker from some of her responsibilities. Parallels with other bodies or organisations might mislead us.

The Minister might want to comment on another point that has been raised. How are the Committee's six appointed members from the House to be chosen? There is an assumption that they would be drawn via some proportional system and the usual channels. It would be open to the House to require that the overall composition of that Committee reflect that of the House, including the three Government appointees among the Government's share. That might go some way to reassure people as to its political balance or objectivity.

The amendments in the group explore some concerns. Although I am not signed up to the amendments in detail, I want to hear from the Minister a positive response to the direction in which they attempt to take the Committee.

Mr. Tipping: I am grateful for the kind comments by the hon. Member for South Staffordshire (Sir P. Cormack). I will of course reflect on what he said tonight, as we have always tried to reflect on what has been said during our Committee proceedings.

The hon. Gentleman made many important points. First, I acknowledge his point that the amendments were not intended to change the role of the proposed Speaker's Committee. Perhaps I may at this point respond to some comments by the hon. Member for West Worcestershire (Sir M. Spicer). I am afraid that the Committee's role is fairly limited. It takes a strategic view. It looks at financial matters. As the Bill stands, the Committee will not be involved in the nitty-gritty and will certainly not be involved in the framing of a phrase or a question put at a referendum. The role is fairly tight. In addition to its strategic view, its financial view, its receiving of reports, the Committee will be a point of reference to which the commission, if it faces difficulties, could have recourse.

Sir Michael Spicer: I just want to ask what the word "strategic" means in this context. The words "plan", "strategy" and so on appear in schedule 1. What does "strategic" mean?

Mr. Tipping: I think that it means taking a long-term view of the work of the commission, as has been acknowledged during out debates. The Committee will have several competing tasks and will have to take decisions about priorities. One of the issues in which the hon. Gentleman takes a close interest is the notion of referendums. It will be a task of the commission to consider how they work in practice, what the positives and negatives are and what the successes and failures are. That piece of work will have to be fitted into the commission's work programme.

Sir Michael Spicer: Does that mean that the Speaker's Committee will be able to allocate resources between the competing demands that the commission may have?

Mr. Tipping: No. The Speaker's Committee is there as a point of reference for the commission to sound out what direction it wishes to take. Obviously many of the day-to-day activities will be the gift of the commission and its staff, and it has been acknowledged that the idea does not come from the Neill report. I believe that there is a view among parliamentarians—a view that was expressed by the hon. Gentleman and the hon. Member for South Staffordshire—that those of us who are involved in the hurly-burly of the political world have a role to play. It is by the design of the Speaker's Committee that we are able to introduce that notion. However, as I said to the hon. Member for West Worcestershire, the detailed involvement that he has advocated is not set out in our current plans.

The hon. Member for South Staffordshire said, very precisely and properly, that he wanted the Speaker's Committee to be unique, special and above reproach, which is why he has taken as his model, and the basis of the amendments in the group, the House of Commons Commission. Those who have drafted the Bill and have been involved in this matter share the hon. Gentleman's starting point but have taken a different model—that of the National Audit Office and the work of the Public Accounts Committee. The proposals that we are making to the Committee tonight reflect that model rather than that of the House of Commons Commission.

The hon. Gentleman asked me to react with alacrity. I shall react perhaps not with alacrity but quickly to one of his suggestions, by saying that I will discuss with the Speaker her views on this matter. The Government are certain that they do not want a Speaker's Committee with the Speaker in the Chair in name only. If the Speaker

were prepared to be involved in the Committee's work, we would want to reflect on the idea. The hon. Gentleman asked for reassurance; that is the reassurance that I give him on that point.

As I said, the precedent that we have taken is that of the Public Accounts Committee. It has worked well in the past and I have confidence in it. The hon. Gentleman and other hon. Gentlemen have asked about the appointment of the six members as set out in the Bill, rather than the three appointments proposed in the amendment. I am very keen to say that the inclusion of six members from the House allows a choice not just from, dare I say it, the big three political parties; there would be the potential to involve others in the Speaker's Committee.

The hon. Gentleman has suggested that the share-out of those six places would depend on the usual precedents—the size of political groups in the House. The Bill does not say that at present. It is entirely a matter for the Speaker to decide how those members are appointed, and I would be very surprised indeed—although it is a matter for the Speaker—if those six places were allocated according to the numbers in the House at any one moment. My hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) made that point.

Mr. Stunell: The Minister is touching on a point that was central to my speech—that the credibility of the Speaker's Committee depends on its provenance and its membership. He is right to say that these matters are not in the Bill. Would he concede that it might be advantageous if they were made more explicit in the Bill?

Mr. Tipping: The Bill certainly says that the members will be appointed by the Speaker. It does not say that there will be proportionality, and the Bill as it reads meets the hon. Gentleman's point, but, as I said, I will ensure that there are further discussions with the Speaker on that issue, and in that context I will follow up the point that the hon. Member for Hazel Grove (Mr. Stunell) has just made.

Mr. Miller: Is my hon. Friend distinguishing, as I was doing, between "appointed . . . by the Speaker", which means precisely what it says, and

"appointed by the House of Commons",

as amendment No. 17 suggests, which I think means appointed through the usual channels? Is that the distinction that my hon. Friend is trying to draw?

Mr. Tipping: The simple point that I am making is that, as the Bill stands, the six members will be appointed by the Speaker, and the Speaker has very strong views on many matters. I have given the hon. Member for South Staffordshire an assurance that I will arrange a discussion with the Speaker on that point.

The hon. Member for South Staffordshire also asked why the Home Secretary and the Minister for Local Government were involved in the Committee. It is because they and their Departments have expertise in these matters, and each will have something to contribute to the Committee by drawing on the expertise of their Department. Similarly, the Chairman of the House of Commons Home Affairs Committee will have experience of leading such discussions. I agree with the hon. Member for West Worcestershire that the post will normally be occupied by a Member from the governing party, but, as he knows, that will not necessarily be the case. It is something that we shall have to consider.

7.30 pm

The hon. Member for South Staffordshire has used the House of Commons Commission as a precedent and the Government have used the Public Accounts Committee as a precedent. Both are eminent bodies and, at this stage, I am inclined to stick with the model in the Bill—the Public Accounts Committee. The hon. Gentleman asked whether the Speaker could be involved in these matters, and I am anxious to ensure that the Speaker is involved on a day-to-day basis as an active working member and does not merely have a ceremonial role. I give the hon. Gentleman the commitment that I intend to arrange further discussions on that point. In those circumstances, I hope that he will reflect on his amendment.

Sir Patrick Cormack: The Minister has responded with the impeccable courtesy for which he is renowned in the House. I do not want anything that I say to be interpreted as in any sense questioning his good faith or integrity. I shall certainly not do that.

The fact is that there is unease among Conservative Members about the composition of the Committee. The Minister picked up on that unease and, to some degree, reflected it in his words. He said—he was very honest about this—that he was still inclined to stick with what the Government have in the Bill, but we are very disinclined to stick with that.

We are grateful to the Minister for saying that he will have discussions with Madam Speaker and for saying that he will reflect carefully on the points that have been made, but we would like to reinforce these points in the Division Lobby. I invite my right hon. and hon. Friends to vote for the amendment.

Question put, That the amendment be made:—

The Committee divided: Ayes 144, Noes 290.

Division No. 72] **[7.32 pm**

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John

Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Peter Luff.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle
(B'ham Yardley)
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug

O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. Mike Hall.

Question accordingly negatived.

Question proposed, That the clause stand part of the Bill.

7.45 pm

Mr. Forth: This is a tantalising clause because nowhere in part I is there any reference to the functions of the Speaker's Committee. One has to dig a little deeper, in schedule 2, to find a reference to what the Committee does. I know, Sir Alan, that you do not want me to delve into schedule 2 at this stage; we shall come to that debate fairly quickly, so I shall defer my remarks on the Committee's functions until then.

Clause 2 outlines the Committee's membership, and a mere perusal of the clause quickly reveals that it has the potential to be problematic. It includes the Chairman of the Home Affairs Committee, which is in effect, despite mechanisms and subterfuge, a Government appointment. The Government of the day tend to dominate such key appointments, especially if they have a large majority in the House. The Committee also includes the Secretary of State for the Home Department, which is self-evidently a Government appointment, and a Member of the House who is a Minister of the Crown and therefore, by definition, also a member of the Government. Already we can identify three members of the Speaker's Committee who are members of the Government or of the Government party.

That is all very well, and people might be reassured that subsection (2)(d) requires the Committee's membership to include six Members of the House who are not Ministers of the Crown. My worry is that although subsection (4) states:

"The members of the Committee mentioned in subsection (2)(d) shall be appointed . . . by the Speaker of the House"—

Mr. Miller: On a point of order, Sir Alan. I thought that we had just had the debate on this very point.

The Chairman of Ways and Means (Sir Alan Haselhurst): This is a stand part debate. I am of course listening very carefully to the right hon. Member for Bromley and Chislehurst (Mr. Forth), and although I shall give him a certain amount of leeway, I certainly do not expect him to repeat the previous debate.

Mr. Forth: I am coming to the gist of my remarks. I just wanted to set the scene so that my remarks are properly in context. I welcome the hon. Gentleman's impatience for me to get to my gist—I know how much he enjoys my gists, so I shall bring my gist forward.

Although one might be reassured by the fact that the Speaker, no less, would appoint the members of the Committee specified in subsection (2)(d), nowhere in the clause is there a protective mechanism to provide a guarantee that the membership of the Committee will be balanced in terms of the composition of the House or the representation of different Committees. We may want to return to that point in the debate on schedule 2. Even the hon. Gentleman will agree that we have not yet debated that, and I am anxious for us to do so.

I am flagging up a worry. We have not yet debated the functions of the Speaker's Committee because we are a bit back to front and the functions are in schedule 2, not clause 2. As we discuss schedule 2, we will need to have a mind to the composition and origins of the Committee and the extent to which the Government seem to have a hold on it, without any guarantee that non-Government Members will be included.

I defer my more detailed remarks to the debate on schedule 2, but I wanted to tell the Committee that when we come to discuss the functions of the Speaker's Committee we should be aware of a potential shortcoming in the membership.

Sir Patrick Cormack: We have had the debate on the composition of the Committee. The Parliamentary Secretary, Privy Council Office knows exactly what we think, but he made one interesting comment. He said that the model would be the Public Accounts Committee. That Committee always has an Opposition Member in the Chair. Is it the Government's intention that that should be the case with the Speaker's Committee?

Mr. Patrick Nicholls (Teignbridge): Some of the concerns of my right hon. Friend the Member for Bromley

[Mr. Patrick Nicholls]

and Chislehurst (Mr. Forth) have occurred to me, too. It is obvious from a casual reading of the clause that the mere presence of the Speaker apparently confers a certain—how can I put it?—authority and genuineness. Anyone coming to the thing afresh would say, "If it is the Speaker's Committee, there will be fair play, both explicitly and implicitly." When I went through the clause carefully, I kept waiting for a subsection to say, "And there shall be a mechanism to ensure that the Opposition"—not just the principal Opposition, but minor parties, possibly even as minor as the Liberal Democrats—"play a role," but, remarkably, it is not there.

Obviously, every holder of the Speaker's office is there because of the high esteem in which that Members hold that person. That has always been our tradition and, I am sure, always will be, but, at the same time, the clause relies entirely on the hope and expectation that it will all work out in the end. If the intention is that the Speaker's Committee, with the authority of the name of the Speaker, should be an authoritative body that commands respect and trust, there should be some mechanism to ensure that there is representation from the principal party of opposition and possibly the minor ones, too. In so far as clause 2 does not have that assurance, it is defective.

Mr. Tipping: The right hon. Member for Bromley and Chislehurst (Mr. Forth) told us that we would return to the question in different forms and ways. I think that we will. If we are not able to resolve the issue in the debate on clause stand part, or on schedule 2, we will return to it on Report.

I gave the hon. Member for South Staffordshire (Sir P. Cormack) an assurance that there would be further discussions with the Speaker on the point. I said that we wanted to ensure that, if the Speaker were minded to be involved—there is a strong case for that—she would have not a ceremonial role, but an active and important one. Having given those undertakings, a range of other possibilities opens up.

The right hon. Member for Bromley and Chislehurst asked how the six are to be appointed and whether it will be through the usual proportionality. I repeat: as the Bill stands, it is entirely a matter for the Speaker. As always, she will exercise her own judgment on the matter. Having six Members from the House of Commons—six ordinary Members, dare I say—gives the opportunity for broader representation on the Committee than the three main parties.

There has been some discussion about who should take the chair of the Committee. I inadvertently misled the hon. Member for South Staffordshire when I referred to the Public Accounts Committee. I meant the Public Accounts Commission. I apologise. The precedent works well. His precedent for the Speaker's Committee is one precedent; my preference—the Public Accounts Commission—is another and a different way forward.

The right hon. Member for Bromley and Chislehurst pointed out that the Chairman of the Home Affairs Committee is normally from the major party. That need not necessarily be the case. It is a matter for the House and the Committee to decide, but concerns have been raised during this debate and in more detail in our previous debate. I gave an undertaking that there would be further discussions with the Speaker. I will ensure that that happens. I am confident that that will inform our debate later. As the right hon. Member for Bromley and Chislehurst said, we will undoubtedly return to the matter in different forms and ways.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Schedule 2

THE SPEAKER'S COMMITTEE

Question proposed, That this schedule be the Second schedule to the Bill.

Mr. Forth: We can now look back reflectively on the matters that we have touched on. Here we have the answer to at least one slight mystery. My right hon. and hon. Friends and I were discussing the Bill earlier and were wondering why the purposes of the Speaker's Committee were buried in such a modest way in schedule 2, instead of being right up there in the early part of the Bill, even before clause 2.

Be that as it may, schedule 2 says what the Committee will do. At least, that is my guess, because it is the only mention that I can find. That great and august body, containing extraordinarily important and no doubt distinguished people, will, according to the schedule

"at least once in each year, make to the House of Commons a report on the exercise by the Commission of their functions."

On the face of it, one might not only think that that is a fairly light work load but dismiss it as not of any great importance. I beg to differ.

We know that the commission's responsibilities are potentially highly political; they are not just about political matters but they could be very political in the sense that they could bear directly on electoral systems, for example; what the commission is charged with doing is mentioned in some of the substantive clauses that outline its responsibilities. The highly political Committee—it can be no other; it will be composed of politicians—will report on the exercise by the commission of its functions. It is not too fanciful a flight of imagination to suggest that the commission may look to the Committee for guidance on what it does. If the Committee chose to give political guidance on, for example, electoral systems—their desirability or whatever—one could find that it developed in an alarming way.

One then asks, "What about the membership?" The schedule gives further hints on the questions that we raised on clause 2 stand part. It says:

"An appointed member shall cease to be a member of the Speaker's Committee if ... another person is appointed to be a member of the Committee in his place."

In other words, a member can be sacked. That is how I read it. It effectively says—in charming parliamentary language, I agree—that it is possible for a member of the Committee to be dismissed by the appointment of another in his place.

That worries me, too. I would have wanted some reassurance of some independence of the Committee through the security of its membership, but, apparently, we do not have that reassurance. A difficult or

troublesome member can obviously be removed. That carries with it all sorts of implications that we may want to consider.

Paragraph 3(1) states:

"The Speaker's Committee shall elect a chairman from amongst its members".

We are then given what I guess the Minister will tell us is some reassurance:

"but the members of the Committee mentioned in section 2(2)(b) and (c) (Home Secretary and Minister for local government) shall not be eligible for election as chairman."

That still means that the Chairman of the Home Affairs Committee, for example, will be eligible for election as Chairman. I have already suggested that, in most Parliaments heretofore, that individual has been a member of the governing party. If the Committee is indeed going to be able freely to elect its own Chairman, there is the distinct possibility that it may end up with a member of the Government as that Chairman.

8 pm

Now we are getting to the real substance of the schedule. If the Government were serious in their intention to reassure the Committee and the House of the absolute integrity and independence of the Speaker's Committee—let alone the commission—I should have expected there to be in the Bill some sort of mechanism stronger than the one offered. For example, the Bill might have stated that the Chairman shall not be a member of the party that has a majority in the House of Commons, or words to that effect. However, it does not say that, so we are left with the suspicion—I put it no higher than that—that the Speaker's Committee, with its oversight of the work of the commission as set out in paragraph 1(1), might in some circumstances exercise disproportionate influence over the commission when it is discharging its responsibilities of reviewing and making recommendations on electoral procedures and systems.

All those possibilities are present in schedule 2. Clause 2 provides no reassurance—the Minister has now come clean about the fact that he meant to refer to the Public Accounts Commission, not the Public Accounts Committee, which makes an important difference—and the debate has not reassured us about the independence, integrity or freedom from Government influence of the Speaker's Committee and, by implication, of the Electoral Commission itself.

I hope that the Parliamentary Secretary can provide far more in the way of reassurance and insight as to the way in which he believes the process will work. For example, he should say more about the chairmanship of the Home Affairs Committee—a crucial matter, given that the Chairman of that Committee might be eligible to be Chairman of the Speaker's Committee. He should say a lot more about how he, representing the Government, expects the Speaker to think about appointments to membership of the Speaker's Committee. I do not suggest that the Minister tries to pre-empt or trammel the Speaker in any way, but it is normal practice for the Minister to be able to give the Committee considering a Bill an insight into his thinking and that of the Government. We need to know more about the expected composition of the Committee and to be given reassurances that there will be no in-built Government influence.

I make my remarks against the background of recent allegations of cronyism in the context of the reform of the other place. We need to be reassured that there will be an absence of cronyism in respect of the Speaker's Committee and the Electoral Commission. They are bodies that have the potential to shape our future political mechanisms and electoral processes—our constitution, no less. It is the Committee's job to elicit from Ministers reassurances and guarantees that there can be no cronyism, no bias and no undue influence on those bodies. Until those reassurances are provided, I shall be extremely reluctant to support the schedule.

Mr. Nicholls: My concern is that, although the body is called the Speaker's Committee, it is that in name only. The membership of the Committee is the key, yet the Bill has nothing to say about any obligation, discretion or desire to appoint anyone other than those whom Her Majesty's Government of the day—be they Labour or Conservative—want.

People in this country who know little about the political process know that certain things are axiomatic. The first is that politicians are frightful and cannot be trusted, and the second is that Her Majesty's Government of the day can be trusted even less. I would not seriously depart from that order of priority: usually, when one asks people whom they hold in less respect than politicians, the answer is Her Majesty's Government pro tem.

However, the moment the Speaker is mentioned, people are, to a certain extent, lulled into a sense of security: they know that if the Speaker is involved in something, it is bound to be okay. It seems to me that the Committee is the Speaker's in name only. The Speaker has nothing more than a formal role in the making of appointments to the Committee. The Bill places the Committee entirely in the hands of the Executive.

I expect the Parliamentary Secretary—a persuasive, courteous and genial gentleman—to say that my fears are founded on no more than the paranoia produced by being in opposition after so many years on the Government Benches. If he does, fine, but I would say in return that Ministers come and Ministers go, and sometimes Ministers go very quickly indeed. It may be that the assurances he gives the Committee will barely be archivable before he suddenly finds that a different Minister—one who has a different agenda—has taken his place. We need assurances in the Bill because we cannot rely on the Minister, much though we like him.

Mr. Tipping: The Committee has touched on these matters once already, it is debating them again now, and I dare say that they will be raised again later in the course of our deliberations. The right hon. Member for Bromley and Chislehurst (Mr. Forth) and the hon. Member for Teignbridge (Mr. Nicholls) have made some interesting points. I am grateful for the words that the hon. Gentleman tried to put in my mouth, but I shall make my own response.

The right hon. Member for Bromley and Chislehurst rightly states that schedule 2 spells out in short shrift the power and role of the Speaker's Committee. I am sure that he has already read the explanatory notes which, on page 9, fill out some of the details of the role of that Committee. As well as having a strategic role of approving a budget and a five-year corporate plan, the

[Mr. Tipping]

important feature of the Speaker's Committee is that it will provide a political reference point for the Electoral Commission.

As has been acknowledged during our debates today, the concept of the Speaker's Committee did not emerge directly from the Neill report. However, there was a view that parliamentarians should have some input into the process; that is the genesis of the Speaker's Committee. At times, the commission will be able to seek soundings and circulate ideas among a group of Members of Parliament.

The right hon. Member for Bromley and Chislehurst is right to say that, under paragraph 2(2)(b), members of the Committee can be appointed in place of other members. A member might resign for any number of reasons: for example, he or she might be promoted, or want to do new and different things. I would not read anything suspicious into that part of the schedule; it is simply a necessary mechanism whereby a new member can be appointed if one resigns.

Sir Patrick Cormack: Does the Parliamentary Secretary accept that, as things stand, the Speaker's Committee might be seen as a creature of the Government? It will be robbed of all validity and all reputation for impartiality if that impression persists. The hon. Gentleman said that he will come back to that issue. Will he ensure that, when he does so, that point will have been properly addressed?

Mr. Tipping: I am grateful to the hon. Gentleman for making that point, because he reminds me to remind the Committee to check the record. Earlier in our proceedings, I agreed with the hon. Gentleman that the Speaker's Committee has to be unique, responsible and beyond reproach. During our earlier exchanges, I undertook to engage in further discussion on that matter and I shall use his point as the cornerstone of that discussion. He is right to say that the Speaker's Committee must be the product of consent and that it must have respectability.

Mr. Nicholls: I am grateful to the Minister. I need to make sure that I understand what he is saying. Either he is being helpful, or he intends to be helpful but is not being so.

I note that paragraph 2(3) states:

"An appointed member may resign form the Committee",

and that paragraph 2(2)(b) states that

"another person is appointed to be a member of the Committee in his place".

Is the hon. Gentleman saying that the appointment procedure comes into play only if a member resigns?

As I read the provision, the Government can use their majority to dismiss a member of the Committee. Obviously, there must then be a mechanism to appoint someone else. If the Minister is saying that the appointment procedure only comes into operation following a resignation, that may be reassuring.

Mr. Tipping: The position on membership is clear. There are to be two Ministers of the Crown, the Chairman of the Home Affairs Committee—whom I acknowledged earlier is usually a member of the governing party, but not necessarily so—and six members appointed by the Speaker.

The right hon. Member for Bromley and Chislehurst and the hon. Member for Teignbridge have both asked me how the Speaker will appoint those members. I am not privy to the Speaker's mind on these matters. The Speaker has her own views and will consult her deputies. These are her appointments.

In an earlier debate, I pointed out to the Committee that it was important that there were six places for Back-Bench Members, rather than three, as that provided the opportunity for members of parties other than the big three to be appointed.

The hon. Member for Teignbridge chides me that it is a Speaker's Committee in name only. I remind him of the absolute assurance that I gave the hon. Member for South Staffordshire (Sir P. Cormack) that there will be further discussions with the Speaker on these matters. What unites us across the Chamber is the need for a Speaker's Committee that works and commands respect. I have heard the points that have been raised, and I have given an undertaking that discussions will be held.

Mr. Forth: I am, as ever, grateful to the Minister. He has been patient with us. May I press him on the point made by my hon. Friend the Member for Teignbridge?

Can the Minister tell us categorically whether he is saying that only when a member of the Committee resigns will the provisions of paragraph 2(2)(b) come into effect, or whether he is saying that it is possible—he may say that it is unlikely, but it is possible—under paragraph 2(2)(b) for another person to be appointed by the Speaker as a member of the Committee in the place of someone, thus displacing the original member?

That is an important point. It is one thing to say that a member of the Committee may resign and be replaced; we all understand that. It is a very different thing to say that there is the possibility of someone arbitrarily—no, I withdraw that—after consideration being appointed, and thus displacing someone who does not want to be displaced. Can the Minister clarify that?

Mr. Tipping: It is absolutely clear that the Speaker holds the reins in the matter. Apart from the Secretary of State for the Home Department and the Minister for Local Government who gain access to the Committee by virtue of their posts, as is the case with the Chairman of the Home Affairs Committee, the other members are appointed by the Speaker. The Speaker will make an appointment only if there is a vacancy. With that clarification, I hope that the schedule will be agreed to.

Mr. Stunell *rose—*

The Chairman: The hon. Gentleman may certainly address the Committee, but the Minister has sat down.

Mr. Stunell: We are exploring an interesting point. The Minister moved the debate forward when he said that the Speaker would appoint a replacement only when there had been a resignation. That seemed to be the assurance that right hon. and hon. Members sought. Would that be the case, however, in the immediate aftermath of a general

election? That is what I thought the provision was intended to cover, until the Minister gave his assurance. As far as I can see, the Speaker's Committee is not limited to the life of one Parliament. If that is the case, and if there were a significant change in the membership of the subsequent Parliament, it would clearly be appropriate for the members appointed by the Speaker to reflect more accurately the membership of the new Parliament.

For the avoidance of doubt, can the Minister satisfy me that, in the event of a general election, there would be an opportunity to restructure the Committee in accordance with the new shape of the House?

Mr. Tipping: Sub-paragraph (4) of paragraph 2 makes it clear that a member of the Committee is a member for the lifetime of the Parliament.

Question put and agreed to.

Schedule 2 agreed to.

Clause 3

Appointment of Electoral Commissioners and Commission Chairman

8.15 pm

Sir George Young: I beg to move amendment No. 20, in page 2, line 36, leave out 'chairman of the'.

Amendment No. 20 is even more important, against the background of the debates of the past hour. We have tried and, sadly, failed to inject a greater element of impartiality into the composition of the Speaker's Committee than is set out in the Bill.

People can be appointed as commissioners with the agreement of the Chairman of the Speaker's Committee. We established in the previous debate that the Chairman of the Speaker's Committee could be, for example, the Chairman of the Select Committee on Home Affairs who, for as long as I can remember, has always been a member of the governing party.

The amendment would change the wording from

"with the agreement of the chairman of the Speaker's Committee"

to

"with the agreement of the Speaker's Committee".

As the Bill is drafted, the Chairman of the Speaker's Committee could agree on what was proposed and every other member of the Committee could disagree, but the assent could go forward none the less.

We must remember that the object of a Speaker's Committee is to create an element of neutrality and impartiality for the electoral commission, so that it comes not under a Government Department, but under a Committee of the House. If that is the objective, it is important that when the Speaker's Committee exercises its functions, it does so in a way that is broad-based, neutral and impartial, rather than as currently set out.

The powers with which clause 3 deals are set out in clause 1, which states:

"The Electoral Commission shall be appointed by Her Majesty (in accordance with section 3)"

and

"Her Majesty shall (in accordance with section 3) appoint one of the Electoral Commissioners to be the chairman of the Commission."

Those are important powers, on which the Speaker's Committee rightly has a say. I contend that the objectives of the Speaker's Committee cannot be discharged unless we amend clause 3(2)(a) to secure the agreement not just of the Chairman, but of the Speaker's Committee as a whole. That is the purpose of the amendment.

I shall not speak at length, as I hope that the Minister will recognise the force of the argument. It would be a bad start to the life of the commission if, for example, there were disagreement within the Speaker's Committee, or a majority in the Speaker's Committee that was opposed to the motion for the address appointing commissioners, and the Chairman none the less gave his assent. The chairman of the commission could be appointed in the same way.

I was surprised to see the Bill drafted as it is. I hope that the Minister is sympathetic to the argument and will tell us that the amendment has the Government's approval.

Mr. Maclean: I share my right hon. Friend's view. It seems appropriate that if we are aiming at a semblance of balance in the Speaker's Committee and at impartiality in the entire structure, the Speaker's Committee as a whole should be responsible for making the decision. The agreement of the whole Speaker's Committee, and not just of the Chairman, should be obtained.

One assumes that the Chairman of the Speaker's Committee, being a right hon. or hon. Member, would not ask for such a motion to be made if the Committee were opposed to it. One assumes that he or she would have a majority in the Committee before proceeding with the motion for such an address. However, the Bill does not provide for that. It would be possible, when members of the Committee were not in agreement, for the Chairman to proceed with the motion for an address. The Government may claim that that is highly far fetched and improbable; if so, why cannot the provision simply read

"with the agreement of the Speaker's Committee"?

Such agreement would be signified by the Chairman, but there is no good reason for nominating the Chairman rather than the whole Committee. If the Government accepted the amendment, it would give a further impression that they were inclusive, as they like to claim they are; that the process was impartial; and that all members of the Committee had been consulted before the motion for the address was made.

Mr. Mike O'Brien: The Bill requires the agreement of the Chairman of the Speaker's Committee before a motion is made for an address to appoint electoral commissioners. Amendment No. 20 would require the agreement of the whole Committee.

The arrangements for which the Bill provides are modelled on equivalent provisions for the appointment of the Comptroller and Auditor General. Section 1(1) of the National Audit Act 1983, which was passed under a Conservative Government, requires the agreement of the Chairman of the Public Accounts Committee before a motion for an address to appoint the Comptroller and Auditor General is made. That system works well and without a great deal of controversy. There is therefore no reason to depart from that approach in the Bill.

[Mr. Mike O'Brien]

I expect that the Chairman of the Speaker's Committee would wish to consult his colleagues on the Committee before giving his consent to an appointment. In view of all the safeguards that we have incorporated in the measure, including the requirement to consult the leader of each of the main parties, the right hon. Member for North-West Hampshire (Sir G. Young) stretches a point in insisting that all members of the Speaker's Committee should give their consent. I was not sure whether the right hon. Gentleman wanted to provide for the consent of the majority of the Committee and for the Committee to divide, or for the Committee to try to work towards a consensus and rely on the Chairman's view.

It would be undesirable for all nine members of the Committee to be able to exercise a veto over an appointment and thereby hold the process to ransom. There should be a broad consensus for each appointment, but demanding total unanimity on every appointment is a recipe for gridlock. The Bill provides for a tried and tested approach, which has worked well for the appointment of the Comptroller and Auditor General. There is no reason for it not to work for the electoral commissioners. I ask the right hon. Gentleman to withdraw the amendment.

Sir George Young: I am grateful to the Minister for providing the genealogy of the form of words in the Bill. However, the circumstances in the Bill are different from those in the Act that the Minister cited. We are considering sensitive appointments in a political arena. The appointment of the Comptroller and Auditor General is not in the same league as that of the chairman of the Electoral Commission. I do not seek unanimity; I do not understand how the Minister read that into the amendment. The amendment would provide simply for

"the agreement of the Speaker's Committee",

which means a majority of the Speaker's Committee.

Under the Bill, there could be unanimity in the Committee against the proposal, but because the Chairman agreed with it, his view would be presented. The Minister rightly pointed out that others will be consulted, but while subsection (2)(b) covers consultation, subsection (2)(a) is the only provision that requires agreement.

I shall not press the amendment, but I ask the Minister to consider whether the precedent that he cited is appropriate for such an appointment and, on reflection, to accept amendment No. 20 on Report, or to table a form of words that would have the same impact of reducing the importance of one person on the Speaker's Committee.

Mr. O'Brien: I note the right hon. Gentleman's clarification of his view, and that he does not seek unanimity but wants to ensure that the Committee's view is sought. I am not opposed to that in principle. I shall not give an undertaking to include such a provision in the Bill, but I agree to consider his point.

Sir George Young: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Grieve: I beg to move amendment No. 21, in page 3, line 11, at end add—

'(7) At least three members of the Commission (one of whom shall be the Chairman of the Commission appointed under section 1(5)) shall be drawn from the following categories:

(1) judges or retired judges of the High Court of England and Wales

(2) judges or retired judges of the Court of Session of Scotland

(3) judges or retired judges of the High Court of Northern Ireland

(4) Lords Justices of Appeal of England and Wales

(5) Lords of Appeals in Ordinary

(6) the Comptroller and Auditor General

(7) the Parliamentary Commissioner for Standards

(8) the Chairman of the Committee on Standards in Public Life.'.

We are now considering the heart of the Electoral Commission: its composition. There is a complete lack of information on that subject in the Bill. Clause 1 simply provides for the number of people who will serve on the commission and clause 3 merely provides for the way in which they will be appointed. It also identifies people—Members of Parliament—who cannot be involved in the appointment process. That does not do justice to Lord Neill's intentions.

Paragraphs 11.7 and 11.8 of the Neill report go into some detail about the composition of the Electoral Commission:

"Those who have advocated the establishment of an Election Commission have been emphatic that it should be independent both of the government of the day and of the political parties. We agree. An Election Commission in a democracy like ours could not function properly, or indeed at all, unless it were scrupulously impartial and believed to be so by everyone seriously involved and by the public at large.

In our view, a number of important consequences follow. The first is that the members of the Commission should not, in the normal course of events, be people who have previously been involved in any substantial way in party politics. The second is that the UK Election Commission, unlike the US Federal Election Commission, should consist of independent persons and not of party representatives. The third is that the method adopted for choosing the members of the Commission should itself be independent of the parties. The fourth is that, nevertheless, the individual members of the Commission should be acceptable to the leaders of the main parties, who should be consulted in the course of their appointment. The fifth is that, once appointed, the members of the Commission should hold office for a considerable period of years and should enjoy a substantial security of tenure."

That requires Parliament to consider carefully the commission's composition, especially because the Government intend that, a short time after the Bill reaches the statute book, the boundary commissioners will be absorbed in the Electoral Commission. Four of the boundary commissioners will eventually be four of the commission's members.

8.30 pm

It is noteworthy that the current vice-chairman of the boundary commissioners is, and has been as a matter of course, a High Court judge, but no such suggestion is reproduced in the Bill. The commission will be powerful and the point has been made—I think that it appears in

Lord Neill's report—that it is not intended to turn it into a judicial body; but one has only to consider what business it will transact to realise that although it may not be judicial it will certainly come jolly close to being a prosecuting authority, even if it ultimately hands over responsibility for that to the Director of Public Prosecutions and the Crown Prosecution Service. The Bill creates 68 criminal offences, some of which mirror previous legislation, but many of which are entirely new. They will require evaluation, and I am certain that no prosecution will be brought without the Electoral Commission having first at least pronounced on what it believes to be irregular practice by individuals or political parties.

My concern is that, as matters stand, we could end up with a quango of the great and the good. They may not be people who have held political office in the recent past, but having listened to the debate with great interest, it is apparent to me that the Government seem to have it in mind that certain commissioners might have held office or participated in party politics. That may be a possibility, but it raises the threat that the great and the good represent, which is best avoided. The commission will have substantial powers that will have to be exercised with great care and precise understanding of what is possible and just, in relation to the operation of the legislation. Our view is that it is in the interests of all concerned that it should be seen to be an impartial body with expertise in its field of operation.

Amendment No. 21, which sets out to achieve that, identifies categories of persons, principally High Court judges and above, but also persons likely to be versed in financial and accounting matters and those who have already been involved in parliamentary standards and standards in public life. If they filled three of the nine places—four will go to the boundary commissioners, effectively as of right—two would be left for suitably qualified persons. That would be a step in the right direction.

Other similar electoral commissions have judicial input and it is extraordinary that we are going down that road without providing for it. The Minister may say, "There will be nothing to prevent those sorts of people from coming on board." I would doubtless welcome that, but it is not good enough. It is perfectly easy in this context to identify the sorts of people who would be of use as Electoral Commissioners and those who would be treated as impartial. That touches on the question of who will chair the Electoral Commission, and I would like to hear the Minister's comments on it. It was suggested earlier that the Government want appointments to the commission to be part time, except for the chairman, but that is not how the Neill committee views the matter. It wants all electoral commissioners to be part time, but says that the day-to-day management of the commission could be left in the hands of a chief executive.

There is clearly a big difference between what Lord Neill suggests and what the Government propose, so may I put some possibilities to the Minister? If there is to be a chief executive, there seems no reason why the chairman need be full time, but if a judicial figure were to be appointed full time—a judge may become chairman of the Law Commission for a period of years, for example—there might be no problem in envisaging a similar appointment. Those matters require clarification.

The background to the Bill has always been that the Government want a measure of consensus—and, more than that, that the structures should run like clockwork and there should not be continual questioning of the manner or type of appointment made. I cannot think of anything more calculated to cause discord than the appointment of people previously involved in public life, probably in politics. In the United Kingdom today, people in public life, even if they have not been active in politics, have usually expressed political views at one time or another, unless they have operated under a self-denying ordinance. I accept that people previously involved in political life may sometimes be appointed, but they should be kept in a minority on the commission.

The commission will operate a judicial system. It may be the Crown Prosecution Service that prosecutes, but ultimately the commission will call the shots, and will make recommendations that may be critical of individuals and political parties. There will be a system of civil penalties, which I assume the commission will enforce: it will not be through any prosecuting authority. If that is not the intention, it would be nice to hear from the Minister what is intended, because our discussions in the Standing Committee strongly suggested that it will be for the Electoral Commission to bring proceedings, with civil penalties, against political parties. It would be difficult to imagine anything worse, in those circumstances, than former political figures being actively involved. It is therefore the duty and responsibility of this Committee to narrow the options.

I hope that the Minister will view the amendment in the spirit in which it is presented. The Minister may have other ideas. Perhaps other categories should be considered and added to the list. It would be prudent to define who we intend to be on the commission, and to identify—as they can be identified—those who would be suitable to carry out the onerous task of managing our electoral system.

Mr. Maclean: I have listened carefully to my hon. Friend, and I cannot see how the Minister could possibly disagree with the arguments that he has advanced. The Bill contains a large number of penalties, and the Electoral Commission's considerable power in exercising its functions will impinge on political parties and individuals. It will take over the functions of the boundary commissions, and it will have considerable authority in imposing those penalties.

In those circumstances, it is appropriate that, in accordance with natural justice, senior members of the judiciary should be on the commission. We are working on the assumption that there will be a maximum of nine people appointed to the commission. Amendment No. 21 proposes that at least three of them should be drawn from a list including senior members of the judiciary, the Comptroller and Auditor General, the Parliamentary Commissioner for Standards and the Chairman of the Committee on Standards in Public Life.

We want the commission to have a reputation and be respected as an impartial body. Let us face it, it will be ruling on referendums, making reports on the conduct of elections and being responsible for boundary redistribution, all of which will make it susceptible to allegations by politicians of all persuasions that judgments have been made that were partial. Although all of us collectively respect the work of the boundary

[Mr. Maclean]

commissions, and none of us suggests that it is partial in any way, when there is a suggestion that a parish should be moved in or out of our constituency, every hon. Member of every party tries to find the most impeccable reasons to argue for or against it, depending on whether they see electoral advantage.

One of the arguments that we cannot advance is that the decisions made by the boundary commissions' are biased or partial. If we thought that the commissions' membership could in any way be sullied, some hon. Members would certainly argue that, when their seats were redistributed or carved up, the boundary commissions' made erroneous judgments because of political bias or partiality somewhere in the system. Currently, that does not happen.

I am merely suggesting to the Minister that, if he does not accept the concept of including some of the people suggested in amendment No. 21—such as retired judges, Lords Justices of Appeal-in-Ordinary and the Comptroller and Auditor General—but goes down the route, as suggested earlier, of including retired politicians, however respectable, some people might argue that they are not as impartial as retired judges, or as serving judges performing a tour of duty on the commission before moving on to other things.

The Opposition are being helpful to the Minister in making the proposal. One wishes senior colleagues who have gone out to grass but who wish to do other things well. Previously, Lord Jenkins of Hillhead, for example, would undoubtedly have been regarded as one of those perfectly suitable appointments to the commission. However, now that he has tried to do some of the Government's initial dirty work in his own report, by arguing for proportional representation, no one could possibly suggest that that member of the great and the good is impartial.

Undoubtedly, Ministers would say that they could produce other retired political figures, possibly in another place, or possibly outside Parliament, who may be regarded as impartial and who could serve on the commission. Inevitably, however, there will be claims of bias or partiality if retired politicians or other members of the great and the good—regardless of whether they are writers, senior doctors or veterinarians—are appointed. People will have had opinions on politics that they may have expressed in a particular way; or at one time, they may have been a member of a political party.

Much as I dislike handing over a lot of the regulation of this place and of Parliament to outside members of the judiciary, when we should be operating our own internal controls ourselves—it is water under the bridge, and it is not an argument for today's debate—there is nevertheless a perception outside this place that, if we stick a judge on to a body, it is bound to be neutral and impartial. That is one reason why we have people such as Neill, Nolan and others telling us how to run our affairs. It is also why have we have made the House subservient to them. The perception is that they are impartial, cannot be tainted and will reach properly impartial judgments.

If hon. Members have decided that it is good enough to have the affairs of the House regulated and controlled by judges and retired judges, surely to goodness the Electoral Commission—which is responsible for ensuring the validity of the rules that get us here in the first place—should have serving on it some of the Neills, the Nolans and the other judges of this world.

My hon. Friend the Member for Beaconsfield (Mr. Grieve) is right that the Minister may say, "There's nothing to stop those people being appointed to the commission." It is true that there is nothing stopping them—but I know the pressures that Ministers are under. One establishes committees and commissions, and one is subsequently flooded with representations in favour of appointing to them members of the great and the good.

As the Minister has already said today that there is nothing stopping possibly senior, respected and retired politicians from being on the commission, he will inevitably be under pressure from those senior, respected and retired politicians to ensure that he lives up to his promise and appoints some of them. He will also be under pressure not only from senior, respected and serving—or retired—trade unionists, but from other entire ranks of society who think that they could do a good job on the commission.

8.45 pm

Mr. Nicholas Winterton (Macclesfield): If positions on the Electoral Commission were open to retired politicians, would those who appointed them be obliged to ensure that their past political affiliation was balanced by the appointment of somebody with a different political background? At least we would then know where they stood. How do we know the political affiliation of the Comptroller and Auditor General, the Parliamentary Commissioner for Standards or the Chairman of the Committee on Standards in Public Life?

Mr. Maclean: My hon. Friend is right. If the Government appointed one retired politician who had been in my party, they would be under enormous pressure to appoint another from at least one other political party to be seen to give balance. The Liberals would also make a fuss and we would end up with three retired politicians on the committee in an attempt to provide balance. They may give jobs for the retired boys—one day I may be looking for one of those jobs; later rather than sooner, I hope, although some of my hon. Friends may have a different view—but we must have regard to the credibility and respectability of the commission.

I appeal to the Minister to accept the amendment, which my hon. Friend the Member for Beaconsfield moved so ably. I am merely adding my little bit of extra weight to the arguments. We need to ensure that all those outside this place regard the commission as impartial and impeccable and that there can be no complaints against it. Much as I regret it in some respects, one way to do that is to accept the amendment to include senior members of the judiciary, because they are regarded as neutral in all circumstances.

Mr. Winterton: I am sure that the Committee will be pleased to hear that I intend to speak only briefly, mainly because my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) did not deal fully with my intervention a few moments ago. I asked whether whoever appointed any retired politicians to the commission would be obliged to ensure balance in political appointees so that people outside the political arena could see that there was

one from a Labour background and another from a Conservative and Unionist background. That would overtly provide the balance that people expect.

I then asked my right hon. Friend whether he was aware of the political affiliation of the Comptroller and Auditor General. I should like my right hon. Friend the Member for North-West Hampshire (Sir G. Young) to explain why he has put the Comptroller and Auditor General forward as a suitable candidate for appointment to the commission. The same argument goes for the Parliamentary Commissioner for Standards. The holder of that office may be well versed in what is right and wrong for the behaviour of Members of Parliament inside and outside the House, but I am not sure what other experience they might have to contribute to the commission. I do not have the same criticism of the Chairman of the Committee on Standards in Public Life, but I would appreciate some explanation of why my right hon. Friend the Member for North-West Hampshire suggested that person as someone who might be considered for appointment to the commission.

The commission is very important. Its decisions could well have a fundamental impact on the constitution and future of this country.

It is vital that the commissioners be individuals of the highest integrity who will do their job completely without bias. I agree with both my right hon. Friend the shadow Leader of the House and my hon. Friend the Member for Beaconsfield (Mr. Grieve)—judges, either in office or retired, are in the main ideal candidates—but I want to know why my hon. Friend considers all the categories listed to be ideally suited.

I hope that the Minister will give us a little more information about who could be appointed to what I consider a vital constitutional commission that could have an impact on my future and on that of my children and their children.

Mr. Mike O'Brien: Before I go into the detail of the amendment, it may help the Committee if I set out where I believe there is common ground among most of us who have spoken. First and foremost, there is no dispute that the commission must be scrupulously independent and impartial. We do not want to adopt the American model of a commission packed with old political hacks whose conflicting views are balanced in the commission as a whole.

Instead, we are following Neill's approach. The Neill committee recommended that members of the United Kingdom Electoral Commission should be chosen on a non-partisan basis and by means of a non-partisan procedure. I did not say that we wanted to include old pols in the selection process. That is not our aim. It is one thing not to want to include but another deliberately to exclude for all time.

Having listened to the Committee with care, I was persuaded by the right hon. Member for Bromley and Chislehurst (Mr. Forth), who apparently disagrees with the right hon. Member for Penrith and The Border (Mr. Maclean). That is a rare event, but one to be cherished by Government Members. The former thinks that the old pols are to be recommended on some occasions and the latter that they are to be avoided on all occasions. There may be merit in both views, and who am I to intrude?

Mr. Forth: The apparent mystery may be explained if I remind the Minister that I am about nine years older than my right hon. Friend.

Mr. O'Brien: We want to try to reflect the way in which Neill envisaged the appointment procedures developing. The procedures will be bolstered by selection criteria that will exclude, for example, those who have played a significant role in party politics. We do not want as commissioners those who are regarded as partisan because they have recently stood for election or are so identified with one political point of view that they would not be regarded as able to act impartially in resolving an issue between political parties.

Beyond ruling out those whose association with political parties or other organisations would clearly give rise to a conflict of interests, we propose to avoid being too prescriptive about who should be allowed to be an electoral commissioner. I remind the Committee that the Neill committee made no recommendation to the effect that one or more commissioners must be a High Court judge or equivalent. I accept that a High Court judge would fully satisfy the requirements of independence, impartiality and integrity, and we certainly would not rule out appointing a retired judge, should one apply. I am not sure that the Lord Chancellor would be disposed—given all the demands these days on High Court and other judges—to supply a judge to sit part-time or full-time on the commission, but we would consider an application from a retired judge, QC or someone else with suitable legal qualifications. It was rightly said that we will require the commission to be properly advised on any legal obligations that it has, and those who it comprises should be able at least to get their minds round legal problems and ensure that they can make a quasi-judicial decision, should that be required.

Similar considerations apply to the Comptroller and Auditor General, the Parliamentary Commissioner for Standards and the Chairman of the Committee on Standards in Public Life. In the case of the Comptroller and Auditor General, there would be a conflict of interest, because the Bill appoints him as the Electoral Commission's auditor, so I am not sure that the amendment stands up.

What sort of person are we looking for? We will apply the Nolan procedures, with an independent assessor, openness, an advertisement and transparent criteria and procedures for selection. We envisage that those making the appointment will not have a slate of people from which to select, but that a single recommendation will emerge from the Nolan procedures for appointment to the commission.

The hon. Member for Beaconsfield (Mr. Grieve) asked whether the chairman would be full time. We envisage that the chairman might need to deal with matters at short notice on occasion, and therefore it would be preferable to have a full-time appointment. However, we do not have a closed mind on the issue.

The hon. Gentleman asked whether it would be possible for someone to have a judicial role, leave that role and serve on the Electoral Commission for a time as chairman,

[Mr. O'Brien]

and then go on to another job. If someone wished to do that, it would not be a prohibition on them being a member of the commission.

The hon. Gentleman also made the point that the most important criterion was that all members of the commission should be seen to be above the fray. They must be seen to be impartial by all the political parties about whom they may have to make a decision. We agree that that is the key issue and we want to ensure that both the chairman and the members all have such impartiality.

I hope that we have been able to reassure the hon. Gentleman that we share his desire to appoint as electoral commissioners only those with a track record of independence and impartiality. While we share his objective, however, we may differ about the means to the end. To insert the new provision into the Bill would be to impose an unnecessary constraint on the field of candidates from which appointments may be made. In those circumstances, I urge the hon. Gentleman to withdraw the amendment.

Mr. Grieve: I am grateful to the Minister for his comments. I shall deal briefly with the comments made by my hon. Friend the Member for Macclesfield (Mr. Winterton). I hoped that I had made it clear in my opening remarks that it appeared to me and to those who support the amendment that judicial figures would be the most desirable appointments. However, we were prepared to accept that people in other categories could also be appointed, and we sought to identify those categories.

9 pm

The Minister spoke about the Comptroller and Auditor General being the commission's auditor as well, and I accept that there would in those circumstances be a conflict. However, we proposed selecting the CAG because careful examination of the Bill shows that it is a very complex piece of financial legislation. It involves much detail, much auditing and an understanding of people's limitations in slipping up in producing proper accounts. It is clearly desirable to appoint as election commissioners people who understand auditing and the problems facing individuals who often do not have the financial knowledge to make accurate returns.

The commission's reports will be the initiating process for penalties and/or prosecutions. Doubtless, the Crown Prosecution Service will have its own views, but I am sure that if the Electoral Commission does not identify something, the CPS will never take it up. The commission's considerable powers will be able to wreck political careers and destroy the careers of party treasurers. Those are onerous duties and they will have to be exercised judiciously.

The amendment would allow the Parliamentary Commissioner for Standards and the Chairman of the Committee on Standards in Public Life to be appointed. I accept that there may be other categories of individual who might also qualify, but the holders of those offices spring to mind as they will have experience of some of the problems faced by individuals in public life. They may be able to bring their views and experience to bear on those matters.

One of my criticisms of the Bill in general, having spent hours in the Standing Committee, is that, as the Parliamentary Secretary, Privy Council Office admitted, it contains areas in which good intentions and high-minded ideals often seem to be at variance with the reality on the ground. That is a source of anxiety, because if one is divorced from the other, the Bill will prove unworkable. It will create a multiplicity of problems and incur public disrespect, and that is to be avoided at all costs.

The Minister has gone some way to reassuring me. However, he has not gone as far as I would like. He referred to eminent QCs. Far be it from me to cast doubt on members of my profession who are in a position of eminence. Nevertheless, many of them, by virtue of their work and activities in their profession will undoubtedly be public figures, with known views and preferences that have not yet been rubbed away by a period of judicial office. That, curiously, is a great leveller. If a judge has done his job properly for five or six years, people will accept his impartiality in a way that they would not have done previously, however eminent a silk he may have been.

I hope that the Minister will bear those points in mind. Even if he does not accept the list proposed in the amendment, there is good sense in having one judicial appointment on the commission. I am not happy with simply leaving a blank sheet of paper. We need more than that, and I hope that the hon. Gentleman will reconsider. We have not sought to fetter the provisions all that much—there is still some leeway—but we must be more precise about the type of person to be appointed to the Electoral Commission, particularly to the chairmanship.

As the Minister is at least prepared to think about this again, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3 ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5

REVIEWS OF ELECTORAL AND POLITICAL MATTERS

Mr. Maclean: I beg to move amendment No. 37, in page 4, line 6, at end insert—

'( ) Any report submitted to the Secretary of State under subsections (1) and (2) shall be—

(a) placed in the House of Commons Library on the same day as it is presented to the Secretary of State; and

(b) debated in the House of Commons within one month of the day it is presented to the Secretary of State.'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this it will be convenient to discuss amendment No. 38, in page 4, line 7, leave out subsection (3).

Mr. Maclean: Amendment No. 37 requires little explanation. Reports made by the commission are vitally important. Clause 5 states:

"The Commission shall keep under review, and from time to time submit reports to the Secretary of State, on the following matters, namely—

(a) such matters relating to elections to which this section applies . . .

(b) such matters relating to referendums . . .

(c) the redistribution of seats at parliamentary elections;

(d) if any functions are transferred by an order under section 16(1) . . .

(e) the registration of political parties and the regulation of their income . . .

(f) political advertising in the broadcast and other electronic media;

(g) the law relating to the matters mentioned in each of paragraphs (a) to (f)."

Those are not light matters. The commission will report on matters crucial not only to the House but to the whole democratic process. The commissioners will be paid according to the recommendation of the Speaker's Committee, which is supposed to have general oversight of their work. Yet the commission will report not to the House, but to the Secretary of State.

Much as I respect the Secretary of State for the Home Department—and his predecessor—I believe that the commissioners should have some regard for the House of Commons. We are passing the Act that will create them, and the Speaker's Committee will have general oversight of their functions. I do not suggest that we should take charge of the commission, or tell it not to report to the Home Secretary. I merely ask that a copy of its report should be placed in the Library of the House of Commons so that we may read and debate it. Is that too much to ask?

The Minister may say that that will happen anyway. However, it will happen only after the Home Secretary has considered the report, which he will not do on the day on which the commissioners rush it in. Any report to the Home Secretary will be received and carefully scrutinised by his civil servants before a submission is sent to him summarising it, making observations and recommending certain actions, most of which are legal and laid down in statute. It will take time before the Home Secretary reads the report, considers it, meets his civil servants and decides to publish it and place it in the Library.

My amendment suggests that the independent and totally impartial commission, over which the Home Secretary should have no influence, should simultaneously give the House of Commons a copy of the report. I should be surprised and disappointed if the Minister rejected that.

Sometimes, there are good reasons why the House should not get its grubby fingers on a report before the Secretary of State does. If the Secretary of State had set up his own committee of inquiry—his own commission, quango or investigation—then of course he should receive the report first. We would hope that he would not leak it or spin it to the media before the House received it, but it would be perfectly legitimate for him to hang on to it until he was ready to publish it.

However, the commission would not be the Home Secretary's creature. It would not report directly to him. He would not be in charge of it and would not dictate its terms of reference or what it should do. Indeed, clause 2 is supposed to give that responsibility to the Speaker's Committee—although it is a pretty flimsy responsibility. That may be an argument for another place and another time. None the less, the Bill attempts to give the Speaker's Committee a general oversight of the workings of the commission, but the Committee will not have sight of the report until the Home Secretary is ready to pass it on.

Mr. Lord, I have made the point; I shall not attempt to repeat it or to rephrase it, because you would accuse me of tedious repetition, as you have had occasion to do in the past—perhaps on a Friday. I urge the Minister to let the Library receive a copy of the report at the same time as the Home Secretary receives it.

Furthermore, I suggest that we should debate the report within one month of its receipt. There is nothing magical about the period of one month; I should be happy to accept six weeks or two months. However, I should not be happy for the report to lie on the shelf gathering dust. The House should debate such reports expeditiously, while they are still fresh from the printers and the commission.

Mr. Nicholas Winterton: Will my right hon. Friend give way?

Mr. Maclean: I happily give way to my hon. Friend; I hope that he will make the point that I anticipate.

Mr. Winterton: Perhaps I shall go further than my right hon. Friend. If, as he says, those reports are critical to the House, why should they not be delivered to the House, rather than merely placed in the Library? I hope that my right hon. Friend will point out that the House has as much right to see the reports as the Secretary of State.

Mr. Maclean: My hon. Friend makes a good point. I was trying to be clever, if I may say so. I was moving an amendment that I knew the Minister would have to accept. He would appear to be dishonourable and a bounder if he did not accept my modest amendment. However, if I went as far as my hon. Friend suggests, the Minister might have an excuse—on advice—not to accept it.

I admit that the amendment is not momentous. It will not change parliamentary history; it is a modest little mouse of an amendment. That is why no Minister could possibly reject it without appearing foolish.

The point that debate should take place in the House is also important. I mean that the debate should take place in the Chamber. I do not want a commitment from the Minister that the Government would be happy to have the matter debated within a couple of months in some other funny establishment. I do not want it debated in the bongo-bongo parish council chamber above the cafeteria; I want it debated in the proper Chamber of the House of Commons—not in that funny thing across the Corridor. I do not want it debated in that semi-circular Chamber, which is not attended by anyone who has a proper job to do, although it is chaired admirably by senior Members of the House. Such an important report must be debated in the proper Chamber, not in the plastic one. I am sure that the Minister would agree that, if he were minded to accept the amendment, this Chamber would be the proper place for the debate.

Amendment No. 38 would delete that part of clause 5 that prevents the commission from reporting on the distribution of Short money in the Scottish Parliament, or the holding of referendums by the Scottish Parliament, or by the Welsh or Northern Ireland Assemblies. Given that those functions would involve money allocated by the Treasury, why should the commission be prevented from reporting on them, or the House from debating them? I know that the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly may wish to hold their own debates, but that money comes from the United Kingdom Treasury, and in those

[Mr. Maclean]

circumstances surely this Parliament—still a Parliament of the United Kingdom although it may be unbalanced because of the constitutional changes that the Government have made—has the right to debate these matters.

9.15 pm

It is vital that the Electoral Commission, with its responsibility to report generally on the conduct of referendums in Northern Ireland, Wales and Scotland and the conduct of the elections there, is not prohibited from debating the allocation of Short money in those countries of the United Kingdom. I find that prohibition inexplicable. I shall not labour the point—I am about to conclude my remarks—but I should like to know the Government's reasoning.

It is useless to read the explanatory notes, which simply say that the provision prevents consideration of the Short money. I can figure that out for myself, but I want to know the rationale. What political judgment led the Minister to ask his officials to instruct the parliamentary draftsman to prevent the commission from reporting on the Short money?

Amendment No. 38 is exploratory and aims to discover the political thinking underlying the Government's phraseology in subsection (3). Amendment No. 37 is a modest little amendment, which would simply give the House sight of reports that the commission that the House is establishing may make. Although I am certain that the Minister will not be able to accept amendment No. 38, I look forward to his acceptance of amendment No. 37 in due course.

Mr. Grieve: My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has done the Committee a good service because it is difficult to imagine how the Minister could resist amendment No. 37. I assumed, perhaps rather blithely, that I might have tabled a similar amendment to the effect that any report to the Secretary of State would immediately be placed in the Library. However, I must accept that, these days, one does not necessarily go with the other. We know from events in the past two weeks alone that the publication of reports to the Secretary of State for Northern Ireland is delayed for a week until the time is thought to be more opportune for them to be given over to the public—something which, at the time, I found very difficult to accept.

As I cannot conceive of any grounds for failing to make such a report available to the House immediately, I am sure that the Minister would agree that amendment No. 37 or something very similar should be acceptable. I am afraid that the Minister does not look all that hopeful, but perhaps he will provide me with some reassurance about that in a moment. If not, I believe that the Committee is entitled to know why not, because, if there are no good grounds, it is far better that that should be spelt out than that, at some subsequent date, a Secretary of State—of whichever party—should come up with an ingenious argument as to why that information should not be made available. I am sure that the Minister will also agree that the principle of debating such a report is a good one.

I found amendment No. 38 far more challenging. I confess that my first reaction on reading it was that it would impinge on devolved matters. However, dare I suggest to the Minister that it might be possible to view that amendment as capable of being split into two parts? It appears to me that subsection (3)(a)—

"the funding of political parties under section 97 of the Scotland Act 1998"—

is clearly capable of being differentiated from subsection (3)(b), which follows it. Subsection (3)(b) obviously relates to matters that have been devolved and, I believe, would create problems concerning the devolution settlement. However, I am bound to tell the Minister that the funding of political parties under section 97 of the Scotland Act 1998 appears to be in a rather grey area. I have a copy of the Scotland Act 1998, section 97 of which says:

"Her Majesty may by Order in Council provide for the Parliamentary corporation to make payments to registered political parties"

in the Scottish context.

Where does that provision stand in terms of devolution? It is at least arguable that if, as my right hon. Friend has said, the money comes from here, it must be capable of scrutiny by the Public Accounts Committee. Where precisely does the dividing line run? If the matter is not fully devolved but pertains to moneys that have been passed over, it is at least possible to argue that the House should retain control. Whether it follows that the Electoral Commission should be a legitimate subject of inquiry is a matter that I want the Minister to clarify.

Because the holding of elections, including elections to the Scottish Parliament, will be subject to the Electoral Commission's scrutiny, it is odd that the provision of Short money, which does not come out of the block grant, is not also subject to its scrutiny. If there is an explanation for that, I should be grateful if the Minister would provide it. Otherwise my right hon. Friend's questions on that matter—as opposed to those about clause 5(3)(b)—will have considerable force.

Mr. Mike O'Brien: I do not disagree greatly with the spirit at least of the first limb of amendment No. 37. In establishing the Electoral Commission, the Government have consistently stressed their desire to establish a body that is directly accountable to Parliament rather than to the Executive.

Nevertheless, I question whether the amendment is necessary or even appropriate. There can be no great objection to the proposed requirement that a report submitted to the Secretary of State be deposited on the same date in the House of Commons Library. However, given that the Secretary of State has to form a view on the report, it might help the House to hear his view when it receives a report. That need not take more than a few days, and even that might not be necessary. On a technical matter, the Secretary of State may not need to express a view. Those are the issues that we must consider.

I tend towards the view that the Electoral Commission should itself determine the extent and means by which its work is made available both to Parliament and to the wider public. In practice, I fully expect the commission to publish any reports that it produces in accordance with clause 5 and to make them freely available, including to the House of Commons Library. That is my approach to the matter.

Reports from the Electoral Commission may on occasion cause concern and may even concern matters of public controversy. It would not be in the interests of the

Executive to hold up their publication and, in those circumstances, the Electoral Commission might take the view that a report should be published immediately. We have no problem with that.

In principle, I do not disagree with the point made in the amendment tabled by the right hon. Member for Penrith and The Border (Mr. Maclean). However, given that the nature of the reports may vary, we should leave it to the Electoral Commission to decide when to publish them. On some occasions, it may not want to publish immediately or it may want to send a report to the Secretary of State so that he can form a view. It will then publish it within a prescribed time. On technical matters, it may decide to place a report in the Library of the House of Commons because the number of people who want to read it may be very limited.

Mr. Nicholas Winterton: Does the Minister differentiate between the House of Commons Library and the House itself? Any important report should be deposited not only in the Library but in the Vote Office so that it is available to all Members of the House straight away.

Mr. O'Brien: There is certainly a distinction, as we saw with the report on the Stephen Lawrence case. The Secretary of State had to publish that report to Parliament in order to get it published, and there was a great deal of public interest in it.

We can, to some extent, leave it to the Electoral Commission to ensure that reports are made available in an appropriate way. If it thinks that a report is extremely important because it has been the subject of public controversy, it will tell the Secretary of State that he can have the report on a certain day and ask him to publish it immediately, in which case it should be available in the Vote Office. Other reports may be so technical in interpreting a particular clause of the electoral procedures that although they would no doubt be of great interest to electoral registration officers they would not be a matter for great debate even by Members of Parliament.

I have no problem, in principle, with the reports being published immediately, if that accords with the view of the Electoral Commission and its advice to the Secretary of State. However, I have more difficulty with the proposal that each and every one of the reports should be the subject of a debate in the House within one month of its being presented to the Secretary of State.

It is possible that, once the commission gets into its stride, it will frequently report on various matters. Some of those reports may concern matters that are absolutely central to the workings of this place and the electoral system, but others may, as I have already said, be so technical that the people who would be seriously interested in debating them may be limited to one or two in the country.

Requiring those reports to be debated by this place—in the Chamber, no less—may be going over the top in seeking accountability for the commission. Some of the reports will be merely administrative and I doubt that many Members, with the exception of the right hon. Member for Bromley and Chislehurst (Mr. Forth), will want to debate them. I suspect that that right hon. Gentleman can find a great deal to debate about most matters, and is proud of it, too.

The best approach is that the House should decide on a case-by-case basis, through the usual channels, whether the commission's reports merit a debate. I do not anticipate any need for the House to wait long to debate any of the reports.

As to amendment No. 38, clause 5(3) places a number of matters outside the commission's remit. I remind the right hon. Member for Penrith and The Border that the matters specified in the subsection are devolved, and as the hon. Member for Beaconsfield (Mr. Grieve) indicated, it is for the appropriate devolved bodies to keep those matters and the related law under review. It is possible that, in doing so, those authorities may seek advice or guidance from the commission. Clause 8 provides for the commission to respond to a request for such advice, so it may well then take those matters on board at the request of the devolved authority. It would be contrary to the principles governing devolution to place a duty on the commission to keep those matters under review.

I hear what the hon. Gentleman says about section 97 of the Scotland Act 1998, but the spirit of the Act is that this should be a devolved matter. That point would arguably be moot in legal terms, as he suggests, but where the spirit of the legislation shows that this should properly be regarded as a devolved matter, that should be the case.

9.30 pm

Mr. Grieve: I was afraid for one moment that the Minister was going to skate over that issue and not to provide an answer, so I am grateful to him for doing so, but it raises a difficult issue, as he may agree. I appreciate the spirit behind the measure, but we are talking about money for which, ultimately, the UK Parliament is responsible.

Mr. O'Brien: I accept what the hon. Gentleman says, but part of accepting devolution is accepting that matters need to be decided by the devolved bodies. Although it is true that some of the funding that goes through the devolved bodies and is expended by them comes from the House of Commons, it should be the devolved body, rather than the House, that allocates some of that funding. The spirit behind section 97 is that it was and is regarded as a devolved matter. Although the money comes through this place, it should be dealt with as a devolved matter.

Mr. Grieve: To make the point clear, we are not suggesting that the UK Parliament should usurp the role and tell the Scottish Parliament how to do it. All we are saying is that the Electoral Commission should be entitled to comment.

Mr. O'Brien: The Electoral Commission would be entitled to comment should the devolved authority decide to refer the matter to it under clause 8, so there is a provision that would allow the commission to become seized of the issue, report on the matter and then refer it back to here, but what we need to do, particularly as we are in the early stages of devolution and the development of a constitution along those lines, is to have a little respect for the prerogatives of the devolved authorities and to say that, although the House created those authorities, we respect their ability to run their own affairs. We interpret section 97 of the Scotland Act in that spirit.

[Mr. O'Brien]

I hope that, having heard my points, the right hon. Member for Penrith and The Border will feel able to withdraw his amendment.

Mr. Maclean: I have listened carefully to the Minister, who has been kind and courteous as usual. He will be familiar with the words in *Hansard* of 11 February, column 568, when he said—I paraphrase: "We have had very helpful interventions, in this case, from the right hon. Members for Bromley and Chislehurst and for Penrith and The Border, which we respond to with gratitude. We are grateful for their assistance and concern." Those words were uttered on Friday; you had left the Chair by that stage, Mr. Lord. I had hoped that the Minister would repeat those words in the debate on my amendments. However, he has come close to doing so.

I am disappointed with the Minister's response to amendment No. 38. My hon. Friend the Member for Beaconsfield (Mr. Grieve) has made some valid points. We are not seeking to usurp the rights of the Scots or anyone else. All we are seeking to do is to ensure that, when the UK Parliament has made the financial allocation, the Electoral Commission should have the right to comment without the Scots saying, "We will allow you to comment on this one." The Electoral Commission should have that right of itself, without having to seek permission from the body getting the money.

On amendment No. 37, I accept the point about debating reports in the House. I will happily not pursue that part of the amendment. On the first part of the amendment, I was delighted to hear the Minister say that he accepted the spirit of it and what it sought to achieve. Then he said that his preferred approach would be to leave it to the commission. On some occasions, it may wish to give a report to the Home Secretary. On other occasions, it may wish to give it to Parliament and the Home Secretary, or to publish it. It may think that it is boring technical stuff, so it should be sent to the local government boring technical fellow to deal with.

I accept that as a principle. Therefore, I hope that the Minister will tell me that he will be back with an amendment to put that in the Bill. As he was speaking, I thought that, in that case, we simply should amend the first lines of clause 5. It says:

"The Commission shall keep under review, and from time to time submit"—

Mr. O'Brien: Will the right hon. Gentleman give way?

Mr. Maclean: Let me finish my point. I merely suggest that, instead of stating:

"The Commission shall . . . submit reports to the Secretary of State",

the clause should read, "the Commission shall publish as it sees fit" those reports.

Mr. O'Brien: The right hon. Gentleman persuades me that we might do well to table an amendment. I do not think that there is much of a difference between us in principle: he has accepted my argument and I have come half way to meet him. I hope that he will leave the matter with me and allow the Committee to proceed on that basis.

Mr. Maclean: I am overwhelmed—absolutely overwhelmed. There are some cynics who believe that, when my right hon. and erudite Friend the Member for Bromley and Chislehurst (Mr. Forth) and I propose amendments, we are trying to damage Government legislation. Yet, on Friday, the Minister accepted the spirit of our amendments and, tonight, he is doing the same. We are all working together in an inclusive Government. I happily beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 5 ordered to stand part of the Bill.

Clause 6

COMMISSION TO BE CONSULTED ON CHANGES TO ELECTORAL LAW

Mr. Walter: I beg to move amendment No. 25, in page 4, line 30, after 'Commission', insert—

', and secure its approval'.

The Second Deputy Chairman: With this it will be convenient to discuss amendment No. 26, in page 5, line 10, after 'Commission', add—

'and the Commission's approval has been given'.

Mr. Walter: The amendment deals with the powers and functions of the commission and addresses the question of what constitutes a consultative role, a role of making recommendations and a role of giving approval.

I refer the Committee's attention to recommendation 72 of the Neill report, which states:

"The Commission should have a duty to advise the Government on the modernisation and revision of electoral law. The Government should consult the Commission before making or proposing any changes relating to electoral law and administration."

The thinking behind that recommendation is set out in paragraph 11.5(1), which states of the commission's roles:

"One will be its monitoring and recommending role. As Dr. David Butler and others have pointed out, we lack at the moment in this country a body charged with monitoring the conduct of elections and referendums and with making recommendations concerning their future conduct, including any necessary changes in the law. In this connection, the new Electoral Commission would play roughly the same role as the existing Law Commission."

It adds:

"In our view, the Government should be required to consult the Commission before itself bringing forward any proposals for changes in electoral law and administration."

Our amendment goes further, stating that, after consulting the commission, the Government should secure its approval, or wait for the commission's approval to be given, before proceeding.

We do not believe that the Government or the Secretary of State should have the power to consult the commission and then dismiss its views, nor that the Government should be able to listen and then act according to their own whim or view of their duty. During debates on previous amendments, we have stated our belief that there should be a powerful and independent commission. The key is to make the approval of the commission necessary before the Secretary of State lays before the House recommendations of his own. The commission should not be regarded as a purely advisory body.

The commission is not, in this context, an executive body; although it has executive roles in other respects, it does not in any way supersede the powers of Parliament.

It is not the Government, nor does it stand above Parliament. However, it should be the commission, through the Secretary of State, that makes recommendations to Parliament. Therefore, we believe it is important to strengthen the role of the commission by amending the Bill as we suggest.

Mr. Tipping: The hon. Member for North Dorset (Mr. Walter) prays in aid the Neill commission; in fairness to the House, he told us that the Neill commission merely said that we should consult on these matters. The hon. Gentleman rightly told us that the amendment would give the power to get the agreement of the commission.

There is a distinction between clauses 6 and 7. I direct the Committee's attention to clause 6, which deals with matters on which the commission must be consulted. Under clause 7, a Minister may proceed only on the recommendation of the commission. If the amendment were accepted, there would be little difference between the provisions of the two clauses, and the need to obtain the recommendation or the approval of the commission.

The matters set out in clause 6(2) are ones on which Ministers should proceed, as a last resort, even without the approval of the commission. For example, subsection (2)(a) covers regulations relating to European parliamentary elections. Clearly, we must have European elections. Some hon. Members may argue strongly against them, but we must have them. It is right that Ministers should consult, but even if there is disagreement with the commission, they should have the power to lay the necessary order.

There is ample precedent throughout our legislation for a duty to consult. Consultation implies considerable expectations of the Government. If they consult, they are under an obligation to consider the views expressed. Moreover, any order under clause 6 would have to be brought before the House. Once the commission had been consulted, hon. Members would be entitled to ask why Ministers' views were at variance with its views.

There is an opportunity for parliamentary scrutiny, but ultimately the elections will have to take place. It is therefore appropriate for Ministers to consult and to make the order with the advice of the commission. I hope that that explains the difference between clauses 6 and 7, and that the hon. Gentleman is satisfied.

Mr. Walter: I hear what the Minister says. He suggests that we should be content with the existing wording. He referred to the subsection relating to the European elections in clause 6, but clause 7 also contains a subsection relating to the European elections, with regard to the limitation of expenses.

I am not entirely convinced by the Minister's arguments about the difference between clauses 6 and 7 in terms of the powers of the commission, but, mindful of the fact that we need to make progress, and that there may be more pressing amendments ahead of us this evening, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 6 ordered to stand part of the Bill.

Clause 7 ordered to stand part of the Bill.

Clause 8

GIVING OF ADVICE AND ASSISTANCE

9.45 pm

Mr. Tipping: I beg to move amendment No. 7, in clause 8, page 5, line 35, leave out 'on request'.

The words "on request" are appropriate in the context of subsection (1), but do not fit the intention behind this provision. As well as enabling the Electoral Commission to provide general advice and assistance—for example on points of law or procedure—to electoral administrators, political parties and others, subsection (3) is the mechanism whereby the commission can promote best practice. To do that, it must be able to give advice on its own initiative, and not be restricted to providing advice only on request. We expect the commission to use the provision to disseminate best practice guidance to the registration and returning officers and to assist them in raising the standards for discharging their functions to the best.

The commission might be expected to use its powers under the clause to ensure that accounting and political parties' other practices meet the minimum standard that the Bill and subordinate instruments require. The amendment would allow the commission to advocate best practice on its own initiative rather than at the request of others.

Mr. Walter: I shall not delay our proceedings for long. We are anxious that if the phrase "on request" is removed, and the provision reads:

"The Commission may also provide advice and assistance to registration officers, returning officers . . . registered parties, recognised third parties",

that implies that the commission may intervene. It contains a suggestion of rights of entry and of the commission being a little bossy about the way in which registered parties and recognised third parties conduct their affairs. I should like the Minister to reassure us that the commission's provision of advice and assistance will be limited to best practice.

Mr. Tipping: The amendment is designed to raise everyone's standards to the best. It is in the interests of political parties to do that. However, if one political party chooses not to take the advice, and my colleagues in the Labour party take it, I say hurrah to that. The amendment is not prescriptive.

Mr. Walter: As the Minister knows, throughout the Committee proceedings, we have tried to provide for improving standards and reaching a point at which everyone is cognisant of best practice. We are a little anxious about interference. I hope that the Minister will take note of that when he advises the Electoral Commission.

Amendment agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clause 9

BROADCASTERS TO HAVE REGARD TO COMMISSION'S VIEWS ON PARTY POLITICAL BROADCASTS

Mr. Martin Linton (Battersea): I beg to move amendment No. 11, in page 6, line 42, leave out from 'broadcasts' to end of line 2 on page 7.

The Second Deputy Chairman: With this it will be convenient to discuss amendment No. 10, in page 7, line 4, at end insert—

[Mr. Martin Linton]

'(4) Nothing in this section shall be construed as affecting the ultimate responsibility of the ITC, the British Broadcasting Corporation, the Radio Authorities or Sianel Pedwar Cymru for their respective services.'.

Mr. Linton: Amendment No. 11 would leave out four lines of the clause for reasons that might appeal to Opposition Members: we should not include in law matters that best remain unwritten. However, I am moving the amendment at such a late hour—

Mr. Forth: A late hour?

Mr. Linton: It is much later than I expected, and I doubt whether the hour appeals to my hon. Friend the Minister.

We are often told that the best thing about our constitution is that it is unwritten. Hon. Members know that that is not entirely true. The party political broadcast is a good example of the way in which our election law has grown organically and remains partly informal and voluntary. Although the Independent Television Commission and the Radio Authority have a legal obligation to carry party political broadcasts, the BBC broadcasts them by convention, not by law. That also applies to Sianel Pedwar Cymru.

That convention was not even imposed on the BBC, but volunteered by Lord Reith who was offered £100 by Churchill to make a broadcast and told him, "You can't pay, but you can have it for free." Ever since, the political parties have made election and party political broadcasts. For 25 years they were run by a shadowy organisation called the Committee on Party Political Broadcasting, which consisted of the broadcasters, the Whips and the usual channels. I refer to it as shadowy because it was known to have met only once in those 25 years, at the prompting of the Alliance in 1983. Matters are now on a much sounder footing, as my hon. Friend the Minister knows, and the broadcasters and the political parties meet regularly to discuss the issues.

Amendment No. 11 has been tabled essentially to protect the broadcasters against the possibility of judicial review. They are not worried about the parties represented in Parliament, and the arguments almost always concern parties not represented in the House and detailed questions such as the threshold for a party political broadcast, how long it should be, when it should be broadcast and at what time. Were we to go into detail, we should rapidly get out of our depth; my point is that the electoral commissioners and the judges would do the same. These issues are best left as far as possible to the broadcasters and the parties. The broadcasters clearly must "have regard to" the views of the commission, but should be left to make the detailed decisions.

Amendment No. 10 represents an assurance to broadcasters—it makes it clear that ultimate responsibility would still lie with them—and would provide protection against litigiousness, which might otherwise arise. There could be endless argument about whether a party political broadcast offended the Race Relations Act 1976, which affected a case involving a British National party broadcast, or whether it is defamatory, around which an argument about a Sinn Fein party political revolved. There might also be argument about whether a broadcast was decent and in good taste. A famous ProLife Alliance party political was turned down on that basis.

The broadcasters and the parties can decide those issues with the minimum legal guidelines. If the length of a broadcast were subject to the law as the Bill proposes, it would be easy for the parties to push for the 30-second killer broadcasts that became notorious in the Bush-Dukakis contest. Party political broadcasts used to be seen as a turn-off—the time when people went into the kitchen to make the coffee—but that view is increasingly out of date. More and more money is spent on slick production, but the main reason why we should protect them is that they are a million times better than the alternative, which is paid television advertising.

Mr. Nicholas Winterton: Will the hon. Gentleman give way?

Mr. Linton: I shall make progress, if I may.

One has only to cross the Atlantic to see the effect of such advertising. The party political broadcast is a delicate flower that we must protect. It can be killed by too much legislation as well as too little. The amendments defend the traditional, informal approach and I urge the Minister to accept them or to at least reconsider the wording of the Bill.

Mr. Grieve: The hon. Member for Battersea (Mr. Linton) knows from the many hours that we have spent in the Standing Committee that we do not always see eye to eye on these matters, although I pay tribute to his assiduity in identifying key issues for us to consider. In this case, he has a good point.

There is a certain tentativeness in Lord Neill's consideration of broadcasting. Having reviewed it, he said in paragraph 13.22 of his report:

"In connection with both the future of party election broadcasts and party political broadcasts . . . and also their allocation among the parties, we believe there may be a role for our proposed Election Commission. The Commission could express non-binding views on such matters as those raised by the broadcasting authorities' consultative document; and the political parties and the broadcasters might find it mutually advantageous if the Election Commission played an 'honest broker' role in connection with the allocation of the available free air-time."

That sounds wonderfully bland and high-minded, but I rather fancy that it does not exactly deal with the reality of the situation.

Party political broadcasts and election broadcasts are highly sensitive, and someone must carry the can if they go wrong. Given that judicial review proceedings have previously been brought against the broadcasters for their failure to meet the requirements of various political parties, is there not a real danger, given the way in which the clause has been formulated, that if it is left as it is the focus of attention will shift from the broadcasters to the Electoral Commission?

If that is the result of the Bill as it stands, the amendments tabled by the hon. Member for Battersea may have some force. Although they clearly require the broadcasters to pay some attention to the Electoral Commission, they would, on the face of it, remove the taint in the clause suggesting that it is the Electoral Commission that should be judicially reviewed.

Amendment No. 11 would delete the reference to consulting the Electoral Commission on

"the political parties on whose behalf such broadcasts may be made"—

a subject that is likely to raise sensitive issues—

"and . . . the length and frequency of the broadcasts".

It may be better to let the broadcasting companies and the BBC face the music from the disenchanted political party, rather than allow the Electoral Commission to be exposed to legal proceedings because it has strayed into an area where it should not have been.

I should be grateful to the Minister if he would tell the Committee how he views this matter.

Mr. Malcolm Bruce (Gordon): I support the amendments tabled by the hon. Member for Battersea (Mr. Linton), which have considerable practical merit. Party political broadcasts have evolved like Topsy in an informal but constructive way over a long period. I do not believe that an Electoral Commission has the qualifications to determine how to get the balance right. We would do the commission a favour if we did not get it drawn into this area.

The hon. Member for Battersea raised the alarming spectacle of judicial review, which we have managed to avoid in this context. In Committee, the Minister detailed the proliferation of small political parties that are growing almost by the day in this country, so I do not have to remind him that they would see this as a great opportunity to paralyse the whole process, which could lead who knows where. That is the point.

The system is not broke, so we should not fix it. There is an established convention, but that does not mean that there are no rows or disagreements. Heaven knows, my party has had many complaints about balance and share, as have other parties in the House and outside. However, there is no evidence to suggest that the existing mechanism does not manage to resolve those problems. The broadcasters recognise that they have a wide audience. Political parties also have influence over the broadcasters, which can be brought to bear in different ways.

Will the Minister address that point? Does he accept that placing an obligation on the Electoral Commission to be responsible to the political parties for securing balance is to open up the possibility of legal difficulties, which we could all do without?

Mr. Nicholas Winterton: I find myself in considerable sympathy with the amendments.

It being Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Political Parties, Elections and Referendums Bill may be proceeded with, though opposed, until any hour.—*[Mr. Mike Hall.]*

Question agreed to.

Again considered in Committee.

Question again proposed, That the amendment be made.

Mr. Winterton: Mr. Lord, I have very little to repeat of what I said before 10 o'clock, except to say that I find myself in very considerable sympathy with amendments Nos. 10 and 11—which were positively and articulately moved by the hon. Member for Battersea (Mr. Linton) and which, interestingly, were supported by the Opposition spokesman, my hon. Friend the Member for Beaconsfield (Mr. Grieve) and by the Liberal Democrats' spokesman, the hon. Member for Gordon (Mr. Bruce). I too believe that if something ain't broke, we should not go about fixing it. The present system does work, and the hon. Member for Battersea has made an excellent point.

I do not wish to bring a note of political controversy into the debate, but I hope that, in his reply, the Minister will give us his definition of a party political broadcast. I should like to pose a simple question. If a countryside soap—let us call it "The Archers"—were being broadcast during a general election period, and if that programme were similar to an episode of "The Archers" which was broadcast not very long ago and related to the Government's agricultural policies—many of us believe that that episode could certainly have been described as a party political broadcast—might the Electoral Commission have something to say about it? Conversely—as the hon. Member for Battersea rightly said—should we leave it to the Independent Television Commission and to the BBC and the other broadcasters to keep their own house in order?

As I said, I do not ask that question to be politically controversial or provocative, as the whole tenor and temperature of our debates has been enjoyable and admirable. We simply seek to get Ministers to understand some of the problems in the legislation. It would be most helpful if the Parliamentary Secretary, Privy Council Office, the very agreeable hon. Member for Sherwood (Mr. Tipping), could direct at least some of his reply to dealing with that point.

Mr. Tipping: I am grateful to my hon. Friend the Member for Battersea (Mr. Linton) for tabling amendments Nos. 10 and 11, which, as hon. Members have said, raise important issues. The Committee has had a chance to debate those issues.

The hon. Member for Macclesfield (Mr. Winterton) asked me to define a party political broadcast. My definition is not the same as that used by my hon. Friend the Member for Battersea in moving the amendments. He called party political broadcasts "delicate flowers" that must be protected. I am a regular watcher of party political broadcasts, and I would never call them delicate flowers.

I also had the opportunity to hear the episode of "The Archers" to which the hon. Member for Macclesfield referred. As someone who has a great deal to do with the countryside, I must confess that I raised my eyebrows at the account in the programme of the Prime Minister's speech to the National Farmers Union. The account did not seem to bear much relationship to the content of my right hon. Friend's speech. Of course, that was not a party political broadcast in the sense in which that term is understood.

The Neill committee's comments on the role of the Electoral Commission on party political broadcasts are set out in paragraph 13.22. The report says:

"In connection with both the future of party election broadcasts and party political broadcasts . . . and also their allocation among the parties, we believe that there may be a role for our proposed Election Commission. The Commission could express non-binding views on such matters as those raised by the broadcasting authorities".

I stress the words "non-binding views". The Electoral Commission has a wide remit and it would not be inappropriate for it to have a role in the formulation of

[Mr. Tipping]

the broadcasters' policy on party political broadcasts, but that role should be purely advisory. Clause 9 merely requires the BBC, the Independent Television Commission, S4C and the Radio Authority to have regard to any views expressed by the Electoral Commission, but the ultimate responsibility for party political broadcasts rests entirely with the broadcasters.

Mr. Grieve: If that is the case, why go into such detail in the clause?

Mr. Tipping: I shall offer the hon. Gentleman and my hon. Friend the Member for Battersea some succour on the matter.

It might help the Committee if I explained the purpose of subsection (3)(b), which amendment No. 11 would remove. The wording is derived from sections 36 and 107 of the Broadcasting Act 1990, which provide that the Independent Television Commission and the Radio Authority may determine which political parties qualify for party political broadcasts, and the length and frequency of such broadcasts. By inserting the same formulation in subsection (3) we ensure that there is consistency as between the BBC and the ITC and that there is a focus for the Electoral Commission in offering its views.

The hon. Members for Beaconsfield (Mr. Grieve) and for Gordon (Mr. Bruce) and my hon. Friend the Member for Battersea have expressed doubts. On reflection, the words may not be quite right. I am prepared to look at them again, but in this or some other guise they perform an important function. We shall return to the issue.

I am a little unsure about the aim of amendment No. 10. The commission's role is confined to offering non-binding views. The ultimate responsibility for the content of broadcasts clearly rests with the broadcasters. Any amendment asserting that principle is therefore unnecessary.

Given the concerns that have been expressed tonight and directly by the BBC about the wording of the clause, we are prepared to take a fresh look. Subject to any necessary drafting changes, the clause reflects the Neill committee's proposals. It is right that the Electoral Commission should have a role, but not one that could bring it before the courts facing judicial review. With those assurances, I hope that my hon. Friend will withdraw the amendment.

Mr. Linton: Following that explanation of the intention behind the clause and the promise to examine the wording again, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 9 ordered to stand part of the Bill.

Clause 10

POLICY DEVELOPMENT GRANTS

Mr. Linton: I beg to move amendment No. 4, in page 7, line 16, leave out from 'party' to end of line 20.

Having achieved almost embarrassing consensus on the previous amendment, with the agreement of all three parties—and, indeed, the hon. Member for Macclesfield (Mr. Winterton)—I now intend to throw it all away with an amendment that is essentially about Sinn Fein. The amendment would allow any party with at least two Members in the House of Commons to qualify for policy development grants.

The Bill stipulates that the two Members should have taken the Oath and should not be disqualified from voting or sitting. Of the nine parties with more than two sitting Members, that excludes only Sinn Fein, and I do not think that we have any right to do that. It is one thing to deny House of Commons facilities to a party whose representatives do not attend the House, but quite another to maintain that a party whose members do not take the Oath does not need policy development.

I speak not from any sympathy with Sinn Fein, but first because Sinn Fein is in great need of policy development, and secondly because we have no right to deny it the grants that will go to the rest of us. We are talking about state funding, even if at a very low level. In Germany, state funding was started in 1959 by Konrad Adenauer, a Christian Democrat. It is a great shame that the Christian Democrats' sister party in this country has taken so long to see the benefits of that courageous decision.

Political education was funded in Germany in 1959, and research institute funding began in 1962. Soon after, the constitutional court in Karlsruhe found that state funding cannot be restricted to parties in Parliament, as that would be like a conspiracy between those parties to keep the others out, behaving classically like the first pigs at the trough.

It is widely believed that the Neill report came out against state funding, but it did not, not only because there is state funding in kind in the Neill report—and already extant—and not only because policy development grants were promised, but because the committee said:

> "We can envisage circumstances in which substantially increased state funding of the political parties—including the funding of their general activities—might become imperative. But we do not believe that that time has come yet."

The committee was saying that policy development grants should be the first step and that it would be for another Parliament to decide whether we should go further.

We need to ensure from the beginning that any state funding is constitutionally fair to all the parties. The notion that one cannot have a grant if one has not sworn allegiance to the Queen would be laughed out of any court. Would a republican party be denied policy development grants because it did not believe in the monarchy? What about a secessionist party that did not want to swear allegiance to the British Crown?

Amendment No. 5 would simply increase the upper limit on the grants from £2 million to £10 million. I thank—

The Second Deputy Chairman: Order. I remind the hon. Gentleman that we are dealing only with amendment No. 4. Amendment No. 5 will be considered in a separate debate.

Mr. Linton: Thank you, Mr. Lord. I have finished my remarks on amendment No. 4.

Mr. Douglas Hogg (Sleaford and North Hykeham): Rather surprisingly, I find myself in agreement with the

hon. Gentleman, for two reasons. The first is his rather frivolous point that the parties to which the amendment refers, albeit obliquely, are much in need of policy development. The second is more substantive—I do not agree with my Front Benchers on this, and have not done so for years—and concerns the Oath.

10.15 pm

I do not myself believe that the Oath in its present form should be used as the defining test for anything. It does not fully or properly reflect the obligations that we as Members of Parliament owe to the House of Commons or to the country. The time is coming when we should reassess the nature of the Oath so that it does fully and properly reflect those obligations. It does not at the moment, and therefore I do not wish to see it used as a precondition for the making available of public moneys.

Mr. Stunell: The amendment is interesting and it challenges the Committee to consider the deeper issues. We believe that there should be easier and less controversial routes into the House for those who have been legitimately elected by their constituents. However, I am not persuaded that the amendment should be used to prosecute that point of view. The matter should be dealt with by changing the basis of the legislation concerning the entrance of Members to the House.

The essence of the Neill committee's report on the issue was not about state funding for political parties, as the hon. Member for Battersea (Mr. Linton) sought to persuade us, but about support for political parties in the House in their policy development work of testing legislation and bringing forward alternatives. The committee did not propose more widespread support for political parties in general with their policy development. The hon. Gentleman was a little over-generous in his interpretation of the Neill committee's recommendations, and the opportunity he seeks to take to change the basis of qualification for the use of facilities in the House—while I am sympathetic to it in principle—is probably out of place in the Bill. I shall be interested to hear the Minister's comments on the amendment, because there is a wider issue to do with the eligibility of elected Members to take their places in the House; but the amendment is not the way to secure change.

Mr. Tipping: As my hon. Friend the Member for Battersea (Mr. Linton) said, amendment No. 4 would allow any party to which two or more Members of the House of Commons belonged to be allocated a policy development grant, irrespective of whether those Members had taken the Oath or were disqualified from sitting. My hon. Friend rightly pointed out that the beneficiary of the amendment would be Sinn Fein.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) commented on the wider issue of the Oath, but I am inclined to agree with the hon. Member for Hazel Grove (Mr. Stunell) that the wider issues should be debated at another time. I listened carefully to my hon. Friend's arguments, but I do not share his view that the Neill committee advocated universal state funding. Some funding will be available under the Bill, but it will be provided for political parties that operate in the House of Commons.

Mr. Hogg: Why has the Minister fixed the threshold at two Members? As he knows, there is one party that is represented by one Member, and while I have been a Member of Parliament there have been several occasions when a party has been represented by a single Member. Perhaps therefore the threshold should be a single Member.

Mr. Tipping: There is not an awful lot of difference between one Member and two Members. [HON. MEMBERS: "100 per cent."] They may make up in quality what they lack in quantity. The right hon. and learned Gentleman asks why we chose two Members. My recollection is that it was because we use that benchmark for allocating Short money. I do not think that the issue amounts to a great deal.

What is important is that the Neill committee recommended that policy development funding should be available for parties working in the House of Commons. It took the view that the day-to-day hurly-burly of the political agenda prevented House of Commons parties from developing long-term policies that they could include in their manifesto and put to the voters.

Mr. Hogg: Would the hon. Gentleman confirm my belief that the Labour party was first represented by a single person in the House?

Mr. Tipping: The right hon. and learned Gentleman should look at the party's progress since then. I am constantly told that the majority party—the Labour party, in this case—has been extremely generous to the Opposition parties when it comes to Short money. That is a direct result of the efforts of the shadow Leader of the House; he pushed long and hard for that to happen, and achieved a good result.

If we argue that money should be available for policy development for parties which are mainstream and take part in the House of Commons, it must apply only to those parties that are represented here. That is how we have arrived at our position. I hear what my hon. Friend the Member for Battersea says about the need for Sinn Fein to develop its policies. In a sense, it is in the hands of Sinn Fein to resolve this matter. I hope that my hon. Friend will reflect on that.

Mr. Tony Benn (Chesterfield): I saw the debate on the television set upstairs, and was drawn down by the arguments that I heard, so I ask the Minister to forgive me. I have two difficulties with his argument. One is that the House should decide the political faith of people who seek to be represented. I am a republican, and I have to tell a lie to sit in Parliament. I greatly resent having to pretend that I am a monarchist in order to vote. Now that proceedings are televised, I have a little video clip of the words that I used. I said, "As a dedicated republican, and under protest, and solely to serve my constituents, I use the words of the Parliamentary Oaths Act 1866", and then I had to repeat the words of the Oath. It is offensive that no Member of Parliament who believes that his electors should have the right to elect a head of state is allowed to sit in Parliament.

Secondly, the Oath is meaningless. A Privy Councillor takes a worse oath than the Oath of Allegiance. He has to swear to protect the Crown from foreign prelates, potentates and powers. If, by any chance, a Privy Councillor becomes a Commissioner in Brussels, he takes

[Mr. Tony Benn]

another oath that he will take no notice whatever of any national Government. So Privy Councillors who go to Brussels, such as Neil Kinnock, Leon Brittan or Ivor Richard, break their oath in order to sit there.

There is no oath in Brussels; there is no oath in the Northern Ireland Assembly that was. Nobody said that Gerry Adams and Martin McGuinness could not be Ministers there without taking an oath. It is nonsense; it has nothing to do with the wider question of whether they should come here. I have talked to them, and they do not want to come here. They were elected on the basis that they would not. However, they are denied the facilities, and now we are told that other facilities, namely public funding—

The Second Deputy Chairman: Order. Before the right hon. Gentleman goes too wide of the mark, I remind him that the amendment is specifically about policy development grants.

Mr. Benn: In addition to being denied salary and expenses, they are denied the facilities, and they are now to be denied the money to develop their policies in a way that is relevant. So the House of Commons determines who is to serve in Parliament. That is wholly undemocratic. I can imagine the central committee of the Communist party saying, "You can stand for the Supreme Soviet, so long as you believe in the class struggle and the dictatorship of the proletariat." If that had happened, we would all have gathered to denounce it.

My hon. Friend the Member for Battersea (Mr. Linton) is a moderate man who has made a passionate speech, but his passion has been quietened by the Minister's reply, so I cannot go into the Division Lobby on this point.

Mr. Hogg: You could divide us.

Mr. Benn: One Member is not enough, as the right hon. Gentleman has just proved.

If one represents a point of view, and is a member of a party that has a couple of Members of Parliament, why on earth should one not enjoy the same rights as anyone else? It is the same as saying that they should not be allowed free distribution of envelopes in an election because they had not taken the Oath. The principle under discussion is wholly offensive, and I apologise for having come in so late to make that argument.

Mr. Linton: When I became the Member for Battersea, I never expected to be part of a troika involving my right hon. Friend the Member for Chesterfield (Mr. Benn) and the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). If we three are the only ones on the right side of the argument, that does not devalue the argument one bit.

I shall not press the amendment to a vote, but common sense or the law will eventually find that it is beyond the powers and rights of Parliament to deny money to parties or set preconditions on any political party represented here before it can enjoy the same rights as others. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Linton: I beg to move amendment No. 5, in page 8, line 5, leave out '2' and insert '10'.

The Second Deputy Chairman: With this it will be convenient to discuss amendment No. 39, in page 8, line 7, leave out subsection (9).

Mr. Linton: I am pushing my luck with this amendment, but I wish to make one further point on policy development grants, which the Neill committee proposed, with a convincing argument about why they should be paid. However, the committee also suggested that the eight parties that would qualify should share a £2 million kitty. I believe that that sum devalues the committee's argument. When it has been divided among that many parties, they will have little money with which to achieve the stated objective.

The Neill report argued—Members on both sides will agree—that:

"political parties . . . concentrate their resources on campaigning . . . at the expense of long-term policy development . . . Ministers become preoccupied with current crises and the sheer volume of government business . . . opposition parties . . . are also in continuous danger of being deflected from one of their principal tasks, which is to prepare for government in policy terms. The political parties themselves should be one of the major sources of ideas in British politics. They are not always so at present."

The clarity of Neill's argument is matched by his understatement.

I have a great interest in long-term policy development. I set up a long-term policy discussion group among new-intake Labour Members in 1997, and we have just produced a book on long-term policies for Labour with chapters by 14 Back Benchers. I am glad that the book is this month's bestseller at Politico's bookshop, which I can mention because I have no financial interest and because it is not a commercial proposition.

The importance of long-term development is the reason for our putting so much effort into the book. We all know that for most Ministers the medium term is next week and the long term next month. It is difficult for Ministers, or political parties in power, to raise their sights to long-term policy development. However, the national policy forum has been created and is doing a lot of development work.

Neill's logic breaks down on the sum of money that the report is prepared to give to long-term policy development. The report argues that the parties spent only £1.5 or £2 million on policy development in 1997. However, that was an election year, when one would not expect parties to spend much on policy development. In addition, no one believes that as little money as that was spent. The cost of the national policy forum and other such developments is far higher.

If Neill really wants parties to spend more on long-term policy development, we should look not at offsetting what is currently spent, but at giving more money, ring-fencing it and forcing the parties to spend it on long-term policy development.

10.30 pm

In its evidence to Neill, the Labour party argued strongly that money should be made available for political education and policy development. Through the

Westminster Foundation for Democracy, the House already votes millions of pounds every year for training and long-term policy development in Ukraine, Uganda and every other country in the world apart from the United Kingdom. My plea is that we should give the same priority to policy development in political parties in this country.

Several hon. Members *rose—*

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. *[Interruption.]* Order. I appreciate the help from the Treasury Bench.

Mr. Tony Benn: The issue is more important than the amount of money that is available and what it is used for. Last summer, my wife and I were in the United States, celebrating our golden wedding in Cincinnati, Ohio. I had breakfast with the World Affairs Council, where I met a retired Democratic governor from Ohio—an old Democrat, as opposed to a new one. He said, "In America, all political parties are bought". That was most significant. He said that big business gave money to both parties and expected returns from whoever won.

There is a danger that that may happen in this country. Big business—Monsanto and all those others—will pay parties. I do not know whether they pay the Opposition or whether they pay the Labour party, but I should be surprised if they did not do so. It pays businesses to invest in both parties so that they will get a return from the one that wins.

I have always had grave doubts about state funding, because of the restrictions that could be put on it—a point raised by my hon. Friend the Member for Battersea (Mr. Linton) when he spoke on the previous amendment. However, if we are to move away from the danger of collective corruption on a huge scale, we must realise that democracy needs funding. If a party wants to spend such funding on policy development, so much the better.

However, most parties regard policy development as maintaining contact with their members to find out what they want. It is not so much to do with theoretical studies by think tanks—bodies of which I have some suspicion. Once, when the Cabinet was discussing public expenditure, I suggested that we cancel the think tank and think for ourselves. The joke was not considered funny.

Parties need to maintain contact with their supporters and with everybody else. They need contact with their supporters to work out what should be in their policy statements, and with the public at large to try to persuade them to go along with those policies. If public funding is made available for that, so much the better.

Given the amount of money involved in parties' public policy development, the idea that one could take a small sum and divide it between eight parties is laughable. The last thing that I want to do is to embarrass my hon. Friend by supporting him, but if he will make such persuasive speeches, he will have to forgive me for being drawn to support him, even though I have a horrible feeling that he is going to withdraw this amendment too.

Mr. Hogg: I am sorry to break up the troika. I enjoyed its formation during the debate on the previous amendment, but on this occasion, there are at least two objections.

First, if we followed the advice of the hon. Member for Battersea (Mr. Linton), we should find ourselves voting more and more money to that purpose. That is a most unpleasing prospect.

Secondly—more to the point—we would be making money available for a particular political purpose; whether that money is granted to a political party is dependent on the decision of both the Secretary of State and the commission. That is an inherently corrupt way forward.

I do not see why public money should be made available to political parties for policy development, if the making of such a grant is dependent on the decision of other politicians. That is a bad way forward.

Mr. Stunell: I am willing to join the hon. Member for Battersea (Mr. Linton) on this one, even if only as a substitute for the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). We should ask ourselves what lessons may be learned from the variety of evils that confront the political process in this country. The Bill as a whole tries to tackle the perceived evil—in the eyes of many of us, the real evil—of money coming from commercial and overseas interests without let or hindrance and without transparency. The amendment goes some way to providing an alternative legitimate mechanism, not without defects, but with serious and obvious benefits.

The Liberal Democrats, in their evidence to the Neill committee, advocated a measure of state funding for political parties.

Mr. Hogg: Is there not a difference between state funding for a political party—I have some sympathy with that—and the quite different proposition of funding for a policy development grant, because the latter depends on one's assessment of the policy?

Mr. Stunell: We could have a wide-ranging debate on sensible priorities for a political party in the United Kingdom in developing its all-round vision of its strategy. Some of that would undoubtedly focus on developing policies that the party considered to be appropriate to lay before the electorate, and which an Opposition party could use to challenge the Government, or which a party could use to develop its ideas for the future if it was seeking a replacement manifesto. That would seem to be an entirely legitimate role and a legitimate area for support, which is exactly what the Neill committee proposed.

The right hon. and learned Gentleman is quite right that, as reflected in our evidence to the Neill committee, we should have liked something wider. However, we are debating a specific proposal in the Bill and a specific amendment. I am arguing that the original proposition in the Bill is appropriate, and reflects what the Neill committee had to say, but the amendment tabled by the hon. Member for Battersea takes it further, in the direction that I prefer.

Those who do not want policy development grants, or who wish them to be restricted, must face up to what national parties' alternative sources of funding are. Some of them may prefer to retain the existing position, where sources of funding from overseas are not restricted; where sources of donations and funding from inside the United Kingdom are completely unrestricted; and where none of those donations is made transparent to the public. I do not

[Mr. Stunell]

believe that that is what a majority of hon. Members want and, judging by the comments of Conservative Members in the Standing Committee, they now do not want that either.

If one turns off that source and addresses the parallel issue that confronts us in the United Kingdom—reduced voter interest in participating in the democratic process at all levels—one has a triangle with two corners missing: no external funding, reduced participation by the general public in the democratic process and no alternative way of supporting the political parties' policy development and other activities. That is serious.

This may be a comparatively small-scale amendment to a comparatively small part of the Bill, but if we do not address the overall shape of the funding of political parties in this country, we shall leave a legacy that will have to be revisited time and again.

Mr. Christopher Gill (Ludlow): I oppose the amendment because I have a deal of sympathy with my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), who questions the need for policy development grants. If one looks at this from the viewpoint of the people who put us here, the electorate or the taxpayers, they might well think that it is a preposterous proposition that because they elect to Parliament people who have little idea of what they want to do, taxpayers must stump up further money to enable them to develop ideas—as if there was any shortage of ideas in politics anyway. A whole raft of lobbyists outside Parliament continually makes proposals and politicians do not even entertain the idea of considering many of them. Why are such proposals not considered? I submit that it is because we are generating an ever-growing class of professional politicians who are totally devoid of the common sense with which their electorate are imbued. The electorate regard this provision as untoward, unfortunate and unnecessary. We have been elected to the House, and if we do not have ideas from which we can develop policies for our parties, we do not deserve to be here in the first place.

I return to my original point: it is preposterous for taxpayers, having elected us, to be expected to put their hands in their pockets so that we can develop policies. That is what they thought they had voted us here to do. For that reason, I oppose the amendment.

Mr. Tipping: The Committee has been asked to judge the straightforward question of whether the figure for policy development grants should be £2 million, as set out in the Bill, or £10 million, as my hon. Friend the Member for Battersea (Mr. Linton) suggested. My right hon. Friend the Member for Chesterfield (Mr. Benn) did us a service by pointing out that that idea is an important step forward, but the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for Ludlow (Mr. Gill) have their reservations.

The figures has been pitched at £2 million in part to reflect the anxiety that taxpayers and electors might have. However, more particularly, it was pitched at that level because that is the figure that the Neill committee recommended. However, what it should be is a matter of judgment.

Mr. Hogg: I want to be sure that I clearly understand the clause. Am I right in thinking that the commission has a discretion as to whether to recommend the making of a policy grant? As far as I can see from the Bill's language, the commission is not under a duty. If that is correct, the commission has a discretion as to whether to support a particular party or a particular policy. That is profoundly undemocratic.

Mr. Tipping: The right hon. and learned Gentleman makes an important point. It is important that partisan elements do not enter into the matter. If he examines the clause carefully, he will see that the commission will be asked to draw up a schedule—a scheme for the distribution of moneys.

Mr. Hogg: It is a discretion.

Mr. Tipping: It is a discretionary matter for the commission. It will have to draw up a scheme, consult and come forward with proposals.

Earlier, the right hon. and learned Gentleman asked what would be the role of the Secretary of State. He will receive the report from the commission and lay it before Parliament. It is not our intention that politicians per se should have an influence on decisions about grants. I acknowledge that such decisions should be kept value free and, if possible, totally away from Members of Parliament and political influence.

Whether the figure of £2 million or £10 million is right is a matter of judgment. I support the Neill committee's recommendation. It is right, because we are able to justify that sum of money. My hon. Friend the Member for Battersea referred to the cost of developing policies, but opposition parties have had the benefit of extra funding and that is important to enable them to draw up and develop policies. That is why I was delighted that the money available through the Short scheme was increased significantly.

With that, I hope that the Committee will reflect carefully on the amendment and agree that £2 million is the right amount and £10 million is excessive. I hope that the amendment will be withdrawn.

10.45 pm

Mr. Linton: I am sorry to see this troika break up so soon after it got started. I understood that no discretion is allowed about whether a particular party should have the grant, and I welcome my hon. Friend's assurance.

I shall not press the case for £10 million, because I doubt that it is in my hon. Friend's gift to come up with another £8 million tonight. However, if we want to turn our back on a situation in which political parties are dependent on millionaires for their funding, this is the road that we should follow, and it starts, as it has in every European country, with grants for research and development or political education. I am glad that we are starting down that road; I only wish that we were doing so more confidently.

I impress on the Committee the irony of Conservative Members complaining bitterly about the very notion of taxpayers' money going towards policy development when the first politician in this country to benefit from taxpayers' money to develop her policies was the first recipient of Short money—Baroness Thatcher, who always said that she was against state funding. The ideas that we now know as Thatcherism were developed largely with public funds.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 10 ordered to stand part of the Bill.

Clause 11

EDUCATION ABOUT ELECTORAL AND DEMOCRATIC SYSTEMS

Sir George Young: I beg to move amendment No. 29, in page 8, leave out line 10 and insert—

'(a) the electoral systems in use for the time being in the elections mentioned in section 19(3).'.

The Chairman: With this it will be convenient to discuss the following amendments: No. 40, in page 8, leave out line 10 and insert—

'(a) the electoral system to be used for each election held in the United Kingdom;'.

No. 41, in page 8, leave out line 11 and insert—

'(b) the systems of local government and national government in operation in the United Kingdom.'.

No. 33, in page 8, line 11, after second 'government', insert—

'in use in the United Kingdom'.

No. 30, in page 8, line 11, leave out from second 'government' to end of line 12.

No. 42, in page 8, line 12, at end insert—

'( ) Any promotion of public awareness of electoral systems or systems of government under subsection (1) shall relate only to the electoral system that will be used at a particular election or the system of government to which the election is related, and shall not contain any material relating to alternative electoral systems or systems of government.'.

No. 31, in page 8, leave out lines 22 to 26.

No. 32, in page 8, line 28, leave out—

'(whether by making grants or otherwise)'.

Sir George Young: I return to an issue that I raised on Second Reading—the duties of the commission to promote. Clause 11 makes it clear that education is not an optional power for the commission, but a duty.

The Neill committee did not envisage that function for the commission, and the Labour party did not propose that function in its evidence to the committee. Chapter 11 of the Neill report, which recommends the establishment of the commission, identified five roles for it: monitoring and recommending; an executive role registering the parties; an investigative role if something went wrong; an advisory role, mainly for political parties; and a narrow administrative role in the conduct of elections and referendums.

The role allotted to the commission in this clause was simply not recommended by Neill. Indeed, the report goes further and warns the Government against dumping extra responsibilities on the commission. Paragraph 11.4 of Neill says:

"We would only make the obvious point that the Election Commission cannot, as some of our witnesses seemed to believe, solve all problems and be a panacea for all ills. It is tempting, but not sensible, to say whenever in difficulty, 'Leave it to the Commission'. That is an approach we have sought to avoid in this report. Government, Parliament and others have to accept their responsibilities."

The clause is a major departure from the Neill report, and a measure that it warned against.

Despite all that, in paragraphs 2.17 and 2.18 of their White Paper, Cm 4413, the Government sought to extend the Electoral Commission's remit. Not only did they want the commission to take over the existing work of Government Departments, such as encouraging people to register and reminding them when to apply for postal votes—I have no objection to that—but the draft Bill in the White Paper

"places the Electoral Commission under a duty to promote public awareness of electoral systems and matters, and of systems of local and national government and of the institutions of the European Union."

I understand that that is part of the Government's citizenship education proposals, but it is wholly inappropriate to place that duty with the commission. As drafted, the Bill brings the Electoral Commission—a fully independent body, free of any suspicion of political partisanship, to use the Government's own words—right into issues of the fiercest political controversy. That is why I am against clause 11. The public must perceive the body to be totally impartial, but it cannot control, monitor, assess and report at the same time as promoting matters of intense political controversy.

Let me go through the provisions of clause 11(1). One deals with the promotion of public awareness of electoral systems and matters. Recently, the Jenkins commission report recommended a new electoral system: AV-plus. The Minister might like to tell the Committee what has happened to the commitment to a referendum on first past the post and AV-plus—does it remain a pledge, or is it just an aspiration?

Is the commission's role to promote public awareness of AV-plus? I do not think that it should be, not least because the commission may be the referee in a referendum on that issue. If it had in advance of that referendum promoted awareness of AV-plus, it would clearly undermine public confidence in its neutrality.

Is the commission's role to promote public awareness of other types of proportional representation? Is it to get involved in the heated debate about closed or open lists? We are not talking about informing people about the existing system, so that they understand how we are all elected—I personally would not object to that, although it goes beyond the commission's role as envisaged by Neill.

The clause allows the commission—indeed, it gives it a duty—to promote awareness of electoral systems and matters generally. That invites it into sensitive political areas because some systems advantage some parties and disadvantage others. The job of informing and persuading the public about alternatives to the present voting system is not a matter for impartial public servants who sit on the commission.

Clause 11(1)(b) refers to

"systems of local government and national government"

Is the commission to promote awareness of regional assemblies? Is it part of its remit to roll the pitch for a possible referendum on the establishment of such

[Sir George Young]

assemblies in certain regions? As the Bill stands, it has a duty to do that. If it did that, how could it be neutral in a subsequent referendum on setting up a regional assembly?

Mr. Mike O'Brien: It may assist the right hon. Gentleman if I say that, in terms of amendments Nos. 29, 40 and 42, we are not too far from him in principle. We might seek to bring something forward at a later stage.

Sir George Young: I am enormously grateful to the Minister for indicating a degree of flexibility on the amendments. In the interests of making progress, I will not press the case on clause 11(1)(b) as much as I was going to, but I want to say something about clause 11(1)(c), which is about the European Union.

The Committee may not be familiar with the Commission's preliminary draft budget for 2000. Nor until last week was I, but the Commission is to spend 45 million euros on general information and communication work concerning the European Union; that is less than half the budget of 103 million euros on information and communication. If one looks at the budget, one will see exactly how it is done. I quote from the European Commission budget document:

"these measures are designed to be an effective channel of communication and dialogue between the people of the European Union and the Community Institutions. They take account of specific national and regional characteristics, in close co-operation with the Member State authorities."

The point is simple: if through our taxes we were already paying for the European Commission to do that promotional job, why should it be duplicated through the work of the commission?

Mr. Hogg: I am sure that my right hon. Friend would like to know that I support him on the matter. Will he also address the matter that is set out in clause 11(3)(b)? He will find that the commission has the power to make grants to other persons or bodies to carry out the purposes that are set out in subsection (1). That being so, the commission would have the power to make a grant to a body articulating a particular European view.

Sir George Young: Let me deal quickly with the second half of the group of amendments, which deals with grants. I have made clear my belief that the clause is misconceived and I am delighted to hear that the Minister shares my view to some extent.

Amendments Nos. 31 and 32 address the question of grants. To what sort of organisation is the commission to give money? Is it Charter 88 or the Electoral Reform Society? Both are highly reputable bodies, but neither is entirely neutral on the question of parliamentary election reform. It is difficult to think of any body to promote public awareness in that respect that is not in some way committed to one side of the argument. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) asked, will the commission give grants to pro-euro groups to promote awareness, and, if so, will it also give grants to anti-euro groups?

The whole issue is a minefield. I hope that the Government will have second thoughts and concede at least some of the amendments.

Mr. Mike O'Brien: I have already told the right hon. Member for North-West Hampshire (Sir G. Young) that, on amendments Nos. 29, 40, 41 and 42, the distance between us is very small. Although we want there to be a debate on the Jenkins commission proposals, I want to make it clear that the Government do not intend that it should be for the Electoral Commission to promote public awareness of the relative merits of alternative voting systems.

The commission must exist to ensure the integrity of our electoral arrangements, to encourage participation and to root out impropriety. In doing so, it must be seen to be impartial. It would be injurious to the perceived neutrality of such a body if it were seen to adopt a position on the question of alternative voting systems. The Government therefore accept in principle the thrust of those amendments. However, we want to reflect further on how the Bill might best be amended so as to clarify the point at issue. In view of the commitment to look at this further, I should be grateful if amendment No. 29 were withdrawn and amendments Nos. 40, 41 and 42 not pressed.

On amendments Nos. 31 and 32, it would be a pity if the Electoral Commission, in carrying out its educational role, were limited to what it could produce by its own efforts and prevented from harnessing the efforts of others. We envisage that the commission might want to make grants available to other organisations, such as the Citizenship Foundation. We acknowledge the fear that grants might go to politically partisan organisations with an axe to grind, but it is certainly not the intention to subsidise polemics. We think that we can rely on the commission's good sense.

If the Commission's powers are circumscribed along the lines proposed in amendments Nos. 29, 40, 41 and 42, which I have in principle accepted, the scope of the grant-making power would automatically be contracted accordingly. Therefore, it would be outside the powers of the commission to make a grant to an organisation to enable it to promote alternative voting systems. I hope, therefore, that the right hon. Gentleman is also content not to press amendments Nos. 31 and 32.

It is important that the scope of the commission's voter education role should extend to explaining the institutions of the European Union to voters. One of the reasons why we have poor turnouts at elections is that people fail to see the relevance of the body being elected. That applies as much to the European Parliament as it does to local councils. Given the turnout at the last European elections, there is clearly much work to be done. I therefore urge the right hon. Gentleman not to press amendments Nos. 30 and 33.

Mr. Maclean: It has been an extraordinary day: the Government have accepted, in principle, numerous amendments tabled by my right hon. and erudite Friend the Member for Bromley and Chislehurst (Mr. Forth) and myself. It was certainly a first when, in a spirit of helpfulness and to ensure that the Committee proceeded at a reasonable pace, I decided not to speak to the amendments standing in my name and to let Ministers consider them as they stood. I have never before heard a Minister accept all my amendments even before I have spoken to them. It would therefore be ungracious of me to speak at any length now—[HON. MEMBERS: "Oh."]—but I could be persuaded to do so.

It is kind of the Minister to speak in such glowing terms of amendments Nos. 40, 41 and 42. They are yet another series of amendments that the Government have decided are wise and acceptable to them. Ministers have realised that, without the amendments, we would be faced with a diabolical Bill. I am happy not to press the amendments standing in my name.

11 pm

Mr. Stunell: We oppose the amendments. We are sorry that the Government are moving to accept them, although we fully understand the reasoning that has been advanced. On another day and at an earlier time, there may be an opportunity to engage in the debate that we are all skirting around, about the relative merits of various voting systems.

The shadow Leader of the House remarked that one system would advantage one party and disadvantage another. In the debate about electoral systems and in the philosophy underlying the Electoral Commission and the Bill, the essential element is the need to strike a balance, not just between different political parties but between different political interests in the United Kingdom. We lay great emphasis on the fair treatment and representation of the people of the United Kingdom, even if that sometimes costs parties the power and influence that they would like individually to exercise.

The real issue to which the clause and the amendments are directed is whether the Electoral Commission can succeed in getting people more involved in and excited by politics. We must face the fact that people are increasingly disenchanted with the existing political process.

Mr. Malcolm Bruce: My hon. Friend makes an important point. In the elections in Scotland nine months ago, in which there was a constituency vote and a list vote, electors had considerable difficulty understanding that the list vote did not require them to vote for a different party from that for which they voted in the constituency vote, if they did not wish to do so. People felt that they were obliged to vote for two different parties. It is right and proper that an Electoral Commission should advise people of their full rights of choice.

Mr. Stunell: I agree with my hon. Friend, who has direct practical experience of the situation in Scotland. We all have direct practical experience of the impact of the European election results last year.

One of the disadvantages of amendment No. 29 is that if the House were to examine the voting system used in the European elections, which I understand many Opposition Members want us to do, the Electoral Commission, by virtue of amendment No. 29, could not take part in explaining the new system.

We are in danger of having a reverse section 28 debate which rules out any debate about electoral reform or change, and prevents the major institution established by the Bill from playing a part in that process.

There are occasions when one knows that the House is not with one in these matters, but it is still necessary to say in the plainest and most direct terms that the draft legislation contained an opportunity which I am sorry to see the Minister withdrawing today.

Mr. Hogg: The key difference between the views of the Opposition and the clause as formulated is this: we have no objection to the commission being able to explain existing institutions, but we object to giving to the commission the power to institute debate about alternative systems.

It would be churlish of me not to acknowledge that the Minister has said that he will review the matter. If he is prepared to meet the precise point articulated by the Opposition, I fancy that we will be content. If not, I fancy that his decision will be reversed in another place.

Sir George Young: The Minister has been enormously helpful. He showered me with concessions before I had even reached the relevant part of my speech. I do not want to appear ungrateful, but he made no concessions on amendment No. 30, which he invited me to withdraw. My hon. Friends and I feel strongly about that amendment and, at the appropriate point, we would like to divide the House on it.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 30, in page 8, line 11, leave out from second 'government' to end of line 12.—*[Sir George Young.]*

The Committee divided: Ayes 126, Noes 309.

Division No. 73] **[11.5 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Page, Richard
Paice, James
Paterson, Owen

Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton–Brown and
Mr. Peter Luff.

NOES

Abbott, Ms Diane
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*

Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Jim Dowd.

Question accordingly negatived.

Clause 11 ordered stand part of the Bill.

Clauses 12 to 18 ordered to stand part of the Bill.

To report progress and ask leave to sit again.—*[Mr. Mike Hall.]*

Committee report progress; to sit again tomorrow.

Northern Ireland

11.21 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2000, which was laid before this House on 1st February, be approved.

The order appoints 23 May 2000 as the date before which the amnesty period identified in a non-statutory decommissioning scheme must end. The amnesty period is the time during which firearms, ammunition and explosives can be decommissioned in accordance with the scheme, thereby attracting both the amnesty and prohibitions on evidential use and forensic testing of decommissioned items provided by the Northern Ireland Arms Decommissioning Act 1997.

Section 2 of the 1997 Act requires that a scheme must set out the amnesty period, and that it must end before 27 February 1998—which was the first anniversary of the Act's passage—unless the Secretary of State, by order, appoints a later day. When she was Secretary of State for Northern Ireland, my right hon. Friend the Minister for the Cabinet Office made two such orders. Under the order made last year, the amnesty period will expire at midnight on 23 February 2000.

The purpose of the order that we are now considering is to extend that period until midnight on 22 May 2000. That date derives from the time frame set out in the Good Friday agreement for the decommissioning of all paramilitary arms.

Mr. Desmond Swayne (New Forest, West): Why does the Minister expect paramilitaries to give up their weapons when they are clearly able to achieve a substantial number of their objectives, particularly prisoner releases, without giving up anything at all?

Mr. Ingram: We are debating a very serious issue, and facile comments of that nature add nothing to an increasingly difficult and sensitive matter. I could, of course, point out that the order that we are debating comes on the back of legislation that was passed by Conservative Members when they were in government. I could point out the significant number of prisoners were released under the Northern Ireland (Remission of Sentences) Act 1995, which was passed by Conservative Members when they were in government and there was no ceasefire, but who, nevertheless, received the support of Labour Members when we were in opposition. A serious and genuine debate on the release of prisoners is possible, but not on the back of silly points such as the hon. Gentleman's.

Since the first order was made back in 1998, a great deal has happened in Northern Ireland, central to which has been the Good Friday agreement and its implementation. In that period, more political progress has been achieved than many people ever thought possible.

However, as hon. Members will be well aware, this evening's debate is taking place against the backdrop of a recent setback for the political process in Northern Ireland. On Friday, my right hon. Friend the Secretary of State, faced with the reality that cross-community confidence in the devolved Government could not be sustained, had no

[Mr. Ingram]

option but to suspend its operation. He did so after a great deal of very careful consideration and using the powers given to him by the House last week.

Friday was in many ways a sad day for Northern Ireland, but by acting as he did my right hon. Friend averted a serious crisis by preserving the institutions in order that they may be restored as quickly as possible, as we all hope they will be, and on an even firmer foundation than before.

The Government understand and share the disappointment felt by many people in Northern Ireland. For many of us, the disappointment is even greater because we have glimpsed the future. We have seen how the elected representatives of Northern Ireland can work together in a devolved Executive, tackling the issues that people care about: health care, jobs, the environment, education and other issues that are equally important to the everyday lives of people in Northern Ireland. We have seen sensible and accountable north-south structures being operated successfully by both sides of the community. We have seen the new British-Irish Council being received with enthusiasm by all the Administrations involved. We have seen what the Good Friday agreement, implemented in full, can deliver. Now that we have seen the future, none of us wants to retreat to the past.

That is why we must press on to resolve the real difficulties that exist and restore full cross-community confidence in the institutions. My right hon. Friend had meetings today with the Irish Government and with the parties, and will spare no effort in order to find a way forward.

The way forward is, of course, the implementation of the Good Friday agreement—every aspect of it, in full. There will never be a better agreement. It has the support of the people of Ireland, north and south, and it is now the collective responsibility of the Governments and the parties to deliver.

The subject of the draft order—decommissioning—is a central element in the process. The absence of progress on decommissioning contributed substantially to the decline in trust and cross-community confidence in Northern Ireland. Clearly, if that confidence is to be restored, progress needs to be made on this aspect of the agreement, just as it has been on every other aspect. People need answers to the legitimate questions posed by the hon. Member for Newry and Armagh (Mr. Mallon): will decommissioning occur and, if so, when?

In order for the commitments on decommissioning to be fulfilled in accordance with the terms of the agreement, the Government must also play their part. In the agreement, the two Governments undertook to take all necessary steps to facilitate the decommissioning process, including bringing the relevant schemes into force by the end of June 1998, which we duly did. If we are to fulfil our commitment under the agreement, it is essential that we extend, through this order, the period during which the scheme may declare an amnesty.

Of course, that will not deter the security forces in Northern Ireland and the Republic of Ireland from continuing to use all the powers at their disposal to locate and recover illegally held armaments. I pay tribute to the Royal Ulster Constabulary and the Garda Siochana for their continuing efforts to frustrate those wedded to the violence of the past.

The Government have consistently made it clear to Sinn Fein and to the loyalist parties that decommissioning is an obligation under the agreement and that it must happen.

Mr. David Wilshire (Spelthorne): Will the Minister address more clearly the reasons why the Government have chosen 25 May? He rightly says that it is because of the agreement, but is it a bargaining chip or a genuine final deadline after which there will be no amnesty?

Mr. Ingram: The order has been before the House on two previous occasions, each time moving the date forward. We have clearly chosen 22 May—not 25 May—because that is set out in the Good Friday agreement. That is consistent and right, and sets decommissioning in its proper context and time scale in relation to the amnesty.

Mr. Douglas Hogg (Sleaford and North Hykeham): Is there a similar decommissioning scheme in the Republic?

Mr. Ingram: Yes. As part of the Government's commitment to the full implementation of the agreement, it is essential that we continue to provide the means by which terrorist weapons can be taken out of circulation. That view is shared by people in the Republic of Ireland.

The order is essential to the arrangements that I have set out.

Mr. William Ross (East Londonderry): What is the terminal date on the Irish Republic's decommissioning scheme?

Mr. Ingram: I am not answerable for legislation in another jurisdiction. The period there is open ended and is not renewable as in our legislation, because of the different structures in the two jurisdictions. It is for that jurisdiction to decide how best to apply laws to achieve the objectives set out in the Good Friday agreement; but we act in concert and seek to achieve the same objectives.

That is what the order is designed to achieve. I commend it to the House.

11.32 pm

Mr. John M. Taylor (Solihull): This is not a game; historically, it has been deadly. The order is unexceptionable as far as we are concerned. We must emphasise the absolute imperative of actual decommissioning by all paramilitaries before restoration of the Executive and the other institutions. We urge the Government to stand firm. If they do, they will have our support. It is logical to make the end date of the order coincident with the end date under the Belfast agreement.

As a general proposition, which must command the widest—and international—recognition, it is simply unthinkable for some participants in a democratic process to have access to arms and for others, obeying the law, to have no such access. That is anathema to democracy. We will support the order.

11.34 pm

Mr. Jeffrey Donaldson (Lagan Valley): The Minister referred to the political crisis in Northern Ireland. We regret the fact that the various terrorist organisations have not honoured their obligations under the Belfast

agreement and that there is a fundamental flaw in the process—a flaw that my party argued against during the passage of the legislation—in that the democrats are punished along with those who are in default and the institutions of government in Northern Ireland are brought down purely on the basis of the failure of terrorist organisations to decommission their illegal weapons. I hope that during the period of any review that now follows the Government will address that flaw and deliver on the firm commitment that the Prime Minister gave my right hon. Friend the Member for Upper Bann (Mr. Trimble) when, on 10 April 1998—the day the agreement was signed—he wrote to my right hon. Friend indicating that if the provisions in the agreement for the exclusion from office of those who had failed to give a firm commitment to exclusively peaceful means were inadequate, the Government would support changes to those provisions to ensure that they were made adequate.

When one of the parties to the agreement is in default—the republican movement—and when the consequences of that default impact on all the political parties and the people of Northern Ireland, because of the suspension of the institutions, it is clear that the provisions for exclusion are inadequate. I urge the Government to address that issue, so that if the institutions are re-established and power is once again devolved to Northern Ireland, it can no longer be held to ransom by any single organisation. The flaw cannot be allowed to persist.

The order before the House provides for the extension of an amnesty for those who decommission their illegal weapons. Sadly, to date, only one organisation has engaged in any act of decommissioning—the Loyalist Volunteer Force. None of the other mainstream terrorist organisations have decommissioned so much as a single bullet. The decommissioning body, in its report to our Government and to the Irish Government on 31 January, made it clear that there had been insufficient progress on decommissioning, and the Government moved on Friday to suspend the institutions. However, many people in Northern Ireland find it difficult to understand why those organisations that are in default on decommissioning still continue to benefit from the early release of prisoners, in spite of the fact that one of the criteria in the Northern Ireland (Sentences) Act 1998 provides that the Secretary of State must take into account whether a terrorist organisation benefiting from prisoner releases is fully co-operating with the Independent International Commission on Decommissioning. It is clear that none of those organisations are fully co-operating with the commission. As we approach the deadline of 22 May, none of them have started to decommission, bar the Loyalist Volunteer Force. That cannot be sustained indefinitely.

When there has been no decommissioning by 22 May, will we find that the prisoner release scheme will continue until all the prisoners have been released by the end of July? Will the Government allow that situation to continue? The Government have a lever that they can use with the terrorist organisations, but they are not using it to its full potential. The Government should use that bargaining tool to more effect than they have so far done. We need a carrot and a stick, and at the moment it appears that the stick is not being used for the republicans.

General de Chastelain, the independent chairman of the commission on decommissioning, has made it clear publicly and in his reports that the decommissioning of paramilitary arms requires the destruction of these arms. Those comments were contained in his report to the two Governments last year and have been repeated since.

Mr. David Maclean (Penrith and The Border): It is not just that General de Chastelain makes it clear in his report that there should be destruction. That is the obligation imposed under section 3 of the Northern Ireland Arms Decommissioning Act 1997, which states that there should be destruction by the commission, by the terrorists or by a designated person. There is no other option.

Mr. Donaldson: I thank the right hon. Gentleman for his intervention; he is absolutely right. I was going on to refer to the Northern Ireland Arms Decommissioning Act 1997. There has been much speculation in the media about other forms of decommissioning. I hope that the Minister will take this opportunity tonight to rule out that speculation, and to confirm that the only forms of decommissioning acceptable are those provided for under the legislation passed by Parliament—namely, the 1997 Act, which requires the destruction of weaponry by the various terrorist organisations. That is important, because some people out there seem to think that decommissioning is a flexible thing that can be played around with, and that the law that has been passed by Parliament can be ignored. The order before us reminds us that there are legal implications in the act of decommissioning that cannot be ignored. I therefore trust that the Government will take this opportunity to remind everyone of the legality of decommissioning and the requirements for it, as laid down by Parliament in the 1997 Act.

The Act also provides for decommissioning schemes. The Minister himself published those schemes, and the criteria set out in them further make it clear that destruction of weapons is required for proper, verifiable decommissioning. I hope that the Minister will confirm that the decommissioning schemes that he signed on 29 June 1998 are still relevant, and will continue to be relevant, in providing for decommissioning of illegal terrorist arms.

That brings me to the reports of the independent international commission and, in particular, to the report published on 11 February—last Friday. That has been the subject of much comment in recent days, particularly since the suspension of the institutions. The Irish Government claim that the report from General de Chastelain published on 11 February represents a significant breakthrough. Their remarks are endorsed by representatives of Sinn Fein/IRA. Yet the Minister referred to the two questions posed in the House by the hon. Member for Newry and Armagh (Mr. Mallon)—namely, will the IRA decommission, and when will it decommission? I do not believe that the report from the independent commission of 11 February answers either of those questions. It does not contain a firm commitment by the IRA to decommission its illegal weapons, nor does it in any sense provide an indication of when the IRA will decommission its illegal weapons.

Let me be clear: from the perspective of the Ulster Unionist party, without those questions being addressed, and without the commencement of verifiable, substantial decommissioning by the IRA, we will not be sitting in an Executive with its political representatives. That is the view that was taken by the Ulster Unionist council at

[Mr. Donaldson]

the weekend. I believe that that view is credible, and that it has the support of by far the greater number of people in Northern Ireland who have, in successive opinion polls, shown that they want decommissioning to take place.

Mr. Frank Field (Birkenhead): Would the hon. Gentleman care to amend that statement? It is the view of the whole country, not just of Northern Ireland, that that should take place.

Mr. Donaldson: I thank the right hon. Gentleman for his intervention. He is absolutely correct. Not only is it the view of the overwhelming majority of people in Great Britain and Northern Ireland, but I believe that it is the view of the people of the Irish Republic as well. Decommissioning is central to establishing a commitment by terrorist organisations, including so-called loyalists, to exclusively peaceful means. That commitment lies at the heart of the process, and it must be addressed if we are to be clear that what we have in Northern Ireland is a genuine peace.

Real peace is not just the absence of violence, but the absence of a threat of violence. The arms in the possession of terrorist organisations represent a threat to stability. I want the terrorist organisations to decommission. I want political progress in Northern Ireland. I want democratic and accountable institutions to be re-established, but they must be on a firm footing. Many desire the quick re-establishment of those institutions, but the speed of the re-establishment of the Assembly, the Executive and the other bodies will be solely determined by the ability of the terrorist organisations to answer the questions posed by the hon. Member for Newry and Armagh and to act on those questions by beginning to decommission their weapons.

A fudge will not provide a solution; that much is clear. Fudging has brought us to the crisis we face today. We are talking about building trust. If we are to make progress in Northern Ireland, trust is essential. The people whom I represent must know that the men and women who have waged war against them through terror have left that terror behind. If we must suffer the pain of early release of terrorist prisoners and the many other concessions that have been made, we need to know that gain will flow from disarmament by all of the terrorist organisations.

The 22 May deadline created by the Good Friday agreement ought to be the final deadline. I hope that the Government will not return to the House to report that they must once again extend the provisions of this order because the terrorist organisations have failed to honour their obligations under the agreement. It is time for the Government to stand on the side of the democrats. It is time they insisted that the IRA and other terrorist organisations honour their obligations. When those organisations do that, I and others will welcome it, but they must be held to account.

11.48 pm

Dr. Norman A. Godman (Greenock and Inverclyde): I have some sympathy with what the hon. Member for Lagan Valley (Mr. Donaldson) said about decommissioning meaning the destruction of weapons. I have less sympathy, however, with his view of Northern Ireland within the United Kingdom. I sometimes feel that, in his heart, the hon. Gentleman prefers direct rule. I can only tell him that the Northern Ireland that he perceives is changing dramatically. Constitutionally, it will never be the same again because of the Northern Ireland Act 1998, the Scotland Act 1998 and the Government of Wales Act 1998.

The hon. Member for Solihull (Mr. Taylor) said, I think, that this was an unexceptional order. To a large extent, I agree, as I agree with him about the suspension of the institutions.

Mr. John M. Taylor: I have consulted my brief, and I believe that I said that the order was unexceptionable as far as we were concerned. In other words, we took no exception to it.

Dr. Godman: I am extremely grateful to the hon. Gentleman, who shows his characteristic courtesy. I thought that I had said that he said that he and his party thought that the order was unexceptional. However, I am glad that he clarified the point for me. *[Interruption.]* The hon. Member for Montgomeryshire (Mr. Öpik) laughs, but it is a matter of profound concern and regret that on Friday, in the late afternoon, the Secretary of State took the decision that he did.

I have seen the Assembly at work, as I pointed out in the debate last week. A couple of weeks ago, I spent a whole day in the Assembly. Its workings would immediately be familiar to any Member of the House or of the Scottish Parliament. Ministers and Bank Benchers went about their work, dealing with a huge farmers' lobby—between 2,500 and 3,000 farmers were lobbying the Assembly on the day of my visit.

I listened to a debate initiated by the hon. Member for North Antrim (Rev. Ian Paisley). The debate called for greater support for the crisis-ridden farming industry and received wide support from the other parties.

As the hon. Member for Lagan Valley pointed out, the Assembly was working, and will work, fruitfully on behalf of both communities in Northern Ireland. It is regrettable that the decision was taken to suspend the Executive, the Assembly, the British-Irish Council and the north-south bodies. It may well be that the 22 May deadline will have to be readjusted—although I hope that I am wrong. In that case, we would need a new order.

Some people in Northern Ireland believe that the suspension may not be of short duration, and that we shall not be able to hold to the 22 May deadline. General de Chastelain's contract ends on that date, so this is a worrying time not only for the people of Northern Ireland, but for those of the Irish Republic and Britain.

Mr. Taylor: Does the hon. Gentleman not concede that, to some of those people who made sacrifices to participate in the Executive, decommissioning was an essential component of the arrangement?

Dr. Godman: I have always argued that genuine, comprehensive decommissioning—as described by the hon. Member for Lagan Valley—is at the heart of the Northern Ireland peace agreement. No one could deny that.

Unlike the hon. Members for East Londonderry (Mr. Ross) and for Lagan Valley, I am only a visitor to Northern Ireland—albeit a frequent one—but everyone I

speak to in both communities is desperately anxious that the deadline be adhered to. However, there are concerns that anti-agreement politicians want delays, procrastination and prevarication, so that things begin to splinter. That is a dreadful prospect for the people of Northern Ireland.

I hope that the period of suspension will be short; that the review will be treated urgently; and that it will be conducted jointly by the Secretary of State and Mr. Brian Cowen of the Irish Government. I believe that that is starting to take shape, and that its terms of reference should be narrow. The two Ministers should not allow those terms of reference to be widened by certain interested parties. I am referring to the suspension and the review, because they hinge directly on this order, especially the date of 23 May.

The period of suspension has started. The deadline for decommissioning, 22 May, is not far away. If that deadline is readjusted, what price this order? The Minister may have to return to the House. I know that he, with his commitment to the peace process and the Good Friday agreement, will hope that the suspension is of short duration. I consider that the review, which I believe has already begun, should have specific terms of reference.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There is very limited time available for the debate, as I am sure the hon. Gentleman knows, and he really must focus rather more on decommissioning than on the review. I understand the umbilical link between the two, but the order before us tonight is about decommissioning.

Dr. Godman: I am grateful for your gentle ticking off, Mr. Deputy Speaker, but the suspension, the review and decommissioning are inextricably linked. Decommissioning is at the heart of the matter. The review should be concerned almost entirely with decommissioning. The hon. Member for Lagan Valley mentioned General de Chastelain's latest report and what the Taoiseach said in his article in this morning's *Irish Times*—that the last two paragraphs of General de Chastelain's report were of deep significance for the process of decommissioning. I hope that the review will focus on that and will work very closely with General de Chastelain and his colleagues.

I sincerely hope that the 22 May deadline and the deadline in the order—23 May—are adhered to, but very many people now have a much more pessimistic view than I have, and believe that there may be readjustments. All I can tell the Minister and his officials is: I certainly hope not, and let us have decommissioning by 22 May.

11.58 pm

Mr. Lembit Öpik (Montgomeryshire): As we approach the second anniversary of the Good Friday agreement, it is worth remembering that today is the 10th birthday of the British-Irish Inter-Parliamentary Body, which has sought to build links between Westminster and Dublin. It is not a great birthday present to that body that we are in our present position. However, in the wider picture of things, I think that few who serve on it would have expected us to be this far down the track to achieving a long-term, stable peace.

While the suspension order is a step back, on the positive side, as the hon. Member for Lagan Valley (Mr. Donaldson) reminds us, we must have very clear expectations of what will happen in the next three months, and the order makes those expectations even more specific, by extending the amnesty to 23 May and thereby making the decision to decommission arms even more straightforward and clear-cut than it would otherwise have been.

Earlier today, the Secretary of State for Northern Ireland addressed the BIIPB, and the implication of his statement was that the suspension could be pretty short-lived as long as we get some significant movement in the short term on decommissioning. In that context, we need to remember that the amnesty is a tool to get rid of the violence by getting rid of the guns. There is much symbolism involved in that, which we discussed only the other day in the House, but we must recognise that symbolism is important. The order places even more onus on the paramilitaries on both sides to deliver the goods.

The Northern Ireland Arms Decommissioning Act received Royal Assent on 27 February 1997 and it contained a five-year limit—a backstop—that means that the amnesty cannot be extended beyond February 2002. It is worth remembering that we are discussing the end point to the amnesty, knowing that there is already a timebound maximum period during which it can be re-presented.

This is not the time for retribution or reopening the debate about whether people should be prosecuted when they hand in guns. That is because we are in the endgame of the whole process. We are asking what the easiest way is to get the paramilitaries to decommission their guns while providing confidence for the community as a whole, including the Unionists, that the paramilitaries are serious about that in the short term. The hon. Member for Lagan Valley underlined quite reasonably the nervousness of many moderate Unionists who think that, to date, little has been done to achieve that result.

The second report from de Chastelain and the most recent IRA statement are positive and helpful, but they would have been even more helpful if they had been presented a week ago. I am conscious of the warning issued in the first report of the decommissioning commission, which stated:

"given our understanding of the quantity of arms held by paramilitary groups, and the dispersed nature of their locations, we believe a time will soon be reached beyond which it will be logistically impossible for us to complete our task by 22 May."

In other words, the IRA and other paramilitary bodies need to get going soon if they are to achieve the 22 May deadline, which is the crucial date for decommissioning. It is imperative that the issue is resolved, but resolved by the paramilitaries in whose power it is to provide the kind of commitment that we now expect. If that analysis is correct—I believe that few in the House would disagree with what I have said—22 May is the key date by which we must achieve decommissioning—and the clock is ticking.

One point on which I would take issue with the hon. Member for Lagan Valley is his view—it is perfectly reasonable even though I disagree with it—that, at this point, we should link prisoner releases with decommissioning. The time for that is if the paramilitaries fail to decommission by 22 May, and not at this point.

[Mr. Lembit Öpik]

I am sure that the mechanics are there to achieve that. We have a difference of view, but it is an issue that we have debated widely in the past.

Mr. Swayne: What does the hon. Gentleman propose we should do if the paramilitaries have not handed in any weapons by 22 May? Does he think that we should extend the amnesty again? What would that do? What possible leverage do we have on this matter?

Mr. Öpik: Let me repeat what I said, because the speakers are clearly not working at the back of the Chamber. I said that we should not impose any kind of sanction on prisoner releases until 22 May.

Mr. Michael Howard (Folkestone and Hythe): Will the hon. Gentleman give way?

Mr. Öpik: I will, but let me clarify my point for the hon. Member for New Forest, West (Mr. Swayne). At this point, we should simply act on the basis of good faith and not try to renegotiate the Good Friday agreement. If on 22 May—the absolute deadline for decommissioning—the paramilitaries have not delivered, all bets are off and we shall have to consider what we do. However, I think that it would be dangerous to link the issues at this stage. The hon. Gentleman is entitled to take a different view, but he should be cautious and he should reread the Good Friday agreement.

Mr. Howard: First, does the hon. Gentleman accept that stopping the release of prisoners would not involve any renegotiation of the Good Friday agreement? Secondly, has he made any assessment of how many prisoners would remain in custody on 22 May if nothing is done to stop the releases between now and then?

Mr. Öpik: The second point is rather trivial because there will not be a huge difference—*[Interruption.]* Hon. Members on the Opposition Benches behind me are laughing—

Mr. Wilshire: The hon. Gentleman is on the Opposition Benches.

Mr. Öpik: To be absolutely specific and to avoid implicating my colleagues in that comment, I should say that Conservative Members are laughing. Let me remind them that relatively few prisoners will be released between now and 22 May. My response to the perfectly reasonable question asked by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) is that, for now, we should act in good faith. We should give the paramilitaries absolutely no reason to be able to justify their hesitance about decommissioning at this point by, for example, being hesitant about prisoner releases.

I also believe that the sanctions on prisoner releases that we could impose now are not significantly different from those that we could impose on 22 May, but the crucial point is that if we wait until 22 May to impose sanctions, no one could possibly say that the Government and the House have not given the paramilitaries every opportunity under the sun to decommission. The right hon. and learned Gentleman is perfectly entitled to take a different view, but it is for the House to decide who is right.

Mr. Donaldson: Will the hon. Gentleman give way?

Mr. Öpik: I give way for the last time because I am aware that the clock is ticking.

Mr. Donaldson: Is the hon. Gentleman saying that if on 22 May there has been no decommissioning by the paramilitary organisations, he will support us in urging the Government at that point to halt the early release of terrorist prisoners?

Mr. Öpik: That would depend on the exact situation. The honest answer is that at that point we would have seriously to consider such action. I do not play games in Northern Ireland debates in the House, and in the spirit of honesty I can say that it is possible that I would agree with the hon. Gentleman in those circumstances. The time for that debate will be 23 May, and I am sure that the Government will be asking the same questions. It would be unwise for us to make policy in a speech in a debate, and I cannot therefore give the hon. Gentleman further reassurance. I see that he accepts that, and I am grateful to him for having listened.

The hon. Member for Solihull (Mr. Taylor), who often speaks sensibly and rationally about these issues, rightly said that this is not a game. It is important that we do not start playing games now. The sum total of my remarks, and the Liberal Democrat position, is that we must give the paramilitaries every chance to decommission and we must not give them a single opportunity to say that the Government have reneged on their responsibilities on Northern Ireland, on amnesties and on opportunities to decommission.

Of course the current situation is a setback, but I hope that those in Northern Ireland with the capacity to decommission will view this as a confidence-building measure, because there is scepticism and doubt in the House about whether this is the right action. On balance, I think that it is right. If we pass this order tonight, the message will be simple: the House has done its bit; now it is time for the paramilitaries to do theirs.

12.8 am

Mr. David Maclean (Penrith and The Border): We have before us an order setting out a new period for decommissioning which will end at midnight on 22 May. We have to ask ourselves whether that is an appropriate time scale, and whether decommissioning or progress towards it can be achieved in three months and 10 days. I shall stick narrowly in my remarks to the terms of the order.

If we are to come to any sensible conclusion about whether decommissioning can be achieved or whether the order makes any sense in setting a cut-off point of 22 May, we have to ask ourselves what decommissioning is expected to be achieved in that time scale. I listened with great interest to the speech of my hon. Friend the Member for Lagan Valley (Mr. Donaldson), who speaks with deep knowledge of these matters and with the authority of someone who lives in the Province and who is affected, as are his constituents, by decommissioning or the lack of it.

I took issue with my hon. Friend—prematurely, as I found when he elaborated on his point—when he said that General de Chastelain's report called for proper decommissioning; that is the destruction of weapons. I intervened to say that not only had General de Chastelain called for that, but the law of land dictates that it should happen. The order is made under section 2 of the Northern Ireland Arms Decommissioning Act 1997, and section 3 dictates what decommissioning consists of. It says that decommissioning will take place in four ways. Either there will be the

"transfer to the Commission mentioned in section 7, or to a designated person"

of firearms, ammunition and explosives for destruction; or those firearms, ammunition and explosives will be deposited

"for collection and destruction by the Commission or a designated person".

There is a third option: those arms, explosives and ammunition will be destroyed

"by persons in unlawful possession"

—the terrorists and paramilitaries themselves. There is a fourth option: information will be provided

"for the purpose of collection and destruction by the Commission or a designated person".

The paramilitaries and terrorists must provide information to the commission on arms, explosives and ammunition, so that the commission itself can collect and destroy them.

In the four options for decommissioning, which were presented to the House in the 1997 Bill and passed into law, and under which General de Chastelain must operate, rightly, the only alternatives for decommissioning are that the weapons will be transferred to the commission and destroyed; deposited for collection somewhere, collected by the commission and destroyed; destroyed by the terrorists themselves; or the terrorists will give sufficient information to the commission, so that it can get its hands on them and destroy them.

In every case, we are talking about the destruction of weapons. That is important. I wish to speak on the order only because of all the talk and propaganda emanating from the IRA—it has mainly emanated from Sinn Fein-IRA recently, but perhaps it has come from other terrorist organisations as well—that there is a new form of decommissioning. There is alternative decommissioning, where the weapons are not destroyed, but locked away in a barn, or bunker somewhere; they will be put out of use and not used for the time being. Because the bombs are at arm's length and not being used, there are no hands on the guns that are hidden in a bunker, and only the terrorist organisations know where that is, decommissioning has taken place. What an obscenity that is by any sense of natural justice or morality. It is also illegal under the 1997 Act.

I am not trivialising the debate, but, by way of example, I wish that I could go to my chief constable and say, "I will not bother renewing my shotgun licence because I have it locked in the cupboard and do not intend to murder anyone in the foreseeable future. I do not need a licence." Is this country no longer a nuclear power because its nuclear weapons are in a bunker and we do not intend to use them because that is our position? Certainly, however, we have not decommissioned those weapons.

It would be an absolute obscenity if we were to allow ourselves to be fooled by Sinn Fein-IRA, or any other terrorist group or paramilitaries, into accepting a definition of decommissioning that did not provide for the destruction of the weapons as the House agreed in the 1997 Act. Therefore, putting them in a bunker, hiding them away out of arm's reach, or, as my ancient ancestors used to do at the time of Culloden, hiding them in the thatch knowing that they would use them again on some future occasion, is not decommissioning.

If we are to have progress in Northern Ireland, we must have decommissioning as intended by Parliament—by the House and by the other place—when it agreed section 3 of the 1997 Act. The order asks us to extend the deadline to 22 May, so that that form of decommissioning can be carried out.

It is my contention that we should approve the order tonight, because it is perfectly possible for the paramilitaries, within the proposed time scale, to comply with one of the provisions of section 3. Given all their recent mutterings and propaganda, I suspect that they will not transfer their weapons to the commission within three months and 10 days, nor will they destroy the weapons themselves. However, they might provide sufficient information to the commission for the purposes of collection and destruction by the commission or its designated agents. However, the information provided must lead to the collection and destruction of weapons.

In the past few days, there has been a massive outpouring of Sinn Fein-IRA propaganda: although General de Chastelain has said that there has been no progress, the IRA insists that there has been. Its representatives think that they can come up with another form of words that we might naively accept, suggesting that progress can be made towards decommissioning by the IRA providing the information that, at some time in the future, it might possibly consider thinking about decommissioning its weapons.

Mr. Field: I thank the right hon. Gentleman for giving way, because it will save me making a contribution. He emphasises what Sinn Fein-IRA have been saying during the past few days, of which there has been great coverage, but does he recognise that the country is also concerned about the weapons held by the other side and that, although they may have been silent, we want them to participate fully in the process?

Mr. Maclean: Absolutely—I am extremely grateful to the right hon. Gentleman for making that point. I have spoken of Sinn Fein-IRA in the past few days, but I have mentioned other paramilitaries as well. I have as much contempt for paramilitaries of other persuasions as I have for Sinn Fein-IRA. I am grateful to the right hon. Gentleman for allowing me to emphasise that point, and honoured that he thinks that any contribution that I can make might save him from making one. I consider that one of the most important things anyone has ever said to me in the House, because I respect his judgment. I shall try not to make him change his mind by going on at length and undermining my case.

I accept that the whole country wants progress to be made toward decommissioning. We want there to be genuine peace, but there can be no genuine peace in a democracy when people have weapons at their disposal. The only weapons that we in this Chamber, from both sides and of all persuasions, have at our disposal are to argue with the Minister, to use such oratorical skills as

[Mr. Maclean]

are available to us and to sign early-day motions. We come here with nothing except the democratic authority of our constituents to argue, to plead, to beg and, occasionally, to try to ambush the Government by outvoting them on some matters, although I doubt whether we shall manage it in this Parliament. We use the weapons of our democracy, of the Chamber and of the House.

No Member of Parliament who has taken the Oath can bring to the Chamber any other weapon such as threatening the use of violence, bombs or bullets unless we give them their way. It can never be acceptable in any democratic society for politicians in the Government or the House to wield the arguments at their disposal backed up by the democratic will of the people, while others come to the process armed to the teeth with weapons. That is why we must have genuine progress on decommissioning.

Mr. Ingram: I always like the right hon. Gentleman's contributions. Will he consider section 10 of the 1997 Act, which further defines the meaning of "destruction" as including

"making permanently inaccessible or permanently unusable"?

I am surprised that the right hon. Gentleman is taking a hurried look at the Act, as I should have thought that he would have read that part of it.

Mr. Maclean: I have read section 10 and when the Minister referred me to it, I immediately turned to it, as one should. I accept that making something "permanently unusable" is a form of destruction; however, I do not accept the paramilitaries' suggestion that locking their weapons away in a bunker and so putting them out of their reach for the time being constitutes destruction within the meaning of the Act.

I am happy to accept the proposal to put the weapons out of arm's reach, if that is done by General John de Chastelain. If the paramilitaries hand their weapons over to General de Chastelain and the commission, and he locks them in a bunker—even if he puts them away somewhere and does not physically destroy them or melt them down—I am happy to accept that that would put them permanently out of reach or make them permanently inaccessible within the terms of section 10 defining destruction, as described in section 3.

Weapons cannot be permanently inaccessible and out of use if the paramilitaries claim to have hidden them away somewhere and seek to assure us that they are permanently out of use and out of arms' reach. That is not plausible; it is not acceptable. That is why there is deep concern in the House and in the country that the Government may be misled by some of the statements made by the paramilitaries in the past few days.

I say to the Minister that I am happy to accept the extension of the deadline in the order, provided that there is progress towards genuine decommissioning and destruction, as envisaged in section 3 of the 1997 Act and defined in section 10. That must be destruction, not the mealy-mouthed form of words that we have heard from some paramilitaries in the past few days.

12.21am

Mr. William Ross (East Londonderry): I am grateful to you, Mr. Deputy Speaker, for calling me to speak in the debate. It is not often that two Northern Ireland Members are called in such a short debate. As so many others wish to speak, I shall be as brief as I can.

The intention behind the order is to extend the amnesty period only until 23 May. The extension could have been for another year, which is the usual procedure. The Minister gave us a rather half-baked explanation of why the order goes only until 23 May. That would have been the cut-off date for decommissioning, anyway, regardless how long the order was extended.

I am grateful to the Minister for pointing out that the Republic's legislation is open-ended, so the paramilitaries there can hold on to their weapons for another few months and then surrender them, if they so wish.

The order will keep pressure on the IRA and other terrorist organisations to comply with the requirements of the Belfast agreement. The date serves as a pressure point, and they cannot escape it unless the Minister comes back within the next few weeks with another order to extend the date. He would look extremely foolish if he did.

By publishing the order and putting it before the House this evening, the Government are saying that 23 May is their deadline. I welcome that. The more pressure we put on those people, the better.

The Minister knows that I am sometimes concerned about the language used. Sinn Fein-IRA look carefully at every single word that is used. They do not like moving even a comma in one of their statements, in case that will give it a slightly different meaning.

Far too often, we have heard sloppy words from Ministers. Whenever I hear that, I think that the sloppy words betray fuddled thinking, or perhaps it is deliberate, to create an atmosphere or impression. I am thinking particularly of the term "putting beyond use", to which I hope to return.

The Government have a duty to tell the House this evening whether they have any intention of extending the deadline of 23 May. I hope that they do not; the process could go on until 2002.

The order expresses the hope that, if the IRA is serious about handing over its weapons, it must begin doing so soon. In his statement of 31 January, General de Chastelain made that clear when he said that

"given our understanding of the quantity of arms held by the paramilitary groups, and the dispersed nature of their locations"—

so he must have some idea where they are—

"we believe that a time will soon be reached beyond which it will be logistically impossible for us to complete our task by 22 May."

The right hon. Member for Penrith and The Border (Mr. Maclean) dealt with that point clearly.

It is also clear from the report that members of the commission will not hang around for much longer. The last sentence states:

"If it becomes clear to us that decommissioning is not to happen, the Commission will recommend to the governments that it be disbanded."

That tells us that the general and his colleagues are not hopeful, despite the spin that has been put on their comments about what will happen in the near future.

I can well understand that the commission's patience is running out given that, until now, terrorist organisations, which, with the exception of the UFF, were, according to the commission,

"further engaged in methods of decommissioning and related support issues"

have shown no willingness to surrender their weapons.

The commission also has a time scale. Its report states:

"We remain prepared to state, at an appropriate date, when we believe decommissioning must start and how it must proceed if our mandate is to be fulfilled within the required period."

That must be tied to the published schemes, which are very detailed. Neither the general nor anybody else should be allowed to slide away from the published schemes because people are looking for that. The commission went on to say that

"decommissioning is a voluntary act; any schedule we produce will only be of value if those who have the arms agree to follow it."

It may be voluntary in one sense, but it is mandatory if the requirements of the agreement are to be fulfilled.

The reports are somewhat cryptic. For example, the second report states:

"We also note the IRA assessment that the question of British forces and loyalist paramilitaries in Northern Ireland must be addressed

While the future of British troops is outside our remit, the elimination of the threat posed by loyalist paramilitary arms is clearly within the Commission's remit."

Whenever the IRA uses that language, it attempts to place Her Majesty's forces and the IRA on an equal footing. We should never, under any circumstances, give way on that point.

The report continues:

"We find particularly significant, and view as valuable progress, the assertion made to us by the IRA representative that the IRA will consider how to put arms and explosives beyond use, in the context of full implementation of the Good Friday Agreement, and in the context of the removal of the causes of conflict."

It goes on to say that "the issue of arms" needs

"to be dealt with in an acceptable way and that is a necessary objective of a genuine peace process . . . The representative indicated to us today (Friday) the context in which the IRA will initiate a comprehensive process to put arms beyond use".

That is IRA-speak. It needs some translation for hon. Members and the citizens of Britain.

What does the IRA mean by the full context of the agreement? Does it mean sweeping away the RUC, taking all United Kingdom troops out of Northern Ireland, releasing all prisoners and more? Who is to judge when the full context has been fulfilled? I suspect that the answer is the IRA. The

"context of the removal of the causes of conflict"

is clearly IRA-speak for Northern Ireland remaining in the United Kingdom. To the IRA, that is the cause of the conflict. It wants that to end and the British people of Northern Ireland to become Irish republicans. I use "republican" in its true sense. We believe in a constitutional monarchy, so there is a great difference between the two systems of government. I favour the system that we have.

What does the commission understand the IRA to mean by

"dealt with in an acceptable way"?

Does that mean security forces' arms and private firearms? What does the phrase cover? I suspect that it covers all weapons that are held in private hands, by the forces of the Crown and by the police.

What is

"the context in which the IRA will initiate a comprehensive process to put arms beyond use"?

The general's language suggested that he had been told what constituted that context. Why have not we been told? That information is vital to a clear understanding of what the IRA is trying to say. The words "put beyond use" could mean a thousand things, if hon. Members want to stretch their imagination, but the vast majority of the people in the island of Ireland and across this island will be satisfied only by the visible public destruction of those weapons. We saw the small quantity of Loyalist Volunteer Force weapons being destroyed and we expect the same for the IRA weapons. Nothing else is of any use.

12.30 am

Mr. David Wilshire (Spelthorne): The hon. Member for Greenock and Inverclyde (Dr. Godman) rightly said that Northern Ireland is changing rapidly—I think that the context in which he made that remark is that the progress that has been made has achieved a transformation—but Northern Ireland, as I understand it, is changing rapidly in another way and the House must understand it at this precise moment.

There was a time when the hon. Members for Lagan Valley (Mr. Donaldson) and for East Londonderry (Mr. Ross) could be thought of as—how can I put this gently?—dissident voices in the Ulster Unionist party. After the referendum, there were those who would produce statistics to show that the Unionist majority did not necessarily agree with them, but the rapid and continuing change, if I can judge correctly, is that their views represent the authentic majority voice of the Unionist people of Northern Ireland. As events unfolded in the past week and as they unfold now, so that voice of Northern Ireland has come to represent a greater Unionist majority than in the past. It is crucial that the House understands that as it considers the order.

I want to follow up the initial points made by the hon. Member for East Londonderry by discussing the date specified in the order. It may unnerve the Minister to know that I, of all people, agree with the one that he has selected. It is highly significant. I know the reason he gave for selecting it—he heard my earlier question, but was diverted and failed to answer. He could have selected a date a year hence, but, because of the Belfast agreement, chose a date that is not very far away. His response to the debate is crucial and he has to answer my question: why did he choose that date? He could have chosen any date within the framework of the Northern Ireland Arms Decommissioning Act 1997, so we need to know whether that choice represents a negotiating stance taken by the Government or a deadline beyond which no alternative arrangements will be made. Does the amnesty run out then and that is it, or does he intend to come back to the House to ask us to extend it again?

In all fairness, I must remind those Members present who do not know the views that I have taken over time that I was one of those who opposed the Good Friday agreement, for a number of reasons. I remain opposed to it. I did not believe, and still do not believe, that

[Mr. David Wilshire]

decommissioning will happen, but if I am wrong I need an answer to my question: if decommissioning is for real, what happens after 22 May? I urge the Minister to answer that important point.

Having described the views that I have held from the beginning, I must tell the House that I am a realist. We are where we are, whatever views I might hold, and it is important that we ask, "What happens next?" We must remember that, when we faced the dilemma of whether there would be decommissioning last year, the Ulster Unionist party made a leap of faith. Again, I did not think that it should, and I was not alone in that. I was also one of those who believed that it would not possible for it to make that leap of faith, but it did. My clear view is that an Ulster Unionist majority in support of that was achieved only because of the compromise that real decommissioning must begin by February.

That was a leap of faith. The Ulster Unionists said, "We've jumped, you follow." No one has followed that leap of faith. Hopes were dashed. The leader of the UUP put his political career on the line in the hope that other people would respond to his courage by doing something. We must understand that it is now beyond expectation for the UUP to make the same leap of faith again with some other form of words.

The route of faith has been tried and it has failed, and there is only one route left, which is the route of action—I say that as a realist rather than an enthusiast. We have now reached the stage at which no form of words will do: something must happen. That is why my question to the Minister is so relevant. If there is no action by 22 May, what happens then?

I was opposed to the original amnesty—if hon. Members go back into the records, they will see that I spoke against this arrangement—but I am a democrat, which is more than can be said for Sinn Fein-IRA. I accept the will of the House, and the House decided that there should be an amnesty. I accept that the status quo on the amnesty arrangements must continue for the time being, so I do not oppose the order.

The hon. Members for Lagan Valley and for East Londonderry were arguing that there must be real decommissioning. The amnesty exists, and it needs to remain so that it can happen. The House must put nothing in the way of action. To object to the order would be to change the arrangements that are in place.

We should keep the amnesty until 22 May, but we should make it clear that that was the original agreement, and it is the extent to which we agreed to turn our backs on what I believe is the correct rule of law and the correct implementation of democracy. For that period and for that period only, we will allow terrorism one last chance. The terrorists must understand that we have now reached a point at which weasel words will no longer do.

There is no formula of the English language that can be put together to mean whatever the IRA wants it to mean. The hon. Member for East Londonderry translated IRA-speak very well. There is no form of IRA-speak, Ulster Unionist-speak or Alliance-speak—all that matters now is real action and genuine decommissioning. If it does not occur before 22 May, I want to know what will happen, because I have an awful feeling that the Minister will be back here on 23 May.

12.38 am

Mr. Ingram: In the short time available we have had a good debate covering a wide range of issues on a crucial and important aspect of what we now have to deal with in Northern Ireland. I thank the hon. Member for Solihull (Mr. Taylor), my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) and the hon. Member for Montgomeryshire (Mr. Öpik) for their support for the order and for their contributions to the debate. The hon. Member for Spelthorne (Mr. Wilshire) also indicated support for the order, and set out a number of points that I shall deal with in due course.

I first want to deal with the points made by the hon. Member for Lagan Valley (Mr. Donaldson). I understand that at the weekend he made what was called a conciliatory speech at his council meeting. I have not seen a transcript of it, so perhaps he will pass it to me because I should like to know exactly what he was saying that was conciliatory. If it was conciliatory, that is an improvement on his previous position, and I would welcome it if he is now beginning to understand that there is a way forward. However, if his speech today was consistent with what he said on Saturday, I am not so sure that it was conciliatory, because he got so many matters wrong. I should like to deal with those matters now.

The hon. Gentleman questioned whether the Government were delivering on the Good Friday agreement. We are delivering on the agreement. However, I think that he was also questioning whether it was wise to do so. I remind him that the overwhelming majority of people in Northern Ireland voted for the agreement. Although he has the right to dissent and to question the people's judgment, I suggest to him that, at all times, he should keep very much in mind the underlying desire of the people of Northern Ireland and of the vast majority of people across the island of Ireland.

I also advise the hon. Gentleman, if I may, to take the wise counsel of the right hon. Member for Upper Bann (Mr. Trimble), who has grasped the enormity of the issues at stake and the ways in which the matter has to be dealt with. The right hon. Gentleman realises that it has to be dealt with forcefully—he is certainly direct in his arguments—but he also tries to look for ways in which we can move the whole process forward.

The hon. Gentleman asked various questions about the way in which the Act would be applied. I suspect that he—I dealt with the subject also in my intervention on the right hon. Member for Penrith and The Border (Mr. Maclean)—has not read the Act to which we are referring. He tried to define very specifically the nature of the whole decommissioning process, but his definition was not consistent with the Act.

Perhaps I should again put on the record the comments of my right hon. Friend the Secretary of State. On 12 January, he said:

"The methods of decommissioning are for General de Chastelain to determine, providing that the weapons are destroyed or made permanently inaccessible and that there is independent verification of the destruction or the putting beyond use that has occurred."

My right hon. Friend went on to say:

"I have great confidence in General de Chastelain and his colleagues to ensure that that process is properly verified."—[*Official Report*, 12 January 2000; Vol. 342, c. 260.]

My right hon. Friend made a very clear statement consistent with the laws under which the general and his colleagues have to act, and of which the Government have

to take full cognisance. I am not so sure that the hon. Member for Lagan Valley really does understand the Act, but I hope that today's debate has helped him on that.

The hon. Gentleman went on to talk about the early release of prisoners and the grief and the hurt that that brings. We have exchanged views in this Chamber and elsewhere on that subject, and I well understand the specific issue. However, he then referred to "other concessions to terrorists" without defining what those concessions were. Was one of the concessions the Human Rights Act 1998? I do not think that that was a concession to terrorists. Was it the creation of the equality provisions? I do not believe that they were a concession to terrorists.

Was normalisation of the security profile a concession? I do not believe that that was a concession to terrorists. When the Government move forward on normalising the security profile in Northern Ireland, our actions are consistent with the views of the Chief Constable and the best security advice available. It is not a straightforward political judgment, as we have to take best advice. Moreover, if the hon. Gentleman thinks that trying to normalise society is a concession, I do not know what type of society he wants.

Is it a concession to review the criminal justice system?

Mr. Donaldson: Yes.

Mr. Ingram: Such a view is not what the people of Northern Ireland voted for when they supported the Good Friday agreement. Is it a concession to examine the whole question of the future of policing in Northern Ireland? [HON. MEMBERS: "Yes."] Such a view is not what the people of Northern Ireland voted for, and it is not what the Good Friday agreement said.

I well understand why the hon. Gentlemen respond as they do, saying that those are concessions to terrorists. However, the actions are about trying to create a very specific type of better society in Northern Ireland—a society that was well defined by those who debated and designed the Good Friday agreement, which was then put to a referendum of the people. Although the hon. Gentlemen are entitled to their view, I ask the hon. Member for Lagan Valley to bear in mind the fact that he is out of kilter with the vast majority of his fellow citizens in Northern Ireland.

I always listen closely to the speeches of the hon. Member for Lagan Valley. However, may I ask him perhaps to get his language right for once? It may help his judgment as we move forward. He genuinely wants a peaceful society in Northern Ireland, but the way in which we achieve it is important.

It is easy to be a critic and to say that we should stand still or look back to some wonderful period in the past, but that is not the reality for the people of Northern Ireland, and it has not been the policy of the Government or the previous Administration in trying to develop a different environment in Northern Ireland. The hon. Gentleman needs to get his language right to begin to understand the breadth of the debate and to look for a new basis for his judgments. There may be political judgments involved. He may be interested in a future bid for the leadership of his party; I do not know. I am not interested in the internal politics of the Ulster Unionists—I am interested in what is right for all the people of Northern Ireland.

Mr. Donaldson: My concern is to ensure that there is progress. Everybody agrees that there is not progress currently. One reason for that is the problem that I identified when the Good Friday agreement was signed. I said that the provisions on decommissioning were inadequate, would be the Achilles heel of the agreement and would lead to a breakdown. My judgment is not in question because time has proven that it was correct. I want to put that situation right and ensure that we use the opportunity of the review to correct what was wrong and to move forward.

Mr. Ingram: Judgment requires alternatives. The hon. Gentleman has not given us any. How do we move the process forward? Is it simply by saying that things are going to fail, being a constant critic and trying to undermine what the people have voted for?

Mr. Donaldson: Link prisoner releases to decommissioning.

Mr. Ingram: I have always said that that is a difficult part of the process. The previous Administration took it on board when there was no ceasefire. Different circumstances applied and there have been attempts to define what happened differently, but terrorist prisoners were being released early when there was no ceasefire. We now have substantial ceasefires from the main terrorist and paramilitary organisations. If that is not progress, I do not know what is. A look at the statistics for the number of people killed, maimed and injured over the past 30 years shows what progress has been made. The stage that we are at is not enough. It must be improved on, and my right hon. Friend the Secretary of State and others are seeking to achieve that.

The establishment of the devolved Administration was a huge step forward for the people of Northern Ireland. The Government are determined to ensure that what we achieved on the back of the Good Friday agreement and the establishment of the devolved Administration has substance. That is why my right hon. Friend made his decision last week. We have to move forward on all parts of the agreement. My right hon. Friend made that clear when we debated the legislation on the suspension of the Administration. We hope that the suspension will be shortlived, but that depends on all those involved playing a major role.

The hon. Member for East Londonderry (Mr. Ross) tends to be free with his insults. That is part of the debate in the House. I try not to insult back, but I see the hon. Gentleman as a pedant—so much so that I sometimes lose track of what he is trying to say. He reads out documents and interprets them for everyone. He and the hon. Member for Spelthorne asked whether the date given was the final one. We have established a date. For argument's sake, if we needed one extra day to get all the weapons, are the hon. Gentlemen suggesting that I should not come back to the House and amend the order? I hope not. We may need another day or another month. Judgments have to be made all the time. If we are making progress, we want it to be solid and firm. It is not in our mind to come back and amend the date.

Mr. Wilshire: I do not have any great objection to the Minister coming back, but if he intends to do that, why not admit it now?

Mr. Ingram: The date is clearly set out in the Good Friday agreement. It is an objective to which people have

[Mr. Ingram]

signed up, and that is why we have set it forth. I made the point for argument's sake, and I hope that I will not have to come back. If I do not, it will mean that substantial progress has been made.

The hon. Member for East Londonderry did not rise when I made that point, so I presume that if I have to come back with an amended date, he will be supportive.

We have had a good debate. I commend the order to the House.

Question put and agreed to.

Resolved,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2000, which was laid before this House on 1st February, be approved.

EUROPEAN COMMUNITY DOCUMENTS

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to European Community documents.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

COMMON STRATEGY ON UKRAINE

That this House takes note of European Union Document No. 13523/2/99, the Common Strategy on Ukraine, and the unnumbered Explanatory Memorandum dated 31st January 2000 from the Foreign and Commonwealth Office on the Presidency's work plan on the implementation of the Common Strategy of the European Union on Ukraine; supports the Government's objectives of developing closer, constructive relations with Ukraine; and agrees that the Common Strategy has the potential to make a significant contribution towards strengthening the EU-Ukraine relationship.

STATE AID TO THE COAL INDUSTRY 1996–1997

That this House takes note of European Union Document No. 10948/99, Commission report on the application of the Community rules for State Aid to the coal industry in 1996 and 1997; and supports the Government's actions in pressing the European Commission to interpret the Coal State Aid Code strictly.—*[Mr. Dowd.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

EDUCATION

That the draft Foundation Subject (Amendment) (England) Order 2000, which was laid before this House on 24th January, be approved.

DATA PROTECTION

That the draft Data Protection (Subject Access Modification) (Social Work) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Subject Access Modification) (Health) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Subject Access Modification) (Education) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Processing of Sensitive Personal Data) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Miscellaneous Subject Access Exemptions) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Designated Codes of Practice) Order 2000, which was laid before this House on 24th January, be approved.

That the draft Data Protection (Crown Appointments) Order 2000, which was laid before this House on 24th January, be approved.—*[Mr. Dowd.]*

Question agreed to.

COMMITTEES

Mr. Deputy Speaker: With permission, I shall put together the motions relating to Committees.

Ordered,

PUBLIC ADMINISTRATION

That Ms Margaret Moran be discharged from the Select Committee on Public Administration and Dr. George Turner be added to the Committee.

ENVIRONMENTAL AUDIT

That Mr. Simon Thomas be added to the Environmental Audit Committee.

PROCEDURE

That Mr. Edward Davey be discharged from the Procedure Committee and Mr. A. J. Beith be added to the Committee.—*[Mr. Keith Bradley.]*

INFORMATION

That Ms Sandra Osborne be discharged from the Information Committee and Mr. Gwyn Prosser be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Acute Health Services (East Kent)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

12.52 am

Mr. Julian Brazier (Canterbury): I am grateful for the opportunity to hold this debate. I am grateful to my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), to the hon. Member for Sittingbourne and Sheppey (Mr. Wyatt) and to the Minister for being here to debate this matter well into the witching hour.

It is difficult to exaggerate the scale of concern about the future of acute health services in East Kent, and particularly at Kent and Canterbury hospital. I have received more than 3,000 individually written letters on the subject. It would be out of order for me to refer to the Gallery, but considerable interest is being shown—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is quite correct. It is out of order, and I would be grateful if he did not do it again, on this or any future occasion.

Mr. Brazier: Indeed, Mr. Deputy Speaker.

Since this subject was last debated, the situation has worsened. The hospital is the most heavily used and cost-efficient of all the hospitals in Kent, and the only one in East Kent with a mixture of regional specialist services. I believe that the plans in the "Moving Forward" document will put at risk health care in the whole of East Kent.

In December 1998, the then Secretary of State for Health concluded his considerations of East Kent health authority's so-called "better balance" proposals and sent a letter to Members of Parliament on 22 December, with a further letter following at the end of March to the chairmen of the trusts. The first letter said:

"my decision is to endorse the Health Authority's proposals, subject to a number of conditions."

By any standard, the conditions were major. The letter went on to say that

"the proposals to the Kent and Canterbury A&E . . . are not satisfactory and must be improved."

The letter said that EKHA must

"guarantee that onsite consultant and anaesthetic surgical and medical cover will be provided at the Kent and Canterbury during the day and on-call cover in these specialities . . . out of hours."

That was even reinforced by the condition that

"there will be a designated consultant to develop and lead the Canterbury emergency centre . . . to ensure that a substantial proportion of consultant time is spent at Canterbury",

including

"consultant medical cover for the coronary care unit at the hospital"

and

"and a physician with an interest in coronary care."

The Secretary of State also demanded a full review of the provisions for renal medicine.

In his second letter, the Secretary of State gave a further critical guarantee. He said:

"it is clear that many of the respondents to consultation were under the misapprehension that the proposal was to move specialist cancer services, rather than simply the management of those services".

He continues:

"The retention of specialist cancer services at Kent & Canterbury Hospitals was part of that decision. Specialist cancer services at Canterbury, therefore, have a firm future."

He also made a firm commitment to at least 232 beds in Canterbury, as against around 390 at the Kent and Canterbury and the Nunnery Fields hospitals together.

Mr. Michael Howard (Folkestone and Hythe): Has my hon. Friend seen the recent letter written to the chief executive of the East Kent hospitals NHS trust by Mr. Paul Watkins, chairman of the South East Kent community health council, in which Mr. Watkins asks that the implementation of the proposals in "Tomorrow's Health Care" be deferred until the Secretary of State has devised the national strategy that he has promised on the number of beds to be provided in the NHS? Does my hon. Friend think that that suggestion by Mr. Watkins has some merit?

Mr. Brazier: I do indeed. Both my right hon. and learned Friend and Mr. Watkins are right on that point. Last year, in reply to a question that I asked in the House, the previous Secretary of State said in relation to the Kent and Canterbury hospital:

"If it looks as though things are going wrong, I am prepared to step in and ensure that the bed reduction does not proceed as quickly, or as far, as presently agreed".—*[Official Report,* 11 January 1999; Vol. 323, c. 45-6.]

Even with the commitments that he made, the Secretary of State's decision caused dismay. It will mean the rundown of the full A and E department, which has been in the top third of the major trauma outcome survey for every year since the survey was launched in 1988, and transferring those services to distant units that are still to meet the full standard.

Furthermore, our area is suffering a winter that has seen the most severe pressure on East Kent hospitals. In recent weeks, two out of three acute hospitals in the area have, on several different occasions, been simultaneously closed to all but blue-light work, with bed use running at well over 100 per cent. of nominal capacity, including trollies pushed into offices and corridors. Flu has been part of the cause, but East Kent has some of the largest and busiest road arteries in Europe. Because the mild winter has brought relatively little ice and snow, the road accident work load has been well below average, but still the hospital system has been stretched to near breaking point.

A Government with a large majority can do as they wish. Despite all those considerations, when the Secretary of State made his decision, I decided that the best way that I could defend the services was to engage, rather than simply oppose. He did at least leave us with a single trust responsible for health care, and I have welcomed the meetings with Mr. Conrad Blakey and Mr. David Astley, the new chairman and chief executive.

It was, therefore, with incredulity that I read the "Moving Forward" document, the opening sentence of which reads:

"On 22 December 1998 the Secretary of State endorsed the Health Authority's proposal".

[Mr. Brazier]

That statement was repeated five times in the text without any mention of his lengthy conditions. On those conditions, I shall leave description of the fiasco over renal services to the hon. Member for Sittingbourne and Sheppey. As for the rest of the items that I have already listed, the Secretary of State's findings on coronary care merit a brief mention on one page, but appear to play no part in the actual plan. Every other pledge has disappeared. The commitment to retain a full cancer centre has been ignored. The commitment to 232 beds has been ignored and no specific bed numbers are mentioned for that site. Consultant cover for emergency work at the Kent and Canterbury hospital has been ignored again.

This imaginative document, "Moving Forward", involves a degree of creative accounting that I can only describe as remarkable. East Kent health authority has carefully kept the capital investment figure just inside the £50 million mark, so that it does not go back to Ministers. Is the Minister content that a health authority can brush aside pledges by the Secretary of State? Is she content to see £50 million of taxpayers' money, along with substantial further sums hidden in revenue flows, go forward without referring the matter back to the Secretary of State to see that the pledges have been maintained?

It is very sad to see EKHA restating the same half truths from the old debate. For example, the document states:

"an economic and social impact study confirmed that the greatest concentration of both the elderly and the socio-economically deprived in East Kent are located in Thanet".

As independent studies show, there are far more elderly people and a slightly greater number of deprived people in the catchment area for the Kent and Canterbury hospital. I raised that point with Mr. Mark Outhwaite, the chief executive, at a public meeting. He pointed out that the people in Thanet live closer together. He is quite right—technically, the largest concentration of elderly and deprived people is in Thanet. Do the people in rural areas, and in small towns such as Whitstable and Faversham, matter less because they live further apart, even though there are more of them? The population figures are flawed throughout the document. Where EKHA got the fatuous growth figure that was fed into the York study team, I cannot imagine. Has it never heard of Serplan, with its projections for huge population growth?

Page 11 of the document says that an implementation plan has been agreed. Yet on page 22, in excusing itself for giving no detail on plans for the Canterbury site, the same document says:

"the detailed site plan will be drafted when a robust medical services model has been developed."

What sort of medical organisation embarks on £50 million worth of capital spending without a robust medical plan?

EKHA's overstretched financial plans—and they are overstretched, because of the sheer scale of the capital spending, which is disguised in revenue—include £600,000 for investment in transport services. There is no mention of continuing spending. Most of East Kent's scattered rural communities, and some small towns, have no public transport access to the other two hospitals. Even if that allocation survives, does anyone really believe that an all-embracing taxi service can be delivered by East Kent's undermanned and overstretched ambulance service?

One sinister sentence explains how the financial circle is to be squared. It says:

"the largest single savings will come from bed reductions"

and from "improved efficiency". Presumably, no one from EKHA saw the trolleys in the corridors and the offices this winter. Yet the whole document hinges on 15 per cent. fewer beds. Vast capital expenditure and a shift from Kent's lowest cost hospital to less efficient sites is to be financed by removing beds. Is that what the Government want for the future of health care in East Kent? Will the Secretary of State require EKHA to resubmit its plans to see that at least those minimum pledges are met, and to take account of the new national findings on bed numbers?

I should like to end by asking the Minister a few specific questions. Will Canterbury retain the full range of services of a joint cancer centre, as defined under the Calman-Hine guidelines? Will a new linear accelerator be purchased, as promised, or just a second-hand one, which can be readily abandoned? Do the pledges on emergency cover and coronary care at Canterbury stand? Does the pledge of at least 332 beds stand, and does the hon. Lady think that that is adequate for our burgeoning population?

People all over East Kent, relying on our overstretched service, are waiting for answers—the old, the vulnerable, children, accident victims, doctors, nurses and health care workers. I urge the Secretary of State to call in the plans to see whether the earlier pledges are being maintained and whether they go far enough for the future of acute health care in East Kent.

1.4 am

Mr. Derek Wyatt (Sittingbourne and Sheppey): I congratulate the hon. Member for Canterbury (Mr. Brazier) on securing the debate. My constituency lies to the east of the West Kent health authority area and to the west of the East Kent health authority area. If there were a north Kent authority, we should lie to the north of that, too. In short, we sit right in the middle on this matter. If one lives in Warden Bay or Leysdown, it takes at least an hour and a half to get to the hospitals at Medway or Canterbury. It also requires the use of three or four public transport services—up to two buses and two trains. It simply is not possible to get to hospital at some times.

In addition, the Isle of Sheppey is not always connected to the mainland. We have specific problems, including having more socially excluded people than anywhere in the south-east of England outside Folkestone. The issues raised by the hon. Gentleman represent serious problems for my constituents, who prefer Canterbury because they do not yet trust the new arrangements at Medway Maritime hospital.

I wish specifically to address problems with renal services in East Kent. There has been a serious change. Margate hospital has been designated for services from spring 2003, but it is unacceptable to my constituents. It is on the far eastern side of Kent, which will cause access difficulties for all patients from my constituency and for staff, particularly those from West Kent.

As my hon. Friend the Minister knows, renal care requires lifelong associations between patients and doctors and nurses, who provide great care that involves frequent visits to clinics. On average, a patient may have to be admitted for in-patient treatment once or twice a year, and there is an average stay of nine days. It would

not be possible for relatives to visit patients in Margate. They could not afford it. It is essential in a modern health care service to consider not only patients but their families, whose love and care contribute physically to their well-being. It is a serious matter if families cannot get to hospital to see their loved ones.

The proposed relocation would increase travel times and travel costs beyond the reach of most of the people on the Isle of Sheppey. Does my hon. Friend really believe that the nursing staff will transfer to Margate? If not, where will nursing staff come from? We all know that there is a shortage of trained nurses for this specialty.

The relocation of the unit to Margate is opposed by patients, by the head of the renal medicine department at the Kent and Canterbury hospital and by the community health councils for Medway and Swale and for Canterbury and Thanet. Those are reasonable people who have thought the matter through. I ask the Minister to think again about the renal unit and to keep it in Canterbury.

1.7 am

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I congratulate the hon. Member for Canterbury (Mr. Brazier) on securing a debate on a matter of great concern to his constituents. He has keenly supported his local hospitals for many years, particularly Kent and Canterbury and Nunnery Fields. His interest bears testimony to his commitment to the needs of local people, who are keen to see a high-quality health service for themselves and their families. I assure the hon. Gentleman that we share their vision.

The debate on hospital services in the East Kent health authority area has gone on for some time. I should like to spend a few moments outlining the reasons for the change in acute services, but I will address the hon. Gentleman's specific points later. First, I convey my thanks and those of the House to all the people in the national health service who worked over winter to cope with extraordinary pressures arising from the combination of an extended Christmas holiday, the millennium celebrations and the flu.

I shall outline the context of the changes to acute services in East Kent. They are not primarily driven by money, as has been suggested. I should record the fact that the health authority is receiving an additional cash increase of more than £23 million, which represents real growth of 3.7 per cent. No matter what the funding stream, changes would still be necessary to services in Kent.

In East Kent, the major issues are not only money, but the supply and training of doctors and the changes in medical technology. NHS services cannot stand still—locally or nationally. Changes in the NHS are complex and, as we all know, contentious. People want to fight for their local services. That is only right.

However, in East Kent, the process of modernisation has been a long one. As the hon. Gentleman pointed out, it started back in 1997, after detailed examination and the most exhaustive local consultation ever carried out for the NHS. As he said, the matter was referred to Ministers.

The then Secretary of State for Health, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), gave careful consideration to the issues that had been raised and to the representations that had been received. He made his decision at the end of 1998. I fully accept that his decision was not universally popular, especially in the constituency of the hon. Member for Canterbury. However, I assure the hon. Gentleman that such decisions are never taken lightly.

Ministers need to combine the needs of the local population for access to local services with the requirement to provide top-quality treatment in a safe environment, in facilities that are fit for the 21st century. The decision taken will ensure that high-quality care will be provided on three sites—the Kent and Canterbury, the William Harvey and the Queen Elizabeth the Queen Mother hospitals. It will provide the opportunity to develop the scope and capacity of local primary care services. We must not forget what happens in primary care. The decision lays the foundation for acute and specialist care that will be of long-term and sustainable benefit to local people.

I make it clear again—although it has been made clear on previous occasions—that the decision announced by my right hon. Friend is not negotiable. I reiterate that: we shall not revisit the overall decision. However, it is important to point out that we shall ensure that the framework for that decision is properly implemented on the ground; that the plans are robust; and that the needs of the local population are met. I have, therefore, asked officials from the south-east regional office of the NHS Executive to monitor the progress of implementation to ensure that it takes place in a proper, sensitive and well-managed way.

The three trusts are merging to become the East Kent Hospitals NHS trust. That is right, because the new trust structure supports the implementation of the changes to hospital services. A single trust is much better placed to achieve that goal. The new trust combines the benefits of strategic oversight of hospital services in East Kent with a commitment to be responsive to local communities and their primary care groups.

The new trust has moved swiftly with its NHS partners to draw up an implementation plan for the service changes. The hon. Member for Canterbury referred to the document "Moving Forward". That document sets out the strategic development plan for acute services in the area. It builds on the work of clinical specialty groups. It sets out proposals to build new services and estates configurations.

However, it is important to be clear as to the purpose of the document. Although it addresses a variety of audiences, it has a specific purpose. It is not a consultation document, nor, as the hon. Gentleman implied, is it intended to set out in detail the clinical models for each specialty. Its key purpose is to obtain approval to move through the private finance initiative process to the outline business case stage. It has been referred to the regional office of the NHS Executive—not for the executive to provide the funding, but to ensure that due process is followed.

The implementation plan has been agreed locally between the trust, health authority, community health council, primary care groups and the regional office. The hon. Gentleman referred to capital spending of £50 million of taxpayers' money. That is not what the plan is about. It is intended that the sources of capital will come from the private sector. If the PFI developments are approved, the plan will be developed over five years. Only when the future models of care have been agreed will there be any redevelopment of the Kent and Canterbury site. Even when the changes are fully implemented, about 85 per cent. of patients who would currently expect to attend the Kent and Canterbury hospital will continue to be treated there.

Mr. Howard: Will the Minister deal with the issue of bed numbers and the specific suggestion that has been made by the chairman of the community health council? Does she see some merit in that suggestion?

Ms Stuart: I shall come to the issue of bed numbers about a paragraph from now.

The health authority has stated that, in accordance with the then Secretary of State's decision, it is committed to ensuring that robust services at alternative sites are in place before any service is transferred from its current location. To assist it in this process—because, as the change occurs, there will be some duplication of services—the authority has applied for special assistance funding to help it during this period. A decision on that is expected shortly.

I now turn to the specific issues raised by the hon. Member for Canterbury and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). First, I shall discuss bed numbers. The number of acute beds will increase from the 1,395 that were originally proposed to 1,417. We do of course recognise the public concern about the eventual number of beds in the area and the pressure that they have been under this winter, and we expect the health authority to continue to monitor and review bed numbers closely. The right hon. and learned Member for Folkestone and Hythe made reference to the national bed survey, which I assume is what was covered in that letter. Some of those findings will be incorporated, but the overall decision by the Secretary of State stands.

Mr. Brazier: How does the Minister reconcile what she has just said—about nothing happening immediately and about working in line with that detailed programme—with EKHA's announcement, out of the blue, that Nunnery Fields hospital, with almost a quarter of Canterbury's beds, is to close this summer?

Ms Stuart: I was going to discuss the Nunnery Fields hospital situation, especially in relation to the care of the elderly. The hospital provides a rehabilitation service for the elderly. It is an old workhouse. It is no longer suitable for the type of care and rehabilitation that we expect to give to elderly people and which they deserve. We expect that, once the reconfiguration has taken place, the hospital care will take place within the Kent and Canterbury.

As I have said, we should focus not only on hospitals but on what is happening in primary care and the support services that allow people—especially elderly people—who do not need to stay in hospital to receive care and support at home or at primary care level. We have spent some £2.5 million to develop primary care and community-based services for the elderly, and there will be an additional £5 million further investment in acute services. More than £500,000 will be directed into the development of transport facilities. I know that the hon. Member for Canterbury feels that that may be insufficient, but I think that we should not sneer at what is a significant amount of money.

I shall now address the issue of the care of the elderly in East Kent, because allegations have often been made that they have been neglected or even marginalised. Nothing could be further from the truth. The health authority is looking after the elderly in East Kent in a very responsive way. For example, community assessment and rehabilitation teams—a joint initiative, which is so far being implemented in only one part of the area, although the plan is that there will be four such units—are helping to develop models of care to ensure that elderly patients avoid hospital admissions wherever appropriate, and that patients can be discharged much sooner than they are now.

Modernisation does not only focus on the care of the elderly. We should also take account of such improvements as the booked admissions pilot system. Since it commenced last year, about 40 per cent. of patients who require day surgery have been able to agree their surgery date at their first out-patient appointment.

Two areas were specifically mentioned, one of which was cancer services. The collaborative arrangements whereby we develop a tertiary cancer centre to provide services through an umbrella network managed by the Mid Kent trust are being taken forward. The Kent oncology centre appointed its director in 1999 and there is a policy board to develop the standard of services and support. Radiotherapy services provided at the Kent and Canterbury will continue to be an important part of that service.

I shall deal next with the concerns about renal services that were expressed by my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt). On the travel argument, he said that his constituents look first to Medway hospital, but as I said before, even within the reconfiguration, 85 per cent. of the people in his area who are expected to go to the Kent and Canterbury will continue to do so. However, the model agreed for the reconfiguration of renal services looks to East Kent and West Kent health authorities providing four satellite dialysis units at Canterbury, Ashford, Maidstone and Medway to support the main renal unit, when it is established in Margate.

Once the new arrangements are in place, they will result in an increase in the number of dialysis stations available, and that relates to the concerns raised about families and travel arrangements. There will be more dialysis stations in the county and the number will increase even further over a 10-year period. At the end of that time, we shall have 26 dialysis stations, which will make life easier for renal patients in the county.

Mr. Brazier: Will the Minister give way?

Ms Stuart: I shall not, in view of the time.

Let me conclude with three assurances for the hon. Gentleman. First, we will ensure that the former Secretary of State's decisions are fully implemented. Secondly, patient safety will not be compromised during the implementation process. The hon. Gentleman was concerned about accident and emergency services and I remind him that, so far, no changes have been made to the services provided in the Kent and Canterbury and none will be made until alternative provisions are in place. Thirdly, robust and adequate services will be put in place in relation not just to accident and emergency, but to all the other services, before there are any changes or any services are transferred.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past One o'clock.

House of Commons

Tuesday 15 February 2000

The House met at half-past Two o'clock

PRAYERS

PRIVATE BUSINESS

GREENHAM AND CROOKHAM COMMONS BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Tuesday 22 February.

CHILD CARE PROCEDURES AND PRACTICE IN NORTH WALES

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there shall be laid before this House a Return of the Report and Summary (including a Welsh translation of the summary) of the Report of the Tribunal of Inquiry into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974, entitled Lost in Care.—*[Mr. McNulty.]*

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

World Peace Council

1. **Dr. Julian Lewis** (New Forest, East): If he will make a statement on *(a)* the status of, *(b)* the recent evolution and changes in the role of and *(c)* the identity of those funding the World Peace Council. [108519]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): This Government have had no direct contact with the World Peace Council. It is an international non-governmental organisation, which has apparently been based in Paris since 1996. It has no member organisation in this country.

Dr. Lewis: Is not that a rather thin account of the World Peace Council, which for more than 20 years was on the Labour party's list of proscribed organisations as the principal Soviet propaganda front? Given that that was its role and that it followed every twist and turn of Soviet foreign policy, will the Minister explain why the Foreign Secretary saw fit to appoint as the chairman of the Westminster Foundation for Democracy, which is intended to inculcate democratic values in ex-communist countries, someone who was a former active member of the World Peace Council at the height of the cold war?

Mr. Vaz: I must tell the hon. Gentleman that, on Sunday afternoon between "EastEnders" and "Songs of Praise", I spent a happy time reading his speeches on the World Peace Council. Nobody in the House has given the organisation more coverage than he has. I assure him that it is an out-of-date organisation. It is almost as out of date as the hon. Gentleman's views on the cold war.

Mr. Michael Clapham (Barnsley, West and Penistone): Does my hon. Friend agree that world peace can be advanced only by Governments who look to the future? Does he share my fear that, looking back over the past 10 years since the ending of the cold war, little progress has been made on nuclear disarmament? Will he assure the House that he will press the Russians to ratify START 2 and the Americans to ratify the comprehensive test ban treaty?

Mr. Vaz: My hon. Friend is absolutely right. Of course, we use every international forum and every opportunity to encourage countries to be fully involved in these processes. My right hon. Friend the Foreign Secretary will visit Russia next Monday and Tuesday and he will use that opportunity, as he has always done, to encourage the process. Our views on the comprehensive test ban treaty are also very clear: we would like the United States to sign it. We were very disappointed that it did not, and we shall continue to urge all countries to be involved in this important process.

Mr. Michael Colvin (Romsey): Will the Minister acknowledge that other organisations came into being during the cold war and that some are now outdated? A good example is the Conference on Security and Co-operation in Europe, which is now the Organisation for Security and Co-operation in Europe. It succeeded in bringing down the Soviet bloc—that is why it was created—but it is now taking on other responsibilities and usurping the already well-established responsibilities of the Council of Europe. Have the Government thought seriously about reorganising the political structures of Europe following the collapse of the iron curtain? In that respect—

Madam Speaker: Order. This is hardly relevant to the World Peace Council. *[Interruption.]* Order. I say to the hon. Gentleman that the question was entirely about the identity and the funding of the World Peace Council and it has been answered.

Russia (Arms Exports)

2. **Mr. Andrew Miller** (Ellesmere Port and Neston): What representations he has made to the Government of Russia about the supply of weapons to countries in the middle east. [108531]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): My right hon. Friend the Foreign Secretary discussed the dangers of arms exports and assistance to countries of concern with Foreign Minister Ivanov when he visited Russia in March last year. He expects to do so again when he visits Russia on 21 and 22 February, next Monday and Tuesday.

Mr. Miller: I thank my hon. Friend the Minister for that answer. He will no doubt be aware that Russia, perhaps because of its financial plight, continues to supply missiles and missile-related technology to countries such

as Iran, which is not very supportive of the middle east peace process. He will also be aware of my interest in nuclear power. I am deeply concerned about such technology transfer because of the weakness of the technology and its potential application in enhancing Iran's nuclear weapons capability. When my right hon. Friend the Foreign Secretary visits Russia, will he use all his diplomatic skills to address these very serious problems?

Mr. Vaz: I am most grateful to my hon. Friend for raising this matter. He has a great interest in those issues, and I can assure him that at every opportunity Foreign Office officials have raised them with the Russians. The Russians have assured us that their assistance to Iran is for civil nuclear application only and is in line with International Atomic Energy Agency standards. My hon. Friend has urged the Foreign Secretary to raise the matter again with the Russians, and I categorically assure him that my right hon. Friend has just told me that he will do so. I shall be happy to tell the House and my hon. Friend what happens as a result of those discussions.

Mr. John Wilkinson (Ruislip-Northwood): Is it not the case that client regimes in the middle east and elsewhere that are in the marketplace for weapons like those armaments to be well tried and tested? Could not Her Majesty's Government therefore argue to the Russians that it is iniquitous and wrong for them to use their genocidal conflict in Chechnya as a proving ground for the weapons systems that they sell in the middle east? It is high time that those weapons were no longer used on the Chechens within the Russian Federation and no longer sold to rogue regimes outside it.

Mr. Vaz: Our position on Chechnya and the Russian action there is absolutely clear: we do not believe that the use of disproportionate activities by the Russians was right. I expressed that view to the Russian ambassador. The hon. Gentleman's other points are, of course, matters that will be raised. It is absolutely essential that the major arms export countries adhere to the Wassenaar arrangement so that there is full transparency and disclosure. That is one way in which we can ensure that the export of arms is controlled.

EU Enlargement

3. **Helen Jackson** (Sheffield, Hillsborough): What recent discussions he has had with EU counterparts regarding enlargement. [108532]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I shall make a statement on the Government's policy on enlargement later this afternoon.

As I speak, the European Union is launching accession negotiations with six more applicant countries to join the six already in negotiation. Along with my EU colleagues, I discussed the prospects for enlargement with the Foreign Ministers of those six countries last night. I was impressed by their commitment to making a success of their application. Their enthusiasm for the European Union demonstrates a shrewder understanding of the benefits of membership than we often hear in the House from those on the Opposition Benches.

Helen Jackson: Did my right hon. Friend read the comments of the former shadow Foreign Secretary, the hon. Member for Stratford-on-Avon (Mr. Maples), in *The Daily Telegraph* last week, when he argued that Britain should hold up European Union enlargement until it accepted his pick-and-choose interpretation? *[Interruption.]* I am aware that that will not have been the reason that he was sacked, because he never discusses foreign policy with his leader. Does my right hon. Friend agree that such a view of enlargement is a betrayal of Britain's interests and something that no responsible politician should advocate?

Mr. Cook: I assure my hon. Friend and the House that the Government's policy is to do everything that we can to enable enlargement to proceed as quickly as possible. It is important for Britain's interests that, when those countries enter the European Union, they should remember Britain as a friend and an advocate of their membership.

I have long been puzzled by the Conservatives' policy of vetoing enlargement treaties if they do not get their way, but I understood how they got themselves into that position when I read the former shadow Foreign Secretary's remark today that he never had a serious discussion on foreign policy with his leader, despite several attempts to do so. Perhaps the right hon. Member for Horsham (Mr. Maude) should now tell us whether he will advise his leader to ditch that embarrassing policy out of the back of his white van, or whether he has not yet had a chance to discuss the matter with him.

Mr. Francis Maude (Horsham): Everyone should be totally committed, as we are, to the European Union at last embracing the whole of Europe. It is a scandal that, 10 years after the Berlin wall came down, not one of the great European countries that regained their freedom and nationhood at that time has yet been admitted to the club. Will the Foreign Secretary commit himself today to arguing in the intergovernmental conference for a new framework of flexibility so that at least the new entrants to the European Union can be spared the stifling grip of the "one size fits all" straitjacket that is currently promised?

Mr. Cook: We have no intention of using the intergovernmental conference to try to turn the treaty into a charter for opt-outs. We shall not do so, because we do not for one minute believe that it would be in Britain's interests for France to have the right to opt out of food safety regulations, Spain to opt out of animal welfare regulations, or applicant countries to opt out of environmental rules, such as the condition accepted by many of them to close nuclear reactors that do not meet safety standards faster. I repeat my question to the right hon. Gentleman: if he does not get his way, will he veto enlargement and so make the Tory party as unpopular among the 12 new members as it is among the existing 14?

Mr. Maude: Is not the simple truth that, faced with a choice between the modern, flexible Europe of the sort that is increasingly advocated, in which nations can

co-operate in friendship and harmony, and the steady drift towards a single European superstate, the Government have unhesitatingly chosen the latter? They have done so step by step.

The Foreign Secretary talks about a charter for opt-outs, but he is getting rid of opt-outs. He gave up the opt-out on the social chapter, with the result that social legislation can now be imposed on this country from outside without Parliament or the House of Commons having any right to discuss it. The Government have signed away our veto in 16 areas as they proceed step by step down the road to the superstate. They are taking forward the defence identity outside NATO, and thereby risk undermining NATO. What have they got in return for all those concessions? Nothing.

Mr. Cook: The right hon. Gentleman must have picked up his response to my statement this afternoon by mistake. No one advocates a centralised European state and that will not be the outcome of the intergovernmental conference. However, he must recognise that not a single Government in Europe will accept his proposal for a pick-and-mix Europe—not even a sister party of the Tory party would accept such a proposal. The leader of one, John Bruton, has said that the Tory proposal is disastrous—that is what the right hon. Gentleman's own allies say. I repeat my question: even if no other Government agreed to the Tories' demands, would they really veto the treaty and stop enlargement of the European Union?

Middle East

4. **Mr. Malcolm Savidge** (Aberdeen, North): If he will make a statement on the status of the middle east peace process. [108533]

16. **Ms Christine Russell** (City of Chester): If he will make a statement on the current status of the middle east peace process. [108546]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I visited the region again last month. I found deep concern at the delay on a framework agreement on the Palestinian track and at the suspension of talks on the Syrian track, but I also found optimism that procedural problems could be overcome.

Clearly, the situation in Lebanon is grave; we are worried and saddened by the violence. I spoke on Friday to the Foreign Minister of Syria and conveyed our view that all parties in Lebanon must exercise restraint. We have delivered the same message to the Israeli and Lebanese Governments. The crisis underlines the importance of efforts to find comprehensive peace for the region, which can be achieved only by the parties returning to the negotiating table.

Mr. Savidge: I thank my right hon. Friend for appealing to all sides to show restraint in Lebanon. Does he recognise that a lasting solution for Lebanon can be found only within the framework of a comprehensive peace settlement between Israel and Syria? Will he urge both those countries to return to the negotiating table?

Mr. Cook: I am grateful to my hon. Friend for that welcome. I agree that the only way forward is via the negotiating table. It will be difficult to resolve the problems in Lebanon without a resumption of the Syrian track, on which I hope we can make progress on the basis of land for peace.

Ms Russell: Will my right hon. Friend comment on reports that appear to indicate that the recent talks in Shepherdstown, West Virginia, broke down when it was revealed that the Israelis planned to leave 17,000 of their people living on Syrian soil? Will he reaffirm that our Government's position is that those settlements in the occupied territories and east Jerusalem are illegal?

Mr. Robin Cook: It has been the long-standing view of Governments of both complexions that the settlements in the occupied territories are illegal under international law and are a block to the peace process. I am not sure that my hon. Friend is right about the current hiatus in the peace talks. It was undoubtedly unfortunate that one of the negotiating documents was published; it will be difficult to take such a sensitive and delicate matter forward if the negotiating documents get into the press.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Has the Foreign Secretary visited the middle east since March 1998? If not, is it because that visit was such a disaster for this country?

Mr. Cook: I do not know where the hon. Gentleman has been during Question Time for the past six months. I visited Israel and the Palestinian Authority in October last year. I was well received and had useful discussions with the Israeli Government. *[Interruption.]* I do not understand why Tory Members find it hilarious that one is greeted well by the Israeli Government. Last month, I visited Jordan and Egypt where I carried forward discussions. We have been actively involved there; the hon. Gentleman should turn the record over.

Mr. Francis Maude (Horsham): We share the Foreign Secretary's hope that the talks, especially between Israel and Syria, will resume and prove fruitful. We understand Israel's desire to ensure the security of its borders against terrorist attack, but we hope that talks will resume quickly. What is the Foreign Secretary doing to assist the resumption of those talks? My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) recalled that, when the Foreign Secretary visited the area in March 1998, he managed to annoy everybody. Is not staying away the best that he can do?

Mr. Cook: The Opposition should reflect on recent history and realise that there has been a change of Government in Israel. The Israeli Government are working closely with us; we have had frequent exchanges with Prime Minister Barak.

Mrs. Cheryl Gillan (Chesham and Amersham): What about Lord Levy's involvement?

Mr. Cook: Lord Levy has played a positive role in bringing the parties together. His visit to Damascus before the start of the Syrian talks was helpful in finding a formula to enable those talks to begin.

In the European Union, Britain is regarded as one of the leading advocates of the peace process. We shall continue to ensure that the European Union offers the necessary peace dividend if peace is to be permanent. The Government have fully supported the peace process; we are in contact with all the parties, and we shall continue to provide full support.

Mr. Stephen Twigg (Enfield, Southgate): Is my right hon. Friend aware of recent anti-semitic propaganda in the state-sponsored *Syrian Daily Tishreen*, which suggests that the holocaust is a myth and condemns the Stockholm conference on the holocaust, which he attended? Will my right hon. Friend join me in condemning that propaganda, and will he make it clear to the Syrian authorities that the appearance of such articles poses a major threat to the peace process?

Mr. Cook: I am happy to tell my hon. Friend that we have already made such representations. We understand from the Syrian Government that they regret the publication of those views, and that it is unlikely to happen again.

Dr. Jenny Tonge (Richmond Park): Does the Foreign Secretary believe that the Government's possible support for the Ilisu dam in Turkey and the water wars that might ensue will have a serious effect on peace in the middle east?

Mr. Cook: The Department of Trade and Industry has set out four major conditions for providing export credit to the dam. They include considerations about the welfare of the people in the valley, provision for proper environmental impact assessments, treatment of any water that would be used or collected in the valley and consideration of the provision of a regular supply of water to countries such as Syria, which are further downstream.

Zimbabwe

5. **Mr. John Randall** (Uxbridge): What recent representations he has made to the Government of Zimbabwe concerning good governance criteria. [108534]

7. **Miss Julie Kirkbride** (Bromsgrove): If he will make a statement on human rights in Zimbabwe. [108536]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): Zimbabwe has reached a turning point. President Mugabe has the opportunity to unite the country around him in a process of reform and recovery, which is long overdue. For far too long, dreadful economic mismanagement has propelled that potentially rich African country into crisis. I appealed to President Mugabe not to miss the moment and to face the challenges head on. It is the duty of friends to speak frankly. I have done that in private on several occasions to President Mugabe—unfortunately, to no effect. I hope that he will now accept that Zimbabwe's economy is in trouble and that the international community wants to work with Zimbabwe, not against it.

Britain, other donors and, crucially, the international financial institutions stand ready to help. However, the Government of Zimbabwe must understand that we will do that only if they show real commitment to sound economic policies and if they work with the international community in a spirit of political co-operation, rather than against us in paranoid isolation.

I am saddened that the referendum process that was designed to unite Zimbabwe on a programme of sorely-needed reform was so badly flawed. There was no electoral roll and no access to the media for opposition groups; there were no observers, and scant information was available to voters. The overwhelming victory for the no camp is a sign of the deep dissatisfaction with the Government over that and other issues.

The Government of Zimbabwe must now ensure that general elections in the spring are free and fair, give the voters a real choice and set Zimbabwe on the road to success.

Mr. Randall: I thank the Minister for that full statement. He will be aware that the Prime Minister said in a written answer last week that the Government

"will not grant export licences for new military dual-use equipment where there is a clear risk that it would be used in the DRC."—[*Official Report*, 9 February 2000; Vol. 344, c. 184W.]

Does that mean that this country has put an arms embargo on Zimbabwe?

Mr. Hain: No, the Prime Minister's answer means what it says. If there are any applications for export licences to sell to Zimbabwe arms that could be used for external aggression in the Congo or by other African countries involved in the Congo conflict, they will be refused. That is what the Prime Minister said and that is what the hon. Gentleman should have read into the answer.

Miss Kirkbride: In answering both questions together, the Minister clearly sought to avoid my request for a statement on human rights in Zimbabwe. It would have been nice to have heard a little more about that. Does he agree that today's rejection of the referendum proposals by the people of Zimbabwe is a step in the right direction against the despotic powers of President Mugabe? When will the Government match their announcements on an ethical foreign policy? Why do we not attach conditions, such as the improvement of human rights in Zimbabwe, to bilateral aid? Why have we sold spare parts for Hawk jets to enable President Mugabe to maintain a bloody civil war in the Congo? Why do not the Government have President Mugabe arrested for abusing human rights when he comes to this country, as they did with General Pinochet, or is it business as usual—say one thing and do another?

Mr. Hain: I remind the hon. Lady that her Government sold Hawk jets to Zimbabwe as, indeed, they sold arms to virtually every country on any basis—Suharto in Indonesia, for example. We have repeatedly made clear our anxiety about denial of human rights in Zimbabwe and we have consistently been concerned and made representations about the failure to establish a proper referendum. I repeat what I said in my initial answer: we want free and fair elections and Zimbabwe launched on a programme for democratic pluralism, including respect for human rights.

Mr. Donald Anderson (Swansea, East): The Minister has made a robust and principled response. Does he agree

that it was unfortunate that Commonwealth Ministers rejected the proposal made at the Heads of Government meeting in Durban last year for an enhanced Commonwealth ministerial action group to deal with such abuses of human rights?

Mr. Hain: My hon. Friend is right. A proposal was put to the Commonwealth and I was at the Commonwealth ministerial action group meeting that agreed to, and strongly supported, the suggestion that its remit should be expanded precisely to cover abuses of human rights and not only military juntas. I hope that the high-level group that has been established as a result of the Durban deliberations can take that agenda forward.

Mr. Mike Gapes (Ilford, South): Does my hon. Friend agree that there has been a steady deterioration of human rights and more and more authoritarianism during the 20 years in which the regime in Zimbabwe has been in power? Is it not hypocritical of Conservative Members suddenly to notice that now, when we are the first Government to begin to take action against those human rights abuses and authoritarian, anti-democratic practices?

Mr. Hain: My hon. Friend is absolutely right. The Conservatives were in power throughout the 1980s and most of the 1990s when the situation in Zimbabwe deteriorated, but did very little, if anything, to challenge that deterioration. We want Zimbabwe to succeed. It has enormous wealth, infrastructure and skills compared with the rest of Africa and is the best-educated country on the continent. If it reforms its economic policies and commits itself to a democratic future, we shall work with it to achieve that success.

Mr. Menzies Campbell (North-East Fife): The Minister has rightly referred to the wealth and potential of Zimbabwe. In those circumstances, is it not a matter of profound regret that the people of that country should find themselves short of food, short of fuel, in a deteriorating economy and facing an AIDS epidemic? Will Her Majesty's Government assure the House that they will call upon Mr. Mugabe to observe the results of the referendum? Will they also make it clear that Britain's support depends on the adoption of the principles of good governance and that we expect Harare to observe the principles of the Harare declaration?

Mr. Hain: Yes, we expect the Zimbabwean Government to comply with the results of the referendum, deeply flawed though it was, and with the Harare declaration, in terms of their membership of the Commonwealth. It is also absolutely vital that we see the kind of leadership in Zimbabwe that tackles the AIDS epidemic and deals with the economic failure that has led to fuel shortages and other problems. Without it, Zimbabwe is poised on the edge of an abyss and could go over the edge. That would be very serious for its people and, indeed, for South Africa, its major trading partner, and the whole of Africa. We want Zimbabwe to succeed.

Mr. Peter L. Pike (Burnley): While we recognise the problems with the referendum procedure, should not this country now, with the Commonwealth, tell Zimbabwe that we will help it with the preparation of an electoral register for the April election and that the Commonwealth will assist in monitoring a free and fair election?

Mr. Hain: We would be well prepared, as I am sure the Commonwealth and the European Union would be, to assist with a properly planned free and fair election. Unfortunately, because of the telescoped timetable for a quick election, without the necessary fair preparations or transparency it is very difficult to dignify such an election by providing official observers. That is the difficulty that we face, which is why I urged President Mugabe to look again at when, and the basis upon which, that election will be staged.

Mrs. Cheryl Gillan (Chesham and Amersham): Observers of this Question Time will see from the Minister's answers what a mess and muddle this Government are in. At the beginning of this month, when there were reports of the aerial bombardment of civilians in the Congo war, using Zimbabwean aircraft, the Prime Minister overruled the Foreign Secretary and the Foreign Office by insisting that spare parts for military aircraft were sent to Zimbabwe. How helpful did the Minister find that intervention? Does he think it will increase his effectiveness in influencing African affairs, when at the same time he was telling other African countries that we are determined to do everything in our power to stop fuelling the conflict in the Congo? Is he not even a little embarrassed that, rather than there being a fig leaf of an ethical dimension to the Government's foreign policy, he is now prepared to display on the international stage their willingness to do one thing and say another?

Mr. Hain: Absolutely not. This Labour Government changed the whole policy on arms exports applications. Instead of being prepared to sell arms for internal repression or external aggression, as the Conservatives did year after year, to every dictator throughout the world, we have introduced strict criteria, which we are now applying, as my right hon. Friend the Prime Minister announced last week, to ensure that no country can use British arms, under new export licences, in the Congo conflict.

I remind the hon. Lady that it was her Government who sold the Hawk jets in the first place. We have simply been obliged to honour contractual commitments and supply spares for the two Hawk jets that are still being used in the Congo.

"Your Britain, Your Europe"

6. **Mr. Desmond Browne** (Kilmarnock and Loudoun): What further plans he has for his Department's "Your Britain, Your Europe" campaign. [108535]

10. **Mr. Andrew Reed** (Loughborough): What future plans he has for his Department's "Your Britain, Your Europe" campaign. [108540]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): We have encouraged the Welsh Assembly and the Scottish Executive to organise regional roadshows later in the year to promote the benefits of our membership of the EU, to follow the successful roadshow of last November. I am also writing to the leaders of the city councils of Leeds, Liverpool, Reading, Southampton and Norwich to explore the possibility of their organising a Europe Day in those cities during the summer.

The Foreign and Commonwealth Office will shortly publish a "UK in Europe" public information brochure that will cover the history of our involvement in the European Union, and hold a Europe Day on 9 May.

Mr. Browne: I thank my hon. Friend for his reply. Is he aware that Ayrshire, which contains my constituency, accounts for 15 per cent. of Scotland's total exports; that 62 per cent. of that 15 per cent. are exported to the European Union; and that if the anti-Europe campaign launched by the Leader of the Opposition this morning works, about 40,000 jobs that depend on those exports will be put directly at risk? Will he accept my invitation—issued on behalf of those workers and their employers—to bring the information roadshow to Ayrshire, preferably to Kilmarnock, and use it to build on the productive relationship that has developed between Ayrshire and the European Union?

Mr. Vaz: My hon. Friend is absolutely right: the benefits of EU membership are clear to the people of Ayrshire. I happily accept his invitation to visit him in Kilmarnock with the Scottish roadshow.

I am delighted that the Leader of the Opposition has decided to follow my lead in engaging in a tour of the United Kingdom. He said first that he would travel in a flat-back lorry; that turned into an unmarked white van, and my sources in St. Albans now suggest that it is down to a moped, with the right hon. Member for Kensington and Chelsea (Mr. Portillo) at the front and the right hon. Member for Horsham (Mr. Maude) pushing from behind.

I hope that, when the Leader of the Opposition goes around the country, he will hear what I heard: that the people of the United Kingdom support Britain's being in Europe. We benefit greatly from being in Europe, and we will continue that membership.

Mr. Andrew Reed (Loughborough): As one who, in the 1990s, worked in the European Union—in Brussels—on behalf of the people of Leicestershire, may I say that those people were particularly angry that their views were not heard in Brussels because of the antics of the Conservative party? Does my hon. Friend agree that the Conservatives have learned nothing from their election defeat in 1997, and still peddle the anti-Europeanism that is of such disadvantage to the people of Leicestershire? Will he bring his roadshow to smaller areas—non-cities such as Loughborough? Will he also issue invitations to people in successful businesses such as Campbell Scientific, which I visited a couple of weeks ago and whose exports have risen by 26 per cent. in Europe alone?

Mr. Vaz: I congratulate my hon. Friend on all his excellent work in the constituency, promoting local businesses. I will go to Loughborough with the roadshow and I will not be in an unmarked white van—the benefits to this country of membership of the European Union will be clearly stated.

As my right hon. Friend the Foreign Secretary said earlier, the former shadow Foreign Secretary has said that the renegotiators have taken over the Conservative party—a party whose spokesman is the man whose fingerprints and signature are on the Maastricht treaty.

Mr. David Ruffley (Bury St. Edmunds): Can the Minister estimate how many people he has spoken to during his roadshow about UK entry to the euro, and what proportion of those people have told him that they do not want this country to join?

Mr. Vaz: I have spoken to about 5,000 or 6,000 people at public meetings and all over the country. Two people spoke against British membership of the European Union: their names were Ralph and Dave, and they were members of the Save the Pound campaign. The vast majority of people I spoke to supported our important role in Europe.

Mr. Richard Spring (West Suffolk): In his taxpayer-funded roadshow message, the Minister stated:

"I want to let them know what the Government thinks."

Does he not understand that, up and down the country, people know that the Government's views on Europe are minority views, day by day increasingly different from those of the clear majority of British people?

Mr. Vaz: I congratulate the hon. Gentleman on his promotion to the post of shadow Minister for Europe. We remember fondly the contributions of his predecessor when he was here; he too did not understand the benefits of Britain's membership of Europe.

Of course the people want to know the facts. That is why we went around the country to explain those facts. We do not support a campaign that is negative and that damages this country's national interest. A total of 3.5 million jobs depend on our membership of the European Union. The hon. Gentleman would do well to start campaigning on those issues.

Mr. Bill Rammell (Harlow): Is my hon. Friend aware that the Leader of the Opposition has not launched his campaign on a flat-back truck because he could not find one that did not depend on foreign investment? Would not that foreign investment, supplying those British jobs, be at stake if we ever supported the Tory party's policy of pulling out of the European Union?

Mr. Vaz: My hon. Friend is absolutely right. As he has said on numerous occasions, the logical conclusion of the policy adopted by some Conservative Members—in the words of the hon. Member for Stratford-on-Avon (Mr. Maples), the renegotiators have taken over the Conservative party—is that Britain would withdraw from the European Union. We need to be in Europe. We are

fully engaged in Europe. We believe in the reform of Europe, as my right hon. Friend the Foreign Secretary will show in his statement at 3.30 pm.

Mr. Tony Baldry (Banbury): The Minister will know that few Conservative Members are more in favour of the European Union than I, but the campaign sounds a bit too much like spin with little substance.

Mr. Denis MacShane (Rotherham): That is the Conservatives' policy.

Mr. Baldry: The Minister's Parliamentary Private Secretary seems to be prompting him, but I hope that no Government money is going into the project. If Foreign Office money is going into it, would it not be better if it went to the British Council and BBC World Service? One does not expect Ministers of State in the Foreign Office to feel it necessary to go on roadshows throughout the UK. They should be doing other things with public money in the Foreign Office, rather than feeling that they need to go on what is effectively an election campaign.

Mr. Vaz: I am going to be nice to the hon. Gentleman because I know that he is a pro-European in a party that is anti-European. The amount of money that was spent on the last roadshow was a tiny proportion of—[HON. MEMBERS: "How much?"] It cost only £60,000, plus travel and accommodation. It is a tiny proportion compared with the £20 million that was spent by the last Conservative Government on an information campaign that was designed to prepare Britain for the common market—a campaign that was authorised by the shadow Foreign Secretary.

EuroMed Agreements

8. **Mr. Gordon Marsden** (Blackpool, South): What recent discussions he has had with the Government of Tunisia and other near eastern states about their participation in the EU's EuroMed agreements. [108537]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): My right hon. Friend the Foreign Secretary had a bilateral meeting with the Tunisian Foreign Secretary on 24 January. The Government have had regular contacts at various levels with the Tunisian Government.

Mr. Marsden: I thank my hon. Friend for that reply and I am delighted, given the importance of Tunisia as a country of stability in the Maghreb, that those contacts have been so recent and extensive. I urge him and the Foreign Secretary to continue to make strong representations to our European partners about the importance of the Maghreb and the near eastern countries in that process. With the forthcoming investment seminar on the EuroMed coming up in Lisbon in two weeks, I also urge them and their colleagues in the Department of Trade and Industry to give British companies every encouragement and incentive to invest in that area.

Mr. Hain: I will certainly give my hon. Friend, who takes a great interest in the matter, those assurances. We attach great importance to our relations with Tunisia, which was the first Maghreb country to sign up to an association agreement with the European Union.

Miss Anne McIntosh (Vale of York): Can the Minister say whether those negotiations include such topics as asylum seekers and immigrants seeking entry to the European Union?

Mr. Hain: They cover a range of matters.

Mr. David Heath (Somerton and Frome): I agree that contacts and dialogue between the countries of the Maghreb and Europe are vital. Might that prove a useful vehicle for persuading the kingdom of Morocco to comply with the United Nations referendum that is due in July 2000 on the future of Saharawi?

Mr. Hain: As the hon. Gentleman is aware, both Morocco and others are committed to that UN policy. I had discussions with the Foreign Minister and, indeed, the Prime Minister on that policy when I visited Morocco only late last year.

Sierra Leone

9. **Mr. Jonathan Shaw** (Chatham and Aylesford): If he will make a statement on the situation in Sierra Leone. [108538]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): The Lomé peace agreement offers the people of Sierra Leone the best prospect of lasting peace and security, after eight years of brutal conflict. We remain concerned, however, about the continued violations of the peace agreement. We are pressing all parties to honour their commitments.

Mr. Shaw: I thank my hon. Friend for that reply. Does he agree that the situation in Sierra Leone remains extremely fragile, and that the Lomé peace agreement offers the best possible opportunity for that country to restore stability, so that people may once again live in peace and harmony? What are our Government doing to ensure that the Lomé agreement works? If it is not successful, should we not be fairly pessimistic about the consequences?

Mr. Hain: I agree with my hon. Friend that the Lomé peace agreement is very fragile. Last month, I visited Sierra Leone and was able to see at first hand the agreement taking root. There is now a United Nations peacekeeping force in Sierra Leone that Britain has supported. Indeed, we are providing more support than any other country outside Africa for the progression of that agreement. However, some of the individuals and parties to the agreement have still not fulfilled the full terms of the agreement which they signed. In particular, Foday Sankoh, leader of the RUF, is still not complying with the disarmament measures. I am concerned that he should return as soon as possible from Abidjan, which he recently visited, to carry through the full terms of that agreement.

Austria (Bilateral Meetings)

11. **Mr. Jim Murphy** (Eastwood): If he will make a statement on the UK's future bilateral relationship with the Austrian Government. [108541]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Britain fully supports the position of the 14 European Union countries which have announced that they will not hold bilateral meetings with Ministers in the new Austrian Government. Mr. Haider's appeal to xenophobia and racism is in flat conflict with the values of tolerance and mutual respect on which the European Union is founded. I also fully understand the grave offence to Jewish communities, including here in Britain, of Mr. Haider's statement that the Waffen SS were "decent men of character".

Austria is entitled to exercise its full rights at meetings of the European Union, but, with regret, we cannot maintain our traditionally warm bilateral relationships while its Government includes people who reflect Mr. Haider's repugnant views.

Mr. Murphy: I welcome that response. Is my right hon. Friend aware of Jörg Haider's description of the concentration camps where 6 million Jews were murdered as "punishment camps"? I also welcome the sanctions taken by the British Government and by our European Union partners against the Austrian Government. Will my right hon. Friend confirm that, if necessary, further action will be taken, not against the Austrian people but against the Austrian coalition Government?

Does my right hon. Friend share my sense of utter horror that, in the same month in which the British Government announced plans for a national holocaust memorial day, Austria formed a coalition involving a party that has an entirely different sense of history and of the holocaust?

Mr. Cook: I was in Stockholm on that day, addressing the holocaust conference, and it was moving to see so many countries of Europe come together to make it clear that we have to be open and honest and face up to our past as a foundation for the future. I regret that Mr. Haider does not seem to recognise the importance of acknowledging what happened in the past if we are to ensure that it does not happen again in the future.

As for our relations with Austria, the Austrian Government have issued a statement of full support for human rights. It is a very good piece of rhetoric and a wonderful statement. We shall now be watching very closely to ensure that they abide by those commitments.

Sir Peter Tapsell (Louth and Horncastle): Does the right hon. Gentleman think that he should be disqualified from holding ministerial office now because of the very many foolish things that he said in the past when he was in opposition? Would it not be fairer and more democratic for him to be judged on his current record, disappointing though it has been so far?

Mr. Cook: If the hon. Gentleman can produce any statement of xenophobia or racism made by me in the past, I shall happily resign.

Mr. Ben Bradshaw (Exeter): Has the Foreign Secretary had the chance to study the detailed programme and policies of Jörg Haider's Freedom party? If he has not, may I tell him that they are no more extreme those of the British Conservative party?

Mr. Cook: I have to say that I am not aware of any hon. Member who has spoken of the SS in the terms that Mr. Haider has used. We should recognise that the consensus among the 14 member states has been built in the clear recognition that this is not a matter of political programme, but of values. Mr. Haider has rejected the values on which parliamentary democracy and the European Union are built.

Mr. Eric Pickles (Brentwood and Ongar): The Foreign Secretary talks about rhetoric. Does he realise that there is more than a whiff of armchair anti-racism about his attitude towards Mr. Haider who, with the Government's ethical foreign policy in tatters, is an easy target? If he wants to encourage Mr. Haider's policies in Austria, the best way is to continue the isolation.

Mr. Cook: The polls do not support the hon. Gentleman's argument. Since the European Union's 14 member states took action, Mr. Haider's personal standing has dropped from 8 to 5 per cent. and his party's popularity has also dropped. Our action does not appear to be helping Mr. Haider, as the hon. Gentleman argues.

East Timor

12. **Kali Mountford** (Colne Valley): If he will make a statement on the status of East Timor. [108542]

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): East Timor was invaded by Indonesia in 1975. The United Nations never recognised Indonesia's annexation of East Timor. In the UN-organised ballot of 30 August 1999, the East Timorese voted by an overwhelming majority to reject the autonomy proposal put forward by the Indonesian Government and in so doing indicated their clear desire for independence. The subsequent violence led to the intervention of a peacekeeping force. Indonesia relinquished all claim to East Timor on 20 October. UNTAET—the United Nations Transitional Administration in East Timor—is now established and is carrying out its mandate to prepare East Timor for independence.

Kali Mountford: I thank my hon. Friend for that reply. In the midst of the international efforts to restore justice and human rights in East Timor, will he assure that House the Britain will continue to play an important role in the transition from UNTAET, and will he join me in congratulating our armed forces on their excellent work in the early days of the multilateral intervention?

Mr. Battle: I am sure that the whole House would be happy to congratulate the armed forces on their excellent work on behalf of the international peacekeeping forces. Our Gurkhas were among the first to go to East Timor.

When I visited in January the Australian General Cosgrove, who was in charge of the forces, singled out the Gurkhas for special praise for having helped to bring about a prompt peace.

The transition from the peacekeeping force to the UN administrative authority is due to be completed by the end of February. We are happy to continue to play a leading role in the UN process, as we have done since the outset. The Department for International Development pledged a further £13 million over 13 years at the recent World Bank conference in Tokyo, and the Foreign Office has opened a staffed support office in Dili. We shall do all that we can to rebuild the newly emerging country that was so badly devastated in the conflict.

Rev. Martin Smyth (Belfast, South): I share the Minister's hopes for the development of the new state in Timor and the speedy return of those in West Timor to their own land. Will he express his concern to the Government of Indonesia, now released from responsibility for East Timor, that they should exert discipline over their armed forces, which have sometimes perpetrated acts of terror against their citizens in other parts of Indonesia?

Mr. Battle: The hon. Gentleman has frequently raised issues relating to the other islands that make up the huge complex that is Indonesia. As he knows, there was a change of Government in September. A civilian is now in charge of the armed forces. There has been a quiet revolution in Indonesia in the past few months. At the same time, the United Nations and Indonesia's national inquiry have reported on the activities of the military and are bringing them to heel. There will be trials to bring to book all those responsible for atrocities in East Timor. There are different causes for the conflicts in the other islands, but solutions will be found through democratic, peaceful means.

Human Rights

14. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): In pursuing an ethical foreign policy what regard Her Majesty's Government have to a country's internal human rights record; and if he will make a statement. [108544]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We consistently promote British interests and pursue British values in our foreign policy by supporting democracy and human rights wherever we can and however we can.

Mr. Llwyd: I thank the Minister for that reply, but in the light of the Government's ethical foreign policy, why are they so supportive of Turkey, given its disgraceful human rights record in relation to the Kurdish people? Why is it thought ethical and proper that the British taxpayer should stump up £220 million to sponsor the Ilisu dam project? Is that ethical and proper when 20,000 to 60,000 Kurds will be displaced by that awful state?

Mr. Hain: We have not made any decision on the Ilisu dam project. We have consistently raised human rights matters with Turkey and, indeed, securing advances on human rights is one of the conditions it has to meet as a basis for admission to the European Union.

Angela Smith (Basildon): Although I accept my hon. Friend's comments that we need to have good relations with other countries to promote human rights, will he consider one country with which we have a special relationship—the United States? It is still that country's practice to keep minors on death row until they are old enough to be executed. Can he assure me that he will make strong representations to representatives of the US Government about that?

Mr. Hain: Unlike the previous Government, we have played a leading role in opposing the death penalty wherever it is used, and we will continue to do so in the various international forums in which we have an opportunity to raise the matter. I answer my hon. Friend's question in that context.

Mr. Owen Paterson (North Shropshire): What is ethical about selling jet parts to Zimbabwe so that President Mugabe can bomb the Congo for private gain?

Mr. Hain: I find questions like that very interesting from the party which sold arms to Iraq, as the Scott report exposed, and whose Ministers misled the House over the matter. As I said earlier, we were fulfilling a contractual obligation on Hawk jets sold by a Conservative Government, including two Hawk jets operating in the Congo and a few spares for them. We have also made it clear that we have tightened our policy on arms exports to such countries as Zimbabwe which are involved in the Congo conflict—a policy that the Conservative Government never got anywhere near adopting—and we deserve praise and credit for that.

Dr. Phyllis Starkey (Milton Keynes, South-West): Does my hon. Friend agree that there are circumstances in which constructive engagement can encourage a country that has a poor record on human rights to improve that record? Does he agree that an example of that is Iran, where Britain's funding, bilaterally and through the United Nations International Drug Control Programme, for Iran's drug control agencies has helped to show the benefits of engagement with the west and has strengthened the more progressive forces in Iran, which is especially important given the upcoming election there?

Mr. Hain: Yes. There is no point in having a detailed dialogue with some countries—for example, Burma, Iraq and the Yugoslav Republic—because there is no opportunity to do so. As my hon. Friend pointed out, we have recently had critical dialogue with Iran about, for example, the Jewish detainees and other issues. It is because we have supported the reform programme of President Khatami that we have had an audience on those issues and have been able to put our points of view. We have seen some results from that, and critical dialogue is a policy that we have successfully adopted and will continue to use with many countries with which we do not agree about every aspect of their government, policies or constitution.

Burma

15. **Mr. Robert Syms** (Poole): If he will make a statement on the UK's relationship with Burma. [108545]

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): The Government are appalled by the human rights violations and lack of democracy in Burma, and we are at the forefront of international action on Burma. Our bilateral relations with the military regime reflect this. We take every opportunity to condemn the regime's disregard of human rights and to urge the regime to enter into dialogue with democratic leaders, including Aung San Suu Kyi—who was elected in 1990 with the National League for Democracy—and other ethnic minority leaders.

Mr. Syms: There is no doubt that the Burmese regime is nasty. Apart from what it does to its own people, Burma is the world's largest producer of illicit opium. Following the failure of the EU mission in July and the extension of sanctions in October, should not we this year redouble our efforts with the EU, the Americans and the Japanese to apply pressure for the release of Aung San Suu Kyi, to start Burma on the process towards the proper democracy that its people deserve?

Mr. Battle: I agree with the hon. Gentleman. We are at the forefront of support for the European Union common position that was put in place, co-sponsoring United Nations resolutions on action in the International Labour Organisation, to combat forced labour. We do not encourage trade investment or tourism with Burma. It was this Government who announced on 19 June 1997 that we would not encourage United Kingdom companies to trade or invest in Burma. We will work within the European Union to do what we can to toughen the position and make it plain to the Burmese junta that it should enter into democratic negotiations with the democratically elected leadership.

Intergovernmental Conference White Paper

3.30 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): With permission, Madam Speaker, I wish to make a statement on the Government's support for the enlargement of the European Union and our approach to the intergovernmental conference, which is necessary to prepare the European Union for almost double the present number of member states.

I am today publishing the White Paper "Reform for Enlargement", which sets out in detail the steps that the European Union must take to get ready for enlargement.

Today in Brussels, the Portuguese presidency is opening negotiations with six more countries. That brings to a total of 12 the countries currently in negotiation for entry into the European Union.

Throughout central and eastern Europe, countries that have only recently emerged from a centralised state and a command economy are making heroic efforts and taking painful decisions to prepare themselves for membership of the European Union. It is in their own interests to do so. The reforms that they need to compete successfully within the single market are also the changes that they need to give their people a prosperous economy. It is also in our interest that they face up to the conditions of membership, not only because they will be better trading partners for British exporters and investors, but because the reforms that they have to make are of direct benefit to us. For example, three separate countries, as a condition of membership, are now committed to the early closure of nuclear reactors that do not meet our standards of safety.

There is no better way in which we can guarantee security and stability throughout central Europe than by providing its countries with a clear perspective of membership of the European Union. Given the difficult and courageous decisions that the candidate countries have taken to prepare for entry, the European Union owes it to them to show the same determination to make the reforms necessary for enlargement.

It is because we recognise the importance of the European Union to Britain that we want it reformed in order that it may do its job better. We have long argued for a Commission that is run on merit, not on influence. We lobbied for Neil Kinnock to have responsibility for reform, and we strongly support the package of measures that he has produced, which fully confirms our confidence in him. It provides welcome steps to measure performance against targets, to improve financial management and contract procedures, and to ensure that staff are recruited and promoted on merit, not on national quotas.

Europe must also embrace economic reform to meet the challenge of competitiveness in a global age. Next month's special summit in Lisbon will be an important staging post in the process of creating in Europe a knowledge-based economy which promotes opportunities for innovation. Britain will be pressing at that summit for commitments to remove obstacles to electronic commerce, to set targets for lifelong learning, and to match the lowest world prices for access to the internet.

We welcome the opportunity of enlargement for institutional reform. For the United Kingdom, the most pressing of these reforms is to increase the share of our vote in the Council of Ministers. France, Germany and Britain contain a majority of the population of the European Union, but together have only a minority of the votes in the Council. After enlargement, they will not even be a blocking minority. We will be seeking a fairer voting system in the Council of Ministers that gives more democratic recognition to the population of Britain.

The second institutional reform required by enlargement is a limit on the growth of the Commission. If all 12 countries were to join the European Union under the present rules, we would have more than 30 commissioners. It would be a challenge for such a large Commission to function efficiently as a single cohesive body—nor is it easy to see what jobs they could all do.

As a first step in containing the size of the Commission, we are prepared to consider that the larger countries should retain only one commissioner. That would enable the smaller countries to retain their own commissioners, at least through the first wave of enlargement. However, I stress that we see these two measures as a package. The larger member states cannot be expected to give up their second commissioners if they are not given a larger weight of votes in the Council of Ministers.

The third area for institutional reform is the balance between unanimity and majority voting. There will be double the risk of decisions being blocked if there are twice as many countries round the table with a veto. Those decisions that are blocked may well be in Britain's national interest and may concern matters on which we want agreement.

The White Paper repeats our commitment that unanimity must remain in cases such as treaty amendments, border controls, taxation, social security, defence and revenue-raising. More than 80 per cent. of legislative decisions in the Council of Ministers are already outside the veto as a result of the massive expansion of majority voting under the previous Government. There is therefore little room for further expansion of majority voting, but we are prepared to consider it in cases in which it might be in Britain's interest. For instance, it would be in our interest to reform the sluggish procedures of the European Court of Justice, but it would not be in our interest if any other country round the table could veto reform of its rules of procedure.

I do not underrate the difficult decisions and tough negotiations that will be essential before we can complete enlargement of the European Union. But the prize is great. It is the final burying of the division of Europe between east and west, which has scarred the continent for half a century. The prize is the reunion of Europe. The result will be an EU that stretches from Portugal to Poland. We will have a single market of 500 million consumers with a combined gross domestic product of £5,000 billion—the largest single market anywhere in the world.

That prospect offers exciting opportunities for our country. Those who would put at risk Britain's standing in such a powerful union are a danger to our national interests. We have no doubt that, faced with the prospect of a wider united Europe, Britain's place is playing a leading part in it and shaping its direction. The Government understand how important it is for Britain to make a success of our membership of the European Union. It is crucial to our trade, prosperity and quality of life. The majority of our exports go to existing members of the European Union. *[Interruption.]* The right

[Mr. Robin Cook]

hon. Member for Bromley and Chislehurst (Mr. Forth) and the hon. Members for Buckingham (Mr. Bercow) and for Gainsborough (Mr. Leigh) do not want to hear the facts about why Europe is important to their constituents. That is why their constituents will not entrust the Opposition with office.

Some 100,000 people in Britain work at any given time in Europe, where their professional skills are recognised. In the past year alone, more than 40,000 new jobs were created in Britain by inward investors, who came here because they could sell from here to the whole of Europe. Those are the gains to the people of Britain of membership of the European Union. The gains will be even greater in the wider Europe created by enlargement. At some time over the next few years, each of the 12 applicant countries will become members of the European Union. The Government want them to remember Britain as an advocate of enlargement, and want to be regarded as their natural ally when those 12 new members join us at the Council tables of Europe.

That is why the Government recognise that it is in the national interest of Britain to be both a leading advocate of enlargement and a leading partner in a reformed and reunited Europe.

Mr. Francis Maude (Horsham): I thank the Foreign Secretary for making this statement on a matter of the utmost importance. Will he confirm that the House will have an early opportunity to debate these crucial issues in Government time?

It is absolutely right that enlargement should happen, but I agree with the right hon. Gentleman that it is equally inevitable that an enlarged European Union must undergo serious changes. The EU has today reached a fork in the road. Down one track lies flexibility, the creation of a modern and flexible Europe and a common-sense answer to the challenges of the global economy and the reality of a diverse Europe. Britain has an historic opportunity to chart such a route, and to lead Europe along it.

The second route—

Mr. Andy King (Rugby and Kenilworth): Lead or leave?

Mr. Maude: The hon. Member for Rugby and Kenilworth (Mr. King) may talk about leaving Europe, but of the Foreign Secretary and me, only one of us has ever stood for that. It was the Foreign Secretary, and he said so repeatedly. Few Members of the House have been more anti-European in their time than he has.

The second route at the fork is the familiar federalist walk, step by step, inexorably towards the single European super-state. What else did Romano Prodi mean just a few days ago, when he said that "step by step", the Commission was behaving like a "growing Government"? With the talk of a European army, a European Government, a single legal area, a European prosecutor, and no role for the national veto, there can be little doubt that, step by step, the destination is a single European super-state.

Has not the White Paper simply ducked what really matters—the fact that in a bigger European Union, within a fast-changing world, the one-size-fits-all model of inexorable integration has had its day?

Why has the Foreign Secretary not ruled out the further extension of the loss of the veto in areas already identified by the Commission, which include measures on discrimination, transport, social policy, the environment, structural and cohesion funds, the common commercial policy, culture and industrial policy? Those are all areas in which an extension of the loss of the veto is proposed. Loss of each one of those vetoes would enable yet more laws to be imposed on Britain, with the House of Commons having no right to decide on them.

The Foreign Secretary says that he will consider such matters case by case. We know what that means. It means, step by step, the creation of the single European super-state. Does not his failure to rule out losing the veto mean that we are discussing not a White Paper, but a white flag?

Let the right hon. Gentleman answer these questions. Will he now rule out further loss of the British veto, so that further legislation cannot be imposed on Britain against our will? Will he reject the development of an EU defence identity outside NATO, which risks undermining NATO? Will he guarantee that the charter of fundamental human rights will never be incorporated in the treaty or made legally enforceable? [HON. MEMBERS: "Why?"] I note that there is a desire to extend the ambit of the European Union yet further.

Will the Foreign Secretary tell the House whether he, like Mr. Prodi's new Commission, is aiming at

"a new kind of global governance to manage the global economy",

based—however incredible it may seem—on

"Europe's model of integration"?

What a failure of vision by the Government, to give up the historic chance to lead Britain and Europe towards a braver future, where nation co-operates with nation in concord and friendship. Why are the Government so locked in the past and trapped by the dogma of rigid uniformity and relentless integration? Britain deserves better than that.

Mr. Cook: If I understood the right hon. Gentleman's opening remarks correctly, he welcomes the Government's support for enlargement, which, if I caught him aright, he described as right and inevitable. I am glad that that is common ground between those on the two Front Benches.

I ask the right hon. Gentleman for the third time: will he now ditch his party's policy of vetoing the enlargement treaty if the Opposition do not get their way in it? Three times I have given him the opportunity, and three times he has refused to do it, so we can only conclude that it is a question of not of the white flag, but of the white van, in which that policy is still alive and still a threat to the 12 countries of central and eastern Europe.

It is a piece of brass neck for the right hon. Gentleman, of all people, to demand that I should rule out any extension of majority voting. He is the man who, as a Minister, signed the Maastricht treaty—*[Interruption.]*—no wonder he is smiling. That treaty conceded majority voting in 30 different cases—on education, on health and safety, on public health and on freedom of movement. After that record, how does he have the nerve to posture as the champion of the veto?

The right hon. Gentleman should be proud that he is the champion of majority voting. I will share his words with the House. He said:

"The number of times that we are in the minority and are out-voted is tiny."—[*Official Report*, 11 June 1990; Vol. 174, c. 103.]

He was right at that time; he should have the courage to stand by his principles. We shall look carefully, on a case-by-case basis, at where majority voting would lift a block on reform. I may disappoint the right hon. Gentleman, but I cannot hope to match his all-time record of conceding the veto 30 times with one signature.

From the right hon. Gentleman's response, it is plain that the Tory party does not welcome anything that anyone else wants to discuss in the negotiations, and that anything the Tories propose will not be welcomed by anyone else. That is a recipe for isolation.

After three years in opposition, the Tories have still not grasped how much they damaged our national interest by isolating Britain in Europe. As long as they refuse to learn that lesson, the people of Britain will give them many more years in opposition to learn it.

Mr. Giles Radice (North Durham): I welcome my right hon. Friend's support for enlargement. It will be in the interests not only of the new entrants, but of existing members, including the United Kingdom. I also welcome my right hon. Friend's support for sensible institutional reform. Does he agree that it is good that his White Paper concentrates on the real issues, rather than raising the foolish spectre of the veto, which the Conservatives say they are prepared to use to block enlargement? They said that at their last party conference.

Mr. Cook: I agree with my right hon. Friend in his welcome for the process of enlargement: I appreciate the fact that he has focused on the issues that are before the House.

The House—and perhaps people in some quarters of our press—should try to throw their minds forward to what Europe will look like 10 years from now. It will be a Europe of 27, perhaps even 28, member states. It will be the largest single market in the world. That will be an immense opportunity for Britain, but only if we are wholehearted in making the best of our membership.

Mr. Menzies Campbell (North-East Fife): I welcome the White Paper, which builds on the joint declaration made by the Foreign Secretary and myself during the past fortnight. Let me take the three issues with which the IGC is likely to be concerned. Is it not in the interests of the UK that there should be proposals on the balance of voting in the Council that are for the benefit of the UK? Is it not also true that it will benefit the whole of the European Union if the Commission is both cohesive and effective? Finally, on voting on a case-by-case basis, is it not common sense to examine a proposal on its merits, and to determine whether to support it depending on whether or not it is in the interests of the people of the UK to do so?

The right hon. Gentleman was right to raise the question of enlargement as though it was one of obligation upon those of us who are members of the EU. It would be a tragedy for Europe, and a betrayal of the applicant countries—such as Estonia and Slovenia, which are trying to provide a foundation for the democracy that they have so recently won—if their applications for membership of the EU became pawns in the anti-European game currently being played by the British Conservatives.

Mr. Cook: I agree with the last point made by the right hon. and learned Gentleman. I welcome the fact that the Joint Consultative Committee was able to produce a document setting out a joint policy on that issue. I can see from the negotiations in the EU that other countries benefit from the strength of the consensus in their nations on the commitment to Europe and to enlargement. I regret that we cannot achieve an all-party consensus in the House. However, I welcome the fact that it is not only the Labour party that is concerned with that matter and that we have allies in other parties.

I agree entirely that the three points made by the right hon. and learned Gentleman are also three issues of reform that will benefit Britain. It cannot be in Britain's interest not to go positively into an intergovernmental conference that could give Britain a greater weight of votes. It cannot be in Britain's interest not to go into that conference seeking a reformed, coherent, credible Commission. We welcome the opportunity for reform at this conference. We support Europe, we believe that Britain's place is in Europe but we want to ensure that we reform that Europe.

Mr. Tam Dalyell (Linlithgow): In his opening statement, the Foreign Secretary took some pride in the conditions that have been imposed, including the closure of three nuclear power stations. If Koslodui in Bulgaria was closed, who would pay for the replacement? The Bulgarians have few other sources of power. And which were the two other stations to which the Foreign Secretary was referring?

Given that the Danube is poisoned, and that it is blocked at Novi Sad, what is the financial obligation to an applicant country—in this case, Bulgaria?

Mr. Cook: First, the three countries concerned are Lithuania, Slovakia and Bulgaria. Secondly, the European Union is providing very large sums of money to help the applicant countries in their preparation and in meeting the conditions that we are setting for membership. Yesterday, the Portuguese presidency and the Commission informed Bulgaria and others that, now that they have entered negotiations, they can expect that sum of financial help to be doubled.

On the blockage of the Danube, yesterday at the General Affairs Council we considered the Danube commission's proposals. I very much hope that that will lead the way forward for the unblocking of the Danube, and we are willing to help with that process. We have been unwilling, rightly—I do not think that the House would wish us to do so—to submit to the blackmail of President Milosevic that we reconstruct his country as part of the price of lifting the blockage in the Danube. The Government of Bulgaria stood shoulder to shoulder with us during the conflict in Kosovo, and that is one of the debts that we owe to them in the enlargement process.

Mr. Michael Colvin (Romsey): I wonder whether it is evidence of the Government's offhand attitude to the rural economy and agriculture that there was no mention in the

[Mr. Michael Colvin]

Foreign Secretary's statement of the common agricultural policy. Can he confirm that, at the moment, the common agricultural policy takes up nearly half the European Union's budget, and that the addition of Poland alone would almost double expenditure on the CAP? Is it really practical to think in terms of another 12 members without fundamental reform of the CAP?

Mr. Cook: My statement today did not mention agriculture because it is not a matter that will be before the intergovernmental conference—although at Berlin we did of course consider the reform of the budget of the European Union, both in relation to agriculture and in relation to structural funds. It is well known that we did not secure as much reform as we would have wished. Nevertheless, we have reduced prices in the European Union's agriculture policy, to an extent that will save the average British family of four £65 in any one year.

We need to make further progress and are determined to do so, but I would rebut the hon. Gentleman's assertion that cost stands in the way of enlargement. If he looks carefully at the proposals for enlargement, he will see that there is no commitment to direct payment for farmers in Poland or any other applicant country.

Mr. Donald Anderson (Swansea, East): Surely the opening of the European Union to the new democracies of eastern and central Europe will be seen historically as an investment in democracy in our interests—just as earlier enlargements entrenched democracy in the Iberian peninsula and in Greece. Does my right hon. Friend hope, at the IGC, to see proposals for increased democratic control of EU institutions, including closer linkages between national Parliaments and those institutions? As we are talking about democracy, what will be the mechanisms for consulting the applicant countries about their views on the shape of the new Europe?

Mr. Cook: My hon. Friend makes an important strategic point about the need to support the new democracies of central and eastern Europe by embracing them within the family of nations of the European Union. I believe that one reason why we have had so much stability in central and eastern Europe is precisely that we hold out to them the prospect of membership of the European Union, on conditions that they respect borders but do not make borders into barriers. Already, throughout the applicant countries, major steps have been taken to improve the status and rights of ethnic minorities because that is a condition of membership of the European Union.

My hon. Friend also makes one or two valuable points about the importance of increasing transparency within the European Union. Britain has been at the forefront of that argument. We shall continue to be so. As my hon. Friend knows, we are encouraging closer ties between Scrutiny Committees and the European Parliament.

We will continue to do all that we can to keep the European applicant countries involved in any discussions about the future shape of Europe. That is why we had at dinner last night a discussion at which we reviewed the major strategic issues facing Europe, and we have shared our views with the applicant countries.

Mr. Ian Taylor (Esher and Walton): My right hon. Friend the Leader of the Opposition said recently and rightly that we are committed to membership of the European Union and, therefore, we must make a success of it. Enthusiasm for that point of view is, I am sure, shared by my colleagues who were humming the European anthem during the Foreign Secretary's presentation of the White Paper.

The Foreign Secretary is right to say that, if we are to make a success of the European Union, there are some things that need to be streamlined. We need a more streamlined Commission, a more sensible voting system in which qualified majority voting could be extended outside the core areas that he listed, and a more sensible weighting of votes in relation to population.

However, will the right hon. Gentleman address one item of flexibility that is being discussed not only in this country, but on the continent? What does he understand by potential flexibility? Under the Amsterdam treaty, members were restrained from moving ahead faster if they wished to use the institutions of the European Union to do so. What does he think the negotiations around flexibility will involve, because a few of the new entrants will move at different speeds? That fact could be accommodated by transitional arrangements rather than treaty changes.

Mr. Cook: I am not sure that I entirely share the hon. Gentleman's confidence that his colleagues were hymning the success of the European Union: I sometimes get the impression that nothing would suit them better or make them happier than to see to its failure, despite the immense damage that that would do to this country.

I welcome the hon. Gentleman's agreement to the three main proposals in the White Paper and our three main priorities. On enhanced co-operation, a number of countries wish to improve the procedures that can trigger enhanced co-operation. We are not entirely convinced that that needs to be a priority for this intergovernmental conference, given that the procedures were instituted only three years ago. However, we shall listen to the debate and consider whether it will be practical to make such changes.

Mr. Frank Cook (Stockton, North): Will my right hon. Friend give his assessment of the prospect of developing European security and defence policies and of their effect on existing resources and relationships in NATO?

Mr. Robin Cook: The proposal for the European security initiative, in which Britain played a leading part when we started, produces the headline goal that we agreed to in Helsinki. European countries should develop the capacity to put into the field a core strength of service men—50,000 or 60,000—within 60 days and to support them in the field for at least one year. One reason for our adopting that target is our experience in Kosovo and the importance of our being able to provide such a peacekeeping mission.

I stress to my hon. Friend that that increased resource will be available to NATO in the same way as it will be available to the European Union. Should NATO decide to carry out a peacekeeping exercise, it could call on that force just as well as the European Union. Therefore,

our proposals do not in any way weaken or undermine NATO: on the contrary, they make available to it a new resource that would otherwise not exist.

Mr. Michael Fallon (Sevenoaks): Why should welcome enlargement and desirable institutional reform necessarily involve more integration?

Mr. Cook: I have set out to the House this afternoon our three main priorities: increased votes for Britain in the Council of Ministers; an improved Commission that is streamlined; and, where it is appropriate and in Britain's interest, an agreement to majority voting. I do not honestly see in any of those a step to integration which the House should reject as a matter of principle. They are all important if we are to make enlargement work. The hon. Gentleman should be frank: is he in favour of enlargement, or is he not?

Mr. Andrew Mackinlay (Thurrock): Has my right hon. Friend noticed the dismay among young people at the flat-earth policy of the Opposition towards Europe, and their failure to recognise that the European Union has been a great vehicle for conflict resolution and is a ratchet and guarantor of democracy? Will my right hon. Friend stand firm during the negotiations in ensuring that there is no Europe à la carte? Although legitimate transitional arrangements are needed, flexibility could be the prescription for the dissolution of that which has been built up to guarantee democracy in Europe and to act as a force for good, for cohesion and for conflict resolution.

Mr. Cook *rose—*

Mr. Mackinlay: Will my right hon. Friend also tell us what he is going to do about Gibraltar in the negotiations?

Mr. Cook: I should have anticipated that my hon. Friend would mention Gibraltar. We continue to pursue Gibraltar's interests in several different forums within the EU. In particular, we are seeking a way to implement the ruling that the people of Gibraltar should have a vote in European elections, but we are doing so through the common statute of the EU, not through the IGC.

I can reassure my hon. Friend on his other point. What is interesting about the Conservatives' demand for a pick-and-mix Europe is that that demand is not being made by any of the applicant countries. They all want to be full members of the EU, to play their full part in it and to accept their full obligations. Transitional periods may be required for some of the countries, but unlike the Conservative party, they know why they need to be full members and what benefits they will get from that.

Mr. Michael Howard (Folkestone and Hythe): Are there no circumstances in which the Government would veto the treaty of Nice?

Mr. Cook: If the treaty is produced by the time of Nice, it will be produced only because all member states, including Britain, have agreed to it.

Mr. John McFall (Dumbarton): Does the Secretary of State agree that there is a still a lack of clarity from Opposition Front-Bench Members about their attitude to enlargement? Does he agree that there are compelling political, social, environmental and trade reasons for enlargement and that western help and technology will be of great benefit to those countries, not least because of nuclear reactors such as the one at Koslodui in Bulgaria?

Mr. Cook: My hon. Friend makes an important point. One should remember that the improvements in nuclear safety in central Europe are improvements in our safety, so we stand to gain. I share my hon. Friends' disappointment at the comments that we have heard from Conservative Members. So far we have heard a lot of criticism of the Government's position at the IGC, and many new demands, but very little support for enlargement. I have to warn Opposition Members that what they have been saying in the House will sink like a lead balloon in a dozen capitals of countries in central and eastern which are trying hard to get into the EU.

Mr. John D. Taylor (Strangford): How many of the 12 applicant countries have said that it is their ambition eventually to have the euro as their currency? Will the principle of free movement of persons within the European Union apply to the applicant countries, and will the Foreign Secretary therefore welcome the free movement of Turks into Greece, Germany and Cyprus?

Mr. Cook: The principle of freedom of movement will certainly apply to all applicant countries when they succeed in becoming members. We have already said that negotiations with Turkey cannot commence until it conforms with the Copenhagen criteria on democracy, human rights and treatment of ethnic minorities. Turkey is therefore not one of the 12 that are currently in negotiations.

It is understood by most of the applicant countries that, realistically, they are unlikely to join the euro at the time of joining the EU, but many of them have their sights set on that eventual goal.

Mr. Michael Connarty (Falkirk, East): Does my right hon. Friend agree that the countries that are applying will be very happy with Britain's approach to the number of commissioners and understand why there must be reweighting of voting in Council to ensure that smaller countries, which may be in the majority, will never be able to outvote the countries that have the majority in terms of population?

Mr. Cook: My hon. Friend touches on the very fair bargain that we are offering to smaller countries within the EU and those that are applying for membership; namely, that they may retain their commissioner, at any rate through the first wave of enlargement, but that we in turn need to have a fairer weighting of voting within the Council of Ministers. That is a reasonable bargain which has something in it for all the present members, and I hope that we can achieve that package in the negotiations.

Mr. David Curry (Skipton and Ripon): Does the Foreign Secretary recall that the greatest motive for the advance of British interests in Europe has been qualified majority voting? If he intends to move towards a system in the Council of Ministers in which the votes are more

[Mr. David Curry]

proportional to population, will he contemplate a situation in which the big four members of the EU no longer enjoy the same number of votes?

Mr. Cook: At present, we would prefer that the existing broad banding be retained; that would mean that all four larger countries would remain in the same band. However, additional weight needs to be given to the votes of the four countries within that band. The right hon. Gentleman refers to votes being proportional to population: we seek an outcome that is more proportional, but we do not seek to disturb the principle that all member states are equal, so votes should not be strictly proportional to population. We do, however, require that fair recognition be given to the size of our population so that we do not find ourselves in the absurd position in which three of the four largest countries do not even constitute a blocking minority.

Dr. Phyllis Starkey (Milton Keynes, South-West): Does my right hon. Friend share my amazement at the false dichotomy proposed by the Opposition spokesman—that the choice is between a super-flexible Europe and a super-federalist Europe? Will he confirm that the Conservatives are the only advocates of those two models and that there is no way in which the IGC will bring either of those two models into being?

Mr. Cook: The limited remit for the IGC will certainly not create a European centralised integrated federal state. While travelling in Europe and meeting leaders of other European nations, I find no appetite for subordinating their nation to any grand federal European integrated state. President Chirac recently said that he believed not in a united states of Europe but in a united Europe of states, and Chancellor Schröder said that the nation state would continue to be at the centre of the hopes and aspirations of the peoples of Europe. We are very comfortable with those statements—we share that vision of the future of Europe.

Mr. John Townend (East Yorkshire): Is the right hon. Gentleman not at all worried that he is a leading member of a Government who are progressively turning the House of Commons into nothing more than a glorified county council? He failed to answer the question previously, so I shall repeat it: does he think that the IGC will result in more integration? If he does, is that in line with the Labour party's policy of creating a political union—a Europe of the regions? Finally, why did he not mention fishing? The fishing industry is on its knees because of the failure of the common fisheries policy. Why does the right hon. Gentleman not use the opportunity to negotiate a better deal for our fishing industry?

Mr. Cook: I did not mention fishing because it is not on the agenda of the intergovernmental conference. However, it is fair to say that successive Governments have had to wrestle with the extremely poor deal that the Conservative Government obtained on joining the common fisheries policy.

On the question of integration, I can only repeat the three main priorities that we have set out: more votes for Britain, a more sensible Commission, and a case-by-case approach to accept majority voting only when it is in our interests. If the hon. Gentleman chooses to describe that as integration, he is free to do so, but let us not try to frighten the public by dangling bogeymen in front of them.

Mr. Bill Rammell (Harlow): Is it not true that, without some change in decision-making procedures, enlargement of the European Union will not be possible? Is it not also true that QMV currently serves our national interests well, given that we have lost only three of the last 393 votes carried out under QMV? Is it not true that changes in the rules of procedure of the European Court of Justice that could be achieved under QMV would be likely to bring about a speedier resolution to our dispute with France over the beef ban? Is it not about time that we in this country had a grown-up debate about such issues, instead of constantly trying to pretend that Britain loses out under any changes in voting procedure, which is far from the truth?

Mr. Cook: What is impressive about the Conservatives is their lack of confidence in Britain's ability to win a majority vote. In the past two years, we have been outvoted only five times; in the same period, Italy has been outvoted three times as often and Germany four times as often. If unanimity had applied on those occasions, Italy and Germany would have been able to veto decisions that were in our interests. The fact is that, on balance, majority voting has served Britain's interests.

Mr. William Cash (Stone): Does the Foreign Secretary accept that the Minister of State, the hon. Member for Leicester, East (Mr. Vaz), recently said of flexibility that the French would not stand for it? Now that they have changed their position, does he accept that flexibility will now not only be on the agenda but is likely to be accompanied by the removal of the veto in that respect, as the European Commission has proposed? Will he assure the House that the Government will insist on retaining the veto in respect of flexibility and that they will renegotiate those provisions?

Mr. Cook: The hon. Gentleman's proposal, as I understand it, is in conflict with the views expressed by the previous shadow Foreign Secretary in his last speech. He said that Britain would not wish to stand in the way of other countries which wanted to pursue flexibility. His sudden disappearance suggests that perhaps his view did not entirely find favour with the Conservative party. We wait to discover whether it remains Conservative Front-Bench policy.

Flexibility is not a pick-and-mix charter for opt-outs. The flexibility that other member states propose means the enhanced co-operation of a tighter group. We agreed to such a model at Amsterdam. It has never been used. It is hard to understand why a provision that has not been used already needs amendment.

Mr. Mike Gapes (Ilford, South): What would happen if the British Government ruled out the single currency for ever and also blocked enlargement so that the potential 12 additional members of the European Union were not included in it? What would happen to relations between this country and the rest of the continent if such a policy was pursued by a Government led by white-van man?

Mr. Cook: My hon. Friend makes his case through his question. There is no point in this country remaining a

member state of the European Union if we, like Conservative Members, are half-hearted about it. A half-hearted Britain in the European Union would secure only half a national interest. If we are to remain a member of the European Union—and we are committed to that—the only rational strategy is to be a full member playing fully to ensure full benefit for Britain.

Sir David Madel (South-West Bedfordshire): Will the Foreign Secretary be more specific about Cyprus? I think he said that on joining the European Union, an applicant country must accede to free movement of peoples and capital. Does that mean that if Cyprus signs and joins, the division of the island is over, but if the division continues, Cyprus cannot join?

Mr. Cook: That is not our policy. I have long argued from the Dispatch Box that Cyprus's application for membership of the European Union must be judged on its merits. It would assist that process if the division of the island was settled, and the people of the Republic of Cyprus want that to happen. However, it must not be a condition of membership. Freedom of movement between the Republic of Cyprus and the occupied northern sector would apply only if Turkey simultaneously joined the European Union.

Mr. Crispin Blunt (Reigate): What does the Foreign Secretary envisage as the end state of European political integration?

Mr. Cook: I have already told the House that we share the vision of other European leaders and that we shall continue to move towards a united Europe of states, not a united states of Europe.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Does the Foreign Secretary agree that one of the eventual consequences of enlargement will be the diminution of the amount of cash available in the United Kingdom for agrimonetary compensation and structural funds? Is it not therefore essential that we do not lose out on the money that is currently available because of the Government's reluctance to contribute genuine additional match funding?

Mr. Cook: We debated those issues in Berlin. I am sure that the hon. Gentleman will welcome the deal that Britain secured whereby the highlands and islands continue to receive exactly the same amount of money as they received when they were an objective 1 area.

Mr. James Paice (South-East Cambridgeshire): The Foreign Secretary is right that enlargement requires institutional reform, and I look forward to the enlargement about which he speaks. He was also right that retention of the veto could mean that reforms in Britain's interest might not occur. However, is not the reverse also true? Extension of qualified majority voting could mean that Britain would have to accept changes that would not be in our interest. Which is more important?

Mr. Cook: I have already made clear the subjects on which we do not accept an extension of qualified majority voting. They are: border controls; taxation and social security; revenue raising; treaty amendments; and defence. We will retain the veto on those matters for precisely the reasons that the hon. Gentleman mentioned. I welcome the hon. Gentleman's recognition, which is not shared by some of his hon. Friends, that retaining the British veto means retaining the veto for everybody else, and leaving our interests subject to it.

Mr. Graham Brady (Altrincham and Sale, West): Will the Foreign Secretary undertake to reject any treaty that does not accord France, Britain and Germany at least that blocking minority vote of which he spoke?

Mr. Cook: If we do not achieve the increase in weighting in the Council, there will be no change to the Commission. If there is no change in the size of the Commission and no change in weighting in the Council of Ministers, it is impossible for the European Union to proceed. That is clearly set out in the protocol to the Amsterdam treaty.

Mr. John Wilkinson (Ruislip-Northwood): Does the Foreign Secretary realise the importance to Britain's economic interests of our sovereign right to negotiate international air service agreements, particularly as Heathrow is a premier gateway to Europe for those who cross the Atlantic? Can he assure the House that he will not relinquish our veto in transport matters?

Mr. Cook: I fully understand the importance of the air service agreement to Britain and regularly raise it bilaterally with countries that I visit. I assure the hon. Gentleman that I wish to retain the freedom to do so.

Dr. Julian Lewis (New Forest, East): In my customary consensual way on these issues, may I ask the Foreign Secretary about systems of proportional representation, which he supports? Given the overwhelming opposition to such systems in the Labour and Conservative parties, will he guarantee that any veto that would prevent Europe from imposing on this country a proportional electoral system for which we had not voted ourselves is not among the many vetoes that he may be considering giving up?

Mr. Cook: I welcome the hon. Gentleman's attempt at consensus-building, although he will have to go a little further next time to secure it. I am aware of no such proposal and plainly would not welcome it. No European Union country—

Dr. Lewis: Would the Foreign Secretary veto it?

Mr. Cook: I am not even aware of the proposal. It would be my firm view that every nation should set its own electoral system.

Mr. Owen Paterson (North Shropshire): Mr. Arne Otter of the Estonian Youth Council recently wrote to me. *[Interruption.]* Labour Members laugh, but they have mentioned Estonia and new applicant states. The letter says that the

> "thinking of most Estonians is that an empire is an empire . . . The people sitting both in Moscow and in Brussels are not familiar . . . with the situation in small countries . . . it is usually impossible to make decisions that were good for small and for big."

[Mr. Owen Paterson]

Does not the Foreign Secretary think that many applicant countries cannot absorb the full acquis communautaire in one hit and that a more flexible approach would be sensible?

Mr. Cook: I have good relations with the Estonian Foreign Minister, but I confess that I have not received a letter from Mr. Arne Otter. The bulk of the population of Estonia strongly supports its application for membership of the European Union. Indeed, the Estonian Government have taken heroic steps to meet the conditions, particularly in their treatment of the Russian-speaking ethnic minority. In those circumstances, in which Estonia is working hard for membership, we have to work equally hard to make it possible for it to join.

Child Abuse (North Wales)

4.18 pm

The Secretary of State for Wales (Mr. Paul Murphy): With permission, I should like to make a statement about the report of the tribunal of inquiry into the abuse of children in care in the former county council areas of Clwyd and Gwynedd since 1974. Copies of the tribunal's report are available from the Vote Office.

The report includes the testimony of many people who made allegations of physical and sexual abuse and gives an insight into the appalling suffering that they endured as children. It is a tragedy that such treatment should have been meted out to children in care.

The background to the inquiry is complex. Allegations about poor treatment of children in north Wales emerged in 1986. One result was an intensive investigation by the North Wales police in 1991, which resulted in a number of convictions. However, speculation continued that the physical and sexual abuse of children in care in the former Clwyd and Gwynedd was on a much greater scale. In 1996, when Clwyd county council—on legal advice—did not publish a report that it had commissioned, there was increasing concern in north Wales and in the House and renewed speculation in the media, leading to calls for a public inquiry.

The then Secretary of State for Wales, the right hon. Member for Richmond, Yorks (Mr. Hague), informed the House on 17 June 1996 that there would be a judicial inquiry, under the Tribunals of Inquiry (Evidence) Act 1921. Given what has emerged, I think the House will applaud his decision. Sir Ronald Waterhouse was appointed as chairman, with Margaret Clough and Morris le Fleming as the other members.

The tribunal sat for 201 days between January 1997 and April 1998; 264 witnesses gave oral evidence, and 311 submitted written evidence. The work of the tribunal was difficult and harrowing. I place on record our gratitude to the tribunal for the work it has done and our deep admiration of the courage of the many complainants who were willing to relive their childhood experiences.

The report records the testimony of the witnesses in detail and with great sensitivity. Recounting past events will have been distressing to some, and I have made arrangements for the services of the Bridge Child Care Development Service, which provided a witness support team throughout the proceedings, to be available again from today to witnesses and their relatives or partners for a period of up to six months.

In its report the tribunal has named many people: alleged abusers, convicted abusers, local government officers and elected members of local authorities and Welsh Office officials. It has not named complainants or some alleged abusers. The tribunal set out its policy on the naming of names, and did so in the knowledge that its report would have the absolute privilege afforded by the Parliamentary Papers Act 1840.

The tribunal has also confronted the serious questions that arise about the management and safeguarding of children in care. There are 95 conclusions. Those relating to the abuse of children are that there was widespread sexual abuse of boys, and to a lesser extent of girls, in local authority and privately run children's residential establishments and schools, and in an NHS psychiatric unit

in Clwyd, between 1974 and 1990; that there was no evidence of persistent sexual abuse in children's residential establishments in Gwynedd; that many children in children's residential homes were subjected to physical abuse; that sexual and physical abuse also occurred in a small number of foster homes in Gwynedd; and that

"there was no evidence presented to the Tribunal or to the North Wales Police to establish that there was a wide ranging conspiracy involving prominent persons and others with the objective of sexual activity with children in care".

However, the tribunal also says:

"During the period under review there was a paedophile ring in the Wrexham and Chester areas in the sense that there were a number of male persons, many of them known to each other, who were engaged in paedophile activities and were targeting young men in their middle teens. The evidence does not establish that they were solely or mainly interested in persons in care, but such youngsters were particularly vulnerable to their approaches."

On the role of the police, the local authorities, the Welsh Office and central Government, broadly the tribunal concludes that, with few exceptions, the police carried out investigations properly; that standards of care and of education in children's residential establishments were deficient; and that failures in the care system were widespread at all levels—including local authorities, the Welsh Office and central Government—embracing staff recruitment, supervision and management; qualifications and training; complaints and investigation procedures; registration and inspection; and policy making, implementation and monitoring by local authorities and by the Government.

There are 72 recommendations.

On the detection of, and response to, abuse, the tribunal recommends that an independent children's commissioner for Wales should be appointed and that every social services authority, not only in Wales, should be required to appoint an appropriately qualified or experienced children's complaints officer.

There are recommendations on advocacy services, complaints procedures and whistleblowers; on assessment and care planning; on inter-agency working when abuse is suspected; on the recruitment and training of staff and foster carers; on inspections and regulation of private residential schools and all forms of children's residential care; on common standards of care; and on support for young people leaving care.

The tribunal makes recommendations on the expertise required in social services management, on the responsibilities of local authority members for monitoring services to children, on the need for a wide-ranging review of children's services in Wales, on the monitoring of residential and fostering services across Wales, and on the appointment of an advisory council for children's services in Wales. Many recommendations are specific to Wales, and the National Assembly will receive a copy of the report today for the first time.

A number of the recommendations have wider implications. We have already put significant new work in hand to secure real improvements in the standards of care that we expect for children living away from home. As the tribunal recognises, there have been many far-reaching changes over the past decade, in particular those flowing from the changed perceptions introduced by the Children Act 1989.

More recently, we have taken a number of important steps to raise the quality of care for children in response to "People Like Us", the report by Sir William Utting of the review of safeguards for children living away from home, which was commissioned at the same time as the inquiry. The Protection of Children Act 1999 will create a statutory register of individuals deemed unsuitable to work with children. Regulated child-care providers will be required to check the names of all whom they propose to employ in posts involving regular contact with children against the statutory lists kept by the Department of Health and the Department for Education and Employment.

The Care Standards Bill will introduce improved arrangements in England and Wales for the independent regulation and inspection of local authority, voluntary and private sector services on an evenhanded basis. They will cover the inspection of all children's homes, including those with fewer than four children, fostering agencies, voluntary adoption agencies and residential family centres, and welfare arrangements involving schools. The Bill will also establish new care councils for England and Wales, which will provide enforceable codes of conduct and practice for all social care employees. They will set standards and regulate the work force, helping to ensure that staff receive the training and qualifications that they need.

The Children (Leaving Care) Bill will establish extensive new support arrangements to ensure that young people over 16 leaving care will continue to be supported until they are ready and able to stand on their own. A duty will be placed on local authorities to assess and meet needs, and to keep in touch with care leavers. Our plans for more general youth support—through the Connections programme that has just been launched in England, and a broadly similar scheme for Wales—will offer children in care, and others, a range of support in education, careers, housing and personal relationship issues.

The Government have launched major new programmes—"children first" in Wales, and "quality protects" in England—to improve the management and delivery of children's social services. That will include a distinct role for local councillors. There is revised guidance on inter-agency working to safeguard and promote the welfare of children. The revised paper "Working Together" was issued in England in December 1999, and will be issued in Wales in March.

The tribunal's report adds impetus to this programme for change, but also makes significant new recommendations. We will be looking hard at them to see how they complement changes that we are planning—or are already implementing—or whether a change of direction or emphasis is needed. At the top of the list is the tribunal's call for the appointment of a children's commissioner for Wales. The National Assembly is already working on detailed proposals for such an appointment, and we shall be considering how best to proceed.

Our key concern now must be to satisfy ourselves as far as we can that people who have abused children are not in a position to do so now. Those named in the report who are still working in one of the successor local authorities in north Wales have been traced and risk-assessed. Given the time span covered by the report, however, there are a number of individuals against whom findings have been made in the report who are no longer working for one of the successor authorities, and whose current whereabouts are unknown. We are working

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together to establish their current whereabouts, and to ensure that they do not now pose a risk to children or other vulnerable groups.

In order to achieve that, the Government are taking additional immediate action. We are today extending the consultancy index to permit the inclusion of names in the list otherwise than following a referral by an employer. My right hon. Friend the Secretary of State for Health will announce today that a number of individuals named in the report who have been convicted of offences against children, or against whom the tribunal has made a finding of having harmed children, or of being unsuitable to work with children, are to be included on the extended index temporarily, with immediate effect. That is an interim measure pending representations by those individuals, which will be carefully considered by the Secretary of State before deciding whether they should be included on the extended index permanently.

We are taking immediate steps to establish the current whereabouts of individuals named in the report who have been convicted of offences against children, or against whom findings of having harmed children, or of being unsuitable to work with children, have been made by the tribunal, but whose current whereabouts are unknown.

Today, the Department of Health and the National Assembly have written to all chief executives of health authorities and local authorities in England and in Wales asking them to check their employment records immediately to verify whether such individuals whose whereabouts are unknown are currently working with children, or with other vulnerable groups within their authorities. If such individuals are found to be working with any authority, that authority will be required to inform the Department of Health in England, or the National Assembly of that fact and of the action that the authority proposes to take.

The report is being sent to all local authorities, police authorities, health authorities, NHS trusts, voluntary sector bodies, area child protection committees and other bodies that have a key role in the protection of children. That will enable checks to be made where appropriate. To ensure that the messages in the report are widely read, greater numbers of a summary report are being issued.

The programme of action that we have already put in train is a demanding one for all levels of Government. We are determined to see it through and to use the report as a warning of the constant need for vigilance. The Secretary of State will direct the Government's work to drive through the programme, with advice from the ministerial task group on children's safeguards, which includes local government, the voluntary sector and young people themselves.

Sir Ronald's report catalogues deeds of appalling mistreatment and wickedness, of sexual, physical and emotional abuse, and of the total abuse of trust. To those whose lives have been shattered, to the families of those who have died and to all decent-thinking people, of course, we all say "sorry", but sorry is not enough. We are determined that the report will lead to a society where young people can be cared for in safety and where they can truly enjoy their childhood—just as most of us in the House were able to do.

Mr. Nigel Evans (Ribble Valley): I thank the Secretary of State for Wales for his courtesy in providing me with an advance copy of the report and statement. It is, rightly, a weighty report. Our thanks must go to Sir Ronald Waterhouse and to his team for providing us with such a thorough report, which is required reading for all bodies and organisations that deal with child-care provision away from home.

It is time to reflect on the report, to look carefully at its 72 recommendations, to take on board the reasons why it was set up by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) in 1996 when he was Secretary of State for Wales, and to act with speed and determination.

Our thoughts are clearly with the victims who are at the centre of the report. It makes chilling reading. It has already been described as the greatest scandal to hit the modern welfare state. It contains descriptions of horrendous abuse, physical and sexual, over 20 years involving hundreds of children, the most vulnerable young people in our society, in many homes. It leaves one filled with many emotions and feelings. The main one for me is a sense of betrayal. Our system has betrayed the very people who needed our help most; it not only failed them, and failed to deliver for them and to live up to their expectations and our intentions: it betrayed them.

We do not look for a knee-jerk reaction to produce a short-term fix for what are long-term deficiencies and decay. It is the system that has let down our children, and it is the system that must be addressed. As the Secretary of State himself has acknowledged, the system—notably by means of the Children Act 1989 and other measures—is being addressed. Nevertheless, we must remember that not only the depravity of the acts that we are considering, but the utter scale of the abuse condemn the system that allowed such abuse.

This major inquiry followed many internal investigations into child abuse in north Wales, including a report by John Jollins. Sadly, however, on legal advice, that report was not made public. There was also a major police investigation, in 1991, that resulted in eight prosecutions and six convictions.

Subsequent to that inquiry and the non-publication of reports, my right hon. Friend the Member for Richmond, Yorks initiated the judicial review. At the same time, the then Secretary of State for Health, my right hon. Friend the Member for Charnwood (Mr. Dorrell), established his review—which the Secretary of State for Wales mentioned—under Sir William Utting, of safeguards for children living away from home.

Today's headlines will report and centre on the call for an independent commissioner for children and for children's complaint officers in each local authority. Although due consideration must be given to those recommendations—especially considering the backing that they have received from various voluntary organisations—all the recommendations should be considered carefully. Each of the recommendations should play an important role in building a strong fabric of detection and of protection for our children. I therefore have a number of questions about the recommendations.

Will the Secretary of State tell the House in what time scale he expects the Government to consider the report before they are able to provide their response? I appreciate that measures are being considered by the House now—Sir Ronald himself refers to that fact—but with today's

publication of the report, we should know what time scale the Government envisage for consideration of and consultation on the recommendations.

The Secretary of State stated that counselling facilities will be available for six months to victims and their families, provided by the Bridge Child Care Development Service. We welcome that provision. However, will he give an assurance that he would be prepared to revisit the matter of counselling in the light of requests from those receiving help, with the possibility of extending the time for which counselling is available?

One of the report's recommendations is to examine the availability and adequacy of fostering provision. Will the Secretary of State give an assurance that such an examination will be made? My hon. Friend the Member for Woodspring (Dr. Fox) has established his own commission on the provision of fostering and adoption, which is being chaired by my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). Both fostering and adoption are vital to providing greater stability and security within a family atmosphere, and both can play an important role in child-care provision.

What role does the Secretary of State envisage for charitable bodies such as Barnardos, the National Society for the Prevention of Cruelty to Children and others in developing the Government's policy on child care? Those organisations have tremendous expertise. What additional role does he envisage them playing in addressing the issues?

After the publicity that the report will receive, it is likely that other victims will wish to come forward. Will the Secretary of State assure the House that sufficient measures will be put in place not only to cope with further complaints as they arise, but to encourage former victims to come forward? One of the reasons given by victims for not complaining at the time, or soon afterwards, was their sense of guilt and shame. Will the Secretary of State assure the victims that there is no guilt or shame for them, but that their evidence in coming forward will help further to root out abuses that still exist in the system? Will he also make public the best course for them in making their complaints?

The Secretary of State has stated that he will assist in helping to track down the people named in the report, but who have since moved on and whose location we do not yet know. Will he say how many people he believes fall into that category? In his requests for local authorities and other bodies to check their employee records, will he include a time limit in which those checks are to be made, to ensure that everyone is clear about the urgency of the situation?

Will the Secretary of State discuss with his colleagues in Government the need for fresh guidelines to deal with deficiencies in the system, so that internal inquiries, such as the Jollins inquiry, are made in such a manner that they can be properly published and acted on?

The Government's response to the Utting report states that children have a right to be protected against abuse. That is a provision of the United Nations convention on the rights of the child, which the United Kingdom has ratified. We cannot guarantee that abuse will never occur, but particularly for children living away from home, the Government have a responsibility to put all practicable safeguards in place to prevent it, to uncover it when it occurs and to deal severely with those responsible. Conservative Members fully endorse those aims. We shall work with the Government to bring about excellence in child-care provision throughout the country and to ensure that the horrendous and appalling acts of abuse that have stained and scarred so many lives in this country, particularly in north Wales, will never happen again.

Mr. Murphy: I agree with everything that the hon. Gentleman has said, particularly his comments on the victims of such terrible acts. I agree that we do not want knee-jerk reactions to such an important and sensitive report.

The hon. Gentleman asked about the time scale. We hope that matters will be dealt with as soon as possible. The Ministry working group will meet next week. We shall revisit the issue of counselling victims and others after six months if it is felt that there is a need. I entirely agree with him on fostering provision. The National Assembly for Wales and the Department of Health will be dealing with that. I also agree that charitable bodies play a hugely important role, working closely with the Department and the National Assembly. If others have complaints, they should be listened to seriously and the method by which they are able to do that should be made public. I also agree that no guilt or shame should attach to such complaints.

Approximately 200 people are named in the report, although not all are associated with abuse. Some of them needed to be named so that they could be exonerated. Twenty-five people have been convicted. A number have died. The report makes findings against 11 people—either that they have harmed children or that they are unsuitable to work with children. Information in the report brings into question the suitability to work with children of a further 30 to 40 people, but in relation to a wide variety of incidents of differing gravity. The letters to local authorities and health authorities requesting the information required by my right hon. Friend the Secretary of State for Health and the National Assembly have been sent today. We shall require a response by 5 pm on Thursday this week.

Mr. Martyn Jones (Clwyd, South): As my right hon. Friend knows, many of the private homes involved in the tragedy are in my constituency. Will he assure me and the residents of north Wales that all the alleged abusers and all those named by the victims—including those not named in the report—will be subject to investigation and prosecution if necessary?

Mr. Murphy: Yes, I think that I made that clear. My hon. Friend has played an important role as a north Wales Member of Parliament in watching the events closely. He represents his constituency well on these matters. We are asking every local authority and health authority in England and Wales to inquire as to whether anyone named in the report is working for them. If they are, the authority must report to the Department of Health or the National Assembly by Thursday. In addition, the report will be widely available to all sorts of authorities—including police authorities, health authorities, local education authorities and social services authorities—as well as in libraries. Everyone who needs to see the report will be able to do so. Employers will be able to read it and take appropriate action.

Mr. Richard Livsey (Brecon and Radnorshire): I thank the Secretary of State for doing me the courtesy of giving

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me a prior viewing of the report. That was very valuable. We endorse the congratulations to Sir Ronald Waterhouse on the very thorough conduct of his inquiry and report. The investigation has exposed a shocking catalogue of child abuse that is a massive tragedy for the victims who have been abused, and was a betrayal of children's trust.

We accept the report and its 72 recommendations, especially the recommendations for an independent children's commissioner for Wales—for which the Liberal Democrats in the National Assembly have pressed especially hard—and a children's complaints officer. We need to strengthen investigative powers and the complaints procedure, as well as to provide sufficient qualified staff and training, which are especially important. We also need advocates for children.

Will the Secretary of State ensure that the names of unnamed abusers in the report will appear on the register of known abusers? Will he clarify the situation of NHS-registered homes? Page 50 of the report mentions the Gwynfa NHS psychiatric unit in Upper Colwyn, where staff were suspended but their case could not be properly addressed by the tribunal. That is a problem that crosses the responsibilities of police authorities. Will the Secretary of State authorise compensation for those victims whose lives have been ruined by abuse in establishments in north Wales?

Mr. Murphy: I endorse the hon. Member's views on the tribunal. The three members worked unbelievably hard over a long time and had to listen to some terrible things. When hon. Members read the report in detail, they will see how well written it is and how many recommendations it makes that should be considered very seriously. I also wish to mention Sir Ronald Hadfield, who was the adviser to the tribunal on police matters and provided useful and important advice.

The hon. Gentleman asked whether unnamed abusers would be put on the register. I refer him to the policy on naming names that the tribunal describes in its report. The members thought carefully about what they should do, because they wanted to identify those persons who have already been subject to relevant court proceedings; individuals against whom a significant number of complaints had been made, with the tribunal's assessment of them; other persons who figured prominently in the evidence, whether they had been the subject of substantial complaints or not; a limited number of persons who should have been identified to exonerate them after rumours about them had circulated; and persons who had not been the subject of allegations of abuse but who were in positions of responsibility and whose acts and omissions were relevant to the tribunal's full terms of reference—including council officials and police officers—and who had not had the benefit of any anonymity ruling by the tribunal. That covers many people, and those who are covered by it should be named and, therefore, identified in the way that I described earlier.

Mr. Gareth Thomas (Clwyd, West): I endorse my right hon. Friend's expression of gratitude to Sir Ronald Waterhouse and his team for their valuable work. The priority now has to be to prevent any recurrence of that systematic abuse. In that connection, how do the Government intend to proceed through primary legislation? My right hon. Friend has referred already to two Bills that will be before the House shortly, but do the Government intend to amend those Bills to take on board the recommendations in the report?

With specific reference to the children's commissioner for Wales, is it my right hon. Friend's understanding that primary legislation will be required to achieve statutory authority for that role? What assurances can he give, especially to cash-strapped local authorities, that reform programmes will be properly resourced?

Mr. Murphy: I thank my hon. Friend, who represents a north Wales constituency, and has a particular interest in the findings of the report. As he knows, primary legislation for Wales on social services is a matter for this House, and he is right to point to the various relevant Bills going through Parliament, particularly the Care Standards Bill.

My hon. Friend will also be aware that a children's commissioner for Wales is a manifesto commitment of our party, which has the widespread support of other parties in the National Assembly for Wales. The Assembly has been considering the matter in its committees over a matter of months. I have been in close contact with the Assembly's First Secretary and Health Secretary. We are currently studying the implications of a legislative vehicle for a children's commissioner. However, my hon. Friend may rest assured that we will give it priority.

Mr. David Davis (Haltemprice and Howden): I join the Secretary of State in his condemnation of the evil people who undertook these grotesque actions against just about the most vulnerable children in our society. However, we should not allow that condemnation to be used to tarnish the reputation of social workers who commit their lives and their efforts to supporting those young children.

I welcome the thrust of the 72 proposals, although obviously we have not read all of them yet. I welcome particularly the fact that they reinforce the "quality protects" initiative and the Care Standards Bill, now in the House of Lords.

All these matters interact in a complex way. The balance of adoption, fostering and care is difficult to get right, and more than one Government have struggled with it. Will we have an opportunity to debate the implications of this, not just for the homes in Wales, but for those in the other parts of our kingdom? Such a debate should allow us to cover the whole range of adoption, fostering and care, because these issues clearly deserve our detailed attention and understanding.

Mr. Murphy: I am grateful to the right hon. Gentleman for those comments. I agree with what he says. I particularly agree with his view that we must not tar all social workers with the same brush. There are many thousands of social workers who are currently working in the field and have done so over the decades to which the report refers, and who contribute tremendously to the well-being and protection of young children. We strongly support those people.

I agree with the right hon. Gentleman that the significance of the report of the tribunal is so enormous that it is extremely important for the House to debate it

as soon as possible. I, of course, cannot determine when that will be, but I should have thought that it has to be fairly soon. In addition, it should deal not only with Wales but with the entire country.

Mr. Chris Ruane (Vale of Clwyd): My right hon. Friend mentioned the involvement of council officers and elected members of the old Clwyd county council. I find that particularly disturbing. Was that a significant factor in the abuse of these young people?

Mr. Murphy: My hon. Friend is another who represents a north Wales constituency. When he reads the report, which I know that he will do with great interest, he will see that so far as the local authorities were concerned, and the officials and elected members therein, the problem was that they simply did not listen to the children—or, indeed, the adults—who were complaining about what they thought were difficulties. There was a lack of decent management, a lack of decent guidance and a lack of direction over a period of 20 years. The report names a number of council officials throughout north Wales who really should have done their job better. That is not, in any sense, to say that they were necessarily involved in the abuse of children—it was more a case of not doing their job well enough.

The report makes an excellent recommendation that elected members who choose to sit on social services committees should take their duties very seriously and visit residential homes in their local authority areas. In the past, it would seem from the report, such visits were very perfunctory. The councillors did not discover what they should have discovered. There is an important role for elected councillors, throughout England and Wales, and I know my right hon. Friend the Secretary of State for Health and his colleagues are also dealing with the matter.

Several hon. Members *rose—*

Madam Speaker: Order. A number of hon. Members wish to ask questions on the statement, but the main business of the House is yet to begin and must start within the next hour. I should be obliged if hon. Members put one question briskly, and if the Minister replied briskly, so that I may call as many hon. Members as possible. I know that there is deep interest in the matter.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I add my congratulations to Sir Ronald Waterhouse and his colleagues. I welcome the report, as many of us have campaigned for many years for a children's commissioner. The complaints officer will also be an excellent forward move. Will the Secretary of State be amenable to assisting Voices from Care and Children in Wales to advance amendments to the Children (Leaving Care) Bill, on which they have already lobbied Parliament? Their sensible amendments would ensure that the voice of young people was heard.

May I also thank the Secretary of State—I may be doing this in the wrong order—for extending me the courtesy of a preview of the report earlier today?

Mr. Murphy: I am grateful to the hon. Gentleman, who represents a north Wales constituency. I am sure that any representations made by organisations such as those to which he has referred will be taken seriously by my ministerial colleagues.

Ms Julie Morgan (Cardiff, North): Does my right hon. Friend agree that those who fought hard to have an inquiry set up should be congratulated? In particular, Councillors Malcolm King and Dennis Parry and the care worker Alison Taylor deserve our praise. It was extremely difficult to get the issues into the open.

Does my right hon. Friend agree that one of the great tragedies of this matter has been that young people who had to leave home—for whatever reason—ended up in much worse situations? They were supposed to be taken to places of safety, but they were not. I welcome my right hon. Friend's general apology, but would ask for arrangements to be made for apologies to be given to young people who have survived into adulthood. Sadly, many have died. Some of the children came from south Wales, and they have said that no one has ever said sorry to them.

Mr. Murphy: I agree with all that my hon. Friend said about the important role played by members of local authorities and others in getting the tribunal set up. My hon. Friend the Under-Secretary of State for Wales is, as I speak, in north Wales, where I hope he may have the opportunity to say sorry in the area where all the abuse occurred.

Mr. Lembit Öpik (Montgomeryshire): Given the seniority of some of those involved in abuse, it seems likely that it could have spread further across Wales than we have yet established. Does the Minister have a plan that will allow us to break through the veil of secrecy and to find out whether other parts of Wales had similar horrendous catalogues that have not yet come to light?

Mr. Murphy: Many inquiries—32, I think—are being conducted in England and Wales. One large inquiry is happening in my own county, Gwent. The results of the tribunal report will ensure that we are even more vigilant.

Mr. Win Griffiths (Bridgend): I join everybody else in congratulating the team that produced the Waterhouse report. We have not yet taken in all its implications, but the House will surely put its full weight behind any proposals made by my right hon. Friend and the Government, particularly on the children's commissioner. May I plead for significant work on developing skills among both those in social work and those who want to do it? I ask, too, for more support for those people.

As well as focusing on child abuse, which is close to being endemic despite the good work of many social workers, we need to provide a great deal more family support.

Mr. Murphy: I am grateful to my hon. Friend who, as a former Minister in the Welsh Office, is conscious of many of the issues discussed today. I agree that we must make every effort to recruit and train more qualified staff. Too many staff are still unqualified. I know that the training support programme in Wales for 2000–01 is attempting to address these important issues.

Mr. Paul Stinchcombe (Wellingborough): Is my right hon. Friend aware that, in a previous existence, I was one

[Mr. Paul Stinchcombe]

of the barristers instructed by Clwyd county council to advise whether the council could publish its own, earlier report into this appalling and tragic scandal? Is my right hon. Friend also aware that had the council published, its insurance company could immediately have argued that its insurance policies were thereby vitiated? Does he agree that action should be taken so that insurance companies no longer have the right of veto over matters of such signal and painful importance?

Mr. Murphy: I am, of course, aware of my hon. Friend's previous existence and of his interest in the report published today. The question whether insurance can affect the publication of certain reports resulting from inquiries is important. When my right hon. Friend the Deputy Prime Minister and the National Assembly for Wales see the report of the proceedings of the House, I am sure that they will take account of my hon. Friend's remarks and consider future activity in that regard.

Mrs. Betty Williams (Conwy): As a former member of Gwynedd council and chair of social services, I welcome with great emotion my right hon. Friend's statement, and look forward to working with our colleagues at the National Assembly for Wales. Does my right hon. Friend agree that when the commissioner is appointed, it is important that he or she should work in partnership with colleagues in other parts of the United Kingdom, as abuse does not have convenient boundaries? That is where we failed in the past, and we must make sure that we do not fail in the future.

I know that my colleagues at the Welsh Assembly will understand the point that it is important that advocates should be able to communicate with children and young people, and in Wales it is important that advocates should be bilingual. When children are placed in a vulnerable situation, they find it difficult to express themselves after the experiences that they have gone through, so it is imperative that there be sufficient numbers of suitably trained advocates who can communicate in the language of the child's or the young person's choice.

Mr. Murphy: I am grateful to my hon. Friend, who also represents a Gwynedd constituency. I agree that abusers do not recognise national boundaries, and that there must be the greatest co-operation between any children's commissioner for Wales and any counterpart in England. My hon. Friend's points about the need for the use of Welsh in advocacy are well taken.

Mr. Jon Owen Jones (Cardiff, Central): Does my right hon. Friend agree that what he said today amounts to the most profound statement of failure of the state in its duty of care to the most vulnerable in our society? It is a failure of local government, central Government and society. In the 1970s and 1980s I was a teacher, and I sometimes taught children who were in care homes. I wonder whether I spent sufficient time talking to those children. The report reveals a failure of society as a whole. I approve of the proposal to set up a children's commissioner; I agree with many of my colleagues' comments about that.

May I make one criticism, however? The report, which was commissioned by the right hon. Member for Richmond, Yorks (Mr. Hague), has taken almost four years to come before Parliament. Would it not have been possible to issue interim proposals rather sooner? I know that the report is comprehensive, but it has taken a long time. Its recommendations should be implemented as soon as possible.

Mr. Murphy: As a former Minister in the Welsh Office with responsibility for health, my hon. Friend will know that these matters are especially difficult and sensitive. When he sees the size of the report, he will realise that the amount of time taken to produce it was necessary in order to get it right. However, I take the general thrust of his points. It is most important to overcome the difficulties outlined in the report.

Mr. Alan Williams (Swansea, West): Is it not staggering that, after so much evil over such a long period, so few people admit to awareness of it? Will the Secretary of State confirm that the present statutory provisions do not include the vetting of volunteers? Is he satisfied that the inquiries that he has set up will not be impeded by existence of that loophole?

Mr. Murphy: I agree with my right hon. Friend's point about volunteers. Paedophiles will find their way into many different occupations and jobs; they will not confine themselves to those that we have discussed today. As a longstanding Member of the House, my right hon. Friend knows how important it will be to consider carefully the recommendations of the report; that is what the Government will do.

Mrs. Llin Golding (Newcastle-under-Lyme): This is yet another damning indictment of our failure to protect our young people. As a trustee of the National Society for the Prevention of Cruelty to Children, I welcome the recommendation for a children's commissioner. However, evil knows no boundaries. Will my right hon. Friend speak to other members of the Government about the appointment of a children's commissioner for all our children?

Mr. Murphy: I am grateful to my hon. Friend. In England, there are some differences in the way we deal with these matters. As she will be aware, the relevant Bill will include a commitment to a children's rights official. We need some time to consider the implications for administration in the report, but she can rest assured that all 72 recommendations will be treated very seriously indeed—not only by the Welsh Assembly but by my right hon. Friend the Secretary of State for Health and his colleagues.

Mr. Hilton Dawson (Lancaster and Wyre): Will my right hon. Friend confirm that the report will strengthen the Government's intention fundamentally to reform the entire care system throughout the United Kingdom? Will he also confirm that the children's commissioner will provide a service for all children? Does he agree that there is great strength of feeling throughout the House as to the need for linked offices—for a children's commissioner for all children in England, Scotland, Northern Ireland and Wales?

Mr. Murphy: I agree with my hon. Friend. However, as he is aware, there is devolution throughout the UK,

so it is for the Administrations in Northern Ireland, Scotland and Wales to decide how they will react to the report. I have no doubt that they will all agree on the need to treat the recommendations seriously. As I said, there will be provision for the appointment of a children's rights commissioner in England in a relevant Bill. I am sure that our Scottish and Northern Ireland counterparts will consider the report seriously.

Mr. Frank Cook (Stockton, North): I must first declare an interest in that I am a founding trustee and director of the Lucy Faithfull Foundation—an organisation that, over 10 years, has rapidly established an international reputation for leading therapeutic techniques for dealing with victims and with perpetrators.

I can hardly welcome the report, but I can register satisfaction that at least it has been produced. We feel relief, but we felt similar relief on the publication of similar reports before. I remember the Cleveland child abuse inquiry, conducted by Lord Justice Butler-Sloss. The report of that inquiry contained more recommendations than this report. However, the recommendations were implemented with great selectivity—driven largely by availability of Treasury funds.

Will my right hon. Friends the Secretaries of State for Wales and for Health and their ministerial teams institute monitoring, as called for by other colleagues today, throughout all the nations in the United Kingdom, to trawl the previous inquiries of this kind and pick up recommendations that have been discarded in the past? That would ensure that we have a comprehensive programme which should be constantly monitored to ensure that it is effective not only in the United Kingdom but against those characters who leave the United Kingdom to practice their scandalous procedures elsewhere, and those who visit the nation from outside.

Mr. Murphy: My hon. Friend is right to say that it is very important to treat all the recommendations with the seriousness that they deserve, but I should remind him that many of the recommendations in the report were anticipated in the drafting of the two relevant Bills before the House; that several measures have been implemented in the past few years, including "quality protects" and "children first"; and that we are in the middle of the biggest overhaul ever of ways in which we can deal with children's safety.

Ms Debra Shipley (Stourbridge): This is a very important report and I wholeheartedly welcome the Minister's response. However, in his response he drew on the Protection of Children Act 1999 several times, and I feel that it is my duty to point out that there is a major loophole in the Act, concerning volunteers. At the moment, the 1999 Act only allows for the vetting of volunteers—it does not require it. If we do not shut this door when we know that it is open, it will be an avenue for abuse. I call on the Minister to consider that as a matter of urgency. None of the measures introduced by the Care Standards Bill or any of the other measures coming before the House in the foreseeable future close off that avenue, which is still open.

Mr. Murphy: I am grateful to my hon. Friend, who pioneered the Protection of Children Bill in the House and will be thanked by generations to come for what she has done. However, on the vetting of volunteers—a matter which my right hon. Friend the Member for Swansea, West (Mr. Williams) also mentioned—we do understand the point that my hon. Friend is making and we will examine the matter.

Mr. John McFall (Dumbarton): The Secretary of State expressed it aptly when he said that what had happened was a total abuse of power and that sorry was not enough. Does he consider that these principles should be extended to other fields, such as educational and residential settings; that active child protection policies should be pursued; that a complaints procedure should be instituted; and that designated teachers and senior officers should be responsible for reporting at least yearly, thereby transforming their passive role into an active one?

Mr. Murphy: I agree with my hon. Friend and I believe that education departments, whether they be in England or in Scotland, Wales or Northern Ireland in the devolved Administrations, will take a very close interest in the tribunal's report. We already have the Department for Education and Employment measures, List 99 and others, which are very important, but in addition there must be close liaison between the social services departments and education departments of local authorities.

BILL PRESENTED

Genetically Modified Food and Producer Liability

Mr. Alan Simpson, supported by Mr. Tony Benn, Audrey Wise, Mr. Norman Baker, Mr. John McDonnell, Mrs. Alice Mahon, Mr. Llew Smith, Mr. Robert Marshall-Andrews, Mr. David Chaytor, Mr. Jeremy Corbyn, Mrs. Maria Fyfe and Dr. Ian Gibson presented a Bill to make further provision with respect to the safety of and liability for the deliberate release or marketing of genetically modified organisms and genetically modified food; to establish a genetically modified organism compensation fund; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 10 March, and to be printed [Bill 68].

Marine Wildlife Protection

5.13 pm

Mrs. Helen Brinton (Peterborough): I beg to move,

That leave be given to bring in a Bill to enable local authorities to prohibit the use of motorised marine leisure vessels in coastal areas for the purposes of protecting marine wildlife and promoting safety; and to make it an offence recklessly or intentionally to disturb marine wildlife.

The Bill would give local authorities power to designate any coastal marine area within its jurisdiction as a motorised marine leisure vessels free zone on a temporary or permanent basis. Such vessels would be defined as "motorised water craft used for leisure purposes" and include mechanically powered pleasure craft propelled by water jet—what are commonly known as jetskis or, more generically, wetbikes.

Local authority byelaws would also provide for fixed penalty notices with fines not exceeding £1,000 for each offence. Such fixed penalty notices would be issued by an appropriate local authority officer, who would have the power to require a suspected offender to give their name and address, and it would be an offence not to do so.

The Bill would also amend the Wildlife and Countryside Act 1981 to make it an offence intentionally or recklessly to disturb any cetacean—dolphins, porpoises and whales—in any location; any basking shark; or any sea bird in a breeding, moulting, roosting or feeding area where the birds congregate.

Under United Kingdom criminal law, a person is reckless if he or she commits an act that involves an obvious and serious risk of harmful consequence and either fails to give any thought to the possibility of there being any such risk or, having recognised that some risk is involved, none the less goes on to take it. That is an important concept, because it is usually very difficult to prove intentionality in the marine environment. Indeed, the main intention of most offenders is unlikely to be to cause injury to marine life.

I become involved with the issue last summer when I was contacted by *The Sunday Times* in my capacity as chair of the all-party group for wildlife protection. Since 1997, the newspaper has campaigned for the introduction of controls on the use of wetbikes. The campaign calls for legislation to bring in a minimum age for wetbike use, compulsory education, registration and insurance, zoning away from beaches and a complete ban in national parks and other sensitive areas. I was convinced of the importance of the campaign.

Wetbikes are capable of speeds of more than 65 mph, can easily be operated by inexperienced people and are particularly dangerous in that, if the motor is turned off, it is impossible to steer them. As a result, there have been horrific accidents involving riders, passengers and other water users.

Wetbikes are not covered by the same legislation as small boats and there is a tradition of minimal regulation of private pleasure craft. Local authorities can introduce byelaws and some councils, in particular Gwynedd in north Wales, have used their powers to the utmost to secure safer controls on wetbike use. However, at best, they are just piecemeal solutions.

The Sunday Times campaign has enjoyed widespread support. I have received many almost entirely supportive letters from people all over the United Kingdom and, indeed, from other countries. Some letters have concentrated on human safety and others on the impact on the environment and on wildlife in particular. There are serious issues of noise, and of pollution because of unburned fuel which affects humans and the natural environment as well as wildlife species.

On 11 November 1997, my hon. Friend the Member for Clwyd, West (Mr. Thomas) obtained leave to introduce a Bill to regulate the use of wetbikes. My Bill uses a more general definition—motorised marine leisure vessels—to cover the development of newer personal watercraft. Someone whom I talked to suggested that mini-hovercraft were not too fanciful a possibility. Rigid inflatable boats, such as those used by scuba divers, already sometimes cause problems.

Perhaps because of my involvement in the campaign for wildlife reform more generally, I was approached by the Whale and Dolphin Conservation Society. Its concerns, naturally enough, focus on the effects of uncontrolled wetbikes and similar craft on marine mammals.

In the United Kingdom, the main species affected is a type of dolphin, but even they are far from common and their numbers may well be in decline. There are only two or three places where they are regularly found together, with occasional sightings along the south-west coast. Many people, including me, have never seen them in our coastal waters. That may be why harassment of them is so common when they appear. They have long been reputed to seek out contact with humans and to enjoy jumping the waves created by boats. They can swim very fast. However, unfortunately for them, even the fastest can achieve a mere 35 mph, and that in short bursts. They most certainly cannot outpace wetbikes and other fast-moving craft. Unlike some other wildlife species, they cannot retaliate and protect themselves. As far as I know, they are not aggressive at all.

Tomorrow, I am delighted to be hosting a reception in the Jubilee Room for the Whale and Dolphin Conservation Society where it will launch a report entitled "Chasing Dolphins". The reception is supported by *The Sunday Times* and the Royal Society for the Protection of Birds, because marine birds would, as I said earlier, be covered by my Bill. I do not want to pre-empt the report, but I shall say simply that it documents many cases of prolonged harassment and resulting injury to cetaceans and basking sharks around Britain.

The report makes very distressing reading. One of those reporting an incident involving a number of speedboats writes:

"How would you feel if you saw five big trucks driving repeatedly at a herd of deer where there is no cover and mothers with young are frantically trying to escape?"

The WDCS and many other wildlife groups, which have come together in the Wildlife and Countryside Link to campaign for new wildlife laws, eagerly await the publication of the Government's countryside and access Bill later this month, as do many Members of both Houses. We were elated when it was included in the Queen's Speech. Many Members of both Houses have asked questions and engaged in debates, and many hon. Members from all parties signed the early-day motion tabled by my hon. Friend the Member for The Wrekin (Mr. Bradley).

It is possible that the Government's Bill will include measures to promote marine conservation, but it is likely to concentrate on terrestrial wildlife protection,

particularly for wildlife found on sites of special scientific interest. In any case, it will be a very large Bill, and no Bill can do everything.

The Government have signalled their intention to introduce new marine legislation at some future date. In October 1998, they accepted the recommendations of the working party on the review of byelaw powers for the coast. This January, the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Streatham (Mr. Hill), who is the Shipping Minister, announced a welcome number of voluntary measures, comprising a code of conduct for all types of recreational craft including wetbikes.

The need for the measures proposed in my Bill, however, is urgent. The incidence of harassment is increasing, as is the use of small, fast personal watercraft. Yet there has never been a prosecution for such harassment in this country. There must be zones known to be important to wildlife where it can be free from such harassment. The concept of recklessness is an essential element in the control of harassment because it is extremely difficult, in the marine context, to prove that any disturbance is deliberate. It is necessary to extend enforcement powers to locally designated officers other than the police and to give them the appropriate sanctions.

I hope that my Bill will be acceptable to the House and that its proposals, in some form, become part of UK legislation in future.

Question put and agreed to.

Bill ordered to be brought in by Mrs. Helen Brinton, Mr. Peter Bottomley, Mr. David Drew, Mr. Lindsay Hoyle, Jane Griffiths, Mr. Ieuan Wyn Jones, Mr. Paul Keetch, Mr. David Lepper, Mr. Tim Loughton, Mr. Alan Simpson, Mr. Andrew Stunell and Ms Joan Walley.

MARINE WILDLIFE PROTECTION BILL

Mrs. Helen Brinton accordingly presented a Bill to enable local authorities to prohibit the use of motorised marine leisure vessels in coastal areas for the purposes of protecting marine wildlife and promoting safety; and to make it an offence recklessly or intentionally to disturb marine wildlife: And the same was read the First time; and ordered to be a read a Second time on Friday 7 April, and to be printed [Bill 69].

Orders of the Day

Postal Services Bill

[Relevant documents: The Twelfth Report from the Trade and Industry Committee, Session 1998–99, on the 1999 Post Office White Paper, HC 94, and the Government's response thereto, HC 50 of Session 1999–2000.]

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Lord): Before I call the Secretary of State, I say to the House that Madam Speaker has selected the amendment in the name of the Leader of the Opposition. I remind the House that there is a 10-minute limit on all Back-Bench speeches in the debate.

5.23 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, That the Bill be now read a Second time.

Mr. Peter Bottomley (Worthing, West): Resign!

Mr. Byers: I thank the hon. Gentleman. That is my usual welcome to the Dispatch Box.

As hon. Members will know, the Government are committed to the modernisation and reform of public services, and the Bill is part of our programme for ensuring that the country has a postal service that is fit for the 21st century. It will establish a modern Post Office that is able to grow as a significant global player and to meet the enormous challenges now arising in the rapidly changing national and international markets. It will provide a firm basis for competition in the postal services market and a better deal for consumers, including the socially disadvantaged.

Mr. David Chidgey (Eastleigh): When he mentioned competition, the Secretary of State triggered in my mind a thought that I should like to put to him. He will be aware that the Benefits Agency contract with the Post Office will expire in a number of years and that, after that, the Post Office will have to compete for that contract. He will also be aware that many sub-post offices rely on that contract for their viability: nearly half the sub-post offices in my constituency derive 40 per cent. of their income from it. Will he guarantee that the Horizon project, which is essential to the modernisation of our post offices, will have been implemented and will be operating effectively before the Benefits Agency contract is relinquished?

Mr. Byers: I am delighted to have been able to trigger a thought in the hon. Gentleman's mind—that is pretty good going. If the Government have not done so, I welcome the opportunity to make it clear that we expect Horizon to be fully operational in all post offices by 2001. I shall give details later in my speech of the measures that we want to introduce in the Post Office network. That is a matter of concern to right hon. and hon. Members on both sides of the House, so it is right that we devote some time to debating the Government's policies to support the network of post offices.

The Bill will ensure that we have a strong Post Office that is better able to serve all its customers in all parts of the country. We believe that our proposal is important,

[Mr. Byers]

because it shows that we value the Post Office. We have tabled a package of reforms, of which the Bill is only one part, that will maintain and improve postal services in this country and enable the business to become a world player. Under the Bill, the Post Office will enjoy commercial freedom, while remaining in public ownership. That model has operated successfully elsewhere: Sweden and Denmark have shown that it is possible to give a post office commercial freedom, while keeping it in the public sector, increasing competition and guaranteeing a universal service.

The Bill completes the implementation of the package of reforms set out in the Government White Paper on Post Office reform which I published in July last year. The Bill has been widely welcomed, as was the White Paper. The chairman of the Post Office, Neville Bain, said:

"For the first time we are being given the commercial freedoms which are vital if the Post Office is to achieve its ambition to be one of the world's top distribution companies. It gives us a springboard to meet and beat the growing competition all around us."

The postal users watchdog said that the Bill provided consumers with

"a real avenue of redress for any failure in service",

and it welcomed the emphasis on increased competition and choice. The Communication Workers Union hailed the Bill as

"a victory for common sense."

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): The Minister mentions the watchdog, but can he explain the logic behind the abolition of the Post Office Users Council for Scotland and the creation of a UK-wide consumers council? I accept that the Post Office is a reserved matter, but such an arrangement seems to fly in the face of devolution.

Mr. Byers: I understand that concern. Within the UK-wide structure, there will be a specific committee to deal with Scotland. I hope that that goes some way to meeting concerns raised about the postal service in Scotland. That committee will be powerful within the overall umbrella of the new UK-wide consumers watchdog. When the hon. Gentleman has had the opportunity to examine our proposals, I hope that he will agree that mechanisms will be in place guaranteeing that consumers in Scotland and in the regions of England and Wales are able to express their views on the quality of postal services provided.

The Bill has four main objectives. It will give the Post Office the scope to modernise and run a fully commercial business in the 21st century. It will achieve that by converting it from a statutory corporation to a public limited company, with ownership remaining with the Crown. That will complement the greater financial flexibility that we intend to give the Post Office.

The measure will promote competition by establishing a regulator, which will reduce the part of the market that is reserved largely as a monopoly for the Post Office. The reserved area will be reduced and opened to competitors to the extent that the universal service obligation will continue to be fulfilled.

The Bill will put consumers first by establishing a new independent regulator and a new consumer council. Both will have strong powers to protect and promote the interests of those who use postal services. The Bill will reinforce the Government's commitment to a modern counters network, which will ensure reasonable access to the counter services offered by the Post Office.

Part I creates a new regulator, which will be known as the Postal Services Commission. The commission's duty will be to ensure a universal postal service and to look after consumers' interests.

Mr. David Drew (Stroud): Will my right hon. Friend comment on one of the most difficult issues: the potential closure of sub-post offices? It is believed that local communities' ability to oppose such closures is insufficient. Can the new regulator beef up the procedures?

Mr. Byers: My hon. Friend makes an important point. I shall tackle in detail the new procedures that we want to establish for the network. It is convenient to close sub-post offices because there are no access criteria for judging such a decision. The new access criteria that we intend to establish for the first time are important because they will constitute a benchmark against which such decisions can be measured. They will be established when the performance and innovation unit of the Cabinet Office produces its report sometime after Easter.

In a matter of months, we shall produce access criteria for the first time. The Conservative party did nothing about such criteria in 19 years of office. That is the record of Opposition Members. Most people will be prepared to wait a few months for access criteria.

Mr. Oliver Letwin (West Dorset) *rose—*

Mr. Peter Bottomley *rose—*

Mr. Byers: I must make progress.

Mr. Bottomley: Will the Secretary of State give way on the point that he is making?

Mr. Byers: No, no, no. I must make progress because there is a 10-minute restriction on Back-Bench speeches and I want to allow Back-Bench Members to contribute to the debate.

Mr. Bottomley *rose—*

Mr. Byers: If the hon. Gentleman catches my eye when I specifically deal with the counters network, I shall give way to him. I shall address access criteria later, and I shall be more than willing to give way to him then.

The Postal Services Commission will be responsible for a new licensing regime for postal services in the reserved area. It will regulate prices, enforce high standards and improve choice through greater licensed competition. The Post Office will initially be licensed to operate in what is currently its monopoly area. However, others will be able to apply for licenses to carry out services in that reserved area. That process is described in part II.

As well as being able to promote regulated competition, the Commission will be able to propose reductions in the scope of the reserved market area. By introducing competition in that way, we will stimulate greater innovation and lower prices, and promote better services

for customers. When competition does not provide effective protection of consumer interests, the Bill will give the regulator new duties and powers to promote consumer interests, regulate prices and ensure a high standard of service to all users.

Part I makes it the new regulator's duty to ensure provision of the universal service at a uniform tariff. That will provide for the first time in law that the cost of a stamp will be the same anywhere in the United Kingdom, regardless of the distance of delivery.

The Post Office will be required to provide the universal service through a licence condition. The service will include daily delivery to all addresses at an affordable, uniform tariff.

Part III provides further protection for consumers through the replacement of the Post Office Users National Council. We shall create a new Consumer Council for Postal Services. It will be given the same powers as the new consumer councils that are being established in the energy and telecoms markets—including wider access to relevant information from the Post Office—to enable it to do its job effectively. For the first time, there will be a single national body for postal users. In that national framework, the Bill also requires the consumer council to set up separate committees for Wales, for Scotland and for Northern Ireland and allows for regional committees to be established for England. I believe that those measures will give consumers the powerful voice that they have lacked for so many years.

Mr. Letwin: If that array of new councils and the Secretary of State's access criteria show that a non-viable rural post office should not be closed, will he subsidise it?

Mr. Byers: There is a question of definition of viability but, in Committee, the Government will consider very closely the need to include a provision that would enable a subsidy to be provided where it is appropriate to do so. Indeed, there will be a Government amendment to that effect. [HON. MEMBERS: "Ah!"] Hon. Members should not jump to the conclusion that—

Mr. Tony Baldry (Banbury) *rose—*

Mr. Byers: May I explain? I shall give way later. We should not jump to the conclusion that we should always look for a subsidy from central Government. Other public organisations such as local authorities may want to invest if they think it appropriate to provide a subsidy but, as we are introducing a Bill that we would like to think will be on the statute book for a good number of years, it is sensible to cover all possibilities. At some time in the future, we may want to consider a subsidy to maintain a post office and the Bill is a suitable vehicle for providing that opportunity. We shall introduce an amendment in Committee to provide for that possibility.

Mr. Baldry *rose—*

Mrs. Angela Browning (Tiverton and Honiton) *rose—*

Mr. Byers: I have a choice between a pro-European and an anti-European. I always prefer to give way to a pro-European.

Mrs. Browning *rose—*

Mr. Byers: The anti-Europeans will have their chance. I may describe the hon. Lady as many things, but pro-European is not one of them. I give way to the hon. Member for Banbury (Mr. Baldry).

Mr. Baldry: I am grateful to the Secretary of State for giving way, although I am sure that my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) would have made the point more elegantly than I. It would be useful for those of us who are keen to sit on the Committee to know how many months we shall have to set aside. His introductory remarks gave the impression that the Bill is a done deal, but now he talks about Government amendments. May we have a sweepstake on how many will be introduced and a prize for every time that more than 100 are agreed to? Will the Committee sit until Easter, Whitsun or the summer recess, and of which year?

Mr. Byers: As I know how many Government amendments are likely to be tabled, I would happily enter a sweepstake. I could do with the money. I was addressing the serious question of a subsidy. *[Interruption.]* I want to address the serious point. If the Opposition are against an amendment that would provide the opportunity to make a subsidy, so be it, but I happen to think that the Bill will be better if we cover that eventuality. I have thought about that since its introduction and the Government are prepared to provide such an opportunity. As it seems likely that we shall receive a report from the performance and innovation unit of the Cabinet Office while we are considering the Bill, we should be able to reflect on its recommendations. After consideration, that is what we intend to do. If the Opposition want to play games, so be it, but it will go down badly if they are seen to oppose an amendment—*[Interruption.]* We can tell from those comments that Conservative Members do not support an amendment that would allow a subsidy to be introduced. I regret that.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. The Secretary of State is discussing the reaction of other Members to an amendment that has not been tabled. The convention of the House is that amendments should be tabled. When he tables that Government amendment, will he also table the other amendments and new clauses that are needed because the Government have changed their mind since printing the Bill?

Mr. Deputy Speaker: That is not a point of order. It is more a matter for debate.

Mr. Byers: The report of this debate will be read by many people who have a real interest in the Post Office network. They will read with interest that when I replied to a specific point about a subsidy hon. Members opposite did not want us to proceed in the way that I described. That is the implication of what they are saying. They are playing games.

I shall bring forward an amendment that secures the possibility of providing a subsidy. If Opposition Members do not agree with that, so be it. They can raise the matter in Committee and deal with it then. We intend to adopt that measure because we believe that it is a suitable course

[Mr. Byers]

of action to ensure that we can protect the network. In 19 years, the Opposition did not provide such an opportunity, but we intend to do precisely that.

Mrs. Browning *rose—*

Mr. John Bercow (Buckingham) *rose—*

Mr. Byers: The hon. Gentleman's Front-Bench spokesperson also wishes to intervene and, as both are anti-Europeans, I give way to the hon. Member for Tiverton and Honiton (Mrs. Browning)

Mrs. Browning: I am grateful to the right hon. Gentleman. My original intervention was totally in accord with that of my hon. Friend the Member for Banbury (Mr. Baldry), who asked exactly what I was going to ask but, in his response to my hon. Friend, the Secretary of State said that he knew how many amendments would be tabled. That is contrary to what the Minister for Energy and Competitiveness in Europe told us. If the right hon. Gentleman knows how many new clauses he will table, will he kindly share that information with the House now?

Mr. Byers: I do not know what comments my right hon. Friend has made. The hon. Lady might like to tell me when my right hon. Friend said that. We shall table amendments in Committee. There will be a number— *[Interruption.]* Opposition Members who have been in government know that the Government table amendments at the Committee stage. That will happen, and there will be a number. Some of us will try to have a serious debate about the matter. The Opposition may not want to debate a serious issue, which is about the Post Office network, and instead are trying to pursue this point. I shall continue to give them rope, and they will continue to hang themselves. I give way to the hon. Member for Buckingham (Mr. Bercow).

Mr. Bercow: I am grateful to the right hon. Gentleman for giving way. I confirm that I believe in national self-government.

What guarantee can the Secretary of State offer to Bruce and Yaeko Spilker, who run the post office in Station road, Marsh Gibbon, OX6 0HN, in my Buckingham constituency, where over 1,000 people have signed a petition in protest against the Government's plans for compulsory payment of benefits into bank accounts from 2003? In reflecting upon the question of a subsidy, will he confirm that he has no intention of discriminating between post offices, depending on whether they are in Conservative, Labour or Liberal Democrat constituencies?

Mr. Byers: I can confirm that that will not be a factor. It will be a matter at looking at the viability of individual post offices and deciding accordingly.

When I come on to address issues in relation to the Post Office network, I hope that I shall be able to answer the specific question.

Dr. Vincent Cable (Twickenham): Will the right hon. Gentleman give way?

Mr. Byers: I intend to give way once more, and then I want to make progress because I want Back Benchers to be able to take part fully in the debate.

Dr. Cable: Following the Secretary of State's very helpful indication on accepting the principle of subsidies, can he now give an approximate upper limit to the annual amount that will be forthcoming in relation to the £400 million loss of income?

Mr. Byers: No, I cannot, but what is crucial is a recognition that local post offices are a vital part of local communities. Over the last decade they have been in decline, as people's life styles and buying habits have changed.

The network of post offices has never been static. However, the Government must acknowledge the important community and social role played by post offices, and should provide new opportunities to individual post offices. That is why, for the first time, under provisions in the Bill the Government will issue access criteria for Post Office Counters to ensure reasonable access to those services, particularly in rural areas and areas of social deprivation.

The regulator and the consumer council will monitor the network closely against those criteria, and will advise the Government on the accessibility of public post offices. Access criteria will also provide a fundamental reinforcement of the public's right to appeal against individual closures. Rather than considering an appeal in a vacuum, the consumer council will be able to consider it against tangible access criteria, and will be able, through the regulator, to take up cases with the Post Office to ensure that those criteria are being met and will continue to be met. This underlines the Government's commitment to a nationwide network of post offices—a commitment that we are also implementing by giving the Post Office more commercial freedom, thus enabling post offices to offer new services and win new customers.

Mr. Patrick McLoughlin (West Derbyshire): Will the Secretary of State give way?

Mr. Byers: No. I want to make progress and deal with the important question of automated credit transfer.

Concerns have been expressed about the impact of ACT on the network, but the Government remain committed to its introduction, both because an increasing number of new benefit recipients choose that method of payment and because it is more secure and more cost-effective than existing paper-based systems. The average cost per transaction by ACT is 1p; the cost of an order book counterfoil is 49p, and the cost of a giro cheque is 79p. Moreover, we estimate that we should save about £200 million a year by reducing the amount of fraud and theft associated with order books and giro cheques.

For the avoidance of doubt, however, I can confirm that there will be no change in the existing methods of paying benefits before 2003. Between 2003 and 2005, the Benefits Agency will progressively withdraw the existing paper-based methods of paying benefits. The normal system will then involve payment into a bank account.

We recognise that, for some benefit recipients, payment into a conventional bank or building society account may not be appropriate or desirable. We have therefore given a commitment that all recipients who wish to do so can continue to gain access to their benefits in cash at post offices both before and after the change to ACT-based methods.

Mr. Peter Bottomley: Has the Secretary of State any estimate of how much less money will be paid to sub-post offices as a result of the changes?

Mr. Byers: The hon. Gentleman is confusing two separate contractual arrangements—Benefits Agency payments to the bankers automated clearing system and transactions between the bank and the Post Office. Those contractual relationships will remain in place. If the hon. Gentleman disagrees with that, I shall be happy to allow him to intervene again, but I think he will find that our arrangements will give benefit recipients a genuine choice: if they wish to continue to receive cash, they will be entitled to do so, and that will not change following the transition to ACT.

Mr. Bottomley: Mine was not a trick question, nor was it confused. I merely asked what estimate of the change in sub-post office income was available to the Secretary of State.

Mr. Byers: We should consider the hon. Gentleman's question in the round, in the context of the extra facilities that post offices will be able to offer as a result of the measures that we intend to introduce. That is one of the reasons for delaying the move to ACT until 2003. The Post Office network will be in a stronger position to ensure that, if the move results in a loss—and I am not convinced that that will be necessary—it can establish other facilities ensuring that customers continue to go into post offices, either to obtain benefits or to make purchases.

Mr. Jonathan Shaw (Chatham and Aylesford): The Secretary of State's assurances about cash payments are welcome, but can he deal with a couple of points made to me by sub-postmasters about recent communications from their organisation? Will holders of bank accounts who choose to have their benefits paid in cash at a post office be able to receive it in that form?

Can my right hon. Friend also assure us that Crown post offices are safe under the Government? Sadly, two splendid buildings in the Medway towns were closed under the previous Government and the replacements are completely unsatisfactory. I should like that reassurance, too.

Mr. Byers: I can reassure my hon. Friend on Crown post offices. A minimum standard is now provided to protect the Crown post office network. On his important point about an individual who has a bank account, but who chooses to have cash paid at the post office, that person will still be able to do that between now and 2003. He will still be able to do that between then and 2005 as we move towards ACT, and he will still be able to do that after 2005.

The important point is that the individual benefit recipient will have a genuine choice. If he chooses to have his benefit paid in cash at the post office, he will continue to be able to do that. That is the position. He will be able to do that because an arrangement will be put in place between banks and the Post Office to ensure that that facility is available.

Mrs. Browning: For absolute clarity, will the Secretary of State confirm that if benefit recipients—people without a bank account—choose after 2003 to have their benefit paid in cash, that will be paid to them, without any cost to them, through a transferral from the bank to the post office? How will they receive the money? At the moment, they have books, which are being discarded, which we fully understand. Can he talk us through the procedure by which those people can exercise the option that he has described?

Mr. Byers: I know that there are some people—I will not associate the hon. Lady with it—who are trying to misinterpret the Government's position. I say this in direct answer to her question. There are two categories: there are those people who have bank accounts at the moment and those who choose not to have a bank account. We are working on an arrangement with the banks that will cover those who presently are unbanked, so that they will be able to get their benefit at a post office in full, with no deduction. Let us be clear: they will get the full benefit in cash at a post office.

For those people who have bank accounts, there will be an arrangement to ensure that the money is paid into the bank account. There will then be a facility to withdraw that money at a post office in cash, again with no reduction from the benefit payment. That is the situation that we are putting in place. It is simple. That is the position that will apply. There will be arrangements through Horizon to ensure that the individuals on the automated network will be able to secure that position.

Mr. John MacGregor (South Norfolk) *rose—*

Sir Peter Tapsell (Louth and Horncastle) *rose—*

Mr. Byers: I give way to the right hon. Member for South Norfolk (Mr. MacGregor) first. He is a former Chief Secretary to the Treasury, so I must give way.

Mr. MacGregor: I fully recognise that the Secretary of State is talking about 2003 and later, but is he aware that rural sub-post offices currently fear what will happen in 2003? Many have invested lifetime savings or have heavy borrowings. They are therefore taking decisions now and are concerned about what the position will be. They do not think that the options that he is giving will be adequate. Therefore, the crucial issue is what alternative services they can provide, to which he has just referred. Can he say something about the sort of alternative services that he thinks they will be able to provide and which will replace the lost income?

Mr. Byers: The right hon. Gentleman makes an important point. I want to come on to the alternative services that we might be able to offer through the network. The Post Office network system is a classic example of a public-private partnership. It is something that we should treasure and value. We need to put in place policies that will help to promote that. We have some ideas and I want to reflect on those, but may I address the wider point?

[Mr. Byers]

What has concerned me in the whole debate is that there are people who misunderstand the Government's intentions. We have a responsibility to make clear exactly what we intend as a result of going to a system of ACT. I know that there are many worries among people who have invested much of their own money in the post office and are wondering what will happen. We need to do more to explain to them exactly what Government policy is and what our proposals are. If the message is that we need to get that over more clearly, we will need to reflect on that.

Mrs. Linda Gilroy (Plymouth, Sutton): Will my right hon. Friend give way?

Mr. Byers: I want to come to the right hon. Gentleman's point about alternative services, but before doing so I give way to my hon. Friend.

Mrs. Gilroy: Will my right hon. Friend confirm that the Treasury is investing £500 million in bringing ACT to post offices? Does he agree that the Treasury, which is known for its prudence, is hardly likely to do that if it is going to shut down a large number of post offices?

Mr. Byers: It is true that around £500 million is being invested by the Government in the Horizon network to automate fully the Post Office network. That is where the investment is being made. That is a tangible demonstration of our commitment towards the Post Office network, but I address again the point about the costs and the different contractual relationships.

There is an issue about the cost to the Government being just 1p when we move to ACT. The reason is because the Benefits Agency pays a fee of around 1p to what is called the BACS system, which is owned jointly by the banks, for the transfer of the payment into the recipient's bank account. There is no contractual relationship as such between the Benefits Agency and the Post Office for such a transaction. Equally, that will be the position after the introduction of ACT.

What concerns many sub-postmasters and mistresses is what will happen to the financial relationship that they have at the moment with many banks for providing a cash withdrawal system. Many of those contractual relationships are already in place. I understand that sub- postmasters and mistresses are paid in many cases in excess of 17p per transaction on a range of transactions carried out by the Post Office on an agency basis for the banks.

Nothing that we are proposing should alter those arrangements. Indeed, there is an argument to say that there will be even more transactions because of the way we intend to develop the system through ACT, so there is no question but that the present contractual relationships between the banks and sub-postmasters and mistresses will remain in place. They will be able to get payment for the transactions that take place, which they carry out on an agency basis for the banks themselves. That will remain in place. Nothing that we are proposing will affect that.

Mrs. Browning: Just for clarity, the press release that was issued by the Minister for Competitiveness on 11 February states:

"Under the new system to be introduced by the Benefits Agency in 2003, sub-post offices can expect to get about the same amount for each over-the-counter cash transaction."

What does that mean?

Mr. Byers: I will say it a bit more slowly this time, so that the hon. Lady can follow. The point that I was trying to make was that the 17p transaction fee that is paid to post offices on an agency basis for the work that they carry out for banks will remain in place. Nothing that we are proposing changes that contractual relationship. Indeed, in some contractual relationships, they receive more than 17p per transaction, so the benefits of receiving that income will still remain. It is different from the BACS system, which involves a relationship between the Benefits Agency and the banks. The 17p per transaction is a commercial relationship between the banks and the Post Office, where the Post Office acts as an agent for the bank and charges the bank accordingly. Nothing that we are proposing affects that commercial relationship.

I regret the fact that some commentators who should know better seem to have confused the two and, indeed, are briefing people that it will suddenly drop to 1p per transaction. The 1p is the sum that the Benefits Agency pays the banks under the BACS system. That does not affect the contractual relationship—a distinct relationship—between the Post Office network and the banks themselves. The agency transaction that applies there will remain in place.

Mr. Russell Brown (Dumfries): Will my right hon. Friend give way?

Mr. Byers: I will give way once more and then I want to make some progress.

Mr. Brown: Will my right hon. Friend clarify something for me and, I suspect, for others? If someone goes in with a benefit book for a cash transaction, the sub-postmaster or sub-postmistress will receive about 11p or 12p for that transaction. Is my right hon. Friend saying that, in future, if that person opens a bank account and receives cash from that account over a post office counter, that sub-postmaster or sub-postmistress could well receive 17p for the transaction? Is that what he is saying?

Mr. Byers: That is a transaction arrangement between the Post Office and the bank and will be dealt with on an agency basis. It will be determined, as it is now, in commercial negotiation between the Post Office and the bank system. On average, the transaction fee is now 17p, if not more, for each transaction that is performed. There is nothing in the Bill or in the ACT arrangements that will change that contractual relationship.

I should like to deal with the point raised by the right hon. Member for South Norfolk on the alternative services that might be provided through the Post Office network.

Mr. McLoughlin: Will the right hon. Gentleman give way?

Mr. Byers: No, I should like to make some progress. [HON. MEMBERS: "Give way."] As Conservative Members

know, I am generous to a fault in giving way. However, I should like to make some progress, as many Back Benchers would like to speak in the debate.

We are investing half a billion pounds in equipping all post offices with a modern, on-line computer system that will enable them to provide a wider and better range of services. The Horizon platform will enable the Post Office to extend substantially its arrangements with banks and building societies, which should greatly extend the banking facilities available to customers generally, but especially in rural and some urban areas from which the banks themselves have withdrawn. The platform has the potential of reinstating banking services in rural communities.

The Post Office is an under-utilised resource, and its services need to be enhanced and more widely advertised. The provision of 3,000 new cash machines at post offices across the country is an indication of the new opportunities that business is exploiting.

I am sure that Labour Members will have heard the hon. Member for Rutland and Melton (Mr. Duncan), on behalf of Conservative Members, say that his solution is to privatise the Post Office network—*[Interruption.]* That has gone on the record as being the policy that he wishes to pursue. However, it is interesting to note that when the issue has been debated, the public have rejected the option of privatisation—whether of the Royal Mail or of the Post Office—and the effect that privatisation would have on the rural network.

The reality is that the Post Office network—which is, as I said, a very good example of a public-private partnership—depends on having a network that is in public ownership. That is the reality of the situation. Privatisation is the preferred approach of the hon. Member for Rutland and Melton—*[Interruption.]* I am pleased that he agrees with my statement of his preferred approach. However, neither the Post Office network, nor sub-postmasters and mistresses, support that approach. Nevertheless, it is interesting to know his position on the issue.

We can and will provide 3,000 new cash machines at post offices across the country.

Mr. Gordon Prentice (Pendle): Will my right hon. Friend give way?

Mr. Byers: I should like to make some progress.

People can now buy a lottery ticket from a post office and they can exchange foreign currency there. Over 4,000 post offices have national lottery on-line terminals, 1,500 of which are in rural areas. In the past 20 years, the number of post offices providing vehicle licences has doubled. Mobile telephone pre-payment cards are available from almost 5,000 post offices, and that number will rise to more than 6,500 by April 2000.

We need to build on those types of facilities, and part of the modernising government agenda will ensure that we continue to do so. There is no doubt in my mind that our programme for the Post Office network will guarantee a future for the network, recognising the very important role that it plays in our communities.

The Bill obviously offers much more on the Post Office. It provides a framework for modernisation of the Post Office so that it is able to deliver a world-class service and compete with overseas competitors. The time has come to modernise the Post Office, to enable it to meet the challenges and opportunities of the changing market and of increased competition.

Britain's Post Office has real achievements to its credit, and the Royal Mail is one of the country's most recognised and valued brands. However, to build on those achievements the Post Office will have to meet four major challenges: to respond to the growth of e-mail and other forms of electronic communication; to meet the challenges of the liberalisation of postal markets in Europe and elsewhere; to meet the growing competition for business consumers; and to adapt to the emergence of new business opportunities.

The Post Office shares those challenges in common with Europe's other traditional postal service organisations. Change is occurring throughout Europe, and the pace is likely to accelerate. Already, the Post Office faces competition in the United Kingdom from overseas postal administrations and delivery companies, some of which are ahead of the game. The Bill will provide a framework to enable the Post Office to develop to its full potential, providing the greater commercial and financial freedom that it needs to compete effectively.

The Bill will complete the reform package that we began last summer, giving the Post Office the flexibility it needs to modernise and to run a fully commercial business in the 21st century, but maintaining it within the public sector and delivering our promises on share disposals.

Part IV of the Bill reinforces our manifesto commitments to give commercial freedom to the Post Office within the public sector. It will convert the Post Office into a public limited company that is able to be more responsive to market demands and to customer demands. A regulated, Government-owned plc is what the Bill proposes. The plc model is widely understood and clearly sets out the duties of directors to the company. It helps to establish the clear separation of the functions of ownership and of management. It also enables the Government to receive a proper dividend, rather than requiring the Post Office to build up cash deposits on its balance sheet.

The Bill delivers our promise that there will be no sale of Post Office shares without primary legislation. The Bill prevents the Government from disposing of shares or share rights in the Post Office company unless parliamentary approval has been given under the set procedure which is clearly stated in the Bill. Primary legislation will be required to remove those restrictions, to allow a wider disposal of shares.

The commercial future of the Post Office depends on its being able to compete effectively with other global players. The Post Office must therefore be equipped to develop its business, which may well involve forging alliances and commercial partnership with organisations that have complementary skills. We have to ensure that it has the freedom and commercial flexibility to do that, and the Bill achieves that objective. We have already acted to enable the Post Office to borrow at commercial rates for growth investments up to £75 million annually, without Government approval. Borrowing beyond that sum will still require Government approval. In recent years, an average of 80 per cent. of the Post Office's profits have gone to the Exchequer. The sum will be reduced to

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50 per cent. this year, and to 40 per cent. in 2000–01. The Post Office will, therefore, have new finance to invest in the future.

I am confident that the Bill will transform the Post Office into a more commercial organisation. It will enable the Post Office to realise its ambition to become a world-class distribution company. In the new global economy, we need a modern and competitive Post Office that can win new business, expand into new markets and create jobs and wealth in Britain. We also need to ensure standards of service and protection for disadvantaged groups and communities. The Bill does precisely that.

The Bill provides for a Post Office with a modern commercial structure while keeping it within public ownership. It provides for strong consumer protection, wherever possible through competition, and ensures that the benefits of competitive, modern postal services are available to all. It provides the commercial freedoms that will enable our Post Office to become a major global player, while ensuring that we retain the important social obligations—including the counters network—that make the Post Office such an important part of the social fabric of our country.

The Bill is forward looking. It creates a postal service that is fit for the 21st century, and I commend it to the House.

6.9 pm

Mrs. Angela Browning (Tiverton and Honiton): I beg to move, To leave out from 'That' to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Postal Services Bill because it introduces an unsatisfactory structure of ownership which falls short of granting full commercial freedom, introduces uncompetitive borrowing criteria and does not include provision for transparent accounting practices, imposes new burdens of regulation on private companies rather than encouraging competition and fails to introduce clear access criteria to protect the network of sub Post Offices."

Last July, following the Secretary of State's statement on the Post Office White Paper, we debated many of the issues that have been raised again tonight. It is extraordinary that, seven months later, we should be presented with a Bill to which, we are already informed, there could be as many as 200 Government amendments. A pattern is emerging. A couple of weeks ago we gave a Second Reading to the Utilities Bill, which also came from the Department of Trade and Industry. It is an affront to the democratic process that the Government—particularly the Secretary of State for Trade and Industry—cannot arrange for the Bills announced in the Queen's Speech to be properly and thoroughly drafted before the House has an opportunity to debate and scrutinise them. The Secretary of State has told the House that he knows how many amendments he intends to table. If the right hon. Gentleman will not return to the Dispatch Box, I hope that the Minister for Competitiveness will tell the House the number. We have to judge the Government's proposals not by relying on the Bill that is printed, but by second-guessing errors and omissions that occur as a result of the way in which the Government bring their legislation before the House.

In July, the Secretary of State told us with great pride that the postal privilege was to be reduced from £1 to 50p. Indeed, he laid a statutory instrument to that effect, only to remove it after pressure from the Post Office unions in the run-up to the Labour party conference. The Bill has been surrounded by muddle and confusion from the time when the Government announced at least some of the detail that we might expect to find in it. Perhaps the Minister for Competitiveness was instrumental in that U-turn. Confusion helps no one, particularly the sub-post office network.

We have had three debates on the Post Office since then, focusing particularly on sub-post offices. There has been muddle and confusion in much of what the Government have said. They have produced a hybrid structure of a Government-owned plc with a regulator and a consumer body. Despite all the cant and the language of competition, we know that the Government's proposal is a compromise. I have no doubt that the Secretary of State would have liked to privatise the Post Office, not least because the Government have shown that they are willing to accept the concept of privatisation. We expect the privatisation of the National Air Traffic Services shortly, and I am sure that that will not be the Government's only privatisation. Given that they have accepted the principle, it is extraordinary that, rather than proposing the confused structure that we are considering tonight, they have not grasped the opportunity to release the Post Office—particularly the postal services—to competition and allow it to compete and raise money on the open market.

The Bill is ill prepared and sloppily drafted because the Government want to rush it through. A measure of such importance requires much more attention than that. Let me deal with some of the issues on which I hope the Secretary of State will be able to reassure us that he already has some details.

Mr. Michael Connarty (Falkirk, East): Did I discern a policy among all the muddle? Was the hon. Lady saying that the Conservatives would privatise the postal services?

Mrs. Browning: We shall look at the mess that we inherit from the Government. We support the principle and the need for the Post Office to compete globally, but we are dealing with a hybrid structure and we have no relevant experience to allow us to judge how it will proceed. Interestingly, the Secretary of State has tried, as ever, to allay Labour Members' fears by saying that the Government are not going to privatise fully because they do not intend to dispose of shares at this stage. He has said that primary legislation would be required to do that, but he has never given a guarantee that the Government have ruled it out. The hon. Member for Falkirk, East (Mr. Connarty) might intervene on the Minister when he winds up to ask whether the Government intend to make it clear tonight that they will never dispose of shares in the new structure. We should be interested in that.

Mr. Edward Leigh (Gainsborough): Some of us have spent the best years of our lives, in and out of government, trying to privatise the Post Office. Will my hon. Friend confirm that it was the policy of my right hon. Friend the Member for Henley (Mr. Heseltine) when he was the President of the Board of Trade—and that it is still the policy of those on the Conservative Front Bench—to privatise the Royal Mail?

Mrs. Browning: We shall be very enthusiastic to do so, but we shall give the Post Office full freedom while

setting minimum standards for universal delivery of letters and support for the sub-post office network. We already have a good track record on privatisation. We have protected services but freed up industries to the marketplace. I am pleased that the Government seek to emulate that, although they are being a little timid. That formula has been advocated and copied around the world.

Mrs. Gilroy: If such protection was offered, why did one in five sub-post offices in the network close while the Conservatives were in government?

Mrs. Browning: I do not know how many sub-post offices the hon. Lady has in her constituency. I have about 60. There are many reasons why sub-post offices have closed. Some that were combined with the general store in a village have closed because of competition from supermarkets. If the hon. Lady was aware of what happens in rural communities—a subject on which the Labour party is not knowledgeable—she would know that many factors have affected the viability of post offices, including demographic changes. People tend to go away from villages to work, so they are not always there during post office opening hours. That has also affected post offices that rely for their income on the trade of the general village store or the sale of other goods. There has been a natural decline in post offices as a result of social changes. When the Conservatives left office in 1997, we left in place a system which recognised that post offices would need to be automated with computers to improve their income. Having said that they will produce the computers, the Government are now saying that post offices must depend solely on computers to make up the loss of the £400 million-worth of income that they currently receive from benefits.

Mr. Bercow: Does my hon. Friend agree that, to brief herself adequately, the hon. Member for Plymouth, Sutton (Mrs. Gilroy) need do no more than consult her hon. Friend the Member for Forest of Dean (Mrs. Organ) who is sitting next to her, who has eloquently denounced the Government's proposals for compulsory payments into bank accounts? Is it not important that we should hear the hon. Lady's criticisms of the Government during the debate?

Mrs. Browning: As usual, my hon. Friend is correct. I recall visiting one of the excellent sub-post offices in his constituency in September. The same concerns were voiced there as in the two dozen other sub-post offices around the country that I have visited. Sub-postmasters are concerned because the Government have taken a significant amount of the income that they previously enjoyed and told them that they must not only catch up with the competition from supermarkets and elsewhere but find the means to make up the drop in income. That is why many have told stories similar to that which I heard from the sub-postmistress to whom I spoke in Liverton, in the constituency of my hon. Friend the Member for Teignbridge (Mr. Nicholls) last Friday. Having looked at the projected income for the next three or four years, her bank manager has advised her not to risk borrowing another £15,000 to expand the shop by opening up what was once a store room. That is how fragile sub-post offices are as a result of the Government's policies.

Mr. Charles Wardle (Bexhill and Battle): Does my hon. Friend agree that what she has just described is likely to put between 9,000 and 10,000 sub-post offices on the margin financially?

Mrs. Browning: My hon. Friend has struck on the right amount, because some 50 per cent. of the sub-post offices will be affected—all of them private businesses. Many of them are owned by people who have sunk retirement capital from other jobs into them only to find that—at a time in their lives when they thought they were building up a nest egg for retirement—the bank managers see them as risky business.

Mr. David Borrow (South Ribble): If advances in technology mean that the payment of benefits is cheaper and more efficient through the automated credit transfer system, and if that leaves post offices vulnerable, is maintaining an antiquated system the best way to subsidise post offices, or should it be done through a direct clearly accountable subsidy, as my right hon. Friend the Secretary of State suggests?

Mrs. Browning: I refer the hon. Gentleman to the excellent speech made by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) in a debate on this subject in Westminster Hall in January. My right hon. Friend clearly spelled out the Conservative policy when we left office, and explained why we thought it was worth putting £400 million-worth of taxpayers' money into supporting the sub-post office network. We recognised that sub-post offices fulfil an important social function in communities—and the hon. Gentleman may be disappointed to discover that Ministers do not recognise that.

We agreed to introduce computerisation because of the problems of fraud associated with benefit books, which would have led to the use of swipe cards and, ultimately, of smart cards. Computers clearly have benefits in allowing small post offices to provide additional services. However, the difference between new Labour and the Conservative party is that my right hon. Friend, who served both as Secretary of State for Trade and Industry and as Secretary of State for Social Security, looked at both sides of the issue and made a value judgment, which was that we were prepared to spend taxpayers' money to sustain vulnerable communities.

Mr. Martin O'Neill (Ochil): In the event of the Post Office being privatised, does the hon. Lady envisage that a privately owned company would subsidise a retail network that it did not own to the tune of £400 million a year?

Mrs. Browning: Any policy that the Conservative party puts forward will be based on what we inherit, and I cannot second-guess what that will be. I shall certainly not speculate now on what might be in the Conservative manifesto, or a policy of the next Conservative Government. Labour Back Benchers seem to be interested in whether and how we would privatise the Royal Mail. If they are so nervous, they should seek a guarantee from the Secretary of State that the Bill is not a precursor to

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full privatisation. The Government should guarantee to their worried Back Benchers that they will never dispose of the shares that they will create and own under the Bill.

Several hon. Members *rose—*

Mrs. Browning: I shall give way to the hon. Member for Plymouth, Sutton (Mrs. Gilroy) once more, because she is from Devon, and I should like to think that the people of Devon can feel that they are represented by somebody who understands the Post Office problem.

Mrs. Gilroy: I spent some of my younger years in Ottery St. Mary and I am fully aware of the challenges faced by rural areas, as well as by deprived areas. If we were unfortunate enough to have a Conservative Government in future, would they give the guarantees on access that my right hon. Friend the Secretary of State has given tonight? My right hon. Friend said that there will be robust criteria to protect the post office network in the future. Would the hon. Lady uphold them?

Mrs. Browning: I have explained fully the Conservatives' concern about the Bill, and that we would wish to examine what we inherited from new Labour. However, if the hon. Lady thinks that she has received any guarantees from the Secretary of State about access, she must have better hearing than I have. It is true that the right hon. Gentleman mentioned the subject, but he did not give any guarantees. Perhaps if she catches your eye, Mr. Deputy Speaker, the hon. Lady might like to press the issue, because we would be interested in the actual nature of the access guarantees. As I understand it, they have not yet been worked out and they await a Cabinet Office report.

Mr. Letwin: Does my hon. Friend agree that, having decided to deprive the rural and other marginal post offices of a large sum of money in an attempt to save money, the Secretary of State has discovered that he is not going to save that money, and—having not saved the money—is going to subsidise them to make up the difference, the result being that those post offices get less money at more expense to him?

Mrs. Browning: That was beautifully and succinctly put, as I would expect from my hon. Friend and neighbour. He raises an important point: the smash-and-grab raid by the Treasury to save £400 million from the social security budget seems to be rapidly diminishing because the Government will have to shore up other aspects of the Post Office—on some of which we have not yet heard the details—to save their face. It will be interesting to see the balance sheet when everything is done and dusted. My instinct is that little saving will made overall, although the £400 million will have been redistributed. It will not necessarily go through the accounts of the sub-postmasters, who regard it as an essential part of their income.

Several hon. Members *rose—*

Mrs. Browning: I have been generous in giving way and I shall now make some progress.

I hope that the Minister will be able to provide the answers to some important points when he winds up. The powers of the Secretary of State, especially in the financing of the Post Office, are important. I note that the Bill mentions

"loans to the Post Office company or any of its subsidiaries."

Why have the Government used the word "any" rather than "relevant"? The Bill also provides for privileged loans, which could distort the market for other private sector companies, and we shall want to examine those provisions—including the interest rate for any such loans—carefully in Committee. The Secretary of State said that such loans would be at commercial rates, and I hope that we may take him at his word, as there could be distortion of the market if preferential loans were made through borrowing facilities made available by the Government which put the Post Office in a more favourable position than other operators.

The Secretary of State will have the powers to extinguish certain liabilities of the Post Office or "any of its subsidiaries". Why does the Secretary of State believe that "any" of the subsidiaries should be eligible, as opposed to the "relevant" subsidiaries outlined elsewhere in the Bill? The limit on the loans that will be available to the Post Office is to be increased from £1.2 billion to £5 billion. That will provide reasonable access to the national loans fund for commercial acquisition. Can the Minister identify how that threshold was reached? Why was the sum of £5 billion chosen?

The Government have allowed the Post Office to spend a sum of money without permission, but when it comes to loans that require the sanction of the Secretary of State, we have the bizarre prospect of a Minister who claims that he wants to take politics out of competition policy authorising loans that could affect the market and give one company a competitive edge over another. How will the Government square that facility with their declared position on competition policy and the Secretary of State's desire not to make political decisions about competitive issues between companies?

The Bill contains provisions for far too much involvement by the Secretary of State, and he has created a confused structure. Why does the definition of "relevant subsidiary" vary throughout the Bill? Should not the definition in clause 52(8) apply throughout? We are concerned about that.

Another disappointment is the Government's failure to identify clear accounting procedures so that transparency is guaranteed. We shall be seeking a lot more information about how public money and public risk are to be analysed in a transparent and accountable way. Perhaps that information will be contained in the 200 or more amendments yet to be tabled. In any event, we shall certainly expect the proposals to be tabled before the Bill is considered in Committee, so that they receive full and proper scrutiny.

European Union countries and others exclude public corporations from their primary measures of public accounts. If the Government insist that the Post Office is not self-financing—which they do, because they have not allowed it the full freedom of the marketplace through privatisation—the accounting procedures and borrowing rules are important. We assume, because of Government ownership, that it will be financed out of public funds. Will the Secretary of State confirm that? Will he also say how those finances are to be presented?

How does the Secretary of State balance the threshold of the borrowing for the Post Office with the possibility that the investment required would not generate the required return? Is the £5 billion ceiling designed to ensure that the return would be guaranteed in any commercial situation? Could the limit prevent investment that was economically justified? If not, the Post Office would have difficulty in meeting the Government's targets.

If the Post Office owes the Government money via the national loans fund, the Government will have to borrow from the private sector to maintain their net borrowing or net debt repayment. In that case, why not let the Post Office borrow from the private sector in the first place through full privatisation? Will future Post Office borrowing be included in the primary measure of public sector borrowing?

We shall want to scrutinise many aspects of the Bill in Committee. I hope that, from what he has heard tonight, the Secretary of State will recognise that the Bill contains much that is confusing. It includes words such as "modernise", "commercialism" and "competitiveness", but it does not really set the Royal Mail free to take its place in a global marketplace, despite what the Secretary of State says.

The area of greatest confusion concerns the sub-post offices, which were discussed at the beginning of my speech. It is no longer acceptable for any Minister, including the Prime Minister, to dash around the country making statements and saying things simply to assuage public concern, particularly among the sub-postmasters. In the summer recess, the Secretary of State rushed into print, saying how the combination of Camelot and the Post Office in the new national lottery bid was going to be the answer for rural post offices. He must know by now—he clearly did not know then—that the procedures for installing a lottery terminal require a considerable number of transactions to be made a week. I believe that the minimum number is 3,000 a week, which is beyond many of the smallest and most vulnerable sub-post offices, which will not therefore benefit from the installation of a lottery terminal. In my, very rural, constituency, I occasionally have to fight to save a terminal in a small outlet where the number of transactions has dropped to between 1,500 and 2,000 a week. National lottery terminals are not the answer, and it is misleading for Ministers to make people think that they are.

Only last week, the west country saw the now rather infamous visit of the Prime Minister, who told people in the rural areas that we had never had it so good. On that visit, the Prime Minister told people in the west country that they would receive 3,000 cash dispensers, and that that would be the answer for post offices. That has nothing to do with the Government—it concerns a commercial transaction between post offices and banks. In some of the most fragile of my rural post offices, and in other areas where they operate from clapboard buildings, I cannot imagine a cash dispenser being installed: it would be the first target for ram-raiders. The Government need to get real.

I hope that we shall be given a commitment tonight that we will have more responsible statements, from the Prime Minister downwards. There is grave concern about the future of the sub-post office network. There is grave concern among vulnerable, frail, elderly people about having access to a post office that will continue to provide the services that they have been used to receiving.

We need to know, before the Division tonight, what else the Bill will contain. Whatever it is, we have been denied the opportunity to debate it this evening.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I remind the House that a 10-minute rule applies to Back-Bench speeches.

6.36 pm

Miss Geraldine Smith (Morecambe and Lunesdale): I am particularly pleased to have the opportunity to contribute to the debate. Not only do I represent a constituency in which a significant proportion of the population depends heavily on the service provided by post offices, but before being elected to the House in May 1997, I spent the whole of my adult life working in the postal industry. In my capacity as a Member of Parliament representing Morecambe and Lunesdale, and also as a former Post Office employee and trade union representative, I warmly welcome many of the measures in the Bill.

I welcome in particular the conversion of the Post Office from a statutory corporation to a public limited company owned by the Crown. That will provide the stability and commercial freedom that the Post Office needs to expand and compete in the global market place, and it will curtail political interference in its affairs. The measures are long overdue, and will no doubt be warmly welcomed by all who work in the industry.

I pay tribute to all the men and women who work for the Post Office and who, despite the continuous changes, reorganisations and uncertainty over their future, have continued to raise productivity, provide an excellent service to their customers, and play their part in ensuring that the Post Office is a profitable organisation that can compare favourably with any postal business anywhere in the world. The Bill, and the prospect of stability that it brings, is therefore most welcome.

I have however a couple of areas of concern about the Bill. Clause 56 sets out the procedure to be followed to obtain the approval of Parliament to make share issues or disposals that would otherwise be prohibited by clauses 54 and 55. It appears that the main criterion to be met before a motion to dispose of the public's stake in the Post Office is brought before the House is that the Post Office should persuade the Secretary of State that it is in the company's commercial interest for him to do so.

Bearing in mind the importance of the Post Office to the economy of this country and the essential role that it plays in the fabric of our society, I believe that the Secretary of State should have a wider obligation than that of simply considering the company's commercial interest. I am of the opinion that prior to any such motion being brought before the House, the Secretary of State must be convinced that the disposal of shares is in the national interest. I believe too that that should be reflected in the Bill. I hope that my right hon. Friend will consider this point, and I will listen with interest to his response.

Opening up the reserved area to competition is also a matter of concern. The Bill enshrines, for the first time, a universal service obligation and a universal tariff, and I welcome those measures. However, we must be aware

[Miss Geraldine Smith]

that provision of that service will require the Post Office to subsidise high-cost, low-revenue services from the income generated by the most profitable areas. Any operator granted a licence in the reserved area must, therefore, face the same service and price obligations to prevent them from cherry-picking the most profitable areas.

Closures of rural and sub-post offices, and the threat posed by the conversion of benefit payments from order books or giro cheques to automated credit transfer in 2003, are also matters of concern. Closure of post offices is by no means a new phenomenon; about 200—1 per cent. of the network—have closed in each of the past 20 years. There are many reasons for closure, but one of the most common, particularly in rural areas, is that the Post Office cannot find anyone to keep them open because of the low income offered.

The village of Wray in my constituency is in that situation at present. The post office is up for sale, but no buyer can be found. Clearly, positive action is needed or that problem will continue, and ACT conversion will rapidly accelerate it. Rural post offices are not the only ones that will be affected by ACT, as those in the most deprived areas of towns and cities will be hardest hit because those areas host the largest number of benefit claimants. The west end sub-post office in Morecambe is a good example, because benefit payments constitute the vast majority of transactions carried out there. If revenue from that work is lost and not replaced, the office will undoubtedly close.

Mr. Bercow: Will the hon. Lady give way?

Miss Smith: I am sorry, but I do not have time.

Even at this early stage, local residents are sufficiently concerned to have started a campaign to save the local post office. I accept that it would be foolish to argue against the ACT conversion programme, because its benefit to the Exchequer and its usefulness in combating fraud are plain for all to see. However, the Government must do all they can to mitigate the system's impact on post offices.

The Horizon project, which will see post offices automated by 2001, will undoubtedly help to attract banking and financial services to post offices. However, I do not believe that that will compensate for the loss of revenue arising from implementation of ACT. The banking industry itself has experienced a sharp decline in demand for similar services.

I do not offer a universal panacea that would overcome all the problems of post office closure, but I believe that many of them could be avoided if we imaginatively combined the different services that post offices provide. The universal letter guarantee ensures some postal activity in all areas, and it is invariably supplemented by parcel deliveries. When added to the Post Office Counters part of post office work, that can produce an economically manageable level of activity.

Before any post office is closed, the Post Office should have a duty to examine the possibility of establishing a combined operation. In addition, the Post Office's findings should be made known through existing consultative arrangements. Will the Minister consider what I have said? I shall be extremely interested in his response.

I firmly believe that the Bill takes a huge step in the right direction. I look forward to its passage through the House. Having worked in the Post Office during the 18 years the Tories were in power, I feel that we have little to learn from them, and I dread to think what the Post Office would be like if they ever returned to power.

6.45 pm

Mr. Peter Lilley (Hitchin and Harpenden): I apologise for being unable to stay for the wind-up speeches, because I had entered into another commitment before the date of this debate was changed. I congratulate my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) on effectively dissecting a badly drafted Bill and on demolishing an even more poorly briefed Secretary of State, who gave one of the most inadequate explanations of a Bill that the House has ever heard.

I had hoped to offer some support to the Secretary of State and his Bill. When the White Paper was published, I said that it merited at least one cheer from the Conservatives. I believed that the process initiated by the White Paper would lead inexorably to full privatisation of the Post Office, which would be in the interests of customers, taxpayers, the economy and the employees of the Post Office, who, under a Conservative Government, would be able to become shareholders in their own enterprise.

Having read the Bill, however, I must reduce my applause to, at most, half a cheer. I still believe that it will ultimately lead to privatisation. However, the obstacles that have been erected to pander to the left wing of the Labour party and the trades union movement will slow the process, prolong the agony and uncertainty and mean that the Post Office misses many of the glittering prizes that would be available if it were in the vanguard of enterprise.

The Government said that they aimed to modernise the Post Office. The Bill, however, is a "make us modern, but not yet" measure. It deals with a massive, important and rapidly changing industry. That industry needs the dynamo of competition and enterprise if it is to maximise benefits to this country. However, the industry also impinges on certain social priorities, which must be satisfied.

The Government have acknowledged three main social objectives, which they inherited from the Conservatives. The first is the universal service obligation to deliver to every address at a uniform cost. The second is the universal delivery of benefits, not least to those who cannot afford to travel long distances to pick up their money. The third is the need to maintain a nationwide network of sub-post offices.

The universal service obligation can readily be met by regulation. We can make universal provision a licence condition and prevent exploitation of any partial monopoly by turning on the tap of competition. The regulatory function does not require the continuation of state ownership. Indeed, if the state owns the company that it regulates, there is an inevitable conflict of interest. The Treasury will want higher prices, but the regulator will want them down at more competitive levels. That is

inherent in state ownership. Only privatisation can bring about a separation of regulation and ownership, which results in better regulation.

Moreover, state ownership can lead to unfair competition through access to cheap borrowing. Avoiding that will mean restricting the Post Office's rights to borrow and to diversify, but those things are essential if it is to take advantage of the rapidly changing world of e-commerce and e-mail.

Above all, the Bill will inhibit international mergers, takeovers and alliances. Indeed, it is clear from the opposition within the Labour party that Labour's main bogey is the threat of international involvement in our Post Office, or its involvement overseas. No group is more xenophobic than the Labour party. Mr. Haider could take lessons from it. By contrast, the Conservatives believe that free trade and free investment maintain and build links between countries, and those links are both to the social and economic good.

The second and third social obligations—to deliver benefits and to maintain a nationwide network of sub-post offices—have until now been met simultaneously. The Department of Social Security contracts with Post Office Counters Ltd. on condition that the latter maintains a nationwide network of post offices through which benefits can be delivered.

The Government now claim that they can deliver benefits through the banks instead, and save large sums of money. They say that they will save £400 million without hurting anyone, as if that money will come out of thin air. If the Treasury gains £400 million, somebody loses £400 million, and the losers will mainly be the post offices, which will lose a third of their direct income.

When I was Secretary of State for Social Security, I received clear advice that a move to compulsory payment of benefits into bank accounts would destroy the network of sub-post offices as we know it. The only way to avoid such a catastrophe would be to introduce a subsidy, which of course would absorb a large part of the savings that the move was intended to make. The net effect would be minimal savings and maximum inconvenience for pensioners, disabled people, young mothers and those on income support.

When I recently challenged the Secretary of State for Social Security to confirm that he had received similar advice, he refused to answer. He side-stepped the question and went off into auto-rant about my wishing to privatise the sub-post office network—apparently unaware, as was the Secretary of State for Trade and Industry today, that it is already privately run, owned and managed.

I want the Minister or the Secretary of State to confirm today that the Government received advice similar to that which I received—that without subsidy, post office closures will accelerate. Can he explain why there was no provision in the Bill as originally drafted for such a subsidy? Can he confirm that because the Government have met pressure on their own Benches as well as from ours, they will agree to subsidise the network?

Is the Secretary of State aware that even if he paid the post offices a subsidy equal to the money that they will lose as a result of the cancellation of the contract from the DSS, he would not undo all the damage that he will have done to the network? Paying the subsidy direct to post offices will not bring the customers back into those shops. It was those customers coming to claim the benefits who spent some of that money in the shops and gave them a significant proportion of their revenues.

Mr. Drew: On that point—

Mr. Lilley: I am sorry, I cannot give way, but doubtless the hon. Gentleman will confirm that point when he speaks.

Can the Minister confirm that the announcement that has already been made has caused many sub-postmasters and sub-postmistresses to sell up and get out? Can he confirm the estimate of the Post Office National Users Council that the rate of closures has almost trebled since that announcement, and will reach 500 in the year due to finish in a month's time? Can he confirm, too, the figures which show that it is not just rural but urban post offices that are among the most vulnerable?

After today's extraordinary performance, we are left with a confused and confusing response to the key questions about how the new proposals will work. Above all, what will happen to those who do not have bank accounts at present—up to 20 per cent. of the recipients of benefits? Will banks be forced to set up shadow accounts for them, through which the money will be paid in order to get it to the sub-post office and then to them? How much will that cost the taxpayer? Certainly not a penny each—apparently, more like 17 times that sum on the figures given, but one suspects even more than that.

Will people who have to open a new account—for example, mothers who want to have child benefit paid into it—be forced to pay bank charges? Will they receive any compensation for that? Can the Minister guarantee that there will be no withdrawal charges imposed by banks in future for the use of access machines? Where the access criteria show that there is more than a minimal provision of post offices in an area, will the Post Office be free to close those that the access criteria show to be superfluous?

In short, the Bill shows that the Government are determined to exclude private enterprise from the part of the Post Office's operations where it could do most good, and to undermine private enterprise in the area where it already—

Mr. Deputy Speaker: Order.

6.55 pm

Mr. Michael Connarty (Falkirk, East): I am grateful to be called in this important debate. This is a positive day for the Post Office and postal services.

I listened in amazement to some of the contributions from the Opposition. It seems to have passed them by that many of their Front-Bench colleagues in the previous Government were swept out of office and out of this place with the assistance of the Stand By Your Post campaign. They were so blatantly determined to privatise the Post Office that even petitions signed by 10,000, 12,000 or 15,000 people in their own constituencies were ignored, because of the dogma and ideology that drove them on. If they continue with the commitment that they gave from the Front Bench to be the party of privatisation on the terms that they previously put to the British people, they will remain on the Opposition Benches for a long time.

[Mr. Michael Connarty]

Alongside my hon. Friend the Member for Morecambe and Lunesdale (Miss Smith) and the person who is now the Minister for Competitiveness, my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson), I took part with pride in the Stand By Your Post campaign. People were angered by the Conservatives' attempt to privatise the Post Office, clearly for the profit of some of their friends in the City, and no doubt some of their friends who thought that they would be senior management in the privatised Post Office. The Conservatives ignored the fact that people did not want the Post Office privatised. People still do not want the Post Office privatised, and they will oppose any future moves towards privatisation.

The people stood by their Post. This Government, in opposition and now, have stood by the Post. The Bill underlines the depth of their commitment to an integrated Post Office Counters and Post Office distribution service. The service will be modernised by the Bill, which will give the Post Office a chance to invest its hard-earned profits.

I remind the House that the previous Government took £1 billion over three years from the Post Office through the external financing limit—a way of robbing the Post Office's efforts in order to finance the Government's poor policies, which were costing the country so much.

The Bill will allow the Post Office to compete, but the Post Office would probably be better able to compete if it did not have such a low capital borrowing limit—£75 million. That limit should be reconsidered, as it may not allow the Post Office to compete at the right level. The Post Office will be able to compete externally and within the United Kingdom. I look forward to it becoming a worldwide and world-class distribution company.

The Bill will benefit the consumer. Universal provision is frequently taken for granted, but if the Conservatives had had their way in government, universal provision would have gone. Scotland always invents "west" questions. There was a West Lothian question in connection with devolution, and a Western Isles question in connection with postal services, which was never answered by the Conservatives while they were in government.

It was obvious that, with a privatised postal service, it would never be possible to have the same standard of first-class post delivery to the Western Isles as to West Bromwich or some parts of west London. That is dealt with by the Bill, which states that there will be universal provision in all the glens, valleys, islands and the mainland of this country. That is important.

Another notable aspect of the Bill is clause 30, which guarantees the service for the blind. I remember the trauma experienced by those who provided books for the blind. Being in large print, such books obviously make very large parcels. They used to go free, and still do, through the postal services, but that was threatened by the Conservatives' privatisation policies. Now it is guaranteed that the books will be delivered as a free service to people who are blind or partially sighted.

There will be a consumer council for postal services. I am glad that the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) referred to the provision of a Scottish committee in a universal UK service council, because that underlines what we are doing. This is a British Bill in a British Parliament for everyone in Britain.

The Bill should not be interfered with by people who want to break up the UK and deliver parochial services in Scotland. That would not be good enough—if they ever had the power to do so—because an independent Scotland would not have the finances to provide a proper service for the people of Scotland. Every economist knows that. The only people who are deluded enough not to believe it are members of the Scottish National party, who attend the Chamber sporadically—one a day. *[Interruption.]* I think that the First Minister is running Scotland—the Opposition in the Scottish Parliament are not.

Mr. Letwin *rose—*

Mr. Connarty: I am sorry, but none of us has time to take interventions.

I look forward to the debates in Committee on licences, penalties and access criteria. I hope that those debates will clearly define access criteria and how they are to be applied. It is important that there are good definitions so that the public know what type of service they will receive. Such definitions were not provided during 19 years of Conservative Government.

We need to discuss the use and scale of the proposed penalties. It is important that people know how they are to be applied. At present, there is no limit on penalties—according to the clauses that I have read—and that is a problem.

The measure offers a real opportunity to put computers into the sub-post office network. I am a member of the Select Committee on Information. I make visits throughout Europe and hear people talking about the information age and its services to democracy. I have an image of Conservative Members walking along like the man with the red flag—a blue one in their case—in front of the first internal combustion vehicle. They are walking in front of the information age waving their flag, saying "We want to take political advantage of this—go as fast as we go." It is about time that they realised that this modern Labour Government are about to run them over.

The post office network will be changed into a modern, technological part of e-commerce. That will make the service viable. If postmasters are not capable of making those changes, they will miss the best opportunity that they will ever be given—£500 million to put computers into post offices. That will give them the chance to move up and move on—to leave behind the old rubber stamp and wooden grille image of the sub-post office. It is time to put that aside.

I welcome the possibility of subsidy for social reasons. In my constituency, we have lost a sub-post office in a village that is so small that little is viable. However, if the post office gets its act together, it can reconnect with the commuter society that has left it behind. People often live in large villages—as I do—and commute to the towns. It is time that sub-post offices showed that they can be of use to that commuter society—those people who live in dormitory villages outside the major conurbations. It is important that post offices develop new services.

What level of computer training will be given? We must make our sub-postmasters competent and capable to enter the information age, in the same way as we are making our children computer literate.

I support the Bill for what it is not—and for what it is and will be. It is not privatisation. If we are to sell shares, it is important to hold debates in the House and to take into account the points made by my hon. Friend the Member for Morecambe and Lunesdale. It is good that the business will be viable, but there is more to the matter than that. We need to consider how it will affect the public interest.

The Bill is good for the postal business; it is good for the consumers, users, distributors and recipients of the service. I support the Bill for what it could be; I hope to discuss that, if I am selected to serve on the Standing Committee. The Bill will be good for the staff—the stakeholders who work in the enterprise. They stood side by side with Labour Members and put the Conservatives out of government. The fact that postal workers realised that their contribution provided the Treasury with £1 billion—through the external financing limit—was a major factor in the loss of many Conservative seats. Their contribution should be respected in the eventual formation of the new company.

I look forward to clarification, and even to amendments, so that we can create an empowered and motivated postal service—from the bottom to the top; from the post worker, to the manager and to the consumer. I look forward to the Bill being passed.

7.4 pm

Dr. Vincent Cable (Twickenham): First, Mr. Deputy Speaker, I must make my excuses as I shall not be in the Chamber for the winding-up speeches. The Government and the Rugby Football Union propose to convert the Twickenham ground into a world-standard athletics stadium. There are hundreds—perhaps—thousands of people in a public hall waiting to hear what I am going to do about that. [HON. MEMBERS: "Stop it."] That is good advice.

The Bill has some positive elements. I subscribe to the idea of greater commercial freedom, on which there are some limited provisions. There is some advance in making more explicit the public service obligation. The strengthening of the consumer protection element—through the consumer council—is positive.

However, there is a large negative aspect. As the debate has progressed, it has become painfully evident that there is a large gap—the doubt surrounding the whole Post Office network. Although the Minister is working hard on the development of ideas about subsidies and alternative forms of payment, most of us are far from satisfied as to how those will work.

I shall concentrate on another aspect of the Bill—what has been called the hybrid system of ownership, and how that will work. In principle, it must be right that the Post Office will be given much greater commercial freedom—in order to face more competition and to cope with e-commerce and technological change. However, I am concerned about the limits.

The borrowing limit of £75 million a year is small when it is set against the challenges facing the Post Office. The managing director said that he wants to raise about £3 billion, over eight years, for acquisitions and major investments. Simple arithmetic suggests that only 20 per cent. of that could come from annual Government borrowing—even if it were fully used.

How is the money to be raised? The Post Office could come back to Parliament, but most of us would find it difficult to imagine being called back during the summer recess to make a quick decision over a major business acquisition. That would not be a suitable means to deal with such a matter.

In practice, the money will have to be raised from the capital markets. In that case, the balance sheet and the cash flow of the Post Office will have to be healthy. I am worried that the underlying financial position of the Post Office is weak. The Government have made a useful concession through the major advance of lifting the Treasury payment and replacing it with a dividend. Assuming that profits continue at their present rates, that would be a gain of about £125 million a year. Of course, the Post Office has to earn the profits, but that measure would provide a positive flow into the organisation and it is to be welcomed.

However, on the other side of the account is the £400 million loss from automated credit transfers—a matter that has been raised many times. Furthermore, if the regulator presses ahead with the imposition of reductions in reserved business—the reduction of the monopoly from £1 to 50p, as the Government proposed some time ago—the loss has been estimated at about £100 million. We could debate the amount, but it will be another loss.

The Post Office will lose the £100 million that it would have received from the Horizon project. There is then the problem of gilts, which are on the assets side of the balance sheet at present. After financial restructuring, the Post Office will lose the £110 million interest income from those gilts. I may have misunderstood that matter; perhaps the gilts can be deployed in other, more profitable ways. However, my understanding is that, with restructuring, that money will be lost to the Post Office. That is a substantial loss of income.

Yesterday, I was told that a large hole had been discovered in the Post Office pension fund; that amounts to a substantial sum—£500 million. That hole will have to be filled over the next 10 years. It is difficult to understand why the pension fund is in that position when equity markets are booming. However, if that information is correct, the Post Office will have to find an additional £50 million a year to plug that hole.

Mr. Letwin: I am surprised that the hon. Gentleman is surprised. Is he not aware of the Government's £5 billion raid on pension funds through the advance corporation tax dividend tax credit system, and is he not aware that that may be one of the major causes?

Dr. Cable: It may be a contributory factor, but I understand that the position is considerably worse than was expected even by the actuaries looking at the impact of advance corporation tax. I should be grateful if the Minister would confirm how serious the problem is and tell us how it will be dealt with. If we add up these various losses of income, we are talking about £600 million or £700 million, which accounts for almost all the profits of the Post Office. If that is true, the benefits of the dividend payment will not be realised, and it is a substantial loss to the Post Office. The Post Office will be in a much weaker position from the point of view both of income and of its balance sheet.

[Dr. Cable]

If that happens, what will be the consequences? One of the consequences, which we have been discussing at length, would be the emergence of considerable pressures to cut unprofitable parts of the network. Another consequence, which is already evident, would be that the Post Office would be forced to raise its prices. If it raises its prices, it has the universal service obligation, and inevitably prices will have to rise in the competitive parts of the business. The Post Office will lose business; demand will fall. We are already witnessing a decline in demand for many of the letter services. That will aggravate a vicious spiral within the Post Office commercial operations.

The question that I wish to pose is: how secure is the financial position of the Post Office? The Government are taking what is, in those circumstances, the fairly high-risk strategy of pushing the Post Office into the capital markets with its plc status. There may well be ways of reversing that process, and I may have added to the story elements that are not valid, but I should be grateful for reassurance. It is important that we have that.

It is important that we also have some reassurance that the management team that will meet this challenge is composed of people who can handle what is potentially a very difficult financial position.

It slightly worries me that I have never heard any discussion, on the future of the Post Office, about how to treat its one major asset—its door-to-door delivery service—as an asset rather than an obligation. It is not a parliamentarian's job to tell the Post Office how to do its business, but it seems to me that, in a world of e-commerce, in which there will be an enormous amount of logistic business, with goods being delivered to doors, the Post Office, with its system of storages, its lorries and so on, has a tremendous advantage. However, I have seen no statement of a vision about how the Post Office intends to move into that market. It would be reassuring, especially given the question-marks hanging over Post Office financing, to know how that long-term business future is to be secured.

Mr. Letwin: The hon. Gentleman is making some serious points. Does he agree that one of the problems with the Government's rather muddled approach is the fact that the Post Office is being sent to the capital markets but not the equity markets, and that the flexibility that the equity markets would offer under privatisation will not be available to it to make up the deficiencies that he is bringing to light?

Dr. Cable: That is factually correct and there are two ways of dealing with the hybrid situation. One is to advance towards privatisation; there are genuine problems with that and I am not advocating it. The other is to explore in much more depth the option that has been canvassed within the Government, given the current status of the Post Office—to try to turn the public corporation into a genuinely independent entity with much more of a commercial capacity to operate. It is a hybrid situation; one could go one way or the other. There is the BBC direction—the independent publicly owned corporation—or the privatisation route. Obviously, Conservatives will advocate privatisation, but I should like to hear a proper debate of the other option, which gets us away from the weaknesses of the hybrid solution.

I shall now briefly discuss the network problems, which have been mentioned. The right hon. Member for Hitchin and Harpenden (Mr. Lilley), the former Secretary of State, spoke to that subject very well. When we last debated the Post Office, some of us were accused of scaremongering when we said that a very large number of post office branches might close.

I was struck by a quotation from the managing director of the Post Office in the press on 30 January, to the effect that, unless the branch network could be subsidised, he would expect up to 8,000 branches to have to close. That was not an alarmist politician; that was someone running the system. As the former Secretary of State pointed out, branches are already closing. He quoted the possibility of 500 closures during this financial year. There have already been 329 in the first nine months of this year.

Mr. Mike Hancock (Portsmouth, South): May I draw to the attention of my hon. Friend and the House the position in my constituency, which is one of the most densely populated in the country, with 89,000 electors living in a very small area? There are 22 sub-post offices, of which 15 depend for 50 per cent. of their business on benefit payments in one form or another. All of them are doomed to extinction, with no chance of diversifying because they are already in competition in the high streets in Portsmouth, South.

May I also raise with my hon. Friend the fact that the right hon. Member—

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention is far too long. It is not an opportunity to make a speech.

Dr. Cable: My hon. Friend's intervention helpfully reminds us that the worries about the Post Office network are widely dispersed. They are prevalent in rural areas, especially rural Wales—which is the worst affected—rural Scotland and Cornwall, but they are also prevalent in inner-city areas.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alan Johnson): As I recognise that the hon. Gentleman will be in a scrum later this evening, may I take up the point about a quote by the managing director? It was a quote, not by the managing director, but by the chief executive of the Post Office. The leader of the Liberal Democrats said at Prime Minister's questions:

> The chief executive officer of the Post Office predicts that, if the Postal Services Bill is passed, a further 8,000 post offices will close.—[*Official Report*, 2 February 2000; Vol. 343, c. 1036.]

That was absolutely inaccurate and wrong, and I believe that the chief executive of the Post Office will be informing the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) about that. As for the accurate quote from the newspaper, the chief executive has made it clear that he was setting out to the journalists the available options, and saying that there would be a danger to the network if we could not provide new work or provide a subsidy.

Dr. Cable: I am sure that we are grateful for the clarification and I am sure that *The Observer*, which printed that quotation, will feel suitably contrite.

However, I am glad that the Minister has mentioned that exchange in Prime Minister's Question Time because, when the leader of my party challenged the Prime Minister on that point, he raised the specific issue of a subsidy. I do not have the words with me, but it was something to the effect that subsidies were the kind of silly idea that the Liberal Democrats would come up with. I am glad that, in the past two weeks, the Government have advanced to accepting that subsidy is a necessary element in the picture. Naturally, I would want to press the Secretary of State, but he was unwilling to give way today.

The fundamental issue is whether the subsidy will be a relatively small amount, doled out to a handful of cases that fail to meet the access criteria, or whether we are talking about the £400 million lost income, and whether the bulk of that lost income will now be recycled back into the Post Office. I believe that hon. Members from all parties must persist in asking that key question, which has never been answered.

There are many technical issues in the Bill, but tonight we are dealing with the key issues. I should like to discuss the role of the consumer council. The Bill takes a step forward in giving the consumer council more authority, but there is a considerable oddity in that the consumer council will not be allowed to engage in activities to protect consumers outside the remit of the regulator. Therefore, competitive market activities such as registered mail are not subject to consumer protection in the same way as other activities. Equally, the consumer council would be severely constrained in what it can say critically about operators in the market—commercial as well as the Post Office itself. Therefore, there are big question-marks hanging over how far the commitment to consumer protection is followed through in the legislation.

There are positive elements the Bill; I do not want to be churlish about it. We shall certainly support those elements when they are discussed in Committee. However, big question marks remain over the network, the underlying financial position of the Post Office and the disciplines to which it will now be subjected.

7.19 pm

Mr. Martin O'Neill (Ochil): I would not say that the speech by the hon. Member for Twickenham (Dr. Cable) was characteristically gloomy, but the glass seemed to be more half empty than half full in his eyes. When he was discussing the various charges, he did not take proper account of what one would expect to be the improvement in the fortunes of the Post Office as a consequence of its foreign acquisitions in the past 12 to 15 months. The Post Office's international aspect will become increasingly important. It will develop through foreign activities and it will retain its markets if it smartens up its act.

I hope that we shall be able to find the money to help the network. Taking £400 million out of it always meant that there would be difficulties. Not all the difficulties relate to the nature of the arrangements. The future of many small post offices, especially in rural areas, has been left hanging by a thread. Other post offices in urban or deprived areas have lost many of the transactions that make up the main element of their revenue because of the fall in unemployment. A consequence of the improvement in the employment situation and the reduction in the number of people receiving benefits has been a change in the fortunes of the postal network. Many of the difficulties are not related to the alleged decline in the economy.

The absence of anything constructive from the Conservatives has been significant. They say that they do not know—

Mr. Alan Duncan (Rutland and Melton): Where has the hon. Gentleman been?

Mr. O'Neill: I have listened to speeches for a long time and I well remember that in 1992, when the hon. Gentleman was still somewhat inebriated by his election to Parliament, the Conservatives were elected to end the Post Office's monopoly. There was no talk of privatisation then; they came to power committed to ending the monopoly.

When the hon. Gentleman winds up, perhaps he will tell us whether the Conservative party will end the monopoly. In the Netherlands, the model is one of privatisation, but on the basis of a monopoly. In contrast, in Sweden, the post office is still state owned, but it is state ownership with competition. I believe that competition in postal services is desirable and I want the regulator to consider that. I do not want to rehearse all the arguments on that point, but I wish to make my position clear.

I am happy with the balance of the proposals. Over several years, my colleagues on the Select Committee on Trade and Industry have examined the issues. When the Minister was a trade union officer and came before us, we used to complain about the way in which the Post Office was run, the poor industrial relations and its absence of commercial awareness and sensitivity. In many respects, our criticisms have been met by the unions and by the management. Recent industrial relations agreements have removed many of the concerns that we expressed and we have the prospect of the management introducing substantial changes with the guaranteed co-operation of the unions.

We were not prepared to support Government investment in the Post Office when there was no guarantee that that investment would be realised because of the obduracy at times of certain sections of the work force. I foresee the disappearance of such obduracy and I am pleased that the Post Office will have access to funds.

We would have heard different arguments if the Post Office were to be given even greater access to borrowing facilities. People would have said that the Government were too free with their money. It is only correct that a business of this character must be flexible in its operation while having the opportunity to borrow. However, it should borrow not on the basis of soft loans, but on the basis of realistic market rates. That is the suggestion being made.

I would like to ask my hon. Friend the Minister about the arrangements for the sale of shares. An interpretation of clauses 54 to 56 suggests that the meaning of the term relevant subsidiaries is vague. Does it refer to the core United Kingdom business or does it include other businesses and services? Does it mean that the sale of businesses, such as German Parcel and other foreign acquisitions, of services, such as catering, or of equities in Post Office Counters would be subject to the discipline of a parliamentary debate? That point is critical. I know that it may be explored in Committee, but it would help to have the matter resolved now. The vagueness and inadequacy of the definitions in clauses 54 to 56 suggest that certain share deals could be transacted without proper parliamentary scrutiny.

[Mr. O'Neill]

It is important that we afford the Post Office the opportunity, if appropriate, to sell off parts of its business. However, that must be subject to proper scrutiny. That would also help us to work through the financial difficulties that the hon. Member for Twickenham explained so lucidly. To carry with them everyone who supports the deal, the Government should make the position clear beyond peradventure at the earliest possible opportunity. We do not want people to be unduly suspicious about the disposal of assets.

I am also somewhat concerned about the Crown Post Office network. It is not clear whether it would be subsidised by anything other than the Post Office. There are a number of towns in which the Crown post office is central to the commercial life of the town. For example, I know what problems would result if the post office in Alloa, the main town in my constituency, were in danger. A large proportion of its work is the paying of benefits. There are 600 Crown post offices, so we need clarity on this issue, too. If one retail outlet can be the flagship for the postal network, it is the Crown Post Office. It has access to funds and the deals that might be struck. I hope that those funds can then percolate through the system to smaller rural post offices.

I have repeatedly said in the House in debates on the Post Office that one of the most exciting developments is to bring the retail services of the Post Office on-line as soon as possible. In particular, it should take advantage of the opportunities afforded by e-commerce in all its forms. We hear much pious talk about having on-line computer facilities available in libraries. Frankly, many of the people who are excluded from the e-commerce revolution never go into libraries, but they go into the post office or the shop at the end of the street. They have just as much right to have access to e-commerce even if they do not have computers or interactive television. Even if it is only a question of putting on a bet, they should be entitled to do that if the appropriate facilities are there.

This is a substantial Bill. It needs fine tuning, but it is ridiculous for the Tories to rant on about the need for amendments. I give the Bill unqualified support. It has been the subject of years of consultation and discussion and I am pleased that my hon. Friend the Minister will reply to the debate, because so much of the Bill is due to his authorship and support.

7.29 pm

Mr. Simon Thomas (Ceredigion): I am delighted to have the opportunity to speak on the Bill, which is of great interest to my constituents. During the Ceredigion by-election that sent me to the House, the future of rural post offices weighed heavily on the minds of the voters and it was one of the issues that was raised most often on the doorsteps. As I visited nearly all the sub-post offices in my constituency, I was approached several times to sign the petition to save our post offices. I can assure the Minister, who may receive the petition, that I signed it only once.

As this is my first address to the House, I should like to take a few moments to explain why the Bill is so vital to us in Ceredigion. Hon. Members will know that the constituency is rural; indeed, only three towns have a population of more than 2,000. Given that Ceredigion's total population is more than 70,000, hon. Members will appreciate not only the rural nature of the constituency, but the extreme sparsity of the population.

Ceredigion is, however, one of the most dynamic, changing areas in Wales. We have the fastest growing population of any Welsh county and are second only to Cardiff in gross, rather than percentage, population growth. That growth is realised, on the whole, by net in-migration. As many as 1,200 people move into our county each year. They bring energy, fresh ideas and often a vision of how they want to live their lives. I claim to know that because I am one of them. One in three of the electorate were born outside Ceredigion, which is notable for a rural area.

That leaves us with a rather unbalanced population. It is older than average for Wales, due to the number of people who retire into the area and the number of young people who leave in search of more productive pastures. Although the large number of in-migrants invigorates many small rural communities, it has affected the position of the Welsh language. Even so, 60 per cent. of my constituents are Welsh speaking and the language can be heard on every high street and in every school, mart and workplace.

The small family farm remains the cornerstone of the economic and social bulwark of Welsh culture in Ceredigion. I hope that the House is already familiar with and sympathetic to the current farming crisis. If not, the by-election results should serve as a reminder. I emphasise only that low farming incomes have fallen three years in succession to as little as £4,500 a year, which must support two or three generations on one farm. The strong pound means that farming and tourism in Ceredigion are under siege. That economic context has given us objective 1 status.

That situation is a real threat to our future because traditional farmers and the increasing number of organic farmers are the main guardians of our environment, which is tremendously captivating and beautiful and gives the county a huge advantage, albeit yet not fully realised, in tourism. Much of our coastline is a heritage coast and we have numerous sites of special scientific interest, particularly wetlands, as one might expect in Wales. Perhaps the most singular environment is Cardigan bay itself, much of which is now designated a special area of conservation and is home to Britain's only resident population of the bottle-nosed porpoise. I know that hon. Members will be interested in that, given that we have been discussing jet skis.

The final part of the Ceredigion jigsaw is the public sector, which consists of local government, our two universities and an excellent general hospital at Bronglais, which we are all determined to retain and enhance. In an economy that is more dependent than the UK average on the public sector, the current policy of keeping public spending below 40 per cent. of gross domestic product has a disproportionate effect. It leads to frustration in our schools, hospitals and universities. Despite that, I am pleased to say that our local education authority achieved the best GCSE and A-level results in Wales last year.

Such a diverse and dynamic mix of people demanded a very special Member. I am delighted to take this opportunity to pay tribute to my predecessor, Cynog Dafis. Hon. Members may recall that Mr. Dafis was elected with the biggest swing in the 1992 election as a

joint Plaid Cymru-Green MP. Until last year, he was the only Member elected on a Green ticket to a UK legislative body.

Cynog Dafis quickly became respected in the House for his work on green and rural issues. He held office in Praseg—the all-party group on renewable and sustainable energy—and Globe UK. He was awarded the title of greenest MP, and I like to think that having been here for one week, I too hold that title, albeit in a different sense. Cynog Dafis also promoted three important Bills: the Home Energy Conservation Act 1997, the Road Traffic Reduction Act 1997 and the Road Traffic Reduction (United Kingdom Targets) Act 1998—targets still to be met, of course.

In Ceredigion, Cynog Dafis was seen as having helped to create a vision of a sustainable future which a wide spectrum of opinion could share. I am sure that hon. Members will want to join me in wishing Cynog "lwc dda" in our National Assembly. His greatest accolade must be the affection and respect in which he was and still is held in Ceredigion. His leadership and personal qualities endeared not only himself but Plaid Cymru, the party that he represented, to the people of Ceredigion. If I cannot fill his shoes, I can at least try to walk in his footsteps.

It is that context that makes the Bill important to my constituency. Eighteen years of free market economic policies has done little for rural services. Shops, surgeries, buses, pubs, dentists and banks have gone. It is unfortunate that policies have not substantially changed. The Bill, and attendant policies such as automated credit transfer, could undermine our last strong rural service: the post office. Nevertheless, I congratulate the Secretary of State and the Minister on trying to find a way forward for the Post Office that will allow it to remain in public ownership and to compete internationally. The drawback is that this brave new world of commercial freedom seems to have few safeguards for the rural post office.

The introduction of ACT is of particular concern. Some 44 of the 73 post offices in my constituency derive over 40 per cent. of their direct income from benefit payments, so that does not account for the income that they derive from people coming into the shop. A Government-driven move to impose ACT would be highly injurious to those post offices and would have a huge knock-on effect on the services that they provide.

I am concerned that the Government want the majority of benefit payments to be made by ACT after 2003. I therefore urge the Minister to read the performance and innovation unit's forthcoming study on the future of the network and consider how post offices could contribute to the Government's laudable aims of combating social exclusion and achieving joined-up government. It may well transpire that rural post offices can demonstrate the need for cross-subsidisation in recognition of the other services that they perform. The only warning that I would sound is that local government should not be expected to pick up the tab and savings from ACT should be utilised. I welcome the Secretary of State's earlier remarks on that.

These days a west Wales post office is like a corn store in the wild west. It sells everything and performs vital tasks such as delivering coal, gas and prescriptions to older people. It often sells many locally produced goods, and my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd) is looking particularly well on the honey that he has consumed as part of the campaign. That pattern of social support builds local communities, helps to reduce reliance on private cars and keeps resources in the local economy. I ask the House to consider whether the Bill and ACT will help or hinder the performance of that valuable service.

I ask the Minister to look again at certain elements of the Bill. Will he give the House an assurance that the £1 monopoly will remain? Will he make it crystal clear that the Government are not seeking to privatise the service by the back door? I suggest that the way to do so is to reconsider clause 56 and to set a limit for share disposal. The Bill should make provision for the National Assembly of Wales to appoint a representative to the Postal Services Commission, because there would then be a far better balance on the commission. The Bill should make similar provision for the so-called regional committee of the Consumer Council for Postal Services to have devolved responsibilities in Wales and to report to the National Assembly on Welsh matters. The hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) made a similar point in an intervention.

Those are some of the safeguards that could at least ensure that rural interests are represented in the new-look postal services, and I ask the House to support my suggestions to show that it does consider rural and Welsh interests.

7.38 pm

Mr. Sam Galbraith (Strathkelvin and Bearsden): I very much enjoyed the maiden speech by the hon. Member for Ceredigion (Mr. Thomas), which was splendid in content and extremely well delivered. I was particularly attracted by his description of his constituency. I have travelled extensively in Wales, and as a youngster I spent many a day there climbing. It is a country to which I have always returned with affection. The hon. Gentleman is fortunate to represent such a fine part of the British isles.

I was also pleased by the hon. Gentleman's remarks about his predecessor. I worked with Cynog Dafis in Committees in the House. We did not take similar views, but his were always respected and given with honesty and decency. I know that the hon. Gentleman will continue with that tradition, and I am sure that he will become as much of an asset to the House as his predecessor was.

I also enjoyed the speech of the right hon. Member for Hitchin and Harpenden (Mr. Lilley). I could see the pain of a man who has been a Minister and gone through many agonising considerations during the daily grind of decision making. The only problem is that he got the decisions wrong, especially in respect of ACT, which appears to be the focus of the debate.

The right hon. Gentleman also got wrong the compliments he paid to the hon. Member for Tiverton and Honiton (Mrs. Browning). It is not that she made a bad speech—she made her usual sparky start, but her speech deteriorated into one more suited to Committee than to Second Reading. The especially bad part of her speech was the beginning, when she railed, ranted and raved about the Government having to make amendments to the Bill, which she appears to believe is disgraceful. The hon. Lady is trying to rewrite history. She and other Conservative Members will remember Bills introduced by the Conservative Government to which not several

[Mr. Sam Galbraith]

amendments, but page after page of amendments had to be made, not only in Committee but in the other place and on Report. We would end up with a Bill that was completely different from the one with which we had started. Let us have no more hypocrisy on that subject.

The hon. Lady also criticised the Bill for being, in her words, a hybrid Bill. I happen to think that one of the Bill's strengths is that it enshrines the value of partnership, whereby the efficiency and effectiveness of the private sector is merged with the true values and relationships of the public sector. If we create a true public-private partnership, we and all our constituents will get a much better system and much better provision of service.

Like my hon. Friend the Member for Falkirk, East (Mr. Connarty), I pay tribute to those who have worked in the various branches of this nation's postal service, especially those who look after me locally—not merely through the service they provide to my house and my constituency, but through the consideration and the time that they have given to me. I want those people and their values, and the service that they provide to me and many others, to be maintained. The Bill is the way to achieve that.

The position of the people I have described would be threatened by a decision to maintain the status quo—that cannot be the way forward. Like all of us, they know that the world is changing and that we cannot pretend that progress does not exist. Such an attitude would pose a threat both to postal workers and to sub-post offices—a subject I shall come to shortly. We are witnessing many changes—e-commerce, e-mail, globalisation and interaction between sectors—even in small matters: for example, I notice how many things that once came to me via the Post Office are now brought by other service providers. The notion that the Post Office cannot compete in such services threatens the whole ethos of the Post Office.

We should not be afraid of change, and we must not pretend that we can hold it back. My right hon. Friend the Prime Minister said that he bore the scars of trying to make changes in the public sector; I bear a few of those myself. Resistance is always dressed up in some sort of pretence, always false—for example, that profits will be put before patients, or that safety standards will be compromised. We should not stand against the tide that is approaching the Post Office, otherwise we shall again be proved wrong.

We must embrace change and modernise. We must stop talking about the producer, the system and the structure and start to talk about the service provided and the outputs produced by those who are involved in the work. That is what service is all about, and the great advantage of the Bill is that, by marrying the values of the public sector with the efficiency and effectiveness of the private sector, we can deliver a much better service.

I understand the reason why many of us are concerned about sub-post offices. Sub-post offices fall into two categories: urban, like those familiar to my hon. Friend the Member for Motherwell and Wishaw (Mr. Roy) and many others, and rural.

Mr. Nigel Evans (Ribble Valley): Oh, "And rural"! That means a Tory gain.

Mr. Galbraith: The two sorts are different, they have different problems and may require different solutions.

Mr. Frank Roy (Motherwell and Wishaw): There are certainly two basic types of sub-post offices. In my constituency, 88 per cent. of post offices rely on the Benefits Agency for almost 50 per cent. of their business—a huge proportion of any business. Does my hon. Friend accept the guarantees that we have heard Ministers give repeatedly, namely, that all claimants will still be able to claim and collect their money from the post office in future? Does he agree that that is the way forward: to change, but to guarantee a future for the post offices and benefits claimants?

Mr. Galbraith: I wholeheartedly agree with my hon. Friend. The way not to guarantee that future would be to stop the advance of ACT; to do that would be detrimental and would lead to the destruction of many more post offices. We cannot have a system that has to be propped up and that will probably change any way because the world is changing. More and more people will want to take advantage of ACT, so if we try to build a system that is protected from ACT, we shall not only do a disservice to those who want ACT and all the benefits it carries, but threaten the very sub-post offices we are trying to protect. If post offices do not change, they will come to be seen as bulwarks against progress—blasts from the past maintaining an out-of-date system in dingy offices, using inkwells and quills to process transactions. We must find ways to bring post offices into the new century.

The same applies to rural post offices. I object to the hon. Member for Ribble Valley (Mr. Evans) implying that Labour Members do not know anything about rural areas. My constituency contains rural areas—not comfortable ones, either. In the Western Isles, there is a problem with service provision because of the vast distances that have to be covered before deliveries can be made. In such areas, we must consider the services that are already provided and look for ways to enhance them. I have travelled extensively in such areas and I know that, sometimes, it is not a post office that is wanted, but a bank. Perhaps we should look for ways in which banking and other services can be provided. In some villages, the post office and the shop are separate. Is it not time we considered how to integrate such services?

I am grateful to you, Mr. Deputy Speaker, for calling me to speak. I welcome the Bill, which represents a major advance for the Post Office and those who work in it. More important, it will improve the service provided, not only to those of us who live in urban areas, but to those who live in rural areas throughout the country.

7.48 pm

Mr. Tony Baldry (Banbury): I am sure that all Conservative Members welcome the maiden speech of the hon. Member for Ceredigion (Mr. Thomas). His was an interesting and enjoyable contribution, and we look forward to hearing him speak on many occasions in future.

Two fundamental concerns arise from the Government's proposals as set out in the Bill. The first is that they represent the second-best solution for the Post

Office. I am a member of the Select Committee on Trade and Industry, which is chaired by the hon. Member for Ochil (Mr. O'Neill). In the past three years, it has held innumerable sittings during which we have considered the subject of the Post Office. It has produced three extensive reports, covering every aspect of the issue. In each report, its members have been unanimous in stressing that the solution for the Post Office is to make it an independent publicly owned company. How can a company that is 100 per cent. state owned be remotely independent?

I welcome the Post Office being granted plc status and being freer to compete in a highly competitive marketplace. However, I do not welcome 100 per cent. retention of public ownership. The Post Office will still be subject to Treasury control, which is unfair. How can the Post Office compete effectively in the marketplace without being fully privatised? How can it compete on a level playing field with the rest of Europe, especially with Dutch and German post offices, without selling at least 51 per cent. of shares? The Bill simply will not give the Post Office the full freedom to manoeuvre that it needs to tackle such obstacles.

Indeed, it is absurd that the Government do not allow meaningful competition or recognise that there is an alternative to state control. Privatisation works: it has been one of the striking success stories of the past 20 years. It brought about dramatic improvements in the former public sector utilities by removing the dead hand of state control, and subjecting companies to the fresh wind of competition and the discipline of the markets. Privatisation has created a substantial improvement in customer services and a substantial reduction in prices.

It is clear that the Government have not fully privatised the Post Office simply because of pressure from the Post Office unions. The general secretary of the Communication Workers Union has already said that he is unhappy because possible share swaps might mean that some of the Post Office ends up out of Government hands. It is no wonder that no shares were sold.

Even if the Post Office issued shares to acquire other companies under the Government's proposals, it might be able to do so only after Parliament had voted on the issue. The Secretary of State for Trade and Industry told the House last year that the Government would not seek to dispose of Post Office shares without further primary legislation. I appreciate that we are considering a sensitive issue, but the Post Office has been put in a crazy position.

The Select Committee on Trade and Industry has examined the problems of the Bill and the potential hampering of the Post Office's competitiveness. It is again patently obvious that by not being fully privatised, the Post Office will be precluded from effectively competing. That is yet another obstacle to effective competitiveness with our fellow European countries.

The Bill constitutes an example of competitive constraint. It would help if the Government did not blur the lines on when primary legislation was required. The possibility of seeking a resolution of both Houses is confined to cases when the Post Office, the Department of Trade and Industry and the Treasury agree that that is a good idea. However, the Bill places no restriction on limited sale.

The Government did not give the Trade and Industry Committee an adequate explanation when questioned on the issue. Is there any limit to how much can be sold as long as it is part of a joint venture? If not, how does that fulfil the Secretary of State's undertaking for only limited sales without primary legislation? Nothing in the Bill would prevent a sale of majority holdings.

We have also already witnessed the adverse effects of union interference on customer service. Despite reducing the postal privilege for letters and packages from £1 to 50p last year, the Government reversed their policy under pressure from the Post Office unions in the run-up to the 1999 Labour party conference.

The Government state that the new regulator will determine the rate at which postal privilege is set. That worried many witnesses who appeared before the Trade and Industry Committee, which recommended that the Bill sorted out postal privileges. However, it remains unclear which privileges, if any, have been dropped. It would be helpful if the Government could inform us of the various privileges enjoyed by the Post Office that have been abolished, and if any have been added. Doubtless we shall learn more about that when we consider the 300 or more amendments that we shall table as the Bill proceeds.

There are also anxieties among the Periodical Publishers Association. It represents the magazine publishing industry, which is worth around £250 million each year to the Post Office. The PPA estimates that the Post Office costs approximately 30 per cent. more than the best-of-class comparisons. Its members are naturally worried about how fairly the Post Office will treat the industry and about the Post Office's commitment. The PPA believes that the new commission should introduce transparent benchmarking against best-of-class comparisons to provide a more competitive service. That benchmarking might be better all round if the Post Office faced the full winds of competition.

The Post Office will be allowed to borrow only a derisory £75 million. As *The Daily Telegraph* pointed out last year, that figure will not increase. The Trade and Industry Committee found that worrying. Our report on the Government's White Paper stated that

> "it is questionable how far either new borrowing facilities at commercial rates or the Treasury foregoing the excessive level of dividend previously taken can be fairly represented as 'providing' vast sums of extra money for the Post Office."

The requirement for ministerial approval is also wholly inadequate for a company with a turnover of £7 billion.

The half measures in the Bill simply do not fully enhance the competitiveness of the Post Office. To compete internationally, it is imperative that the Post Office be able to make deals, alliances and acquisitions across the world, such as those that the German and Dutch post offices make. Again, I stress that the 100 per cent. state control that the measure proposes will make it impossible for the Post Office to act with the necessary vigour and decisiveness. Surely it is better for consumers to let the Post Office take full advantage of the fresh winds of competition. The Government have fundamentally failed to do that through the measure. They are failing the Post Office and consumers.

My second anxiety is the uncertainty about the future of sub-post offices and village post offices after the sudden and somewhat reckless abandonment of the Horizon project. I represent a large rural constituency and there is considerable concern among my constituents that they may lose their local post offices. It is foolish of the Government not to incorporate the network in the Bill. Conservative Members recognised the real need and

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genuine concerns of many people and the potentially harmful consequences that would occur without Horizon. As the Trade and Industry Committee stated in its report on the system:

"this was recognised to be the only way to ensure the future survival and prosperity of the post office network."

The Government's decision not to provide for the scheme in the Bill will threaten the future of the 19,000 sub-post offices, which rely for 40 per cent. of their income on administering benefits. The omission amounts to yet another Government attack on the fabric of rural Britain and on the livelihoods of people there.

It is no good the Government using soothing words of reassurance to those who rely on the Post Office network that they will not suffer and that postmasters and mistresses will be able to compensate for their loss of income. Many people are simply not prepared for or do not want a new system forced on them.

The Government also mislead by presenting an image of great floods of people opting for ACT. According to Department of Social Security figures, only 34 per cent. choose to have benefits paid by ACT. In our report on the Horizon project last year, the Trade and Industry Committee found that few pensioners opt for ACT; fewer than one in 10 income support recipients choose ACT; and fewer than one in three new benefit recipients opt for ACT. Indeed, the report states that

"the fact remains that, for a variety of reasons, most new benefit recipients still opt for cash in hand from a post office . . . this choice must be respected in action as well as paper."

However, that will not happen simply because the Government have decided not to progress with Horizon and have not included similar provisions for the Post Office network in the Bill. It is a shabby piece of work by the Treasury, which has put pressure on the Department of Trade and Industry, in the belief that a massive saving can be made. That does the Government no credit. It is a double blow to many people in rural areas. A recent survey in the *Financial Times* revealed that only 5 per cent. of parishes have bank or building society branches.

The Bill is a bad measure. It is a hashed compromise to placate the trade unions and a genuine threat to sub-post offices and village post offices throughout the United Kingdom.

7.58 pm

Dr. George Turner (North-West Norfolk): My constituency, like that of the hon. Member for Banbury (Mr. Baldry), is large and rural. Approximately half my constituents live in the market town of King's Lynn, and the others are divided between some 64 parishes. Much of my constituency is sparsely populated, and in many villages my constituents depend on access to the village post office.

I have a long-standing interest in village post offices. My grandmother ran a rural post office in a village of a few hundred people. As well as bringing up her nine children, she worked hard in the post office. I also appreciated from an early age the benefits that the rural post office can bring to a village community. In those days, a village of a few hundred people had two or three shops, two pubs and a post office. Today, such villages have no shops, no post office and no pubs.

In my 30 years in Norfolk, I have seen an undramatic but steady decline in the rural post office network's ability to deliver. Despite the public regularly expressing their support for post offices and regularly protesting when one closes, no Government in recent decades have taken the actions necessary to halt that decline. I believe that the Bill offers that very opportunity, which is why it has my strong support.

My local newspaper, the *Lynn News and Citizen*, is proud of its campaigning on behalf of its readers and has chosen today to launch its campaign to save our post offices. I hope that all its readers will not only sign the petition to show their support for the post offices in north-west Norfolk but will do more than that—use their local post offices. It is not enough for people to wear their hearts on their sleeves and say that they support post offices if they drive past them in their cars and do not take advantage of the services that they provide. I hope and understand from the assurances that have been given from the Front Bench that pensioners will feel reassured that they will be able to continue to congregate in post offices to collect their money in cash and experience the social intercourse that post offices provide in many villages.

My fear is that if those who seek to protect post offices frighten the public, they will take other action even though there is no need to do so. People should not be frightened into opening bank accounts if they do not want to. In the absence of Government action, however, about 50 per cent. of new pensioners and those who receive child benefit are taking that option. We simply cannot sit there like Canute and try to hold back the tide of progress. The Bill's strength is that it seeks to protect by modernising and looking ahead rather than by turning back the clock.

If we are to make progress, we must recognise not only the strength of public support for post offices, but the post offices' weaknesses. My grandmother has been dead for 35 years, but if she was able to go into many of the rural post offices in my constituency, she would feel at home almost immediately. She would probably recognise the paperwork—and certainly its style—and that very fact speaks volumes about lack of investment, which is one of the major problems of today's Post Office Counters. Governments of all colours are to blame for that, but we must recognise in particular that, although the previous Government talked about investment, which was needed desperately, they never delivered. I welcome the present Government's clear intention to ensure that substantial sums are invested in every post office in my constituency and throughout the United Kingdom so that they have the base not only to deliver the services that they currently deliver but to move into providing Government services and to take over the provision of services from which the commercial sector has run away.

I recently complained in the House about the closure of the last bank in Heacham, which has 5,000 inhabitants and is the largest village in my constituency. Why did it close? There was a clear failure of the commercial marketplace. None of the banks had enough customers, they argued, to justify their presence, but hon. Members should remember that 5,000 people live in Heacham and that pensioners want access to cash and counter facilities. That represents a clear opportunity for a rejuvenated post office in Heacham to take custom and provide a service. I was sad that the local post office was not proactive in

advertising its services when the banks in Heacham were closing, but I understand that Ministers are seeking such opportunities through the policy unit and hope that they will be delivered in the months ahead.

Post offices are crying out for investment, and I hope that it is delivered. Having used them most of my life, I know that the model of my childhood—which involved a friendly face, a helping hand with the paperwork if necessary and guidance from those who ran the post office—is not always what we find in the public sector. Over the years, I found that an element of the Post Office, mainly on the Royal Mail side, sometimes displayed the worst aspects of the public service. The attitude was, "We're doing you a great favour by being here. You should take what service we deliver and be grateful for it," but that encourages those who see "privatise, privatise, privatise" as a solution.

Unless we face up to the problem, we shall strengthen that voice so it is important to address the ills of the monopoly. That is why I welcome the clear commitment to put into law a standard of access to postal services and access to post office counters. If we set up a regulatory system that looks not only to the maintenance of services but to their improvement—both are included in the Bill—we shall be doing more than merely paying lip service to making such improvements, and my constituents will be truly grateful for what the Bill delivers.

Delivery is important. In my one of my villages, for example, Mr. Pitcher, who runs a small transport operation in Walpole St. Andrew, employs 16 people, but does not receive his one delivery until the afternoon. Next door to him, Mr. Atkin employs nine people in a business of the size that hon. Members would expect to find in a small village. He has 80 customers to serve, but the times of his deliveries vary from 10.30 am and 2.40 pm. When we talked about the Post Office, he said to me, "If I ran my business like they do I would be out of business within a week."

Those issues need to be addressed and I hope that my hon. Friend the Minister will assure me that the standard of service that my rural constituents can expect will certainly not deteriorate and that they will have a substantial opportunity to see them improved. That improvement will be achieved by the Bill.

8.8 pm

Mr. Richard Page (South-West Hertfordshire): I have a degree of sympathy for the poor Minister for Competitiveness, who has to sum up tonight and deal with the Bill in Committee. I say that because this is a sad and miserable little Bill. It is badly drafted, as has already been admitted, and will be subject to thousands of amendments. *[Interruption.]* Hon. Members may think I am joking, but I am prepared to bet that we get into four figures before the Committee stage is out.

The Minister has an unenviable job, as he has to face two ways at once. He snaps his head to the left, turns to the neanderthals of old Labour and says, "Don't worry comrades." They still like to be called comrades. They are nodding their heads in agreement; that is what I like to see. The hon. Gentleman says, "The Post Office will still be under state control; we'll own 100 per cent; don't worry—the lunchtime directive is alive and well and living in government."

Then, quick as a flash, he will turn to the right and say "Don't worry. This is a golden opportunity to set the Post Office free to get out into those markets and to succeed in world competition. Look at the borrowing abilities that we are pushing into the Post Office."

The reality is that it is a poor and staggering, faltering step, instead of a bold stride towards commercial freedom.

I have noticed in this debate an enthusiasm by Government supporters to try to rewrite history. When we were in government we wanted to do a BT on the Post Office. I remember all the comments that were made when we set BT free—about the telephone boxes that would be closed, about the cherry picking that would happen. We were told that prices would go up. What was the truth? The telephone boxes are more accessible and more operative than ever before. Prices have come down and a welter of new services has become available.

We wanted to do that for the Post Office, but when we suggested it the Labour party did not say, "We should like to see some form of liberalisation": instead, it went into a flat spin and opposed everything that we suggested.

This is why I have only partial sympathy for the Under-Secretary: a very clever campaign was run; a public relations company put forward a number of messages and persuaded 12 to 15 alleged Government supporters, most of whom have now lost their seats, to say that the proposals would ruin the rural post offices.

It was only later that I discovered from a television documentary that the union itself was the funder behind the campaign, though it kept a very low profile. It was very well done. I congratulate the Under-Secretary. He did it brilliantly. He undoubtedly had an involvement in his previous life. If he wishes to deny it, I should be only too delighted to hear him do it at the Dispatch Box.

One thing that must be said from the Conservative Benches is that it is marvellous that the Government are taking the first step towards privatisation with the establishment of a plc. As someone who has moved an organisation from the public sector into the private sector, I regard this as one of the main hurdles to overcome. Therefore, I must say thank you to the Government for it.

The neanderthals may look at the proposals with alarm, and in the debate so far one or two have put down markers about the possible sale or swapping of shares. That is only to be expected.

My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) made a very powerful speech in the 10 minutes available. He rightly called the Secretary of State's speech a poor performance. It was policy being made on the hoof—so typical of this Government. It comes under the heading of, "It seemed a good idea at the time".

What is wrong is to lay huge worries and concerns on the whole of our sub-post office network by talking about ACT without looking at the other side of the equation. Now the Secretary of State is scrambling around trying to fill the financial black hole created for the sub-postmasters and sub-postmistresses, when that work should have been done first. I hope that the Under-Secretary will say that the Government are undertaking an in-depth study to see just how the new equipment can be used to generate revenue for the sub-postmasters and sub-postmistresses. The quicker that is done, the better.

There must be more than lovely words. The proposals must be costed. It must be possible to tell the sub-postmasters and sub-postmistresses, "It will mean a

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revenue of X to compensate for what you will lose." As a number of hon. Members have commented—and not only from the Conservative Benches—that worry is being created in the minds of the sub-postmasters and sub-postmistresses, whose livelihoods are at stake. Not everybody grasps the fact that the sub-post offices are privately owned, and as they are privately owned they could go down.

The Government are destroying the value of the sub-post offices. Who wants to buy a sub-post office when he or she can see perhaps 40 per cent. of its revenue disappearing out of the window? The quicker the Under-Secretary, who understands these matters, says, "We have calculated that there will be an increase to every sub-postmaster through using this new equipment," the better.

Most of these matters will be raised in Committee, and that is only right. But I must express slight concern about the amount of money that the Post Office is allowed to borrow in its own right. We have only to see the sums of money that it has been necessary for post offices throughout the world to expend in order to consolidate their networks to see what the real world is about. It is not a matter of £75 million or even hundreds of millions: I think that we are into the billions.

When TNT was bought by the Dutch post office the cost was 2 billion Australian dollars. That was quite a few years ago, and I wonder what the figure would be if it were inflation-counted.

What did Deutsche Post pay for a quarter of DHL? It did not get that for £75 million. As we know, although it is terribly secret, and we must not say anything about it, the Post Office was given permission to expend some £300 million to buy German Parcel. The proof of the pudding will be in the eating, when we see how much money is made available by this Government in order for our Post Office to stand a chance against huge and savage competition.

I should have liked to move into the whole area of possible subsidies for sub-post offices, where the Secretary of State seemed again to be making policy on the hoof. I can only say that the Committee stage should be interesting. It will be a very long slog. As all Oppositions should, we look to clean up the Government's act and ultimately to produce a viable Bill for the future of the Post Office.

8.17 pm

Mr. Tony Colman (Putney): I welcome the Bill, which gives us for the first time a framework for postal services in the United Kingdom.

I should like to start by praising the staff who look after all the sub-post offices in Putney. I would particularly draw attention to the Danebury avenue sub-post office in Roehampton, and congratulate the work of Mrs. Valerie Cooper and Mrs. Linda Doran there. It is in a shopping centre which 10 years ago had five banks. Three years ago it had none. One of the reasons why I welcome the proposals for payment of benefits through bank accounts and the introduction of banking services through post offices is that areas like Roehampton, which has some 12,000 people living in it, will at last regain access to mainstream banking.

It is important to recognise the great advantages to many who are socially excluded because they cannot have contact with banks. There are great benefits if they have bank accounts: they can enjoy discounts for direct debits and can negotiate cheaper loans and overdrafts than would be available through other sources. There are many positive elements.

It is very important to pick up what my right hon. Friend the Secretary of State said in opening, which is that we must ensure that where sub-post offices are undermined by the movement to payment of benefits through bank accounts, a subsidy should be available to them. The problem is not simply in rural post offices. It applies in all areas where the banks have moved out.

Having praised the sub-post offices, I move on to talk about the bane of my life, which is the postal delivery service in Putney. There are three key issues in Putney. One is the local health economy. The second is aircraft noise. But the one that produces by far the greatest postbag relates to the postal service, which over the last two and a half years has got worse. I first raised the matter in the House on 7 December 1998, when my right hon. Friend the Member for Hartlepool (Mr. Mandelson), then Secretary of State for Trade and Industry, announced his proposals for opening up the possibilities for the Post Office to move into the wider remit afforded by the Bill. However, the various assurances that I have had following various meetings have come to naught.

Before the debate, I asked the Clerks whether I could spend the remaining seven minutes of my speech reading out letters of complaint about postal services in Putney. I was told that that would not be possible; but I must make it clear that I could fill one hundred times ten minutes with such complaints, which have become more and more vociferous. In Putney, Christmas cards have been delivered only in the past two weeks. The situation is beyond a joke, and has been so for quite a long time.

Giros sent by the Department of Social Security on 10 December arrived on 5 January. Bills from credit and charge companies arrive late, and customers incur late-payment penalties. Local vicars receive written confirmation of funerals the day after they have been conducted. Apparently, until November most complaints in one area concerned the fact that there was only one delivery—and that arrived at 11 am or later. This month, there had been a further deterioration. In many streets, there was no delivery at all on one or two days of the week.

This information comes from Judith Chegwidden, of the Putney Society, who adds that the pattern in her own street this week is a common experience for many other residents. She says that on Thursday the post arrived after 3 pm, and that that was the only delivery of the day. Most of the mail had taken at least 48 hours to be delivered. There was no delivery on Friday, and on the Saturday morning, at about 8.30 am, a man who was clearly a stranger to the area, with no uniform, was seen struggling along with an overflowing trolley.

Mrs. Chegwidden further informs me that a delivery was received, followed by a period during which residents redelivered items that had not reached their correct target. I do not agree with the comment that followed, but it is important to establish the strength of feeling in Putney. That comment was:

"This sort of chaotic service is just not acceptable. The Royal Mail faces competition from electronic mail and from companies such as TNT, and the Royal Mail will rapidly lose customers".

Businesses in Putney are suffering too. KWP Media says:

"We are getting to a situation where no deliveries were made during the middle of January."

Apparently, a neighbour knocked on the door two weeks ago and reported a huge delivery of between 5 and 7 kg, which

"included all the papers we were missing as a business"—

cheques, statements, invoices, and a reminder from the Inland Revenue sent in the middle of December to mind the deadline for a partnership tax declaration; worst of all, there was a VAT demand posted by Customs and Excise around 10 December, with a deadline of 31 January, which arrived in February.

That is not acceptable. It is clear that the management of the Putney postal sorting office is appalling. I have had apologies from John Roberts, chief executive of the Post Office, who has said that he is dealing with it. Indeed, I have had three such apologies, and I want to ensure that the matter is brought to the attention of the House. I have asked the Post Office to ensure that compensation is available to those who have suffered as a result of the present ludicrous state of affairs. That is currently being dealt with by the chief executive, and I look forward to hearing from him.

During their 18 years in office, the Tories did nothing to ensure that there was a universal service obligation, or any basis for compensation; and there was no accountability. The Bill provides for an independent regulator with a postal services commission. That establishes a basis for the setting of quality standards, for investigation and for the imposing of mandatory penalties for breach of licence conditions. I am disappointed to note that there is no mention in the Bill of compensation to consumers for the concerns of my constituents in Putney. I hope that the Minister will explain how individual consumers and businesses will be able to secure compensation if the universal service obligation is broken, as it has been so flagrantly in Putney over the past two years.

POUNC will now have beefed-up responsibilities under its new name of the Consumer Council for Postal Services. I look forward to the establishment of a committee for London with teeth, which will be able to "get in amongst" the management of the Putney sorting office to ensure that the matter is dealt with. Let me also say in passing that I support the POUNC proposal to refer to the Secretary of State the increases of up to 10 per cent. in Royal Mail charges that have been introduced this week.

I am not pleased to draw to the House's attention the lamentable performance of the postal services in Putney. I am extremely worried about the fact that the management seem continually to blame the trade unions. This has gone on far too long. The Bill gives power to the Secretary of State, the regulator and the users' council, at last, to take action.

8.26 pm

Mr. Nigel Evans (Ribble Valley): My credentials for a contribution to a debate on the Post Office are good. About four years ago, there was an Adjournment debate on the future of the Post Office. It was one of those debates that take place when the business of the House finishes early: rather than continuing for the usual half an hour, it continued for some time, and I spoke in it.

The major difference between four years ago and now is that those who sit on the Government Benches now were sitting on our Benches then, and accusing us of doing exactly what they are trying to do in regard to part of the Bill today. We were accused of ensuring that people's benefits were paid through their bank accounts, and it was said that that would be the death knell for post offices throughout the country. I remember the debate as clearly as though it was yesterday; it seems that a lot can happen in four years.

I represent a rural constituency, containing 30 or so villages. It is very similar to the constituency of the hon. Member for Ceredigion (Mr. Thomas), whom I congratulate on his maiden speech. He said he felt that he was one of the greenest Members in the House. He is not sitting on his Bench, so I think he has learned a lot in a short space of time. Anyway, I think I, in my rural constituency, face problems similar to those that he faces in his.

The Secretary of State said that he wanted a world-class Post Office. We all want a world-class Post Office, but we will not have one if many of the branches that we enjoy in villages and small towns are closed. The "world-class" Post Office will be available to a much smaller group of people.

The Post Office is vital. Like many of my right hon. and hon. Friends, I have visited many post offices, particularly as I knew that the Second Reading debate was coming up. I have spoken to many postmasters and postmistresses. I have also spoken to customers of those post offices.

I run a small retail business in Swansea. I know how tight some of the margins on which we operate are. A number of small businesses have gone under, irrespective of the fact they do not have post offices in the shop; so there is a lot of pressure on small businesses generally anyway, with whole businesses going under.

If we visit post offices—the small rural businesses—and look at some of the other items that they sell, we realise that the service that they offer is vital; that is particularly true of small rural villages. It struck me that, if those businesses close, or if a major proportion of the local post office disappears, there will be problems. One postmaster told me that, if he lost much of the business from the post office, it would not be worth his while being there.

Many such people open their premises early in the morning and close late at night. The post office is important to them because it acts as a magnet for customers coming in and buying other items. If a big chunk of their business disappears, they will think that it is not worth their while being there in the first place. It will not be profitable for them. It will not be profitable for them to sell the other items because, on their own, they will not make enough money. Those places will close.

One postmaster told me about another aspect: what will happen if the footfall factor decreases. When customers walk into a post office, present their giro or benefit book and receive the cash there and then, they spend some of that money immediately in the post office. They could spend some of it to pay their electricity bill, gas bill or bill for another utility. The post office receives some money as a commission on that service.

Those people may also spend some of their money—they have cash in their hand and happen to be there—on some of the other items that the post office sells. It could

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be greetings cards, detergents, or a number of other items. Some post offices in our constituencies are small businesses. As my hon. Friend the Member for South-West Hertfordshire (Mr. Page) said, they are privately owned businesses. They are there to make a profit. Their customers will buy one or two other items.

If the money is paid direct into people's bank accounts and it is no longer necessary for them to go into the post office once a week, we will find—it is the fear of the postmaster—that they will pay their electricity bill through the post. They will look for other ways to pay their other utility bills. The footfall in the post office will disappear, in other words.

That will threaten not only the post office. Some villages contain two or three shops: a butcher's that is already under pressure, and perhaps one other small shop—a grocer or newsagent. Because the footfall has disappeared from the post office, it will disappear from other small shops in the village. All of a sudden, not just the post office, but a number of other smaller enterprises and shops in the village are threatened. That is why I ask the Government to think again about these proposals.

We are told by the Secretary of State not to worry—3,000 post offices will have cash machines. Can the Minister for Competitiveness guarantee that post offices in West Bradford, Chatburn, Chipping, Bolton-by-Bowland, Slaidburn and Downham—all relatively small villages—will get cash machines? I doubt it. Only 3,000 post offices out of 18,700 will get the cash machines. It will all be done, I assure the Minister, on a commercial basis.

Since the Government came to power, 486 post offices have already disappeared. With the threat of what is ill thought out legislation—its ramifications have not been properly thought through—other post offices will close, too.

This does not mean that I do not believe in, as the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) called it, taking the Post Office into the 21st century and having to commercialise. That is absolutely right. *[Interruption.]* I hope that we shall consider various ways of ensuring that post offices are able to survive.

What other banking facilities are post offices able to provide? In my short time as the Member for Ribble Valley, I—like the hon. Member for Putney (Mr. Colman)—have seen banks close in my villages. Perhaps the closures are one avenue that post offices might explore in seeking extra business. The national lottery provides another possibility for more business, although smaller rural post offices may not be able commercially to sustain a lottery machine. Nevertheless—my goodness me—the lottery is supposed to be about good causes, and the survival of post offices in rural villages is a very good cause. I should hope that we will consider that possibility to support our post offices.

E-commerce and e-mail are another possibility. In some smaller villages, an internet cafe would not be sustainable, and small rural post offices could perhaps provide internet services. I ask Ministers to consider that possibility too.

Ministers should also take on board the fact that the Bill's provisions could threaten the viability of selling post offices. *[Interruption.]* Many small, privately owned post offices were bought by people who had other careers, took early retirement and invested in a post office, as a nest egg for when they retire for good—*[Interruption.]* The Government, in their ill thought through legislation, are putting at risk the nest egg of many people who have put money aside, but will not be able to sell their post office.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Before I call the next hon. Member, I should tell the House that I have heard an awful lot of sedentary comment, some from people who are still hoping to catch my eye. They may fail.

8.36 pm

Mr. David Borrow (South Ribble): I am pleased to speak in support of the Bill, particularly after the hon. Member for Ribble Valley (Mr. Evans) who, four years ago—when I was leader of the council in Preston—represented part of my council ward. How things change in four years!

I welcome the fact that the Bill will give greater commercial freedom to the Post Office. However, we all have to recognise that the Post Office is not a single entity, and that its success depends on a public-private partnership to provide not only a UK-wide delivery service, but a UK-wide network of post offices from which postal services can be purchased. I should like to concentrate my remarks on that postal network.

Since 1970, 6,000 United Kingdom post offices have closed. We now have slightly fewer than 18,000 post offices. One of the primary arguments in today's debate has been about the importance to sub-post offices of income from benefits transactions. Probably 8,000 sub-post offices rely on benefits transactions for more than 40 per cent. of their income. Some 34 per cent. of benefits payments are made through the automated credit transfer system, but, among new recipients of pensions and child benefit, the percentage is 50 per cent. and rising. Moreover, as my hon. Friend the Member for Ochil (Mr. O'Neill) said, the reducing number of unemployed people is causing a reduction in the number of benefits claimants.

If we project the percentages into the years ahead, it becomes clear that we cannot sustain a Post Office network comprising 18,000 post offices that rely for their survival largely on benefits transactions. The Government will have to take the crucial decision on the network size that they will be able to maintain and on the mechanism by which the network can be maintained. The status quo is not an option. We cannot continue to allow the steady reduction in the number of post offices, the closure of which is determined solely by the mechanisms of market forces and of a steady increase in the number of benefits recipients receiving payment by ACT, with consequently reduced payments particularly to sub-post offices.

We also have to get away from the myth that only sub-post offices are at risk from the changes. One of the most interesting statistics provided by the Library reveals that, of the constituencies with a large number of post offices at risk, most are located in the most deprived urban areas. I think that all the sub-post offices in the Liverpool, Walton constituency depend on benefit payments for more than 40 per cent. of their income.

We need to ask what sort of post office network we want and work out what we have to do to achieve that. Last Friday, I held a constituency surgery in the small village of Rufford. After spending three hours dealing with individual cases, I walked out of the surgery room to find a crowd of 20 people in the village hall waiting to speak to me about the future of the post office. Three quarters of an hour later, a number of clear messages had come out of the meeting.

First, those who relied on the post office wanted to continue to be able to receive their benefits in cash there. The method—a receipt book or some other means—was not important to them. What mattered was that they should be able to get cash at the post office. Secondly, if they received cash through a bank machine or similar system, they did not want to have to pay bank charges. Thirdly, a significant number of recipients of benefits do not have bank accounts or are unbankable. The Government need to ensure that everybody who receives benefit has an account through which the money can be paid and that it can be received through the post office system. Fourthly, any system that is totally dependent on ACT needs to cater for the many pensions and other benefits that are not claimed in person, but are paid through the post office by somebody else on behalf of the recipient.

The final concern is that Rufford is a small village with no bank and the nearest alternative post office is several miles away. If a computer-driven system crashes or there is no money in the cash machine, what happens to the pensioners or people on benefit? We all know the problems caused by a giro not arriving. In some ways, the ACT system can be better for claimants, because it is safer than relying on a giro, which can be mislaid or misdelivered or, for many people in houses in multiple occupation, can go astray completely. There are distinct advantages to the ACT system.

How do we build a system that delivers what recipients want? That is where sub-postmasters and sub-postmistresses come in. We have to ensure that their businesses are viable. The Government must specify the size of network that is required in their advice to the regulator. They must ensure that the Post Office is proactive in delivering that network. Alternative sources of income must also be available to replace the money from the benefit system. We should not subsidise private businesses through the benefit system when there is a cheaper and more fraud-resistant system. If we are to subsidise the sub-post office network, it must be done through a direct subsidy so that our purpose is clear.

There are other sources of income for sub-post offices. We need to consider the idea of a Government gateway. Lancashire county council has worked with BT to develop a number of computer terminals in rural areas that give access to information. I see a lot of scope for a gateway in sub-post offices that gives access to information such as public transport timetables and details of neighbourhood watch schemes, and allows people to purchase tickets, pay fines and perform other interactive functions. Some 28 million people a week use the post office network, which potentially means business worth £8 billion.

We must ensure that the benefit system is run efficiently and is as free from fraud as possible. In the next few months, by the time that the Bill goes to the other place, the Government need to be clear about what they have to do to ensure that the sub-post office network continues to deliver the services that our constituents need and deserve.

8.46 pm

Mr. Stephen O'Brien (Eddisbury): From the outset, one of the Government's prime stated intentions in bringing forward the Bill is repeatedly proclaimed to be to give the Post Office more commercial freedom and the ability to compete. It is the genuineness of that intent that I wish to examine.

In all walks of life, but above all in business, true competition can exist only if it is on equal terms. If that is so, consumers will get the service that they want at a value that they are prepared to pay. It is the leaders of those businesses who take the strategic, financial, human resource and day-to-day operational executive and management decisions that make a business an effective and successful competitor. In making those decisions, the board of a company—especially a public limited company, where the directors' functions are executive and their accountability is measured by performance judged by a broadly spread ownership—has daily to evaluate risk and decide courses of action in the best interests of the business as a whole.

If the Post Office is to compete on equal terms with its international competitors, which it must, its board of directors need the full scope and authority of real commercial freedom to evaluate the risks and opportunities. That is all basic common sense to anyone with any experience of having responsibility for an independent international business, especially one with plc status. It is therefore a mystery to me why the Government have stopped woefully short of granting the Post Office that full commercial freedom, despite the stealthy cloak of plc status.

I am bound to ask, in trying to understand the Government's intent, while retaining 100 per cent. ownership instead of selling at least 51 per cent. of the shares: what are the Government afraid of? Are they concerned that we do not, after all, have the most efficient postal service in the world, ready to take on all comers? Or are the Government, in their habitual style-over-substance way, sending a message to the Post Office's customers, competitors and the financial markets that they do not have the confidence in the senior management on the back of whose commercial judgment the Government are proposing to lend money to the new plc, potentially at below average commercial rates?

No, it is none of those. I fear that the only possible conclusion is that the Government have been got at by the unions. And is it any surprise that the Government have no understanding of how commercial risk is judged and the conditions for success achieved in the boardrooms of UK plc? As I scan the Government Benches, I wonder how many Labour Members have ever served in a boardroom, let alone in the boardroom of a fully independent UK public company. If they had, they would know that one cannot evaluate risk and take commercial decisions in the best interests of the company when at the same time one has to look over one's shoulder at the crushing hand of Government.

The Bill, an unholy compromise, a halfway house and half-hearted measure, will be like the difference between what we should have—a skilled, competitive risk-judging

[Mr. Stephen O'Brien]

high diver prepared to take the plunge—and what we are presented with in this Bill—the instant thrill-seeking, headline-grabbing bungee jumper, secure in the knowledge that he can always bounce back into the arms of Government. So much for the Government's genuine intent to release the Post Office from their clutches into the real, competitive, commercial, international world of the future.

The Government's strategy on postal reform can be summarised in two words—compromise and uncertainty. It is a compromise between old Labour unionism and new Labour spin. It contains nothing to placate the fear and uncertainty over the future of the Post Office network, but plenty to serve the interests of the unions.

As I study the Bill, I simply cannot find the logic—the glue that binds the whole policy together. I cannot see a clear-cut business strategy that will take our Post Office forward so that it can adapt, compete and continue to be great in the future. Instead, we have the Secretary of State's spin. He has promised modernisation but, in fact, his trumpeted plan of modernisation is based on a failed idea from the previous century—that of the state owning all the shares in a key industry. I dare say that many Labour Members must be thinking, "If only this were the sort of modernisation that the Secretary of State would talk of in the context of the utilities."

The Government have, I admit, recognised the need for the Post Office to be competitive. Last July, during the statement on the White Paper, the Secretary of State said that the proposals for Post Office reform were

"good news for the Post Office's millions of customers, who will benefit from improved services from a new, modernised Post Office and from greater competition for postal services."—[*Official Report*, 8 July 1999; Vol.334; c.1175.]

If the Secretary of State recognises that millions of consumers will benefit from greater competition, why not maximise that competition instead of limiting it, thereby limiting the benefit to the consumer? For if the plc structure proposed for the Post Office stands for anything under this Government it is, I suggest, "politically limited competitiveness".

Certainly, the limitations on competitiveness are clear to see. In addition to the fundamental flaw that I have already mentioned regarding the socialist approach to share ownership, borrowing will be underwritten by the taxpayer, the long-standing privileges enjoyed by the Post Office will remain, there is no evidence that cross-subsidies will be avoided through greater transparency, and the £1 limit on the reserved area remains.

So we are forced back to consideration of the Bill's genuine intent. The shape of the Bill has been driven by a compromise with the unions. The Government have guaranteed that actual privatisation would require new primary legislation. When the Secretary of State gave his assurance of primary legislation for any wholesale public share offering, the Communication Workers Union stated:

"We attach great significance to these public assurances which guarantee that, of itself, plc status does not take the Post Office any nearer privatisation and any share disposal would require a full-scale Act of Parliament with comprehensive political debate during which we would obviously lobby and put our case."

That is a statement of union backing for a union-driven fudge, if ever there was one. It is also clear evidence that, under new Labour, appeasing the unions comes before pleasing the consumer. It is the consumers who would benefit most from the Post Office enjoying full competitiveness and commercial freedom, as a truly independent public limited company, untied from the nanny state. They are not getting that under this Government.

As I said, the Bill is about compromise and uncertainty. It does nothing to address the uncertainty hanging over the future of the Post Office network. Post offices, small, medium and large—such as the ones in Tilston, Tarporley, Winsford, Audlem and Sandiway in my constituency, and especially the small, rural and suburban community sub-post offices—fear for their future. It is not just in my constituency—it is the same all across the country. There is great uncertainty. The only certainty is that the Government's decision to scrap the Horizon swipe card plan poses the biggest threat.

The National Federation of Sub-postmasters has estimated that 40,000 sub-post office staff will lose their jobs. Against all the Government's words stating their commitment to social inclusion, the overall result of this measure will be a massive increase in social exclusion. And the Secretary of State's answer to the uncertainty over the future of the networks is posters. There is little chance that those posters will tell the truth. If they did, they would say, "Your post office is not safe in Labour's hands, and we have no intention of rethinking our scrapping of the policy that could have preserved the network."

Overall, the Government's strategy for the Post Office is a combination of political fudge and economic uncertainty. The Secretary of State has consistently stated his support for greater competition in the wider economy to improve services and drive the best bargain for the consumer. Yet he is introducing a Bill in which competition is kept to a minimum to keep the unions happy. The Bill does not address any of the major questions hanging over the future of the Post Office.

We shall have to work hard in Committee on the many new clauses and amendments that the Secretary of State has told us about. He knows what they are, but we are not allowed to know because that would go against his spin. My recent experience on the Standing Committee that considered the Freedom of Information Bill tells me that we shall argue a lot with the Government, who will put up a lot of straight bats. We may even receive some courteous rebuffs for our improving amendments. Ministers will read out hastily scribbled rebuttals handed to them by officials. They are never minded to let the benefits of a hard-won democratic procedure improve a Bill for fear that that would be interpreted as meaning that their original thinking was wrong, or even not 100 per cent. perfect.

The Government should listen. There is little political benefit for the Opposition in improving Government Bills in Committee, far from the public gaze. Yet, in good faith, again and again, we shall try to do so, because we are determined to pass good law, even if, as Opposition Members, we disagree with the underlying policy. Many battles await us in Committee.

8.56 pm

Mrs. Diana Organ (Forest of Dean): The Bill has been long awaited. For years, the Post Office had to put up with Tory dither, delay and indecision coupled with continual

threats to break it up and privatise it. That remains Tory policy. The Post Office was not allowed to prepare for the challenges ahead. Labour, on the other hand, is keeping its manifesto commitment to modernise the Post Office by giving it commercial freedom within a public sector framework.

The Post Office has welcomed our wide-ranging Bill, as have the Communication Workers Union, the Country Landowners Association and Action with Communities in Rural England. There is much in the Bill that will be welcomed by the 29 million people who use the Post Office every week. For the first time, service provision by a nationwide network and a universal service obligation are being enshrined in law. To ensure that that happens, we are introducing a new regulator and the Postal Services Commission to promote consumer interests.

People in rural areas who are concerned by sub-post office closures will be able to call on the regulator to consider the full impact on customers when there is any future closure proposal. The Postal Services Commission will have to have regard for the interests of the disabled, the chronically sick, pensioners, those on low incomes and those who live in rural areas. The Bill gives the Secretary of State the power to direct the Postal Services Commission to impose a licence condition requiring the provision of free postal services to the blind, thus ensuring the continuity of free articles for the blind. All that is to be welcomed.

For the first time, there will be a right to access, with the Government issuing criteria to ensure that everyone may have reasonable access to Post Office Counters services. Individuals will be able to appeal to the regulator on the provision of postal services in their rural areas.

Together with the 250,000 people who have signed petitions highlighting concern about the future of local rural post offices, I hope that the Bill will deliver a framework to ensure the maintenance of a strong post office network. However, I seek some strengthening of that framework. We need to arrest the continuing decline in the number of rural post offices. We must specify what an acceptable network means, and we must safeguard vulnerable post offices that give much to the local community. We need to fund the network, and, as my right hon. Friend the Secretary of State said, that may mean subsidy.

At present, 43 per cent. of rural parishes have no rural post office. The network in rural areas has reduced from 9,700 in 1994 to 8,900 at present. The Tories let the continual fall in the network go on year in and year out. The Labour Government are addressing decline. We need to build up the network. When, as often happens, a post office is linked to a village shop, it is an essential facility offering access to a vast range of services.

Such post offices are fragile. As the 12th report of the Select Committee on Trade and Industry noted:

> "Given the fragility of the network . . . it is time for the Government to consider whether it should continue to rely on income generated from a range of postal and other services to maintain a national network which it regards as necessary for broader social and economic objectives; or whether it should accept that the network is a national asset—as recently demonstrated by its role in providing more or less instant passport renewal services—which may require an appropriate level of national financial support."

Services such as those suggested in the Select Committee report would greatly strengthen the framework outlined in the Bill. I welcome the comments of my right hon. Friend the Secretary of State suggesting that a possible subsidy may be considered in Committee.

We can overcome the vulnerability of post offices through diversity. In Suffolk, one rural post office is situated in a local pub. In Herefordshire and Worcester, 20 sub-post offices are located in village halls. The range of services could be extended. We should allow rural sub-post offices to become the centre for a wide range of services, financial and otherwise.

Why should not rural sub-post offices offer insurance, in addition to the holiday insurance that they are now allowed to offer customers? They could issue smart payment cards and Quantum cards for electricity, gas and water, and mobile phone prepayment cards. They could issue passport forms, vehicle licence forms, motor tax forms and other local services required in rural areas.

I am glad that we will ensure that people can pick up their benefit in cash across a post office counter. The hon. Member for Buckingham (Mr. Bercow) commented on my earlier concerns, but I am now aware of the Government's commitment to that.

We can allow post offices to become future banking centres for rural areas. There are already agency arrangements with the three major banks. That is important, as 91 per cent. of villages have no banking facility.

The report to the British Bankers Association by Elaine Kempson of the university of Bristol showed that 15 per cent. of rural businesses are more than four miles away from a local branch. That creates particular difficulties for small retailers and the self-employed. Furthermore, 15 per cent. of the rural population have no local branch. That is especially difficult for people who are over 80 or disabled, and for women with young children. The report found that agency arrangements with post offices would be acceptable to those groups. That extra business would bring more footfall into rural post offices, giving them greater strength.

The Horizon project to computerise 18,000 post offices by 2001 will give them modern, on-line IT systems and give the network the capacity to re-introduce banking facilities in the rural areas from which banks have withdrawn them.

With my hon. Friend the Member for Stroud (Mr. Drew), I have written to our hon. Friend the Minister, inviting him to Gloucestershire to meet postmasters and discuss the possibility of running a pilot of the Horizon project, to monitor and evaluate the services that it can deliver and see whether it can effectively provide electronic government.

The Bill will allow the Post Office to borrow up to £75 million at commercial rates in each of the next five years. That will give it a vast amount of investment, which is necessary to allow it to compete on a global and national scale. There will be major new business opportunities as e-commerce expands. More and more consumer purchases are made on the internet.

As we move into the realms of mass food retailing through the internet, with Tesco rolling out a nationwide service, there will be huge opportunities for large-scale nationwide distributors. Only Parcelforce can meet that requirement. It is the only carrier with complete coverage across the UK, but it needs the provisions of the Bill to enable it to enter the future market competitively.

[Mrs. Diana Organ]

The Bill will provide a framework for modernisation, allow the Post Office to be competitive and remain a world-class service, and give a better deal to consumers in rural areas.

9.4 pm

Mr. Mike Hancock (Portsmouth, South): First, I offer good wishes and congratulations to the hon. Member for Ceredigion (Mr. Thomas) on his excellent maiden speech. I also pay a generous tribute to his predecessor in that constituency.

I am sorry that I cannot do the same for our colleague, the hon. Member for Putney (Mr. Colman). He painted a depressing picture of the postal service in Putney. The only glimmer of hope was that the 29 million other people who use the service every week have a much better service than the inhabitants of Putney.

However, Putney may be where ministerial mail goes. When it leaves Ministers' offices, it hovers for several months over Putney and then descends on the House of Commons. I hope Ministers will not grab that as yet another excuse for the long delays in replying to letters from hon. Members, although I am sure that some of them will enthusiastically grasp at that excuse to defend the indefensible.

My hon. Friend the Member for Twickenham (Dr. Cable) spelt out his strong reservations as to the financial consequences of the measure. The hon. Member for Forest of Dean (Mrs. Organ) mentioned that the £75 million available for borrowing would permit great scope for modernisation and development. Nothing could be further from the truth. One has only to visit one's main sorting office—if one is lucky enough to have one—to find out that the cost of the technology to speed up sorting runs is more than £1 million. It would cost that amount to get new technology into sorting offices—let alone the development and business opportunities outside.

There are several flaws in the Bill. However, all that we have heard from the Conservative Opposition is that they have not learned any lessons. The only alternative that they offer is privatisation. That is where they were going during the previous Parliament, but they backed off. My predecessor as Member of Parliament for Portsmouth, South resigned from the Conservative Government in disgust at the fact that they had backed away from privatisation, but it did not save him his seat.

It has been pointed out that many Tory Members lost their seats at the last election because they stuck rigidly to the line that the Post Office needed to be privatised and they wanted to carry that out. Today, Conservative Members are harking back to what was seen, even at that time, to be a lost cause. The Conservatives backed off then because the public do not want privatisation.

Consumers have not said that they want the wholesale sell-off of the Post Office. The overwhelming majority of people believe that the Post Office offers an excellent service where it is needed. Deliveries are usually on time, although obviously there are occasions when things go wrong. However, as the representative of a large constituency of 89,000 voters, I receive few complaints about the service. I have nothing but high regard for the job done by postal workers in sometimes difficult circumstances. I am proud to be close to the organisation in my city.

Much has been said about the plight of rural post offices. I draw the attention of hon. Members, once again, to the plight of the urban post office. The distance between the sea and the northern boundary of my constituency is a little more than two miles; from east to west, the distance is probably less than three miles. More than 100,000 people live in that area—89,000 voters. There are 22 sub-post offices, 15 of which would have an even greater cloud looming over them if the changes in the payment system go ahead, and people take them up as the Government will, I am sure, encourage them to do. Why make changes, if they do not actively encourage people to make use of them?

The problem faced by 15 of those 22 sub-post offices is that 50 per cent. of their trade comes from benefit claims. Many have no alternative; they cannot diversify. They have tried to do so, but some businesses have already gone down the tube because supermarkets have expanded.

Banking was offered to post offices—the installation of cash dispensers. A postmaster came to see me last week with a letter about the 3,000 machines that would be available. He and his family have run a post office in the heart of the area for more than 30 years. He applied for that service, but there was no indication of how the choices would be made. Will there be any weighting in favour of the installation of those machines in sub-post offices? Or will it be as predicted by the sub-postmasters, who all believe that the machines will go to the highest bidder, or the one with the greatest number of customers passing through the door—the local supermarket? It would be very difficult for local post offices to compete with the supermarkets.

The closure of any one of those sub-post offices will pose serious problems for many people whose only active meeting of other people, except for the occasional person who knocks at their door, takes place on the journey to that sub-post office. It does not matter that they are not too far from neighbours, and probably relatives. For many people, that journey to the post office is their trip to the outside world. On the way they may visit the library or pay other bills, but the post office is the main reason that many of them still make a journey out of the home.

It is easy to ignore the situation in an urban population and say that that is not an issue because if the Government close 10 sub-post offices, 12 will remain in that very small area; but people will have to make difficult journeys, sometimes without public transport, across very major roads, in densely populated streets full of cars, which are double parked in most instances. It is a real nightmare. That is why thousands and thousands of people have already signed petitions to save post offices in my constituency and many other urban constituencies.

Tonight we need to hear from the Minister some clarification about the possibility of subsidies. We need to hear who will choose from the 22 post offices in Portsmouth, South those that are seen to be viable and eligible for a subsidy, and we need to know what will happen to those who do not pass the harm test satisfactorily and consequently are not chosen.

The right hon. Member for Hitchin and Harpenden (Mr. Lilley) did not mention the fact that he served in the Government who closed down the Crown offices. I remember that, when I was previously a Member of Parliament, they closed thousands of them throughout

the country. In Portsmouth, at least half a dozen were closed. We were all told, "Do not worry; jobs will be saved and we shall find alternative locations, or other people will take on those offices." Five of the six are now housing. All six no longer serve as post offices. There was nothing but crocodile tears. We were told, "It will not be a problem. Do not worry. You are over-hyping the argument."

Now the boot is on the other foot. A Labour Government are in power, and they are saying that they intend to do something that appears to threaten the viability of the sub-post office network, whether rural or urban. Answers are expected and needed—not 18 months from now, not when the Bill has passed through the House and the other place, but tonight or very soon after tonight. The livelihood of thousands of people throughout the country is on the line, and so are the understanding and commitment of the people who use those post offices. They want to hear a clear message from the Government tonight.

I do not envy the Minister's task in piloting this very complex Bill through its stages. Some Members have said that the Bill is a step in the right direction. My only fear is that it is a step in the direction in which the Conservatives wanted to take us, and that, if ever they were back, it would open the door to allow them to do what they did more easily the next time than they did it the last time.

9.13 pm

Mr. Lindsay Hoyle (Chorley): Obviously, the debate is very important and many hon. Members on both sides of the House have taken part. There seems to be an interesting discrepancy between the views of the various members of the Opposition Front-Bench team. The hon. Member for Tiverton and Honiton (Mrs. Browning) said that she did not want to commit herself to privatisation, and that we must wait and see what the Conservatives would be saying at the next general election; but the hon. Member for Rutland and Melton (Mr. Duncan) was bouncing up and down saying, "Privatise, privatise, privatise." It is always very interesting to note the variation in the messages that are communicated by the Opposition.

We should be talking about the future of the Post Office, which is very important. I welcome what we are achieving, or hope to achieve—a greater and better universal Post Office. I hope that we can take on the rest of the world and that we can continue to be proud of the Post Office. The Post Office has a proud history and we want it to expand and to have the freedom to allow that to take place.

People shout that we should fully privatise the Post Office, but they then ask about sub-postmasters and postmistresses. They want the best of both worlds, but they are not facing up to reality. For 18 years, 40 sub-post offices closed every week. No matter what they say, the previous Government did not bat an eyelid. We take the future of rural post offices seriously, so much so that we believe that there must be an alternative approach. We cannot allow them to wither on the vine as previously happened.

We should recognise that we now live in a plastic society. There are no two ways about that. New pensioners will use a post office less, because their pensions will be paid directly into their bank accounts. We must grasp the nettle and ensure that the Post Office can provide alternative services. We must give it a viable future and that must be done through new technology. That is the new gateway for its benefit and its future.

I am in contact with the owners of rural and urban post offices in my constituency. They are important and they recognise that they need a future. The future is not to do nothing, but to give them an alternative, and that alternative will come from new technology. We need new rural and urban banking facilities, and we want post offices to be able to offer a full range of services. They will be offered because we are willing to take up the challenge of new technology to provide a future for a Post Office of which we all can be proud.

We shall stop what the previous Government allowed to happen—post offices withered away and not one Conservative Member who supported the previous Government for 18 years was even bothered. They might shed crocodile tears now, but that is all that they can do. In reality, they do not care. They say, "Privatise, privatise", but they do not say what would happen if they privatised the Post Office. That is a worry.

Perhaps the hon. Member for Rutland and Melton will be willing to tell us how privatisation would help sub-postmasters and mistresses. We all know that it would not help them in the slightest—far from it. It would make their futures totally uncertain, but would do nothing about their problems. We recognise that the problems exist and that they must be addressed. However, talking about them will not help. We want a Bill that will help the Post Office in general—the new universal Post Office—and that will give a viable future to the rural and urban post offices that would have closed, as they did under the previous Government.

I want the Bill to enable the Post Office to provide new enhanced services. What is wrong with small urban villages of 8,000 to 10,000 people having a second delivery? That does not take place at present, but I hope that not only will we maintain the service that we have now, but that it will be improved by a double delivery. People should expect that. We should not say that deliveries should be made before 2.30 pm. Instead, we should say that people will have a first delivery before 10 am and a second delivery before 5 pm. We should be pushing the service forward and enhancing it.

I hope that my hon. Friend the Minister will take my points on board and that he will say that the Bill will lead to an enhanced service that we will all welcome. I know that the Government take seriously the future of the Post Office, and urban and rural post offices in particular. They have been allowed to close, but that should not have happened. We do not want it to happen again; we want a Post Office of which we can be proud.

I am constantly in touch with the post offices in my constituency. I want to ensure that they have a viable future, and the Government will ensure that through the use of new technology and alternative services.

9.19 pm

Mr. Oliver Letwin (West Dorset): A good deal of concern has been expressed in this debate, as in three previous debates in this Session, about rural post offices and small post offices in general. We are dealing primarily not with a party political issue, but with a Government who are over-dominated by their Chancellor of the Exchequer. We all understand the problem.

[Mr. Oliver Letwin]

The Chancellor and his officials communicated to the Department of Social Security the great apercu that they had come across 15 or 20 years earlier and of which they have been repeatedly notifying the Secretary of State for Social Security for all that time, which is that the Government could save an enormous amount of money if only they would pay benefits through the banks.

In previous years, we have had, without an announcement, the introduction of something that I believe is now popularly called joined-up government. Under this present joined-up Government there is, alas, no joined-up government, and the Department of Social Security said yes to the Chancellor's proposal without checking what the effects would be, and reported to the poor old Minister's Department of Trade and Industry, saying "Jolly D. The Chancellor has said this and what the Chancellor says rules in this Government. Let it happen."

The poor old Minister and his Secretary of State got to work and started to make all the discoveries that people had made many years earlier, but which the Government had not been told about by the Treasury officials who now run things. They discovered, of course, that the massive saving had a few disadvantages. First, it was admitted in an earlier debate that the Government would have to subsidise the banks to get them to open accounts for people who should not have a bank account because the banks do not want them and the people themselves do not want a bank account.

It was then discovered that the people for whom the Government thought it would be nice if they could collect their cash through the post offices unfortunately would not have that option because there would be no post offices. They then came up with the whiz-bang solution, which is, as we now discover, to subsidise rural post offices and outlying post offices in towns and cities. Two of the net advantages of the idea were therefore to be a huge extra subsidy to the banks and a huge extra subsidy to post offices, but the Government discovered that that would not do because we still could not be sure that people would be able to get their cash, because the post offices would not be there.

The Prime Minister went on a tour to the south-west and said that he would put cash tills outside all the post offices. He happened not to notice that when there is a cash till outside a post office, people do not go into the post office, so they do not use the post office, so they will not have payments made into the post office, so the post office will not remain open. Now the Prime Minister will put 3,000 cash tills in other places in rural areas—we know not where and he knows not where—and of course we have no idea whatsoever how people will use the cash tills because they will not be bank account holders so they will not have any reason to use a cash till.

I could go on. I fear that what I am trying to describe is a right muddle. It is a muddle not because Ministers are evil or ill-intentioned or even because they are Labour Ministers, but because they have made a right mess of things by coming up with a policy that a certain set of officials has been promulgating for a long while but which has never worked and will not work now and will have to be got rid of sooner or later.

It will have to be got rid of sooner rather than later because there is a huge movement against the proposals in the countryside and increasingly in towns and cities. Hundreds of thousands of people are signing petitions. There is a cross-party group, of which I am proud to be a member, which takes in Members from all three parties represented in England. The fact is that the Government will give way.

Once the Government have given way, we need to know what we need. I regret to say that the Secretary of State gave a lamentable performance earlier, and he revealed that he has not the slightest idea of what we need. It is simple and clear: we need a mechanism by which small post offices will be able to compete with the banks and deliver, sensibly and rationally, at low cost, benefits to the people who need them without their having to hold a bank account, without having to subsidise the rural post offices and without the collapse of village society that is otherwise entailed. That is within our grasp.

We need an intermission. The arrangements will not be introduced by 2003; they could well be in place by 2005 and 2006. Technological problems have been encountered, but it is perfectly understood in principle how the task can be done. We must provide the average small post office with the electronic means to deliver benefits in the way that the Secretary of State for Social Security wants them to be delivered, and this poor old Minister would like them delivered, to keep open the network of post offices. That is perfectly doable if it is done slightly later.

What is the remedy? The Secretaries of State for Trade and Industry and for Social Security must summon up their courage and remind themselves that they are not wholly in the hands of the almighty Chancellor of the Exchequer. They must go, if necessary on bended knee, up the stairs of the Treasury and say to the Chancellor, "Oh Chancellor, you are three years too early. Just give us a little intermission to install the technology in the post offices and there will be a miracle. You will not have to subsidise the banks. You will not have to subsidise the rural post offices. It is true that you will not save £400 million; you will save much more." I think that the Chancellor of the Exchequer, terrifying though he is—like my colleagues on the Treasury Opposition Front Bench team, I know just how awesome the right hon. Gentleman is at the Dispatch Box, and I have no doubt the same is true of him in his office—will turn out to be rational.

The Government will thus find a way to get off the awful hook. From the point of view of my colleagues and me, that is politically highly regrettable, as we stand to gain seat after seat in rural areas from the Government's awful mess. If we were cynical, we would desist from speaking a word about it and our friends on the Liberal Democrats Benches would be equally silent, because we all know that one of the best ways to encourage people to vote for us is to allow Ministers to pursue a lunatic policy. Nevertheless, I hope that Ministers will take the opportunity to go to the Chancellor, that they will win the debate and that they will not pursue the policy.

The reason why that is the right course of action is that it is in the interests of no party in the House to allow the widespread destruction of village communities that will ensue from the Government's proposals being implemented. It is in no one's interests if the hundreds of thousands of people who are benefit recipients find themselves in increasing social difficulty. We have a common interest as politicians in telling the officials at the Treasury to get back into the box.

9.26 pm

Mr. Alan Duncan (Rutland and Melton): We have had a lively debate. Such is the enthusiasm of hon. Members on both sides of the House that the number who wanted to speak reduced us to a 10-minute rule.

Having studied the Bill in detail, the best we can say is that it is better than nothing but not as good as it could have been. At its worst, it is a timid and potentially deceitful Bill—deceitful in respect of the structure chosen and the consequences that Ministers claim will arise from it.

The fact is that the proposed structure is not a full public limited company. As my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said, it is a hybrid structure that is full of conflicts and contradictions. It enjoys the pretence of commercial freedom, but the relationship that the Post Office will be compelled to have with the Government will continue to be more akin to that of a nationalised industry than to that of a freely owned company operating in the open market; it will always look to the Government for permission to act.

The financial disciplines applying to the company will be contradictory. It will operate in an artificial climate of financial discipline: there will be no openly quoted share price, which would otherwise govern its financial strictures; nor will it borrow in quite the same way as other plcs in the open market. At its worst, the result could be a sort of mini-National Enterprise Board, like that of the 1970s.

Let us imagine that, in a great venture, having been seized with the sort of vision for which every hon. Member who has spoken today has asked, the Post Office decides to enter into a share swap with another communications company, perhaps an overseas company. Some shares from the 100 per cent. Government-owned company are given to that overseas company and some shares from that company are given in return. The end result, lo and behold, is the British Government publicly owning shares in a foreign communications company.

Such a bizarre structure cannot endure. It would be absurd if one Minister in one office at the DTI had to decide whether or not the Post Office could borrow money, while another Minister in the office next door—behind the Chinese wall—decided whether or not to refer some merger to the Competition Commission. The structure is untenable—a crazy pretence.

The Bill is designed to deceive. I do not believe that the Government are intent on keeping the structure in the same form as it is created. Either old Labour will build it up until it resembles the National Enterprise Board that I described, or new Labour will do what it always does—go a long way against the wishes of Labour Members and take a dramatic step towards privatisation. I believe that the latter is more likely. My hon. Friend the Member for South-West Hertfordshire (Mr. Page) lampooned that duplicity well in his contribution.

There is massive suspicion about the future of the Post Office network. Although Labour Members have done their best to disguise it, many of them share our anxiety. The root of our concern is the future of the Post Office network in rural and urban communities after the introduction of automated credit transfer. The Secretary of State said that there would be no deductions from those who subsequently draw money in cash after the introduction of ACT. I welcome that statement as far as it went; however, it does not tackle our anxieties.

Last year, my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) asked the Secretary of State for Trade and Industry

what fee will be paid by the Department of Social Security to sub post offices for administering cash benefit payments under the arrangements applicable from 2003".

He received the following reply:

The contractual arrangements between the Benefits Agency and Post Office Counters Ltd. are commercially confidential, as are the contractual arrangements between Post Office Counters Ltd. and certain retail banks under which customers of those banks can access their accounts at post offices.—[*Official Report*, 26 July 1999; Vol. 336, c. 93W.]

That directly contradicts the Secretary of State's comments today.

The right hon. Gentleman did not fully answer a question that initially received no answer. He let a tiny patch of daylight into the magic and trickery without giving a full answer. As my hon. Friend the Member for Worthing, West (Mr. Bottomley) rightly said, what matters is the future of the income of the network of post offices, which rely so much on the payment of benefits. To that question, answer came there none. If there is no adequate post office income, from where can people get their cash? The Secretary of State's guarantee that there will be no deductions from money that is paid in cash is not a guarantee to protect the Post Office network

Mr. Connarty: Earlier, Conservative Members gave a clear commitment that they would privatise the Post Office. What guarantee would a privatised scheme give to sub-post offices? A commercial free market gives no guarantees to any enterprise.

Mr. Duncan: The hon. Gentleman shows that he does not understand the kernel of the issue. My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) dealt with that point in his speech. If the hon. Member for Falkirk, East (Mr. Connarty) was not prepared to listen to my right hon. Friend, I pity him.

There is much suspicion about the alleged savings that introducing ACT will make on fraud. Community post offices know who their customers are. Fraud tends to be caused by the mistaken issue of a book, not by the transfer of cash to the book holder.

I shall dwell briefly on the speech that my right hon. Friend the Member for Hitchin and Harpenden, the former Secretary of State for Social Security, made. When in government, he had an impeccable track record of designing a system that would have protected the rural network. He openly described the way in which it would have worked. He made a devastating critique of the Bill's structure and said that its philosophy was, "make us modern, but not yet." He also said that the universal service obligation can be fulfilled through regulation; it does not require state ownership. That is the answer to the question of the hon. Member for Falkirk, East.

My right hon. Friend explained the conflict between commercial and Treasury priorities, which will permanently bedevil the structure for which the Bill provides. He was open when he said that as Secretary of State for Social Security, he was advised that the introduction of ACT would destroy community post offices and lead to minimum savings and maximum disruption.

[Mr. Duncan]

On the back of that and his experience in government, my right hon. Friend asked the Minister whether he had received similar advice or any guidance that might in any way match what he was told. I hope that the Minister replies, as the answer is bound to be yes; but that is part of the deceit of the Bill and of Government policy, which are designed to destroy the Post Office network without admitting what will happen. Government policy is already destroying many post offices: the value of their business is plummeting because of the doubt and the danger that they face. My right hon. Friend undertook a forensic dissection of the likely new payment arrangements and the Minister will have to answer many questions in Committee.

The hon. Member for Falkirk, East recalled the Stand By Your Post campaign in his constituency and stood by it, but he should reconsider his view as he supports a Government who are ratting on that campaign and causing untold damage to our network. The hon. Member for Ochil (Mr. O'Neill) wants the Post Office to be able to have an international vision. I agree, but it will be able to have such a vision and act on it only if it has genuine commercial freedom, not the fake commercial freedom in the Bill.

May I divert for a moment to pay my compliments to the hon. Member for Ceredigion (Mr. Thomas)? Like hon. Members on both sides of the House, I congratulate him on the quality and the generosity of his maiden speech, which was confident, amusing and took us on a vivid tour of his constituency, with all its rural quality. He and I can find common ground in that we represent constituencies of fields, not concrete. Perhaps we can find further common ground in taking pleasure in new Labour coming fourth in his by-election.

I listened closely to the contributions of the hon. Members for Strathkelvin and Bearsden (Mr. Galbraith), for North-West Norfolk (Dr. Turner), for Putney (Mr. Colman), for South Ribble (Mr. Borrow) and for Forest of Dean (Mrs. Organ), who hopes that her constituency can be part of a trial of much of what a future Post Office might do. However, she was offered a trial in Gloucestershire before—the path under trial—only for it to be cancelled by the Labour Government as soon as it was announced.

Conservative Members brought a lot of experience to the debate. My hon. Friend the Member for Banbury (Mr. Baldry) put a clear case for the benefits of privatisation and my hon. Friend the Member for South-West Hertfordshire added his experience from his days as a Minister. If we are fortunate, he might be selected to serve on the Committee so that he can bring that experience more greatly to bear.

My hon. Friend the Member for Ribble Valley (Mr. Evans)—the first phase of a Ribble double this evening—went to the heart of the debate to explain the value of small post offices to local communities, which we all want to protect, and the possible consequences of the Bill. My hon. Friend the Member for Eddisbury (Mr. O'Brien) said that the Post Office needs genuine commercial freedom if it is to thrive and that the existing plc stands for "politically limited competitiveness". I agree with him. My hon. Friend the Member for West Dorset (Mr. Letwin) was cogent and convincing as always, but his remarks were difficult to take in on this occasion as he was rather quick.

The House is aware of a depressing aspect of the Bill: we are debating its principles on Second Reading and considering a detailed text of 93 clauses even though we know that a massive number of amendments will be tabled. That has already happened with the Utilities Bill and it is fast becoming a pattern. In his opening remarks, the Secretary of State said, "I know the number of amendments we plan to table", but he has not made them available to the House. A massive raft of amendments that will make dramatic changes are already in the pipeline, but they are not before us to help us to decide whether we agree with the Bill's principles.

Whereas we all accept that a number of amendments are bound to be put down in Committee—after all, that is what the process is for—to have them ready now, before Second Reading, and for the right hon. Gentleman not to come absolutely clean about them is disrespectful of the process in which we are all engaged.

We on this side of the House want proper commercial freedom for the Post Office. We want it to be able to thrive in a world of increasing competition and global corporate competition. We want to see it free to enter into those sorts of relationships into which genuine plcs are free to enter.

The structure before us is a mess. It is a pretence of a structure. It will not give the managers the freedom and initiative to do what they really want to do, to build up their businesses.

We also want to defend rural post offices, which undoubtedly are under threat. We value them. If the Government really were honest about this, they would have accelerated the process of designing the access criteria so that at this stage we could see what is planned to protect the rural network that the Government say they wish to defend. In the absence of those access criteria, the suspicion that we have in so many areas will grow.

There are many things that we could debate further about whether the Post Office should become a bank. However, at this stage, on Second Reading, we see before us a Bill which is a hotchpotch hybrid. It does not give the commercial freedom to the Post Office that the Government pretend. Our reasoned amendment gives all the reasons for our wishing to criticise what is in the Bill. I hope that, if the Bill goes as far as Committee, we shall manage to improve it.

9.42 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alan Johnson): All the self-preening pontification of Opposition Members cannot disguise their total lack of credibility on this issue. If I was being kind about their stewardship of the Post Office—*[Interruption.]* There are members of the previous regime sitting on the Conservative Benches. We do not want to upset them unduly. If I was being kind, I would call their stewardship maladroit. If I was being unkind, I would say that Postman Pat's black and white cat would have provided better stewardship of the Post Office over the term of the previous Government.

Let me take hon. Members opposite through this issue—it will not take long. This is a "Hitchhiker's Guide" to the previous Government's policy on the

Post Office. First, in July 1992 they announced that they would split away Parcelforce and sell it off. Then they announced, two weeks later, that they were going to review the rest of the business. Then they announced that they could not split Parcelforce away from Royal Mail, because that would be detrimental, so they would bring it back again. Then they announced that they would split Post Office Counters away from the Post Office business and keep Royal Mail and Parcelforce together as a privatised part of the Post Office—so there would be that small public sector minnow called "Counters" split away from all the synergies, all the cross-fertilisation in terms of work and finance, that it received from the rest of the business.

The Government spent £1,613,002.28—I am grateful to *Hansard* for telling me this—of taxpayers' money on consultancy fees to go out to consultation on a Green Paper that said they would privatise Royal Mail and Parcelforce and keep Post Office Counters in the public sector. I am told that receiving 200 replies to a Green Paper is doing well. They had 15,400 responses, only 60 of which were in favour of their proposals.

I have not ended the "Hitchhiker's Guide" yet. Then the Conservative Government said that they would reduce the external financing limits to half the Post Office's forecast post-tax profits in the autumn, something that we are doing in the Bill: 50 per cent. this year, reduced to 40 per cent. next year. They said they would make progress on that in the autumn. That autumn they hiked the EFL to 300 per cent. of that year's Post Office profits. The reason why a first-class stamp costs 26p is that the Post Office was forced to respond by increasing the tariff four years ago.

After all that, the Conservatives ended their term of office with a miserable little paragraph in their 1997 manifesto saying that, if elected, they would sell off Parcelforce and review the status of the rest of the business—right back to where they were in July 1992.

The pity of all that is that the solution was there all along. The solution was staring them in the face. The hon. Member for Tiverton and Honiton (Mrs. Browning) said that the Conservatives were enthusiastic about privatising the Post Office; well, we are enthusiastic about the Conservatives standing at the next election on that basis.

The right hon. Member for Hitchin and Harpenden (Mr. Lilley) said that the Post Office network was already in the private sector. I have heard that myth before, and it is ludicrous. The Post Office network—Post Office Counters Ltd.—is driven and financed from the centre, from a publicly owned Post Office network. The private business is a public-private partnership, but private businessmen come into the business on the basis of a network 10,000 of whose constituents make a loss, and have to be cross-subsidised to the tune of £30 million a year from the rest of the network. They can do nothing about that because the system is socially necessary, although not always commercially viable.

The right hon. Member for Hitchin and Harpenden said—I thought this a bit rich—that the Post Office had missed the glittering prizes that would have belonged to it if it had been in the vanguard and not in the rear. After all the Conservatives' maladroit handling of the Post Office, the answer was staring them in the face all along. It was the Select Committee on Trade and Industry in 1995, under a Conservative majority, that rejected the argument that the only way to commercial freedom was through privatisation; there was a public sector solution. The Committee said:

> "We recommend that the Government introduce legislation to convert the Post Office . . . into a 100 per cent. government-owned plc . . . in the knowledge that the future sale of any of the Government's shares in Post Office plc would be subject to parliamentary approval."

An earlier speaker suggested that there was no enthusiasm among Labour Members, or among the Post Office work force, for anything other than the status quo. That is not true. We always argued that the Post Office needed commercial and financial freedom, but we rejected the dogmatic approach of the then Government and argued that our approach would provide a solution.

Arrangements were introduced in 1995. The Post Office has been under permanent review for the past eight years, and has suffered as a consequence. All our rivals in Europe have gained ground; we could have been much further forward. Conservative Members are talking out of the back of their collective lorries. Their record demonstrates that we need no lectures from them.

The other great myth that has featured in the debate—the other issue that I believe needs to be addressed—is the argument that we are debating the future of the Post Office network in relation to problems experienced in the transfer to ACT, and the fears raised in that regard. Let us be clear—the Bill has been welcomed by everyone, including the National Federation of Sub-Postmasters, the Mail Users Association, POUNC and others. They see it as a way of underpinning the viability of the Post Office Counters network.

The problem for the last Government, and the problem that the Opposition have now, is that they never found a solution to privatisation of the Post Office that did not involve breaking it up—and breaking it up, and making a split with counters, provides no viable solution, even under the measures that they have proposed.

The Bill is good news for the whole Post Office, including the counters network. The introduction of access criteria is a positive advantage for the network. However, we need to deal again with the issues that were raised in the debate about whether or not the network is condemned to decline. I thought that the hon. Member for West Dorset (Mr. Letwin)—perhaps I can ruin his career as well—made a good speech, which should have been a speech from the Front Bench. If the argument is just about timing, all the scare stories that are going around will be removed.

On the position in relation to the Post Office Counters network, Conservative Members cannot continue to say that they have found a solution through the benefit payments card. By the time we came to office, that solution was already curling at the edges. They had to reconfigure it themselves before we even came to office. We found a private finance initiative where the financier was the same as the developer. The project had overrun by three years and was vastly overspent. As the Select Committee on Trade and Industry has rightly said, it was blighted from the start.

We had a choice. One was to continue to watch decline turn to crisis and crisis turn to collapse, leaving it as someone's else problem down the road. The network has shrunk by 20 per cent. in 20 years. Under the previous Government between 1990 and 1997, 10 per cent. of the rural network closed. It was gradually seeping away.

[Mr. Alan Johnson]

There is no question that any responsible Government would fail to recognise, first, that people were going to move to ACT as a safe, secure system of paying people's benefits; and secondly, that it needed to be planned on the back of an automated Post Office network, which is what the Horizon platform is all about.

I understand the concerns that have been expressed by sub-postmasters, sub-postmistresses and their communities. We understand that fully. We ask: where is the winning post? If it is a Government commitment to a national Post Office network, we have given it. If it is a Government commitment to modernise that network, we have given it. If it is a Government commitment on choice—the general secretary of the National Federation of Sub-Postmasters, a very astute trade union leader, said:

"All we are asking for is choice"—

the choice is there. We will ensure that anyone who wishes to draw their payments in cash across the post office counter will continue to be able to do so. We will not force people to open bank accounts. We will not dilute their benefits through bank charges and so on.

We have given those assurances, but the argument sometimes creeps in, particularly from those who are whipping up the furore that will undermine the Post Office network, in favour of the status quo—that we should force people to queue up for benefits and should not give them the option of having them paid into their bank account

Therefore, we have given all the assurances in terms of the Post Office network. We admit that, at this stage, not every answer is in place. That is why the migration will not be completed until 2005. That is why we have said that we will approach the issue through a performance and innovation unit study that was commissioned last year, which will look at the whole network and its contribution to the Government's aims and objectives.

Mr. Page: Will the Minister give way?

Mr. Johnson: No, I do not have time to give way.

By having the debate and by putting a spotlight on the Post Office network, we have demonstrated for probably the first time that the Post Office network is under-utilised and not properly promoted. There are enormous opportunities in the network. A trial is being operated in Cornwall, where 270 rural post offices provide banking services for Barclays. We are putting bank machines into rural post offices, an initiative which has been greatly welcomed by the local communities. Yes, people do draw from their accounts and then go into the post office and spend their money.

Mrs. Browning: Will the Minister clarify what he means by "we" when he says, "We are putting bank machines into post offices"? We have a clear written answer that says it is not "we"—the Government; it is a commercial transaction between banks and post offices.

Mr. Johnson: The fact that I spent 30 years in the Post Office makes me talk about it in that sense, but the Government are encouraging the Post Office. We sit with the National Federation of Sub-Postmasters and with the Post Office on the Horizon working group to find ways, in partnership, of utilising that invaluable, crucial network.

Many other opportunities are available. We have the opportunity, in modernising government, to make the Post Office network the gateway for on-line services by 2008. We also have the opportunity to reintroduce banking into rural areas that lost their banks many years ago. As I said, the Post Office network will not be well served by opposing Second Reading. It is crucial that the Bill should be passed to underpin the Post Office network.

I should like to reply to a couple of the speeches that have been made in the debate. The hon. Member for Tiverton and Honiton asked about the Post Office's ability to borrow—which she described as a hidden subsidy—from the national loans fund. It is not a subsidy. As the White Paper made clear, the Post Office will be charged commercial rates by the national loans fund. Moreover, if we had allowed the Post Office to borrow commercially on the open market, lenders might have expected the Government to act as lender of last resort or as the guarantor of loans. We are therefore ensuring a level playing field in borrowing.

The hon. Lady also mentioned the £5 billion indebtedness limit. The British Telecommunications Act 1981 introduced a £1.7 billion indebtedness limit. We have merely brought up to date that figure and included it in legislation that is meant to last for many years.

I do not have time to reply to the many effective and eloquent speeches made by Labour Members or to the speeches made by Opposition Members, but I should like to mention the maiden speech of the hon. Member for Ceredigion (Mr. Thomas). The other week, we had a mouse in the Chamber. Today, thanks to his speech, the House was treated to a description of a bottle-nosed porpoise. He also painted a very vivid picture of his constituency.

As it was the hon. Gentleman's maiden speech, I shall respond very quickly to the three issues that he raised. He asked whether the £1 monopoly would be safe. The £1 monopoly will be there as long as it protects universal service at a uniform tariff, which we believe should be low enough to protect competition while protecting that very important principle.

The hon. Gentleman asked whether we are trying to privatise by the back door. The answer is no. He asked whether there should be a Welsh council, separate from the consumer council, for postal services. There is a national postal service and we need one consumers representative with regional and country committees spread around the United Kingdom. The hon. Gentleman made a very important contribution to the debate and an eloquent maiden speech.

I should also reply to the very important point made by my hon. Friend the Member for Ochil (Mr. O'Neill), who is the Chairman of the Trade and Industry Select Committee, on the sale of shares in relevant subsidiaries. The Bill will protect the universal service part of the Post Office—Parcelforce, Royal Mail and Post Office Counters—from any future share sales without the matter requiring primary legislation. We do not think that such provision is necessary for Post Office subsidiaries—such as German Parcel, which the Post Office only recently purchased. We are therefore saying that there is a clear

difference between the main, universal Post Office services and the Post Office's subsidiaries, such as German Parcel.

This has been a good debate. We are modernising the Post Office. It was a Labour Government who, in 1969, took the Post Office out of the civil service and made it a public corporation. We are now modernising it so that it is able to face the new challenges of the 21st century.

We can be proud of the United Kingdom Post Office. We have provided the blueprint for postal services around the world. The Bill will preserve those cherished services while ensuring that a publicly owned Post Office is able to compete effectively in the communications market of the 21st century.

Question put, That the amendment be made:—

The House divided: Ayes 115, Noes 374.

Division No. 74] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Fallon, Michael
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Greenway, John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Page, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and Mr. Stephen Day.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berrningham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam

Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Livsey, Richard
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Webb, Steve
Welsh, Andrew
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Don Touhig and
Mr. Clive Betts.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 331, Noes 155.

Division No. 75] **[10.15 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F

Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan

Ward, Ms Claire
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Don Touhig.

NOES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cash, William
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Greenway, John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Wardle, Charles
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willis, Phil
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Peter Atkinson.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

POSTAL SERVICES BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Postal Services Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown or government department in consequence of the Act; and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment;

(2) the payment out of the National Loans Fund of sums required by the Secretary of State for making loans to the Post Office company or any of its subsidiaries;

(3) the extinguishment of liabilities of the Post Office company or any of its subsidiaries by order of the Secretary of State;

(4) the payment out of the National Loans Fund or the Consolidated Fund of any increase attributable to the Act in the sums so payable under any other enactment.—*[Mr. Clelland.]*

Question agreed to.

POSTAL SERVICES BILL [*WAYS AND MEANS*]

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Postal Services Bill, it is expedient to authorise—

(1) the inclusion in licences granted under the Act of provisions requiring payments to be made;

(2) payments into the Consolidated Fund or the National Loans Fund.—*[Mr. Clelland.]*

Question agreed to.

London Government

10.28 pm

Mr. Bernard Jenkin (North Essex): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Greater London Authority Elections Rules 2000 (S.I. 2000, No. 208), dated 1st February 2000, a copy of which was laid before this House on 8th February, be annulled.

We are dealing with two consecutive orders. The first is detailed above; the second is the Greater London Authority (Election Expenses) Order 2000. They are related in the matter that we want to pursue: our fundamental objection that neither order provides for free mailings for candidates in the forthcoming London elections. We object to both orders, in order to apply as much pressure as possible on the Government to change their mind. I shall raise specific concerns about expenses during the debate on the second order.

We are joined in our objections by every party except the Labour party. The House will have noted that the motion is in the name of my right hon. Friend the Leader of the Opposition and that of the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), the leader of the Liberal Democrats; it is a prayer in joint names.

We are genuinely mystified as to why the Government have got themselves into this situation, finding themselves defending a lonely position in glorious isolation—a position that is in fact indefensible. Tonight's is something of a phoney war, because the real battle will be fought in the other place next week, when these orders come before their Lordships; and the Government, if they maintain their present position, will lose both orders in the upper House. If that happens, it will be the first time the upper House has defeated secondary legislation since 1968, when the issue of Rhodesian sanctions was being debated more than 30 years ago.

The Government cannot possibly sustain their present position. No doubt we shall be accused of wrecking—I hear the echo from the Labour Bench already—but there is plenty of time to put these matters right on the basis of compromise. We shall be accused of being irresponsible, but we are in fact taking a constructive approach. Last night in the other place, the official Opposition tabled a constructive amendment to the Representation of the People Bill, providing for mandatory free mailings in London elections.

The Government should already be aware of the weakness of their case and the strength of the arguments against it. I hope that the Minister who replies to tonight's debate will not simply read out the rather weak speech delivered by Lord Bassam of Brighton.

No doubt we shall be told that the upper House has no legitimacy to sustain the argument that we are pursuing tonight, but the upper House is doing no more than pursuing what has become known as the Jay doctrine—the doctrine enunciated by Baroness Jay of Paddington, who explained that the upper House is more legitimate as a result of the recent reforms,

"because its members have earned their places, and"

it is

"therefore more effective in playing its part in our bicameral constitution."

Those are her words, not ours, and that is why the upper House feels able to exercise its authority in that way.

Let us first place on record the importance of the mayoral and Greater London Authority elections. These are exceptional elections. There will be 5.1 million voters voting in the election for the mayor of London. There are 350,000 electors per super-constituency, and the only way the candidates can get information to their voters in this extraordinary and unique city is by way of the free mailing. If there is not a free mailing, millions of ordinary voters will have absolutely no direct contact with their constituency candidates.

Our position, as set out in the amendment to the Representation of the People Bill tabled in the other place last night, is that there should be one free mailing for each mayoral candidate and one free mailing for each of the candidates in the super-constituencies. We propose that the mailing of the mayoral candidate and the mailing of a super-constituency candidate should be able to endorse one set of list candidates. We need to amend the spending limits in the second order to reflect the availability of the free mailing.

At the time of the passage of the Bill that became the Greater London Authority Act 1999, there was every expectation that free mailings would be available. At no point was it ever suggested that the precedent set by Scotland, Wales and Northern Ireland would not be followed.

Since the Royal Assent to the 1999 Act on 11 November there has been ample time for the Government to conduct a proper and open consultation, but they delayed more than a month before writing to the other parties to suggest what their proposals might be. It was on 15 December that the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), wrote to us in solemn tones about the GLA's unique position in the electoral processes of this nation, and told us that the election would be treated in the same way as any other local authority election as far as free mailings were concerned.

Every political party except the Labour party responded in the strongest terms to that consultation. The letter from the Conservative party said:

"Like every other political party involved in the London elections, we have strong objections to many of your proposals. Each of the innovations that Labour is proposing seems purpose made to disadvantage the smaller and less well financed and organised parties."

The absence of free mailing is at the top of that list.

Mr. Simon Hughes (Southwark, North and Bermondsey): Does the hon. Gentleman agree that there is another strong reason why our case should be followed? We are putting through the House—it was in another place yesterday—the Representation of the People Bill, which is designed to increase voter turnout and to engage more people in elections. That is the Government's declared objective. Yet every piece of evidence suggests that, if we do not allow the electorate to receive literature through a free mailing, voting numbers will go down and the first London election will have a lower turnout. The credibility of campaigns will be under threat both this year and thereafter.

Mr. Jenkin: The hon. Gentleman is absolutely right. It is extraordinary that the Minister got up to the strangest antics in Trafalgar square—he let off balloons and tried

[Mr. Jenkin]

to dance a rap for the benefit of the cameras—but will not pursue the most obvious course to increase the turnout in these important elections by allowing voters to receive information directly from the candidates.

We have an extraordinary and unprecedented situation. It is customary for election arrangements to be dealt with as a matter of consensus, but we have finished up with the governing party imposing its will without regard to the views of any other party and in an unfair, undemocratic and dictatorial fashion.

Ms Diane Abbott (Hackney, North and Stoke Newington): Some Labour Members find it regrettable that it should be left to Her Majesty's Opposition to defend democratic processes. None the less, does the hon. Gentleman not agree that many inner London constituencies, in particular, have endemic problems with low turnouts, and that anything that is calculated to make that turnout even lower is not in the best interests of a successful launch for the new Greater London Authority?

Mr. Jenkin: I totally concur with the hon. Lady. That is why it is all the more mystifying that the party that says that it is desperately worried about low turnouts should shoot itself in the foot and discredit one of its own prized constitutional reforms. The Government's actions seem tailor-made to reducing turnout and interest in the election. The process that they have chosen seems designed to create the very apathy that they say they are against.

The orders are particularly unfair to the smaller parties. Higher spending limits with no free mailing—that implies that one has to raise one's own funding for mailshots—can suit only the largest and best financed parties. We know that money is little object for one particular party, but the provision is extremely unfair on smaller and less well funded parties.

Three principle arguments were advanced by Lord Bassam of Brighton last night. First, he said that it will simply be a local election and that the precedent is set by elections to the Greater London council. In fact, that is not the precedent. The GLA will have a completely different electoral system and constituencies are very much larger. However, the key point relates to the mayoral election. There will be 5.1 million voters in a single constituency and they will take part in a single election.

It would be unprecedented if there were no free mailing to enable the mayoral candidates to communicate with those 5.1 million voters. That electorate is substantially larger than the Scottish, Welsh or Northern Ireland electorates. What phoney distinction are the Government trying to make to justify the fact that those electorates are entitled to free mailings while London is not?

If these are local elections, why do the candidates have to make large deposits? We have deposits in parliamentary elections, European elections and elections for the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly because those elections are important, so they also have free mailings. The Government cannot have it both ways and demand deposits from candidates without providing free mailings.

The second argument concerns cost. I am afraid that if there is to be a Greater London Authority and a mayor, a certain amount of expense will be involved in making sure that the elections to the mayoralty and the Assembly are free and fair, and if the Government were not prepared to meet those costs, they should have thought of that before starting the process of reform.

I hope that the Minister will not come up with the ludicrous, scaremongering, Treasury-type costings of between £30 million and £35 million for those free mailings. That is utterly absurd. The Government are living in cloud cuckoo land if they think that such figures are realistic. If free mailings would be such bad value for money for Londoners, why were they such good value in Scotland, Wales and Northern Ireland? That is completely inconsistent.

The Government's third argument against free mailings is becoming known as the curry house argument, because they say that the free mailings would somehow be abused by people who run curry houses, so leaflets trying to sell curries would be circulated rather than election addresses. That, too, is totally ludicrous. First, as was pointed out in the debate in the other place last night, the Post Office has to vet leaflets for election free mailings, and if it is not satisfied that the information is bona fide, the leaflet falls at the first fence.

Secondly, if such abuse is so serious, why has there been no such abuse in parliamentary elections, European elections or Welsh, Scottish or Northern Ireland elections?

The Minister for Housing and Planning (Mr. Nick Raynsford): Because of the size of the electorate.

Mr. Jenkin: But the size of European constituencies is considerable, and the list mailings for the Scottish, Welsh and Northern Ireland elections covered large electorates. The hon. Gentleman is living on a different planet. He is making it up because he is in a corner and does not know what else to say.

In any case, the curry house argument does not stand up because the curry house would have to print the leaflets, pay the deposit and pay for the envelopes, which would be a considerable outlay. A free mailing is not a free ride, as the hon. Gentleman seems to think, but it gives small parties a chance to communicate with electors who would not otherwise receive a thing. There are vast swathes of London where, to the shame of us all, there is precious little political activity and no large parties are able to canvass actively. The electorate consists of many single households, many people who are ex-directory and many people who are out at all hours and who would never have direct contact with the representatives of any of the candidates.

It is also an exaggeration to suggest that there might be a large number of mayoral candidates—it was mentioned in the upper House that there might be 20 candidates—all using the free post facility.

The purpose of this debate is to send the Government a strong, clear signal. As I said earlier, there is a joint prayer from the two main opposition parties in the House against the Government's position. All the other, smaller parties support our action. Ours is not a wrecking manoeuvre; we have set out constructive proposals in the other place. Tonight's debate is a dress rehearsal for what will happen in the upper House if the Government do not see sense. The Government will lose the vote in the upper House, not because of the Conservatives, but because they will be opposed by peers of all parties represented there.

Some of their colleagues in the upper House and in House of Commons are extremely unhappy with the Government's decision.

To threaten the electoral process is not the right way forward. All we ask is for dialogue, compromise, consensus and reason—all of which are sadly lacking at present. We could ascribe to the Government all sorts of motives for their behaviour, but that is not our purpose in pursuing the matter tonight. We want a reasonable solution. We want the orders ultimately to obtain consent, so that the elections can proceed in an orderly manner. It is in the Government's gift to ensure that that happens.

10.46 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): The hour is late, but as a London Member of Parliament I would be remiss in my responsibilities to my constituents if I did not put the interests of London electors on the record this evening. For nearly 20 years, I have been, first, a local government councillor and now a Member of Parliament for an inner London constituency. I know only too well the problems with election turnout in inner cities—the problems with getting people out to vote and making them aware of the real issues on which elections are fought.

We have created a brand new political structure; we face the first ever election for a mayor for London. It is astonishing to some of us that the Government seriously propose not to have a free post in the election. It might technically be just another local authority election, but Ministers know full well that it is not the same. The number of people involved and the significance of the mayoralty mean that it is more than a local authority election. Ministers cannot get away with that argument.

If the House of Lords knocks the issue back to the Commons, Ministers should not argue that it is just another example of the peers versus the people. In fact, it will be the Government versus the people. It cannot be in the interests of my constituents or of the other electors of London that candidates should have no access to free mailing. Many of my constituents do not read a daily newspaper or watch "Newsnight" and other political programmes. They expect to receive their mailshot from the political parties—indeed, they look forward to it, because it enables them to learn about the issues.

The proposal is ill thought out and the justifications that Ministers have offered do not stand up to examination. The idea that the mailshot can be used to publicise hairdressers and restaurants is utterly absurd. For the sake of short-term advantage, Ministers appear willing to play fast and loose with my constituents' access to information. I shall support the Government in the Lobby tonight, but I was anxious to put my remarks on the record. Members of the other place should be in no doubt that, even at this late stage, many London Members of Parliament and thousands of London electors are looking to the Government to change their mind.

Mr. Michael Jack (Fylde): Will the hon. Lady tell me what short-term advantage she thinks Ministers will gain from the proposal?

Ms Abbott: The question of currying favour with the Treasury is always alive in the eyes of Ministers. However, let me put a wholly speculative proposition to the House: let us imagine that there was an independent candidate who had led in the polls for the past two years; and let us imagine that the Government were frightened that that independent would attempt to run, albeit without the benefit of the funds available to major parties. It would be extremely convenient for the Government if that independent candidate were deprived of a free post and had to raise the money from his own sources—but that is a wholly speculative suggestion and I shall not detain the House by exploring it.

We are considering an important issue: the London electorate's right to gain access to information about the mayoralty. To put it as politely as I can, every single aspect of the mayoral campaign, from the original decision to go for a directly elected mayor onwards, has not been managed as well as it might have been and has tended to discredit the Government. It is with great regret that I say that to the House tonight.

10.51 pm

Mr. Edward Davey (Kingston and Surbiton): The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) put her finger on it when she exposed the Government's motivation for their treatment of the issue of free mailing. I hope that the hon. Lady will not support the Government in the Lobby, and that she will at least abstain to send a signal to some of her colleagues on the Labour Benches in another place. Many of them share her anxieties.

The Government's problem stems from their approach to the mayor and the Greater London Authority. From the beginning, they have been confused about whether the new form of government was regional, city or local government. The Government claim tonight that it is local government and that therefore there is no need for free mailing. However, that has not always been the Government's position. On Second Reading of the Greater London Authority Bill, my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) asked the Deputy Prime Minister:

"Will the proposal in the Bill be the first of England's regional governments or merely another form of local government?"

The Deputy Prime Minister gave a clear reply in his characteristic style:

"The proposed authority is not similar to any local government authority as we know it. It will be a new type of city government, with a city executive and an elected mayor . . . Therefore, it is fair to say that it is not the normal local government structure."—[*Official Report*, 14 December 1998; Vol. 322, c. 624.]

The Deputy Prime Minister said that the proposed authority was not a form of local government.

Mr. Raynsford: It is city government.

Mr. Davey: If the Government believe that, they should establish a new system of rules for electing city governments. As was said yesterday in another place, anxiety exists that, if other cities get mayors and hold elections, the expense may grow. Surely the way round that is to produce a new set of election rules and a new, specially designed process for city government. The Government should not try to create a hybrid form. That has got them into their mess.

[Mr. Davey]

The Minister's comments in Committee on amendments that paved the way for the statutory instrument show that the Government are in a mess. He said:

"The amendments modify the usual local election provisions when that is necessary as a result of the proposed new electoral system."—[*Official Report, Standing Committee A*, 28 January 1999; c. 76.]

In Committee, the Minister admitted that the GLA was not like local government and that the election rules had to be amended.

Mr. Jenkin: Scotland has a Parliament and Wales and Northern Ireland have Assemblies. Are not the London elections akin to national or regional elections, not local government elections, and should not London be treated with the same respect?

Mr. Davey: The hon. Gentleman is absolutely right. The Government have been schizophrenic about whether the authority constitutes local or regional government. Consequently, they have not been able to deal with the matter consistently. That is principally why we are here tonight, although there are other reasons, to which the hon. Member for Hackney, North and Stoke Newington referred.

As the hon. Member for North Essex (Mr. Jenkin) said, the difference between the GLA and local elections lies in the rules, which are set out in the statutory instrument. There are significant differences between the rules for the GLA and local elections in terms of personal expense limits and deposits. If GLA elections are so similar to local elections, why do we need the order and 100 pages of new rules? The Government's argument stands no test, as the size of the electorate shows: is the Minister suggesting that one of more than 5 million is similar to that of an ordinary council ward? That is patent nonsense.

We must return to why the free post was introduced by the Labour party by Act of Parliament in 1948. It rightly saw the need for equality in the way in which people and parties fought elections to ensure that candidates had a fair crack of the whip. In Committee, the Minister for Housing and Planning said:

"Our objective will be to set expenses limits that are realistic and allow candidates to campaign properly and without incurring technical problems. At the same time, we do not want to give unfair advantage to those with large financial resources."—[*Official Report, Standing Committee A*, 28 January 1999; c. 80.]

If that was his intention, why is he not proposing a free post tonight? That is clearly the way to ensure equality between candidates, and he is hoist by his own petard.

As the hon. Member for North Essex said, the free post is needed more than ever in London so that candidates can communicate with their electorate, because many people live in blocks of flats and residential developments with entry phones and locked gates. They are difficult to enter. Liberal Democrat Members are often teased for delivering the "Focus" newsletter around their constituencies, but I can vouch for the fact that it is difficult for anyone who is not a Post Office official to gain access to many houses in my constituency. It is important that the candidates have that chance and surely that need is even greater in this election.

The electorate are likely to be relatively confused about what is going on as the GLA is wholly new and not at all like the Greater London council, as Ministers have argued many times, and there will be three new electoral systems. If the voters need information about any election, surely it is this one, and that information would enable them to understand what on earth is going on. However, the Minister is not prepared to allow them to have it and that is an absolute and utter disgrace.

Spurious arguments were made in the other place last night in defence of the Government's position, but the hon. Member for North Essex demolished them and I do not intend to cover the same ground. However, it was said that the issue of free mailing was not raised in Committee. That is factually incorrect. The right hon. Member for Bromley and Chislehurst (Mr. Forth) questioned the Minister for Housing and Planning:

"Does he not envisage at least one free mailing, as is allowed in normal parliamentary elections?"

The Minister replied:

"The right hon. Gentleman raised the different issue of whether a free mailshot should apply, as in parliamentary elections, or whether it should not, as in local government elections. Perhaps he has raised one more issue."—[*Official Report, Standing Committee A*, 28 January 1999; c. 79.]

What sort of response is that? It shows that he was aware of the issue as he answered the question, but he was clearly hiding and not coming forward.

As one reads the Committee *Hansard* with the benefit of hindsight, it becomes increasingly evident that Ministers always intended not to provide a free post, but did not have the guts to tell us. I questioned the Minister on that very issue:

"As concern has been expressed that private companies will nominate candidates for the mayoral position, and use the free post for free advertising. On 26 October 1998, *The Guardian* reported that Ministers were concerned about such abuse of the free post and the electoral process . . . The report was written by David Hencke."

His article said that Ministers sent a memorandum to the Neill committee about that. I went on:

"It is not good enough for Ministers not to take this opportunity to clarify their thoughts and give us all an indication of when and how they will deal with the specific difficulty that arises from this unique election process."—[*Official Report, Standing Committee A*, 28 January 1999; c. 91.]

In other words, the issue was fully raised and Ministers had the chance to explain their position, and they did not. Again, the arguments put forward in the debate last night in the other place are shown to be inadequate.

Mr. Simon Hughes: Having also watched and listened to the debate in the other place, I should like to add that there is one other argument. The Minister in the other place speculated that it might cost about £30 million. Do Ministers not realise that already polling cards are delivered, and will be delivered, and that one could perfectly reasonably combine the polling card delivery with the free post delivery, and perfectly reasonably combine the information from all the candidates in one or two mailings? Ministers are inventing figures to undermine an argument that everybody else accepts.

Mr. Davey: My hon. Friend is exactly right. Ministers and other Labour Members may shake their heads and say that it is a ludicrous suggestion, but they should talk to the Electoral Reform Society, which says that this is done in other countries. Indeed, it is done on the continent and in the United States of America for elections for mayors of cities. If exactly that process can be applied elsewhere,

are Ministers saying that they run such an incompetent administration that they are not able to do it? That would be the logic if they said that they could not. On the issue of whether the free post is too expensive, the Government really have no grounds for their position.

Finally, I should like to address what happens if the statutory instrument falls. It may not fall tonight, but we are fairly sure that it will fall when it comes before the other place. Who will be to blame for the elections for the Greater London Authority not going ahead? The Government and their spin doctors will, of course, try to blame the Opposition parties, but the people of London will not believe them. The people of London see a Government with a majority of 179, a Government who put forward this new authority in their manifesto, who went to a referendum on it. They are expecting the Government to deliver the election, and they are very well aware that the Government have a few internal problems over the issue. They will suspect, quite rightly, that the Government backed down because there were such internal problems and divisions in their own party.

The idea that the Government will be able to blame the Opposition parties just will not wash. The reality is that the Opposition parties, throughout the process of setting up this new authority, have been very constructive. There has been an attempt to achieve consensus about the form of the new authority and over the electoral system. Indeed, the Government have been active in trying to achieve that consensus in many of their constitutional reforms, through setting up commissions, having cross-party working parties and so on. When it comes to the grubby issue of whether they are prepared to put their money where their mouth is and allow people to contest the election on a fair basis, they do not seek consensus; they just go with what suits the Labour party. That is a democratic outrage, and we shall be supporting the Conservative party tonight in the Lobby.

11.4 pm

Mr. John McDonnell (Hayes and Harlington): To preface what I shall say, I have campaigned in every general election and every local election in London since the abolition of the GLC in 1986, and the central plank of our campaign in all of them has been a policy programme based upon the restoration of democratic strategic government in the capital city.

Like my right hon. Friend the Prime Minister, who described himself as a foot soldier in the party during that period, I have knocked on doors, delivered leaflets, spoken from soapboxes and run street stalls. All the way through, we have been arguing that what distinguishes us from the Conservative party is our commitment to democracy. Therefore, I am somewhat saddened by what has happened tonight and recently, because some incompetent bungle or tactical manoeuvre has now presented us with a situation in which the Tory party, which abolished democratic strategic government in this capital, can present itself as the defender of a democratic process by which candidates can communicate with the electorate. There is an irony there somewhere, that the party has moved on so much.

Let me say this to my own side. We can play games with party rules; we can manipulate selections—I suppose that that is all part of the political process—but I think that we interfere with the democratic process at all our perils. It is one thing to sort out selections; it is another to undermine a basic freedom that we established as a party in 1948.

It is worth remembering the arguments that our Government—a Labour Government—advanced in 1948 for the establishment of a free post. First, they argued that elections should be based on an informed choice by electors. The free post would allow candidates to set out directly to electors the policies on which they wanted to determine their votes. They also argued strongly that it would overcome the problem of any one party's having a monopoly of resources, either financial or in terms of ownership of the media. They reserved it to large-scale elections; they left it to local volunteers at local elections to be able to contact each House.

I feel that the arguments in defence of the Government's position have opened us up almost to ridicule, certainly in the other place and now, I think, among the public. We have discussed some of those arguments, but the one about scale is overwhelming. We have a 5.1 million electorate for the mayor here; in Scotland there was a 4 million electorate, in Wales one of 2.2 million and in Northern Ireland one of one of 1.2 million, and they all had free posts. This is not like some by-election in Ambridge; this is a major election.

There is another argument about the status of the capital. This election will have implications for every Londoner but, because this is the capital, it will also have implications for the whole country. We are the gateway to the country; we are a major resource of the country; we are the ambassador for the rest of the country throughout the world.

We have heard an argument about cost. A mail-out to each household would cost £420,000. Even the figures presented by a Minister in the other place do not "stack up", but I do not think that there is a cost to democracy. If we carry the argument to its logical conclusion, why have five-yearly elections? Why not have them once every 10 years? That would be cheaper. Why not have a Prime Minister for life? That would be much cheaper altogether.

If we want to be more creative, let us look at some of the proposals presented by the electoral registration officers. They suggest a ballot standardising election addresses, and one delivery for all that are used elsewhere. The arguments about abuse of the system have been dealt with adequately, in the other House and here. The material is already vetted by the Post Office. There are already powers for intervention to prevent abuse of candidatures. It is noticeable that we argue that this is a local government election, and at the same time introduce a deposit as though it were a national election. We cannot have it both ways.

The weakest argument that I have heard so far is that a direct free post is not needed because the media will cover the election so intensely that candidates will have no problem in putting their policies across. Such faith in the fairness, balance and competence of the British media is touching. The gentle objectivity of *The Sun*, and the philosophical jesuitical balance of the debate in the Murdoch media empire, will of course be accepted by all candidates.

Mr. Tom Brake (Carshalton and Wallington): Is the hon. Gentleman's experience the same as mine? Does he

[Mr. Tom Brake]

think that, in many cases, the addressed free post will be the only delivery that multi-occupancy houses will receive during the election campaign? That very group of people are probably least likely to vote in an election.

Mr. McDonnell: I rarely have the same life experiences as a Liberal Democrat, but in that respect I do.

It is largely because of the bias, prejudice and, at times, bigotry of the media that the free post was introduced to give a candidate at least one opportunity to communicate directly, in an untrammelled way, with the electorate.

The arguments against the free post for the elections have been demonstrated in both Houses to be specious. The debate goes beyond the normal knockabout of party politics. A healthy democracy is founded on a ferocious and combative debate on policy issues, and on principles; but there must be a general consensus about the procedures on which that debate is based. That is why election orders such as this are usually agreed on a consensual basis.

That manipulation undermines that consensual approach, but, more important for me and for many of my colleagues, I think, it sets a precedent. A more ruthless Government may pray it in aid for more serious curtailments of democratic processes. By denying candidates the free post, we edge towards the American system, whereby democratic participation for candidatures is available only to those who can afford it. In that way, politics and candidatures become almost a commodity. When we have a commodity, people can be bought.

It is a mistaken act. We need to think again about it and to come back with a compromise formula before it goes to the other place.

11.10 pm

Mr. John Wilkinson (Ruislip-Northwood): Thank God for old Labour. It is striking that it is new Labour which is Leninist now. It is new Labour for which the end justifies the means. The end is the imposition on London of the Prime Minister's preferred candidate. It does not matter if democracy is sacrificed in the process.

As usual, the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) spoke with intellect on her side. The sad thing was that force majeure is against her. I am sure that her natural courage would have induced her to vote against the order, but the Labour party now deselects individuals who vote against the party line on a three-line whip. The hon. Member for Brent, East (Mr. Livingstone) admitted as much in the early stages of the Greater London Authority Bill.

The hon. Member for Hayes and Harlington (Mr. McDonnell), who is a political neighbour and whom I know well, is one of the foremost experts on local government in the House of Commons. He knows more about local government in London than me. I defer to him on many matters. When he speaks as eloquently as he does, I take note, but he, too, does not have the courage of his convictions. I do not think that he is prepared to take on the Labour leadership and to say that it should not foist what is an ill-begotten idea on London—that London is so unimportant that it does not merit a free post.

As Londoners, we know that it is we who have subsidised the free post for the Assembly election in Northern Ireland, the Assembly election in Wales and the parliamentary election in Scotland, yet, although we have the biggest electorate, we are led to suppose that we are not important enough to merit a free post, even though we have perhaps the most complicated system of them all.

In my constituency in outer London, the areas to be covered are huge. Harefield ward in rural Middlesex is as big as the whole of the Islington borough. This is just one ward. To ensure that every elector is informed about the programme of the candidates, it is our democratic duty to ensure that each and every elector receives an election address.

The electors have to be informed not only about the respective programme of the candidates, but about the system. With the mayoralty, there is the question of the double vote—how the second vote should be exercised. The mayoral candidate might want to give advice on that.

Mr. Jenkin: Has my hon. Friend noticed how the Government are not shy about putting out their own information? I have no doubt that London voters will be deluged by publicity at public expense to educate the masses about the great new assembly and mayoralty that is being created, but the Government do not want voters to receive information from other parties. There is something deeply unsavoury about that whole aspect.

Mr. Wilkinson: It is not only unsavoury, but dishonest. The Government insisted all through the passage of the Greater London Authority Act 1999 that one of the merits of proportional representation would be to ensure the inclusion of representatives of smaller parties. Smaller parties are important for London, as they represent perhaps different communities and ideologies. If the assembly is to be a working democracy, it is crucial that they should have a chance. Clearly, they will not have a genuine chance if there is no free post.

The hon. Member for Hackney, North and Stoke Newington, with her candour and her charm, let the cat out of the bag. She did not name the feline specimen to whom she was referring, but it is a specimen red in tooth and claw, the hon. Member for Brent, East whom at all costs—but at zero cost to the electors—the governing party wishes to keep from office.

Nevertheless, I suspect that—having fraudulently put a double question in the referendum, then having tried to rig the ballot for the Labour candidacy, and now having sought to do away with the traditional democratic process of a free mailshot to all electors—they will get their come-uppance, which I suspect will be that the Labour candidate will not win the mayoralty on 4 May. That will be wonderful news.

11.16 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): Rather unusually among the speakers in this debate, I intend to speak to the issue that we are debating. We are not debating the Greater London Authority (Election Expenses) Order 2000—on which it might be possible to hang a discussion of the issue of free mailshots—but the

Greater London Authority Elections Rules 2000, which are about organisation of the election. If the rules were to be annulled, there would be no London elections at all.

Mr. Eric Forth (Bromley and Chislehurst): Good.

Mr. Hill: Opposition Members say good. Perhaps the prayer is part of a deep-laid plot to stop the elections.

The Greater London Authority Act 1999, approved by the House at the end of the previous Session, provides for the establishment of a Greater London Authority consisting of mayor and a London assembly. Section 4 and schedule 2 to the Act specify the voting systems for electing the authority, and schedule 3 amends section 36 of the Representation of the People Act 1983, so that rules can be made for the new elections. We are debating those rules today.

Those rules make possible the election of the Greater London Authority—which is a manifesto commitment. I also remind the House that the Greater London Authority was the subject of a London-wide referendum in 1998, which resulted in a clear yes vote from the people of London. The Greater London Authority was also the subject of legislation that was passed by both Houses and that, in November 1999, gained Royal Assent. That legislation specified the date of the election—May 4—in section 3. There can be no doubt that Parliament was clear about the date of the election. Without the election rules, there can be no election.

We have heard today that the Opposition's intention is to annul the rules, if not in this place, then in another place. They are attempting to do so not because there is anything wrong with the rules—which have been consulted upon widely, and are widely precedented—but because of an entirely extraneous issue that is not relevant to the rules at all: the Opposition's desire to have free mailshots. That desire is nothing to do with this order at all, and the Opposition's action is virtually unprecedented in the history of Parliament. It is incredible.

My noble Friend Lord Bassam, the Home Office Minister, made it quite clear in the debate in another place on the Representation of the People Bill why there would be no free mailshots for GLA elections. The GLA elections are local elections, and those do not have mailshots. Moreover, the cost of mailshots would be not only astronomical, but uncontrollable. The fact is that 20 mayoral candidates alone could spend £15 million, and there would be a real risk of abuse by frivolous candidates.

The GLA is a small streamlined authority with a budget of £35 million, and expenditure of £15 million to £20 million on mailshots would be quite disproportionate.

Mr. Brake *rose—*

Mr. Hill: I dare say that the hon. Gentleman would like to talk about the composite free mailing—an issue beloved of the Liberal Democrats, but not so enthusiastically endorsed by the Conservatives. However, the issue is not so straightforward. There are innumerable technical difficulties, possibly including statutory issues.

The electoral registration officers have made representations to the Home Office, saying that the task of producing a composite free mailing would undermine their independent role in the elections. The Liberal Democrats may not like that, but it is the truth. If the electoral registration officers do not organise the composite free mailing, who would be acceptable to the British National party and the Liberal Democrats, who would have to share and agree the delivery process? *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I am hearing an awful lot of noise from below the Gangway.

Mr. Malcolm Bruce (Gordon): Yes.

Mr. Deputy Speaker: The hon. Gentleman says yes, but I say no. There should not be any noise.

Mr. Hill: I am grateful for your support, Mr. Deputy Speaker, but they cannot shout me down.

The rules are not even about mailshots. They are about the details of the election. I shall explain some of those details in the hope that Opposition Members will understand that they are technical and uncontroversial.

Mr. Jenkin: Will the Minister give way?

Mr. Hill: No, I shall not. There were seven speakers in the 46 minutes of debate before I rose to speak. It is my responsibility to respond with an explanation of the Government's position and, importantly, of the contents of the order.

The people of London would not understand what the Opposition were up to if the election were jeopardised over such an issue. Election rules instruct returning officers on the practical details of setting up the election, running the poll and counting the votes. They do not deal with how much money candidates or parties may spend in advancing their cause. That is covered by the order that will be the subject of our next debate.

Members of Parliament are only too well acquainted with the parliamentary election rules, which govern their entry here. Many of us also have personal experience of the workings of the principal area rules that govern election to large local authorities. The rules before the House, for the new Greater London Authority, are based solidly on the local election rules with which we are all familiar. They vary only in ways made necessary by the different voting system or some other factor special to this election.

The rules are a sizeable document, running to over 100 pages, so I am sure that hon. Members will forgive me if I pause to explain their relatively simple structure. There will be three elected elements to the Greater London Authority: constituency members of the London Assembly; London members of the Assembly; and the mayor. Each is elected according to a different system. Not surprisingly, schedules 1, 2 and 3 of the rules are three freestanding sets of rules for enabling each of those elements of the authority to be elected. Schedule 4 modifies those three sets of rules when all three elections happen at the same time—once every four years when there is an ordinary election of the whole authority. Schedule 5 revises the wording of normal electoral forms for the new election and will not contain any surprises for those used to electoral law.

[Mr. Hill]

However, schedule 6 contains something different. For the first time in a British election, we have rules enabling the votes to be counted electronically instead of by a large staff of people. Schedules 7 and 8 modify the election rules when a GLA election is combined with a local authority election or with a parliamentary election. The latter combination would require amendments to the Representation of the People Regulations 1986, which will be effected by an order under section 405 of the Greater London Authority Act, and which I shall lay before the House shortly.

Mr. Edward Davey: What do the Government intend to do when the other place votes these statutory instruments down?

Mr. Hill: It would be an act of the grossest irresponsibility for an unelected Chamber to seek to dictate electoral practice to the elected House and we would resist it.

Mr. Simon Hughes: Answer the question.

Mr. Hill: I have answered the question.

Mr. Jenkin: The Minister is not addressing the debate we have had this evening. Will he now put away his brief? We know what is in the rules and they are of only tangential relevance to the question that is preoccupying the House—how can he possibly justify denying the usual democratic process of a free mailing for candidates in the greater London elections? He should address that point rather than just read out what has been typed up by civil servants.

Mr. Hill: There is no point in the hon. Gentleman trying to tack on to an order relating to the election rules the wider considerations of free mailshots. There is no power in the Greater London Authority Act 1999 to introduce such mailshots.

Ms Abbott: My hon. Friend has argued that he does not have to meet the detailed arguments that were put in the debate, under your supervision, Mr. Deputy Speaker, about the question of a free mailshot. He says that the rules say nothing about the free mailshot, but the Opposition will vote against them tonight because they say nothing about the free mailshot. Will my hon. Friend now answer the arguments that have been put tonight?

Mr. Hill: What I find astonishing about this whole process is that there were several clauses and schedules—which were dense, detailed and lengthy—in the GLA legislation that dealt with electoral procedures and rules, but the Opposition totally failed to raise the issue in any serious way during the protracted hours of debate on the matter.

Several hon. Members *rose—*

Mr. Hill: I must continue, because it is my duty to report on the contents of the rules to the House.

Mr. Jenkin: Will the Minister give way?

Mr. Hill: No, it would be wrong for me to do so at this point. I have spoken about the innovatory content of the rules in the introduction of electronic counting. On May 4 this year, the votes in a British election will for the first time be counted not by people, but by electronic scanners. I think that that is something that the House will want to take note of and applaud.

The rules also set the scale of deposits and signatures that candidates for all three elections have to provide in support of their nomination. The rules propose that each mayoral candidate will be required to pay a deposit of £10,000 and to gather 330 signatures—10 from each London local authority—in support of their candidacy. Assembly candidates will not have to collect signatures, but those contesting constituencies will have to pay a deposit of £1,000, and parties and independent candidates wishing to contest London-wide seats will have to pay a £5,000 deposit.

The mayoral deposit will be forfeit if a candidate fails to obtain 5 per cent. of the vote. A candidate for a constituency seat in the Assembly would also have to gain 5 per cent. of the vote or forfeit their deposit, and a party or independent candidate contesting the London-wide seats would have to get 2.5 per cent. of the vote or forfeit their deposit.

The rules that are before us now have been crafted with care to ensure that the poll can be democratically conducted under proper conditions of fairness and secrecy and with a proper balance between the interests of voters and candidates. A number of matters have been touched on in the debate which, while of interest in themselves, are not actually part of the content of the rules. For instance, they do not, and could not, include a power to provide free mailshots, to prescribe candidates' expenses or to give directions about how any publicity is handled.

The rules are purely and simply about controlling the way in which the GLA election is run so that everyone involved knows clearly what may and may not be done and what the terms of the contest are. They follow the traditional pattern, and often the traditional wording, of our other sets of election rules. There are no surprises. Both the main Opposition parties represented in the House have been kept informed of the proposed content of the rules while they were in draft. The rules are the right ones for the GLA election. That election, which the House has earlier determined on, cannot proceed without the rules and I invite the House to approve them.

It being half-past Eleven o'clock, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 17 (Delegated Legislation (negative procedure)).*

The House divided: Ayes 102, Noes 296.

Division No. 76] **[11.29 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Bruce, Malcolm *(Gordon)*
Allan, Richard	Burnett, John
Ancram, Rt Hon Michael	Burns, Simon
Arbuthnot, Rt Hon James	Burstow, Paul
Ballard, Jackie	Cable, Dr Vincent
Beith, Rt Hon A J	Cash, William
Body, Sir Richard	Chidgey, David
Brady, Graham	Chope, Christopher
Brake, Tom	Collins, Tim
Brand, Dr Peter	Colter, Brian
Brazier, Julian	Curry, Rt Hon David
Breed, Colin	Davey, Edward *(Kingston)*
Brooke, Rt Hon Peter	Davies, Quentin *(Grantham)*
Browning, Mrs Angela	Fearn, Ronnie

Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gill, Christopher
Gray, James
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Maples, John
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Randall, John
Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Soames, Nicholas
Spring, Richard
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Webb, Steve
Welsh, Andrew
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and Sir Robert Smith.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L

Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

London Government

11.41 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I beg to move,

That the draft Greater London Authority (Election Expenses) Order 2000, which was laid before this House on 3rd February, be approved.

The draft Greater London Authority (Election Expenses) order prescribes the maximum amount of election expenses of candidates and their agents, and third parties, in elections for the mayor of London and the London assembly. In my opinion, the draft order is compatible with the European convention on human rights.

There are separate limits for mayoral candidates, assembly constituency candidates, and parties and independent candidates contesting the Londonwide list, reflecting the Greater London Authority's unique structure and voting systems.

We need to prescribe limits to the spending of GLA election candidates and parties to ensure that the election is contested on as level a playing field as possible, and to prevent extravagant spending. We consulted political parties on our proposals in December 1999, and listened carefully to the points that they raised. The limits that we propose take account of the points made in the responses to the consultation.

The candidates' expenditure limits are £420,000 per mayoral candidate; £35,000 per candidate contesting an assembly constituency; and £330,000 per party or independent candidate contesting the Londonwide list.

Mr. Simon Hughes (Southwark, North and Bermondsey) *rose—*

Mr. Hill: It is a little premature in the proceedings, but as I have rejected the hon. Gentleman in the past, let me embrace him now.

Mr. Hughes: The Minister properly received representations, as he said, and we are grateful that on the mayoral expense limit, he accepted in broad terms what my colleagues and I proposed. Can he tell us how many representations he received in favour of not having a freepost?

Mr. Hill: We received no representations in favour of not having a freepost, as the hon. Gentleman well knows. He was gracious enough to recognise that we listened carefully to the representations made, and we reduced the level of election expenses precisely to the level suggested by the Liberal Democrats. The Government listen and respond to reasonable representations. It seems, however, that on this occasion the Liberal Democrats are the party of no compromise and no surrender, which is not a good precedent.

I emphasise that we have significantly reduced the mayoral and Londonwide list limits from the levels that we originally proposed, which were £990,000 and £495,000 respectively, because parties considered them too high, and likely to put smaller parties at a significant disadvantage.

Mr. Bernard Jenkin (North Essex): Why did the Minister think that £990,000 was initially the correct

figure, and then accept representations from the Liberal Democrats and us to reduce it substantially on the basis that there should be a free mailing instead? Why did he accept that there should be a reduction in the spending limit, but not provide for the free mailing? Is there not some inconsistency in accepting only one half of the representation? What is the point of that?

Mr. Hill: I do not know how many more times I have to explain this matter to the hon. Gentleman, or in how many more ways I can put it—there are no powers in the Greater London Authority Act 1999 to secure the free mailshot on which he and other hon. Members dwelt at such length during our earlier proceedings.

We have calculated the limits using the most appropriate comparator from other expense limit regimes. The mayoral and Londonwide list limits are broadly derived from the amount of £30,000 per parliamentary constituency used in the Political Parties, Elections, and Referendums Bill as the building block for calculating the national spending limits for political parties. The assembly constituency limit is broadly equivalent to the sum of parliamentary constituency limits within an assembly constituency area. The limits are enough to enable candidates and parties to fight effective campaigns either London wide or at constituency level, while not allowing their spending to become unacceptably high.

When the order comes into force, GLA candidates and parties will not be permitted to spend in excess of the limits on their election expenses. Election expenses are defined in the Representation of the People Act 1983 as expenses incurred

"whether before, during or after an election, on account of or in respect of the conduct or management of the election".

Spending by GLA candidates or their agents before 14 December 1999—the date when the relevant provisions in the Greater London Authority Act were commenced—will not, in our view, count towards the limit.

Article 2 of the order prescribes the maximum expenditure that a person other than a candidate, his agent or persons authorised in writing by the agent—that, is a third party—may incur at such elections. The limits are set at £25,000 per third party supporting or opposing mayoral candidates; £25,000 per third party supporting or opposing Londonwide list candidates, including independents; and £1,800 per third party supporting or opposing an assembly constituency candidate.

Those limits are calculated using the same formula that we intend to introduce, as an amendment to the Political Parties, Elections, and Referendums Bill, to limit third-party spending in local elections. I realise that the limits are high compared with the current £5 limit set out in the Representation of the People Act 1983. However, I believe that they are justified in the light of the Bowman judgment in the European Court of Human Rights—where the court ruled that the £5 limit constituted an unjustifiable restriction on freedom of expression—and because they ensure that third parties can adequately put across their case to the electorate.

The GLA Act does not entitle candidates in GLA elections to have an election address delivered free by the Post Office, and election mailshots are not, therefore, a matter for the order. GLA elections are classed as local elections in section 17 of the GLA Act; that approach puts GLA election candidates on the same footing as local election candidates generally.

There is nothing new about Londonwide elections without free mailshots.

Mr. Paul Burstow (Sutton and Cheam): Will the Minister name one other local authority election in which deposits are required?

Mr. Hill: That is not relevant. The provisions in the order and in the Act are commensurate with elections in London.

Every four years, elections are held for each London borough council at the same time across the whole of London—exactly the same area and same electorate as the GLA—without free mailshots. During those elections, parties mount campaigns, without free mailshots, across the whole of London, exactly as they will for GLA elections.

In the White Paper, we made clear our concern to ensure that the election did not become a platform for frivolous candidates or publicity seekers, who could gain unfair access to public funds simply in an attempt to promote either themselves or obscure causes. *[Interruption.]* Do I detect a note of envy in hon. Members' response? We have considered carefully whether there should be free mailshots for GLA elections. We decided against, for three reasons.

The first reason was the cost. The total cost to the public purse of a free mailshot would be very significant. The total could be well over £10 million and possibly as much as £20 million, depending on the number of candidates.

Sir Robert Smith (West Aberdeenshire and Kincardine) *rose—*

Mr. Hill: Such costs would be disproportionate to the GLA's proposed budget of some £35 million and would be equivalent to more than £3 for every council tax payer in London—almost twice as much as London council tax payers will contribute to the costs of the mayor and assembly.

Mrs. Jacqui Lait (Beckenham) *rose—*

Sir Robert Smith *rose—*

Mr. Hill: The public would, rightly, be extremely critical if large sums of public money were spent on free mailshots—especially if that encouraged frivolous candidates—instead of on the vital issues that concern Londoners.

Mrs. Lait: I am afraid that the hon. Gentleman has left me extremely confused because, although he said that there were no powers in the Act in respect of mailshots, he has just explained that the Government considered carefully whether there should be mailshots within the Act. Will he please at least make it clear at what point the Government decided that mailshots were not appropriate because this was a local government election?

Mr. Hill: The hon. Lady will be aware that there are other routes to achieving the objective that she evidently

[Mr. Hill]

seeks, but it is absolutely the case that there are no powers within the 1999 Act, and to that extent all the representations about free mailshots, especially in connection with these orders, are entirely otiose.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Hill: No; I will not. I must make progress. I have allowed the hon. Gentleman in once. I have been very generous to other Members—perhaps excessively so—and I know that many in the Chamber await with bated breath the continuation of my remarks.

Sir Robert Smith *rose—*

Mr. Hill: Our second consideration in opposing free mailshots was the related issue of precedent. GLA elections are classed as local elections and will be run broadly under local election rules. Candidates in local elections do not receive a free mailing, and to allow GLA candidates a free mailing would set a precedent for local elections generally, and for elections of directly elected mayors in particular. That would take the public subsidy of political material to previously unimagined levels.

Thirdly, we took into account the risk of abuse by unscrupulous candidates. For the cost of a £10,000 deposit, a mayoral candidate could get a free Londonwide mailing worth up to £750,000 if sent to each London elector. The risk is real. There has been at least one media report of an individual planning to back a mayoral candidate's campaign as a way of promoting his business. To allow such candidates a free election mailing would make a mockery of the democratic process.

We have heard much from the Opposition parties about their concern—

Mr. John Wilkinson (Ruislip-Northwood): Will the hon. Gentleman allow me?

Mr. Hill: First let me finish the sentence, for the benefit of the consecutive order of my remarks. We have heard much from the Opposition parties about their concern at the lack of a free mailshot, and I suspect that we are about to hear more.

Mr. Wilkinson: Is not the purpose of a deposit to eliminate frivolous candidates, and are not mayoral candidates required to pay a £10,000 deposit? Furthermore, who is the Minister to decide which candidate is frivolous or not? Is that not a wholly fascist notion? Should he not be ashamed of himself?

Mr. Tony Banks (West Ham): That is not what the hon. Gentleman said about General Pinochet.

Mr. Hill: Do I hear a cry of "General Pinochet"? I do not want to pursue that particular road.

The concept of the frivolous candidate is common parlance in discussions about electoral practice and electoral procedure. The Government are not making a judgment about the frivolity of candidates, but I have to tell the hon. Member for Ruislip-Northwood (Mr. Wilkinson) that we know that there are such candidates available. [HON. MEMBERS: "Name them."] I will name them. In the aftermath of the recent Kensington and Chelsea by-election, a gentleman by the name of Sam Rosen, who was the sponsor of a candidate in the election who rejoiced in the name of Lisa Lovebuckett, declared that the advantages to his business of sponsoring that candidate had been so enormous that he was perfectly prepared to pay a deposit for the GLA elections so that he could advertise his business. If he is prepared to do that without the benefit of a free mailshot, the scope for such commercial candidatures is endless. It is a serious consideration and a proper one for the Government to take into account.

I am somewhat surprised about the concern that Opposition Members have expressed about free mailshots.

Mr. Paul Flynn (Newport, West): Will the Minister explain whether his comments will apply to future parliamentary elections?

Mr. Hill: To the extent that there is already the well-established convention of deposits, the practices already apply. We do not have to think about the future; that is current reality. However, I am grateful to my hon. Friend for that thought.

Mr. John Greenway (Ryedale): Will the Minister give way?

Mr. Hill: No, for the sake of other hon. Members who wish to participate in the debate, I need to make progress.

Free mailshots are not a matter for the election expenses order, and primary legislation would be needed to provide mailshots at the public expense in such elections. We did not include provision for free mailshots in the Greater London Authority Act 1999 for the reasons that I have just described. The Act was scrutinised at length both in this House and in the other place. Hon Members in the opposition parties had ample opportunity to table amendments to provide for free mailshots, but they did not. If this were really an issue of such great concern, that would have been sheer political incompetence.

I understand the concern raised that the lack of free mailing could favour the richer parties. That is precisely why we have adjusted the election expenses limit downwards by a substantial amount to help level the playing field. That was done to help the smaller parties and independent candidates, and was a direct response to points made to us in the consultation. The limits will allow candidates and parties to put their message across to the electorate. They will allow parties with both a mayoral candidate and a Londonwide list, or independent candidates who stand both for mayor and as a Londonwide assembly member, to send a mailshot to every household in London if they wish.

I reject the Conservative party's accusation that the proposal is ballot rigging. That is an absurd suggestion. I have made it quite clear why there will not be free mailshots. For an outlay of £10,000, a mayoral candidate could get a benefit worth up to £750,000: they would be queueing up at the door with their nomination papers and pound notes in their hands. The cost to the public purse would be open-ended and could add up to a sum equivalent to the first-year budget for the GLA itself—

£35 million. I do not think that spending public money on this scale on campaigning would be a priority for Londoners or, indeed, taxpayers elsewhere.

Then there is the scope for abuse. The GLA is all about reconnecting people with democracy at a local level. Frankly, a long list of frivolous, publicity-seeking candidates with campaigns subsidised by the taxpayer would simply alienate Londoners, and would risk damaging the public's perception of the new authority before it has even started. Finally, elections to the GLA are local elections that will be run under local rules that do not include a free mailing paid for by the Exchequer.

The limits provide for GLA elections to be as fair as possible while allowing candidates and parties the freedom to put their message across to the electorate. They take account of the GLA's unique structure and voting systems, and will allow parties with a mayoral candidate and Londonwide list to pay for a mailing to each London household.

11.59 pm

Mr. Bernard Jenkin (North Essex): Rarely can the House have seen a Minister of the Crown treat matters of democracy and fairness with such contempt. I wish that the Minister could have sat here and seen the faces of his hon. Friends, because they told the true story of the mess that they think he is making. He has been deliberately churlish and obtuse in his denial of the strength of the arguments that hon. Members from both sides of the House have presented.

The Minister's behaviour is like that of a spoilt child who does not want anybody else to play with his toys. That is the basis on which he has conducted consultation. He has dictated his terms on the democratic process instead of genuinely listening to the case put before him. He might tonight command the votes of the House, but he does not command the hearts of Members who believe in real democracy.

The hon. Gentleman said the matter should have been raised during the passage of the Greater London Authority Act 1999, and that it was a matter of high political incompetence that amendments on the issue were not tabled then. I invite him to consider the Scotland Act 1998 and the Government of Wales Act 1998. I sat through all the proceedings on those Bills on the Floor of the House, but we never even discussed free mailings. It was taken as read that there would be free mailings. It is ludicrous to suggest that there are free mailings in elections at an important point of constitutional reform only if the Opposition raise the matter.

The first the opposition parties knew about there being no free mailings in the London elections was when the Minister's letter of consultation, dated 15 December, landed on our desks. We were required to do all the work in response to that letter in the run-up to Christmas. The Minister now generously describes that as consultation for which we should be unctuously grateful. It was said in the previous debate that there is no precedent for such matters being tackled without proper consensus. The hon. Gentleman has made the mistake of reading out the speech that was read out by Lord Bassam in the Upper House last night. That fully explains the hon. Gentleman's dusty brush-off by some of his colleagues tonight.

The Minister mentioned General Pinochet, who held a referendum and sought consensus on Chile's transition to democracy. General Pinochet and the hon. Gentleman are ships that pass in the night: while General Pinochet brought Chile back to democracy, the hon. Gentleman is taking London away from democracy.

Mr. Banks: I do not know how old the hon. Gentleman was, or where he was, when his father, then the Secretary of State for the Environment, now a noble Lord, was abolishing the Greater London council, and we were on the other side of the House asking for a referendum that he never gave us. How dare the hon. Gentleman stand up and talk about referendums in the same breath as the fascist Pinochet?

Mr. Deputy Speaker: Order. Perhaps we should get back to the order before us.

Mr. Jenkin: I am very happy to get back to the order.

What we managed to do was get rid of the hon. Member for West Ham (Mr. Banks) and that was doing London a favour at the time.

Mr. Banks: I am still here, but the hon. Gentleman's father is not.

Mr. Jenkin: The hon. Gentleman should take a tablet and lie down in a dark room. He would feel much better.

As the hon. Member for Kingston and Surbiton (Mr. Davey) pointed out, the Minister, in his letter of 15 December about the consultation for the proposals, talked at length about the comparability of these elections with Westminster, European, Scottish and Welsh elections.

In his letter, the Minister refers to the necessity of setting fair and reasonable expenditure limits on candidates,

"while not placing candidates without significant personal or party resources at a significant disadvantage."

Even though he has adjusted some of the spending limits, those who have substantial resources will still have a significant advantage over those who do not, and the absence of free mailing compounds that advantage in spades. The letter continues:

"We believe that a higher limit could encourage unscrupulous candidates or parties to spend excessively in seeking votes, putting other candidates with more limited means at a disadvantage."

Yet by maintaining higher spending limits instead of allowing free mailing to which voters think candidates should be entitled, the Minister is allowing unscrupulous candidates or parties to spend excessive sums chasing votes, thereby putting candidates with more limited means at a disadvantage. The most extraordinary feature of the letter of consultation is that it sets out the very disadvantages of the scheme that the Minister has finally proposed to the House, all on his own, without a single ounce of support from any other political party that will participate in the elections.

The reason why the Minister has put himself in that position is a mystery. There are only two possible explanations. The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) alluded to one: the "stop Ken" campaign, bringing party factionalism into the very conduct and fairness of our democracy. Never has there been such an abuse of the responsibilities of office in the face of all the opposition parties. The other explanation, which I believe contains some truth, is that the Minister

[Mr. Jenkin]

and his Department have become caught between a rock and a hard place: the rock is the principle of democracy, which will be upheld by the other place when it votes on the orders next week; the hard place is the Treasury.

If the sort of arguments that have been deployed by the Minister this evening—the ridiculous, extreme, reductio ad absurdum arguments about excessive cost and the potential for abuse—apply to the London elections, they must apply to parliamentary elections. Whatever abuses may or may not occur in parliamentary elections, we tolerate them because we believe that democracy, openness and direct contact with voters are more important. In any case, were such abuses to occur, they could be dealt with by other legislative means—one of my colleagues has pointed out that we suspended an entire Assembly in 24 hours of legislating, so it cannot be beyond the wit of man to devise legislative means to provide free mailing for mayoral candidates and constituency candidates in the forthcoming London elections.

Mr. Roger Casale (Wimbledon): I am following the hon. Gentleman's argument closely. However, I have to tell him that his democratic arguments are somewhat undermined by his calling in aid the unelected House of Lords, the Conservatives' abolition of the GLC and even General Pinochet.

Mr. Jenkin: The hon. Gentleman should bear in mind that the Labour Leader of the House of Lords, Baroness Jay, made clear her belief that the Upper House now has the legitimacy needed to deal with such matters. If she believes that the reforms forced through by the Labour party have given the upper House the necessary authority, it ill behoves the hon. Member for Wimbledon (Mr. Casale) to say that the other place should not interfere. According to his own lights, the Labour Government have enhanced the credentials of the Upper House.

Mr. Greenway: My hon. Friend might care to speculate on a point that I wanted to raise with the Minister but he would not give way. There is consensus between the Home Secretary, the House and the other place on the Representation of the People Bill, which will encourage voter participation in elections—yet the order does the opposite. Denying a free mailshot to all mayoral candidates will reduce participation in the mayoral elections.

Mr. Jenkin: My hon. Friend is right. The inconsistency in the Government's position is glaring, but it is for them, not me, to explain it. An amendment was discussed in the Upper House during proceedings on the Representation of the People Bill. It set out the exact way in which we want free mailings to be tackled. The Government will not only lose the orders next week, but if they want the amendment to be put to the vote on Report, they will also lose that vote.

The Government's position is inexplicable because it is impossible to understand how they can win. Ministers should return to their offices tomorrow morning, pick up the telephone and start organising a meeting so that we can sort out the problem in a proper, open, democratic and consensual fashion.

12.11 am

Ms Diane Abbott (Hackney, North and Stoke Newington): I spoke in the earlier debate on related matters, so I wish to confine my remarks to the arguments that Ministers presented time and again tonight. They say that they will not allow a free mailshot because we are considering a local authority election, which is like any other. I shall give three reasons why it is not simply a local authority election.

First, the electorate numbers more than 5 million people. Secondly, as my hon. Friend the Minister knows, in most local elections in urban areas it is possible to organise the delivery of a mailshot through volunteer labour—I know that because I have worked in every local and general election since 1978. It will be almost impossible to organise the delivery of a mailshot through volunteer labour in Greater London.

Thirdly, in London many people live in houses and flats with entry phones and there are many houses in multiple occupation. Even if we were able to mobilise a co-ordinated army to cover London from Hillingdon to Croydon, many people would not receive their election address without the provision of a free mailshot.

Mr. Denis MacShane (Rotherham): Will my hon. Friend give way?

Ms Abbott: I am afraid not; it is late and my arguments address a specific point.

We all appreciate the energy with which the Minister has prosecuted the Government's case tonight. However, it is not intellectually sustainable to claim that the election is simply a local authority election like any other.

12.13 am

Mr. Edward Davey (Kingston and Surbiton): Most of the Government's fairly weak arguments have been demolished in our two debates. I want to focus on one specific argument. The Government claim that the issue that we are discussing was not raised in Committee. Earlier, I quoted exchanges from our Committee proceedings which proved that the issue was debated then.

The Government said that they would consult widely to gain consensus on election limits. If the Minister is in doubt about that, I shall quote again an exchange that he and I had in Committee on 28 January 1999. I said:

"I believe that the Neill report and the White Paper say that the Government intend to hold consultations with the Association of London Government. Have those consultations started? It is important that we move ahead. If they have not started, will the Minister tell us when they will take place?"

The Minister replied:

"I have already given the Committee an absolute assurance that we will consult before we come forward with proposals. I have undertaken that those consultations will include both the hon. Gentleman's party and the principal Opposition party."—[*Official Report, Standing Committee A*, 28 January 1999; c. 84.]

The Committee considered the issue in that spirit, so does the Minister honestly think that sending a letter to various people on 15 December with a closing date of 4 January represents the consultations that he assured the Committee he would provide? If he does, that is nonsense and no one will believe him. It is an act of bad faith and if that is how the Government approach consultations on running elections in the capital city, the Minister should

hang his head in shame. We have a new electoral system, so a full and proper consultation on the rules and election expenses was required, but it took place during the Christmas and millennium celebrations. That is an absolute outrage.

Many people answered the consultation invitation and we only just managed to submit our replies. The Minister has already admitted that no one suggested that there should not be a mailshot, so taking this approach to the free post suggests that the Government have not listened to anybody. He says that expense limits have been reduced in line with Liberal Democrat proposals—he is right and we welcome that—but he failed to say that our reply linked reducing the high expenditure limits to the provision of a free mailshot. As usual, he tries to have his cake and eat it. Our submission states:

"An alternative to the high expenditure limits and lack of free mailshot could be solved by granting a free mailshot to all political parties and then deducting the cost of this from the expenditure limit of £990,000."

Mr. David Chidgey (Eastleigh): So clear.

Mr. Davey: Yes, but still the Minister is trying to pull the wool over our eyes.

The Minister may win tonight's vote, but he and his colleagues will not win the vote in the other place and we all need to know what will happen then. Are the Government seriously saying that they will allow the elections not to take place? Without the two orders that we have debated tonight, they will not happen. That would be a matter of great regret, because we support the Government's general proposition that we need to return democracy to the capital city. The Liberal Democrats and the Labour party have argued that case for many years, ever since the Conservatives abolished the Greater London council. We have supported and worked with the Government, so it is a great shame that they are trying to reduce the democratic voice at the last minute.

Mr. Gerald Bermingham (St. Helens, South): I live in a block of flats in north London and have a vote in the GLA election. About 200 others also live there. I will know the candidates as I am a member of a political party, but how will the other residents know the candidates of the various competing political parties if those parties cannot carry out a mailshot? That is why I am a little worried about there being no mailshots.

Mr. Davey: I am grateful for the hon. Gentleman's intervention. Perhaps he joined the debate at a late stage—I am not sure, as I did not notice whether he was in his place earlier—but he is very welcome if he backs our case. If he has not realised it, the Conservatives and the Liberal Democrats are arguing for a free post.

Mr. Simon Hughes: As are the hon. Gentleman's colleagues.

Mr. Davey: As my hon. Friend says, so are some Labour Members. Clearly they have another recruit to the cause, and we are glad that the hon. Gentleman sees the logic of our argument for democracy.

Mr. Simon Hughes: We are adding up the balance of supporters. Am I right in thinking that so far we have not heard, apart from the Minister's, any speech in favour of the Government's proposition from any part of the House, including the Government's side?

Mr. Davey: My hon. Friend is absolutely right, as always. We wait in anticipation for some Labour Back Benchers to put their heads above the parapet and try to make the case for the Government, because the Minister clearly has not been able to do so.

Part of the Government's argument tonight has been about frivolous candidates—the idea that people will run for the position of mayor, have a free post and waste taxpayers' money. As a Conservative Member said earlier, it is outrageous that the Government are to decide who a frivolous candidate is. That is against all democratic principles in this country. We have seen for many years in parliamentary by-elections, and indeed in general elections, a variety of candidates from the less serious wing of British politics: the Monster Raving Loony party, for example. No one has questioned its right to free post. I have never seen in a Labour party manifesto or speech by a senior Minister a suggestion that free post should be taken away from such parties, and I hope I never shall.

The Minister makes a spurious point, and indeed goes against the whole theory behind this new form of government. The Government used to argue that, with the new position of mayor, non-political people would be encouraged to come into running the capital: that there would be independents. So if the Government wanted a system to encourage independent candidates, why are they trying to prevent them having the chance to put their case? Again, logic is against what the Government are trying to do in the order.

The Minister made a point with respect to third party expenses. We believe that the third party expense limits in article 2 are rather high. That third parties can spend up to £25,000 supporting a candidate for the mayor of London seems to me ridiculous. One might hypothesise that this was put in to enable various institutions—trade unions, for example—to support various candidates, but the Government might want to think again, given the way in which the unions seem to be stacking up behind certain candidates. Not only is it wrong in principle that the limits should be set so high, but it is also foolish in terms of what the Government are trying to do. Again, the Government seem to be incompetent even with regard to their own motivations.

Mr. Robert Syms (Poole): Is there not a danger with third party campaigns, particularly from particular pressure groups, that instead of a campaign in favour of a candidate there will be a campaign against candidates—negative campaigning, as the United States has at present?

Mr. Davey: I am grateful for the hon. Gentleman's intervention. He makes a very powerful point. We could see in the mayoral elections, if those third party expense limits stay as high as they are, a whole series of people running appallingly negative campaigns. And the Government will have permitted that in their rules.

If the Government were so worried about frivolous candidates, why did they not raise the matter in Committee? Why did they not ask Opposition parties to talk to them to find out how we could change the rules to

[Mr. Davey]

ensure that frivolous candidates could not stand? It could be done by raising the deposits, increasing the number of signatures needed for nominations, or tightening up the rules with respect to free post. The Post Office's rules and guidelines are already very tight. They prevent people from abusing free post for commercial purposes or asking for money. If the Government believe that the rules are not tight enough, why do they not ask us to join in reviewing those guidelines to see whether they can be made tighter still? I see the hon. Member for North Essex (Mr. Jenkin) nodding in agreement. I am sure that we could arrange to tighten them up. Then the logic of their position—assuming there is any remaining logic—would certainly go.

It is bad enough when the Labour party tries to fix its own internal elections. It is outrageous when it tries to rig public elections.

12.25 am

Mr. Denis MacShane (Rotherham): My constituency is far from London, but never have I heard such metropolitan elitism from the Opposition parties. I have heard the unusual combination of a Conservative party pleading for a significant increase in public expenditure at the taxpayer's expense, and a Liberal Democrat party that is prepared to consign its own activists and members outside London to the hard electoral work of delivering leaflets through letter boxes—indeed, to tower blocks. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) seems to have left, but I assure her that it is difficult to get into some tower blocks in the north of England, not just those in east London.

Liberal Democrats have argued tonight that their poor, suffering activists must deliver leaflets in Sheffield or Manchester, but that in London they should all be able to sit on their sofas watching "EastEnders" while Her Majesty's postal workers do their political work for them. I consider that insulting, patronising and unworthy of a party with which, in many respects, my party is prepared to co-operate.

Mr. Simon Hughes: Will the hon. Gentleman give way?

Mr. MacShane: I would prefer not to.

Assuming there are about 4 million voters in London—[HON. MEMBERS: "Five million."] The number is increasing by the minute. We are being asked to spend more than £1 million per candidate of my constituents' money because we are not confident that our parties are keen enough on their candidates, whoever they may be. Certainly, when the time comes, I will be out there delivering leaflets for my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), without demanding that money be spent. That is how elections are conducted at local level in this country.

The new shadow Secretary of State for the Environment, Transport and the Regions is one of the richest Members of Parliament. It is extraordinary that he should encourage one of his junior satraps to increase public spending, when tomorrow his leader—the leader of the Conservative party—will be talking about tax promises, and cutting public expenditure. That is the hypocrisy that we see tonight, in miniature. There are about 40 million voters in the country. If the same rule is applied to London as is being called for tonight, I assure the metropolitan chattering classes on the Opposition Benches—

Mr. Jenkin *rose—*

Mr. Simon Hughes *rose—*

Mr. Greenway *rose—*

Mr. MacShane: I will not give way. I am trying to finish my speech.

Let me assure those chattering classes that what they hear in the way of London Liberal Democrat and Tory arrogance tonight they will hear from Rotherham, Sheffield, Exeter and Scarborough tomorrow. I see many Members from other areas present. As I have said, there are some 40 million voters in the country. If we apply the London rule that in local government elections there is to be a free post, we are talking about between £5 and £6 million per main party candidate, which means £40 million or £50 million if the same principle is applied throughout the rest of England—I am not talking about Scotland and Wales. That is unacceptable.

I do not want public expenditure to be increased unnecessarily to support unreasonable causes. I will not vote to increase public expenditure in order to satisfy the laziness, inaction and unwillingness of Opposition parties to campaign effectively in the London election.

I ask the Minister to stand firm. I ask my hon. Friends not to vote for an increase in public expenditure and not to set an example that will demoralise party activists in the north of England—the heartlands of England. Every Tory and Liberal Democrat local party will be absolutely scandalised that the slovenly, lazy Conservative and Liberal Democrat parties in London want the taxpayer to pay for their post delivery, when the rest of us believe in British democracy and are prepared to deliver our leaflets so as to promote our policies and beliefs.

12.30 am

Mr. Peter Brooke (Cities of London and Westminster): I apologise for my costume. I came straight to the House from the annual dinner of a national organisation. I have remained in the Chamber ever since.

As always, it is a pleasure to follow the hon. Member for Rotherham (Mr. MacShane). He made much of the fact that Rotherham is a great distance from London and ignored the fact that Scotland and Wales are, too. We have already discussed the fact that the free mailshot does not appear in legislation relating to those countries.

The hon. Gentleman exaggerated massively the amount of money that the Government themselves think will be spent by each candidate in a free mailshot. Rotherham itself was never part of the Government's constitutional reforms.

Mr. Greenway: Will my right hon. Friend give way?

Mr. Brooke: No. We are short of time. I apologise to my hon. Friend.

As ever, the Minister for Housing and Planning is sitting next to the Minister for London as his minder; he has done so consistently on other occasions. Towards the end of the Napoleonic wars, the great Napoleon wished to give a marshal's baton to General Lefebvre, one of the great old soldiers of the republic. He sent him to capture a major city in eastern Europe, accompanied by Marshal Oudinot.

Marshal Oudinot had already been wounded in the Napoleonic wars 33 times. Although he was only there with a watching brief, he managed to get wounded during that campaign, too. The Government's apprehensions that they will get wounded in the London elections bring the Minister for Housing and Planning to the House tonight.

The Minister has a powerful historical sense. He knows that, in 1906, the Tory party suffered its largest defeat in a general election this century, until the recent one. He knows that the first sign of the party's recovery was that, for the first time in 18 years since the London county council founded in 1889, it took the LCC the following year, in 1907.

The Minister further knows that, although the Labour Government had a majority of 150 in the general election of 1945, by 1949, although Herbert Morrison had held London for 15 years for Labour, the Conservatives had a majority of 120,000 votes in London at large. They got exactly the same number of seats. The one Liberal who was elected was prepared to vote for the Tories. It was not one of the finest moments in the history of the London Labour party. I have had to listen to a lot about the Greater London council since 1986, but the Labour party insisted on retaining control by fiddling the aldermanic vacancies.

Before the election, the *Evening Standard* said that the mayoralty of London was the Prime Minister's big idea and that, in that respect, it was going to march with Scotland and Wales. The Minister will remember it. We devoted a whole day to the governance of London on a Friday in June 1997. It was not the equivalent of discussing Rotherham. It was a major part of the Government's constitutional reforms.

I represent an inner-city seat. In the 1983 general election, it had the lowest turnout in the country. On the eve of 1987 general election, I told my agent that we were going to improve. We overtook eight seats. Six were inner-London seats, or on the periphery of inner London. In 1992, we moved up a further eight seats. Again, we overtook inner-city seats. In 1997, we moved up a further eight seats. Again, we overtook inner-city seats.

It is difficult to run elections in inner-city seats, whichever the city—I am not including Rotherham in my remarks. The consequence is that the mailshot is a matter of extreme importance. If the Prime Minister really does have a big idea about London and wants to make the mayoralty a success, he will accept the argument on the mailshot; otherwise, the turnout will be the same as it has been historically. That is, frankly, going to be a loss to everyone. The media attention to which the Minister for London referred is present in a general election, when we again have the problem of getting out the inner-city vote.

The Minister cited three reasons for the Government's position on the matter. He was not on the Committee, so he will not recall—as the Minister for Housing and Planning will—my telling the story of the Polish bishop who arrived in a parish in his diocese and said to the curate, "I am usually accustomed when visiting parishes to be greeted by the sound of bells. Why am I not greeted by bells?" The curate said, "My lord, there are three reasons. The first is that there are no bells." "Pray go no further," said the bishop.

The Minister for London made the great mistake of going further, so that, having rested his argument on the principle that the Greater London Authority Act 1999 is local government legislation—to which my hon. Friend the Member for Beckenham (Mrs. Lait) referred—he then produced other reasons why the Government were not going to pursue the matter. In the process, he totally demolished his basic argument—he delivered an Exocet at it—about the local authority.

We know about the Scotland Act 1998 and the Government of Wales Act 1998 and the fact that they contained no provision for a free mailshot. We know, too, that—until the Political Parties, Elections and Referendums Bill—the Government have made up the laws on referendums as they have gone along. In Committee, I accused the Minister for Housing and Planning of making up the Greater London Authority Act 1999 as we went along. I realise that consistency can be castigated as the hobgoblin of little minds, but there is no possible way in which, on the basis of how the Government have conducted their constitutional reform so far, the Minister can rest on the fact that the 1999 Act is local authority legislation and, therefore, that local government arrangements should apply.

Regardless, I say to the Minister, as I say to the House, that democracy is more important than all such issues.

12.37 am

Audrey Wise (Preston): I shall make a very short and plain statement. The debate has been conducted largely as though we were discussing a matter affecting only London, which may seem to be a reasonable conclusion as the order is about elections for the London assembly and the London mayor. However, the matter has a wider significance.

It is not true, as has been well established, that the London elections will be simply local government elections. It is not even true that the major problem is that it is hard work to run elections and difficult to canvass and to deliver. That is not really the essence of the matter at all, as that problem applies anywhere in the country and also in parliamentary elections. I have sat in the Chamber, through the previous debate and this one, asking myself over and over, "What arguments would Labour Members be adducing if we were facing a proposal from the Opposition—were they ever again in a position to do it, which I hope that they will not be—to abolish the free mailshot in parliamentary elections? How would we defend the free mailshot?"

I accept the free mailshot at general elections in my constituency. I would not dream of saying that we have plenty of workers, or that we rely on the fact that we shall have one leaflet delivered by post. We still organise as many people as we possibly can to deliver and to canvass, because one leaflet does not make an election. The issue is not about Labour Members or Liberal Democrat Members or anyone else being short of election workers: it is about providing a reasonable minimum standard so that everyone is able to deliver at least one leaflet. If they can do more than that, it will have to be down to their own efforts. As has already been pointed out, the leaflets and envelopes have to be paid for. It is not a free ride; it is simply a free delivery.

[Audrey Wise]

I worry a great deal about the possible implications for parliamentary elections. When my hon. Friend the Member for Rotherham (Mr. MacShane) was looking for people who might be affected, I was glad that his gaze passed over me and he did not say Preston. I would not have liked to be prayed in aid to that speech.

Never mind clever-clever passion and grandiloquence. When all is said and done, it is a pity that the Opposition have been handed a weapon to use against us. We have been reduced to saying "Yah-boo, you've done worse." Of course they have done worse. They abolished the Greater London council, which was a downright disgrace. However, we are not improving on that by what we are doing tonight. We are giving them a cover so that people can say "Oh well, none of the parties are really very good. None of them are much devoted to democracy." It is a pity to do that.

If we were to add up the cost of the parliamentary mailshots, how would we defend them? If cost is the true issue, it is shameful. I do not know what the true issue is, but the order is a mistake. We should not have handed the Opposition this weapon.

12.41 am

Mr. Michael Jack (Fylde): We have heard some brave speeches from Labour Members this evening—three of them in defence of basic democratic rights. The Government have been promulgating so-called freedom of information, but the lack of a freepost will deny electors who seek the freedom to know who is standing in an election their right to know what is going on. If the best defence that the Government can put up is the hon. Member for Rotherham (Mr. MacShane), it says a great deal about the paucity of their arguments. All that he could do was rail against what he called lazy parties. I have always thought that he was a democrat, but he seems to have failed to take into account the position of vigorous smaller parties, or even good independents. They will find it difficult to get their message across, because they may well be crowded out by the more conventional methods of communication of the media. The electorate have a right to know who is standing in the elections.

When I had to defend difficult wickets as a Minister, I remember falling back on one of two strategies: the first was to laugh at the Opposition and the other was to pray in aid lots of technicalities in the hope of running out of time before having to defend the central issue. The Minister has done that this evening. He has illogically told the House that freeposts are not applicable in ordinary local government elections, and then gone on to tell us about the unique structure of the Greater London Authority and the special nature of the elections. He cannot have his cake and eat it. The electorate will expect a freepost to tell them what is going on. It is incredible that the Labour party is prepared to connive in denying people their basic rights to information.

What has happened in the Department? The civil servants will have given the Minister a brief. Options will have been put before him and factors will have been considered. I have no doubt that many of the arguments about comparability with other forms of election that my right hon. and hon. Friends have made will have been put to the Minister. I see him smiling, so I assume that that is what happened. However, he turned round, for political reasons—I do not know what they are, because he has not engaged in the debate to tell us this evening—and said to the officials, "No, we are not having a free mailshot, so construct me some arguments that will enable me to make that point." He has not come up with any logical explanation to deal with the coherent arguments put forward by the hon. Members for Hackney, North and Stoke Newington (Ms Abbott), for Hayes and Harlington (Mr. McDonnell) and for Preston (Audrey Wise), and unless he does so, we will know that it was a political decision, and a shoddy one at that.

The decision marks a nasty turn in our electoral processes. We have seen the first manifestation of electoral censorship. The Minister turns his face from that, but we have heard all sorts of fallacious arguments about what sort of candidate will be able to get their message across. The Government's attitude breaks the cross-party consensus that had grown up on the way in which elections should be conducted in the United Kingdom, given an election that caters for such a large and diverse electorate. What will the ethnic minority groups think when the Labour party denies people information in their own languages about the candidates? As they say, "You ain't seen nothing yet."

Mr. Bermingham: Is the right hon. Gentleman saying that in any local government election at whatever level—whether for mayors in Liverpool or Birmingham or generally—there should be a free mailshot? If he is, I will understand his argument.

Mr. Jack: My argument addresses a unique occasion in our democratic process—the first election of a mayor for London. The Minister said that the election had a unique structure, and that is why I argue that candidates should have a free mailshot. The size, scale and diversity of London demand that that type of communication be made available, and the Government have advanced fallacious cost information to justify their position. What price democracy? Tonight, if the Government have their way, electoral censorship will arrive in this country and our democratic processes will be the worse for it.

12.47 am

Mr. Simon Hughes (Southwark, North and Bermondsey): I wish to add a brief word in support of the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) and the right hon. Member for Cities of London and Westminster (Mr. Brooke), and on behalf of those constituencies, whatever their party allegiance, that traditionally have very low turnouts. It is unarguable that it will be impossible to reach all the electors in any of the constituencies unless there is a free mailshot. I say to the hon. Member for Rotherham (Mr. MacShane), who knows as much about Europe as about Rotherham, that the largest European constituencies have always had a free mailshot in elections, so that every elector can have the facts.

People often complain that we only take an interest in them at election time. They will get their polling card, but if they get no literature, what will that do to restore the political process? What will it do to make people feel engaged? What will it do to make people feel included? What will that do to make politics more valued? It will

do nothing. All it will do is ensure that those who feel marginalised and excluded already feel even more alienated from the political process.

If nothing else will persuade the Government, I repeat the question that my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) asked earlier. The Government have to come up with an alternative, because if they persist in their approach, they will be defeated. That is a solution that they do not want—and neither do we, because we want the election to go ahead.

There is a debate in the Labour party about Labour re-engaging with its heartland. At the last election, the majority of people in London voted Labour. The largest number of local authorities in London are Labour controlled. It will be to traditional Labour voters that the Government do the greatest disservice.

Mr. Bermingham: Will the hon. Gentleman give way?

Mr. Hughes: No, I will not. Many of those traditional Labour voters will be disengaged; many of them will not receive communication, and many of them will feel that their Government have let them down.

I join colleagues from all parts of the country and both sides of the House in saying that the Government have about seven days in which to think again. If they do not, they will be making a terrible political mistake.

12.50 am

Mr. Gerald Bermingham (St. Helens, South): The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) refused to give way to me. If he had, I would have asked him a very simple question—the same question that I asked the right hon. Member for Fylde (Mr. Jack) a short while ago. If we are to have a referendum, and if we are to have freepost, should we not have it in all elections? Why did the hon. Member for Southwark, North and Bermondsey not give way and answer that question? It is because he does not want to know the answer, which is that if we do it for one election, we must do it for every election. It must be as simple as that. *[Interruption.]* Wrong. I am saying that if we do it for London, we have to do it for Liverpool, Birmingham, and everywhere else.

Mr. Mark Fisher (Stoke-on-Trent, Central): Will my hon. Friend accept that London has local elections? They are for the boroughs. This is a regional election involving 5 million people—the electorate is larger than that of Scotland and Wales. This is not a local election, but a regional election, and of course there should be free post.

Mr. Bermingham: That is exactly why I am saying that there should be free distribution at elections. We cannot distinguish between elections. That is why I asked the question of the hon. Member for Southwark, North and Bermondsey. It is as simple as that. If we differentiate one election and another, where the heck do we go?

12.52 am

Mrs. Jacqui Lait (Beckenham): I have been fascinated in both debates about the confusion that appears to be emerging at the heart of the new Greater London assembly. Having a mayor and assembly was the one clear policy for London that we thought the Labour Government were introducing. We now appear to be challenging the role of the mayor and the assembly. On the one hand, the Minister insists on maintaining that this is a local government election; on the other, he is introducing to that election a system of deposits that is alien to local government elections.

The hon. Member for Stoke-on-Trent, Central (Mr. Fisher) made exactly the point that I wish to make, which is that London is a region. It is defined as a region by the Greater London Authority Act 1999, and the London development agency is, by any definition, a function of regional government. If we are talking about regional government, we have to be talking about an organisation that is not a local government organisation.

Mr. David Heath (Somerton and Frome): I wonder whether the hon. Lady can help me on a point made by the Minister. He suggested that if there was a free post for the whole of London, frivolous candidates or commercial interests would flood Londoners' post boxes with leaflets in support of their businesses. The hon. Lady represents a London constituency. Was she aware of that happening during the European elections, when similar circumstances prevailed in that London was treated as a region and there was a free post?

Mrs. Lait: The hon. Gentleman has picked up on another point that I was going to make. During my by-election, when one expects frivolous candidates, there were none, apart from the British National party. Therefore, I suggest that the idea that there are always frivolous candidates, and that the organisation of these expenses is designed to eliminate them, is a fantasy to bolster Ministers' confused arguments. I can understand their confusion. Last Saturday, I campaigned with our prospective candidate for the assembly in a nice, respectable, Conservative part of Beckenham—*[Interruption.]* The Minister would do well to listen to this. Reaction in that area suggested that people would vote for Steve Norris or, in fewer numbers, for—whisper his name—the hon. Member for Brent, East (Mr. Livingstone). Not a single person mentioned the right hon. Member for Holborn and St. Pancras (Mr. Dobson) or the hon. Member for Hampstead and Highgate (Ms Jackson).

When I told people that I was accompanying their prospective assembly candidate, the usual reaction was, "What's the assembly?" If there is any strong argument for free post, the understandable ignorance of the London electorate about the assembly's existence is it. There is no evidence that ordinary voters even know that there will be an assembly. I hope that the Government do not decide to solve that problem by themselves advertising the assembly. That would be an even greater travesty of democracy. We need to allow all prospective candidates for the assembly to benefit from a mailshot, just as the candidates for mayor should.

Mr. Casale: Did the hon. Lady remind her constituents on the doorstep that her party is profoundly antagonistic towards London government? Did she tell them that her party abolished the Greater London council and did not want these elections to happen? In opposing the motion, does she not intend to bring about a situation in which we have no election at all to the London authority?

Mrs. Lait: If I understand the hon. Gentleman correctly, he is suggesting that a mailshot would put

[Mrs. Lait]

people off voting for the assembly. We have all argued that the opposite would be the case. The Minister would be rash to ignore the arguments advanced in favour of democracy for all Londoners and for residents of all the other cities in which the Government propose to introduce mayors. Candidates for mayors in other cities will have huge fund-raising requirements if they are to stand. In some less-well-off areas, I can see people being deterred from standing by the sums that will have to be raised if the electorate is to be reached. I beg the Government to add to their proposals for mayors of other cities the implications of what they are doing in Greater London.

Mr. Greenway: I am grateful to my hon. Friend for giving way as it means that I shall not need to detain the House with a speech. Her last point is extremely strong. The hon. Member for Preston (Audrey Wise) said that this matter goes wider than London. Does my hon. Friend agree that if we are to have regional assemblies, which many Opposition Members do not want, there should surely be free postal delivery in Yorkshire, the south-west and the west midlands, just as there was in Scotland and Wales?

Mrs. Lait: My hon. Friend is absolutely correct. He points up the confusion that lies at the heart of the proposal not to provide a mailshot for the mayoral and assembly candidates. The Government ought to think hard about this matter, and they will have an opportunity to do so when the orders are defeated in the House of Lords. They must think hard about the role of the mayor and the assembly in our constitution.

Question put:—

The House divided: Ayes 262, Noes 168.

Division No. 77] **[12.59 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Benn, Hilary *(Leeds C)*
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Flint, Caroline
Flynn, Paul
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg

Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Kevin Hughes.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Wardle, Charles
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Sir Robert Smith.

Question accordingly agreed to.

Resolved,

That the draft Greater London Authority (Election Expenses) Order 2000, which was laid before this House on 3rd February, be approved.

Children's Ombudsman

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

1.11 am

Mr. Tom Cox (Tooting): I am a member of the British parliamentary delegation to the Parliamentary Assembly of the Council of Europe—a Parliamentary Assembly of 41 member states. I chair the social, health and family affairs committee of that Assembly and I am the rapporteur for the European strategy for children. The committee that I chair has produced many major reports, especially on issues that concern the welfare and protection of children, such as child abuse, international adoption, the effects of social exclusion, child labour, sexual abuse, child soldiers and refugee children. I work very closely with the United Nations Children's Fund on children's matters.

The aim of my debate tonight is to seek the appointment of an ombudsperson for children—or as some countries say, a commissioner for children. Within the Council of Europe a number of member states, such as Norway, Belgium, Sweden, Finland, Germany, Luxembourg and Iceland, already have such an ombudsperson or similar organisation to consult with children and to protect children's interests. Many countries in other parts of the world—Australia, Canada, New Zealand, Costa Rica and Guatemala—have either an ombudsperson or a commissioner. Other European countries are at present considering such an appointment. The role of the ombudsperson is to work with children, to listen to their concerns, to ensure that their rights are safeguarded and developed and to work and co-ordinate with children's organisations on issues of concern.

I have spoken many times to the people who perform the role of ombudsperson. They speak in support of that role, and describe the confidence of young people in contacting them on issues of concern. We can point to examples of European countries where an ombudsperson has been successful in developing the rights of the young and protecting their interests and welfare.

I am sure that my hon. Friend the Minister would be the first to agree that one of the major achievements on the protection and welfare of children was the United Nations convention on the rights of the child. Sadly, the Committee that I chair at the Council of Europe knows that children's interests are still often totally disregarded. In the United Kingdom, no independent body is responsible for promoting children's rights in this country. There are many excellent child care organisations and they do excellent work in the interests of young people, but I do not think that anyone would dispute that there is far too much duplication and overlapping of their work.

An ombudsperson would be there to consolidate the views of various children's organisations. There is clear evidence that that is what such organisations want. That is what they tell me, as I shall confirm later in my speech. I am often told that paper commitments are not enough and that what Governments say they will do and what they actually do are not always the same thing.

We know some of what has been done regarding our systems. Inadequate measures are in existence to enable children's views to be listened to when decisions about them are made. I regularly speak to youngsters attending junior schools in my constituency and, in the past two weeks, I have visited St. Mary's Church of England and Ravenstone junior school, both in Balham. The youngsters to whom I speak are knowledgeable, intelligent and want to ask many questions. They repeatedly ask, "Why don't they listen to us, Mr. Cox?" They are right. Why do we not listen to the views that youngsters want to express?

We know that not enough attention is given to the importance of respecting the best interests of children in legislation. There is no independent system of monitoring how legislation works for the benefit of youngsters. Despite Government initiatives, there is very deep concern about the welfare and protection of young children in this country. One has only to ask child care organisations for their views.

How can youngsters make their views known to a Government Department or a Minister? Do we have press or television campaigns saying that the Government are considering changing the law or introducing a new one that will concern young people and do we say to them, "We want to hear what you think about it"? We know that young people need people to pursue their rights. What independent body exists in this country with the responsibility to monitor or, indeed, promote children's rights here? If there is one, I hope that my hon. will tell the House about it.

That is surely just the role for which an ombudsperson would be responsible. I ask the Minister to check the role and work of the ombudsperson in those countries that have such a post and consider the trust, the respect and the achievements that have been made. We know that young people have views, concerns and needs, but where are their rights? We talk about human rights, but when do we talk about or develop systems in which children's rights are promoted or even talked about?

We often hear of the most appalling cases of child abuse—either sexual or physical. In last Sunday's *Sunday Express*, there was an article on the report that has now been published by Sir Ronald Waterhouse, who headed the inquiry into sexual abuse at children's homes in north Wales where 650 allegations of abuse were made. In that article, the child protection director of the National Society for the Prevention of Cruelty to Children, Neil Hunt, said of the inquiry:

"The disturbing facts about past abuse were that children had no one to turn to for help, and when they tried to speak out they were ignored. If these children had had access to advocacy services to stick up for them, this tragedy might well have been avoided.

Last week Sir Ronald told a conference that children in care need trustworthy and independent adults to listen to their concerns."

Yesterday, *The Times* published a letter from the NSPCC's chief executive and the president of the Association of Directors of Social Services, which was headed, "Abused children need a champion". It said:

"The NSPCC and the ADSS are united in calling for the Government to appoint an independent Children's Commissioner to champion the needs of UK children".

Today the House heard the statement by my right hon. Friend the Secretary of State for Wales on that report. The comments that I have read out, including those made by the leader of the inquiry, set out the role that an ombudsman would play.

I fully support the introduction in recent years of bodies to promote the interests of women and disabled people, such as the Equal Opportunities Commission and the

Disability Rights Commission, and the Commission for Racial Equality. However, there is still nothing for children.

The Minister may well tell me about the provisions for the children's director in the Care Standards Bill, but many organisations that work with children have expressed clear reservations about that appointment. They think that the terms of reference are too narrow and they remain committed to the establishment of an independent ombudsman. There is no great support in this country for the appointment of a children's director.

We all know that children have no vote, no political power, and often no formal way of making their views known. What influence do they have in any lobby or institution that informs political change? We know that when children's issues are determined, whether at a national or local government level, the responsibilities for children's services are often split between different departments and there is poor communication or collaboration between them.

We should think of the appalling, brutal cases of child abuse with which we are familiar. In many of those cases, children died as a result of the abuse that they suffered. The point that is repeatedly made in the inquiries that follow those cases is that there was a lack of co-ordination between the agencies that were supposedly involved in securing the welfare of the abused children.

The committee on the rights of the child, which was established to monitor the implementation of the United Nations convention, said that without an independent role to monitor progress, children's rights are rarely given the priority and scrutiny that they require. The committee clearly recommended the appointment of an ombudsman or a commissioner in the United Kingdom.

I have spoken of the contact that I have with schools in my constituency, and I am sure that all Members have such contact. I suggest to my hon. Friend an ombudsman would be the best way to seek young people's views; to ask them to become involved in projects; to make them aware of the distribution in schools of leaflets and reports on children's rights; and to inform them of issues under discussion which concern them. Indeed, in countries where the post of ombudsperson or commissioner has been established, it has given young children their first opportunity to have direct access, to make their views known, and to be listened to. That is what I want this country to do.

I have already mentioned the views of organisations that work with children in various roles. I have a list of more than 100 such organisations in the UK, all of which support the appointment of an ombudsperson or a commissioner for children. I shall give a short list: the Child Poverty Action Group, Barnardos, the Association of Directors of Social Services, Gingerbread, Family Welfare Association, the Association of Lawyers for Children, the Local Government Association, the National Association for Maternal and Child Welfare, the National Children's Centre, Save the Children, the Council for Disabled Children, the National Children's Bureau, the National Society for the Prevention of Cruelty to Children, the Royal College of Nursing, UNICEF UK and Oxfam UK. That is an impressive list.

There is also wide support in the country for the appointment of an ombudsperson or commissioner for children. A UK opinion poll held in December 1996 gave the following results: 85 per cent. of the people asked said that there should be an ombudsperson; 13 per cent. said that there should not; and 2 per cent. said that they did not know. There is clear and overwhelming support for such an appointment.

In those countries that already have ombudspersons or commissioners, their achievements, the respect they command and the way in which young people relate to them are known. I suggest that it is time for this country to move forward and appoint such a person to promote awareness of children's rights; to analyse and comment on proposed Government legislation or policies in respect of their effect on children and young people; to examine failures to practice and follow guidelines on children's rights; to undertake or commission research relevant to children's rights and interests; and, above all, to establish a system in which children and young people can contact with confidence someone they know will listen to them, in the knowledge that their rights and interests will not be ignored. Many organisations and the vast majority of the general public in this country believe that that would be achieved by the appointment of an ombudsperson.

I, with others, will listen with great interest to the Minister's reply. I hope that what I seek will link with the proposals of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly for the welfare and protection of young children.

1.29 am

The Minister of State, Department of Health (Mr. John Hutton): I thank my hon. Friend the Member for Tooting (Mr. Cox) for the opportunity he has given the House to discuss the general issue of the welfare and well-being of children. I know that he feels strongly about such issues and I assure him that I share his feelings.

Today, we all have on our minds the particular needs of children in the care of local authorities. Earlier today, the House heard the statement made by my right hon. Friend the Secretary of State for Wales about the report of the inquiry into the abuse of children in care in north Wales. My hon. Friend knows that the Government will give careful and urgent attention to the recommendations of Sir Ronald Waterhouse.

My hon. Friend drew attention to the fact that Sir Ronald today recommended the appointment of an independent children's commissioner for looked-after children in Wales. Our proposal, to which my hon. Friend referred, to appoint a children's rights director to the proposed National Care Standards Commission captures the spirit of that recommendation.

Children's social services are one of the most difficult and demanding categories of social care. All the professionals involved have to make tough decisions and deal with some difficult situations. However, if we as adults find this area difficult and intimidating, we should never lose sight of what it must mean for the children. It is our responsibility to get the services right and we fully intend to discharge it.

The Government agenda for children is ambitious and wide ranging. In November 1997, the Government published the report known as the "Review of Safeguards for Children Living Away from Home"—the Utting report. It made 20 key recommendations and more than 130 other recommendations, with the principal aim of improving protection for children who live away

[Mr. John Hutton]

from home. The Government published their response to the Utting report in November 1998. The document sets out a detailed and comprehensive programme of policy and management changes across government to deliver a safer environment for all children who live away from home. Many of the Utting report recommendations are being addressed through the introduction of the Care Standards Bill and the Children (Leaving Care) Bill.

A ministerial task force was established in November 1997 to take forward the Government's response to the children's safeguards review. It involves Ministers from 10 Departments and outside representatives from social services, education, the police and the voluntary sector. It is an excellent example of working across government to deliver a safer environment for all children who live away from home. As my hon. Friend knows, the task force's job is to co-ordinate and take forward urgently the Government's response to the Waterhouse inquiry.

My hon. Friend did not refer to the Government's "quality protects" programme, which is a flagship policy of which we are proud. We are seeing it through the three years of the current spending review. My hon. Friend knows that it is a £380 million programme. We want a transformation in the quality of care that local authorities provide for looked-after children.

The care system must help children and young people to make the most of their talents, to achieve at school and in further education, and to become confident and successful adults. Local councils must act as proud and concerned corporate parents who know about their children's achievements and do all they can to meet their needs.

We must also provide earlier support for children and families, which will mean that fewer children suffer abuse and neglect. My hon. Friend referred to a child protection system. Such a system must provide effective safeguards for all children, wherever they live. Positive action on all those important matters is now under way.

My hon. Friend mentioned the importance of listening to children. Listening to their views and wishes is a key principle underpinning the "quality protects" programme. We issued guidance to local authorities in October 1999 which stressed that

"particular attention should be given to the involvement of young people collectively and to enhancing their individual voices, for example through the development of independent advocacy services."

That is a priority area for grant funding under the "quality protects" programme. In the first year, £5 million was allocated to developing children's participation. That will again be a funding priority in the second year.

Careful assessment of local authority management action plans, which must be submitted to the Department under the "quality protects" programme, will enable us to identify accurately and precisely the progress that has been made to date and where money should be targeted to develop that work in future. That is an unprecedented investment in listening to children.

Listening to children makes sense not only in terms of improving services; it can also contribute enormously to promoting their safety and welfare. However, it should not be the job of one person—a commissioner, an ombudsman or anyone else—to listen to children. We need a culture change for children's social services which is powerful enough to ensure that listening to children is the job of everyone who is involved with their care. We believe that, and we are taking steps to ensure that it happens. "Quality protects" is beginning that process of change.

We are also trying to practice what we preach. That is why young people are being involved with the development of all the major policy initiatives in this area and will continue to be so in future. They are, for example, full members of the ministerial task force that is developing policy in this area.

The challenge for local authorities in the second year of "quality protects" is to implement their local action plans fully, improve services and achieve much better outcomes for children and young people. Next year, we are increasing the grant available from £75 million to £120 million and we expect real improvements to be delivered in return for those extra resources. My hon. Friend will be glad to know that in the following year the grant will be increased to £180 million. We are making good progress. By the end of next month all authorities expect—for the first time—to meet their statutory duties to inspect children's homes, and there has been an increase in the number of adoptions and the support being given to those leaving care and in councils listening to children.

Mr. Hilton Dawson (Lancaster and Wyre): Will my hon. Friend give way?

Mr. Hutton: I will not, if my hon. Friend will forgive me. I have more to say.

The Care Standards Bill, which my hon. Friend referred to, makes an important contribution here. The debates in Committee in the other place were completed on 18 January, and it sets out a wide reform of the systems to protect vulnerable people and to improve standards in children's homes, care homes, private and voluntary health care and other care services. It will establish a National Care Standards Commission—a new independent body to regulate children's homes and services and care homes for the elderly and disabled people.

As my hon. Friend said, the Bill will establish a national children's rights director, which will be a senior post in the commission. Further consultation is required on the specifics, but the Government believe that the appointment will ensure that children's rights and safeguards are given the highest priority by the new commission. It is an important and innovative development for children's welfare.

The children's rights director will be a unique appointment and a real breakthrough for looked-after children. The postholder will, for the first time, be able to take a national overview of the rights of looked-after children and the way in which they are being cared for by local authorities. The scope of the post was originally set out in the White Paper "Modernising Social Services", which envisaged a number of roles. He would, for example, be able to help the commission to give full and effective coverage of children's services and rights within its statutory regulatory responsibilities and its reports on the discharge of those responsibilities.

The director would also be able to ensure that the views of children placed in the facilities and services regulated by the commission were given proper weight in that

regulatory task, and he would report directly to the chief inspector of the social services inspectorate any significant evidence relevant to the rights and safety of children gained from the commission's regulation and assessment of services for children. That might help local authorities or other providers to improve the services and support that they give to children.

I emphasise to my hon. Friend that we shall be very happy to discuss the role and exact function of the children's rights director. Hon. Members will accept that his role and function need to be consistent with the role and function of the National Care Standards Commission as a whole. I make it clear that the director will be senior in the commission. We are well aware that further consideration of and consultation on the specific role is required, and we shall of course ensure that he or she is appropriately supported and that other members of the commission also have significant experience of children's social services and related issues.

The measures that the Government have already taken show clearly that we are committed to ensuring, through a range of initiatives, that children's rights remain clearly and firmly on our collective agenda. Ministers have previously considered whether there is a case for a children's rights commissioner with responsibilities extending further than looked-after children, and discussed it with children's rights groups early in 1998. In our response to the second report of the health committee on children looked after by local authorities, which was published in December 1998, we announced our decision not to proceed with the appointment of such a commissioner.

The Government are not convinced that it would be desirable to create a new national mechanism additional to the courts, the police and the prosecuting authorities, the various existing commissioners, including the Parliamentary Commissioner and the health and local government ombudsmen, the responsibilities of local and health authorities to deal with complaints, and the various inspection and regulatory arrangements for ensuring that safeguards for children are properly implemented and that their voices are heard.

This has been a short, but none the less useful, debate. I can assure my hon. Friend that we are committed to safeguarding the welfare of children. The Government are determined not to let children down and to ensure that their voices are fully heard. The prompt and decisive action that we have taken today in response to the Waterhouse report amply demonstrates our commitment to ensuring that this happens in the future too.

Question put and agreed to.

Adjourned accordingly at twenty minutes to Two o'clock.

House of Commons

Wednesday 16 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON(WARD ELECTIONS) BILL (*By Order*)

Order for further consideration, as amended, read.

To be further considered on Wednesday 1 March.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Climate Change Levy

1. **Mr. Christopher Gill** (Ludlow): What recent discussions he has had with the First Secretary with regard to the climate change levy. [108908]

The Secretary of State for Wales (Mr. Paul Murphy): I meet the First Secretary weekly and we discuss a range of issues. However, lead responsibility on the climate change levy as a tax measure lies with the Chancellor of the Exchequer and the responsibility for negotiated agreements lies with the Department of the Environment, Transport and the Regions.

Mr. Gill: Will the right hon. Gentleman assure the House that he will make the strongest representations to the Chancellor of the Exchequer to persuade him that, if he goes on imposing stealth taxes on our industries, he will make them uncompetitive? Is it the right hon. Gentleman's intention to do that to important industries ranging from aluminium to horticulture, and to treat them as he has treated the pig industry and see them go into terminal decline?

Mr. Murphy: The hon. Gentleman will be aware that the National Assembly for Wales has a responsibility in those matters. It contacted 20 major energy users and businesses in Wales, and they expressed general support for the aims of the levy.

Mr. Barry Jones (Alyn and Deeside): I thank my right hon. Friend for agreeing to visit Shotton steelworks in the near future. When he meets my steelworker constituents, they will tell him of their great interest in the levy. Does he agree that our steel industry faces considerable competition overseas and that the scale and nature of the levy, and the way in which it is pitched, organised and assessed, are of great importance for employment in the industry throughout Britain? Does he agree also that this great steelworks is the scene of much productivity and success? There will be a warm welcome for him when he visits my constituency soon.

Mr. Murphy: I very much look forward to visiting my right hon. Friend's constituency a week on Friday, I think, and particularly to visiting Shotton. I assure him that his points about the steel industry are very well made.

Mr. Nick Hawkins (Surrey Heath): Was not the Minister's reply to my hon. Friend the Member for Ludlow (Mr. Gill) disingenuous in the extreme? The Government have committed themselves to the levy and, after the embarrassment that they have suffered in the past week on Welsh Assembly matters, I should have thought that the last thing that the Minister would want to say is that this is all down to the Welsh Assembly. Why does not he accept that the responsibility lies with him and his colleagues to make sure that no more stealth taxes hit British industry?

Mr. Murphy: Welsh questions is not the place to raise those general matters when I was dealing with a specific question asked of me in my capacity as Secretary of State for Wales. The hon. Gentleman must understand that devolution means devolution.

National Assembly (Budget)

2. **Mr. Jon Owen Jones** (Cardiff, Central): What discussions he has had with the First Secretary about the budget for the National Assembly for Wales for 2000–01. [108909]

The Secretary of State for Wales (Mr. Paul Murphy): I meet the Assembly First Secretary weekly to discuss a range of issues.

Mr. Jones: When my right hon. Friend next meets the First Secretary, will he convey my heartfelt congratulations on his appointment, and those of my constituents? Will he tell the First Secretary that the overwhelming majority of my constituents share Labour's priorities and that they will be delighted to hear of the increases in the Assembly budget for next year, in particular the 7.5 per cent. increase in the money that can be spent on health and social services and the more than 10 per cent. increase in money for education? My constituents will be delighted with that expenditure increase, and I hope that he will convey those thoughts to the new First Secretary.

Mr. Murphy: I will indeed convey those thoughts to the new First Secretary in Cardiff. Everybody in Wales will be grateful for the emphasis that the National Assembly budget has put on education and health. It is important for Members of this House to understand that the National Assembly is a new institution; that the people of Wales voted for devolution, and that we wish the new First Secretary well, as indeed did all parties, including the Conservatives, when they met yesterday to ensure that my hon. Friend the Member for Cardiff, West (Mr. Morgan) was made First Secretary. We ought also

to put on record our thanks to my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) for the way that he worked in establishing the Assembly.

Mr. Richard Livsey (Brecon and Radnorshire): Does not the new First Secretary have a keen interest in private business and a clear understanding of its operation? We hope that matters relating to objective 1 match funding will be included in the budget, as well as projects that will be pursued to obtain objective 1 moneys for the poorest parts of Wales. Will the right hon. Gentleman ensure that the private sector is fully engaged in that process so that new initiatives can be taken for job creation in Wales for the benefit of the people in those poor areas?

Mr. Murphy: The hon. Gentleman has a good point. He will be aware that the First Secretary was—indeed, as far as I am aware, still is—the Assembly Secretary on economic and European matters. As such, he has spent a great deal of time in the past month dealing with the issue. I very much appreciate the hon. Gentleman's points, particularly on the schemes for objective 1 funding, and especially those concerning small and medium-sized businesses.

Sir Raymond Powell (Ogmore): When my right hon. Friend next talks to the First Secretary, will he remind him that this House decides the expenditure given to Wales? Given that, as I understand it, we are proposing an increase of £474 million in the Welsh Assembly's budget, we do not want in 12 months' time to witness again the scene in the Assembly last week. Opposition Assembly Members, particularly Plaid Cymru and perhaps the Liberals, should be reminded that we in this House decide on the money and that, therefore, we shall still have some control over what we grant to them.

Mr. Murphy: My hon. Friend is right when he says that the people of Wales and, indeed, Members of this House, would not want a regular repeat performance of what occurred in Cardiff last week. I think that everybody would agree that, first, Wales needs stability in the three years remaining of the Assembly's term, and, secondly, the Assembly should deliver the services affecting people's lives, such as eduction and the health service, with which the devolution settlement charged it. He is also right in saying that this House of Commons determines the block grant, although I am sure he would agree that distribution of that grant in Wales is a matter for colleagues in the National Assembly.

Mr. Nigel Evans (Ribble Valley): This is the first Welsh questions since the "fun and games" in the Welsh Assembly last week, as the Prime Minister called it. We wish the hon. Member for Cardiff, West (Mr. Morgan) well in his new position. At least he is unlike his predecessor, the right hon. Member for Cardiff, South and Penarth (Mr. Michael), who was like a puppet on a string. We hope that those strings have been cut well and firmly.

In his discussions with the new First Secretary, what representations has the Secretary of State received about objective 1 status funding?

Mr. Murphy: Yesterday, the hon. Gentleman's party in Cardiff warmly welcomed my hon. Friend the Member for Cardiff, West (Mr. Morgan) as the new First Secretary. The hon. Gentleman's colleagues in Cardiff might have been a little more generous about the way in which my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) has worked.

The hon. Gentleman will be aware that we have entered the spending review on objective 1 status. It will take place between now and July, and concern matters of high importance to Wales. We shall continue to work here in government on that spending review.

Mr. Evans: The Secretary of State will be aware that it is not only politicians who are interested in what is going on with objective 1 status. For instance, CyberCall in Cardigan stated this week that it was appalled at the antics of politicians and that all that it is interested in is ensuring that sufficient funds are made available so that Wales wins objective 1 status. We are talking about 400 jobs going to one of the most disadvantages areas of Wales. Given that the Prime Minister said that he would not let Wales down, will the Secretary of State assure companies such as CyberCall, and the people of Wales, that they will receive match funding, so that jobs can go to the most disadvantaged areas of Wales?

Mr. Murphy: The hon. Gentleman will know that, in all the years that his Government dealt with structural funding, they had to go through the process. He will also be aware that, in this very House of Commons a week or so ago, the right hon. Member for Horsham (Mr. Maude), the shadow Chief Secretary to the Treasury, poured scorn on structural funding and said that we should not have it at all in this country. The hon. Gentleman must make up his mind whether he wants objective 1 funding.

Children in Care

3. **Ms Julie Morgan** (Cardiff, North): What discussions he has had with the First Secretary about children in care in Wales. [108911]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend the Secretary of State has regular discussions with the First Secretary, and I have had discussions with Jane Hutt, the Assembly Health and Social Services Secretary, about children in care. Following the publication yesterday of the North Wales child abuse report, we will, of course, be discussing with the Assembly, in the coming weeks and months, the report and the recommendations that it contains.

Ms Morgan: I thank my hon. Friend for his reply. Will he assure the House that every means will be used in the legislative process to ensure that a children's commissioner for Wales is set up; that the commissioner's remit will cover every aspect of children's lives, and all children, including children in care; and that the necessary legislation will not preclude any children in Wales?

Mr. Hanson: I welcome my hon. Friend's commitment to a children's commissioner in Wales and her campaigning work on that. She knows that the Labour party went into the Assembly election with a commitment to establish a children's commissioner, as did other parties. We now await considered Assembly deliberations on the role and scope of the children's commissioner.

In due course, the Government, through the ministerial task force, will examine the Assembly's recommendations and those of Sir Ronald Waterhouse. I hope to make an announcement shortly.

Mr. Robert Walter (North Dorset): The House was appalled yesterday at the report by Sir Ronald Waterhouse. As a member of the Select Committee on Health looking into abuse of child migrants, I know from personal experience how harrowing it is to take evidence from the victims of child abuse.

The House will welcome the tight deadline set for locating the 28 missing child abusers, but can the Under-Secretary assure the House that, if those individuals have not been located by the deadline, he will make available the extra resources needed to carry out a search? Can he also assure the House that, if the abusers are employed in local authority child care posts, he will not tolerate any concealment or cover-up by those authorities—as happened in Clwyd—to protect the interests of insurance companies?

Mr. Hanson: As the hon. Gentleman is aware, the Department of Health and the National Assembly today issued a list of names to local authorities and health authorities in England and Wales, to ensure that, by 5 pm tomorrow in the case of the Department of Health and by 5 pm on Friday in the case of the National Assembly, all those names have been checked against employees. That has been done to protect children who are potentially at risk because those people may be working in local authorities and health authorities. Matters of resources are for the Department of Health and the National Assembly, but the hon. Gentleman can be assured that the Government intend to protect children. We will take the necessary action vigorously, and we will ensure that the recommendations are examined vigorously also.

Health Service (Financing)

4. **Mr. Ted Rowlands** (Merthyr Tydfil and Rhymney): When he next expects to meet the First Secretary to discuss the financing of the health service in Wales. [108912]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend the Secretary of State regularly meets the First Secretary to discuss a range of issues affecting Wales, including health matters, and I have regular meetings with the Assembly Health and Social Services Secretary. The issues discussed, of course, include the funding of the NHS in Wales, but any decision on the allocation of health funding within Wales is a matter for the National Assembly.

Mr. Rowlands: When my hon. Friend meets the First Secretary, will he underline the deep concern felt in north Glamorgan about the state of our acute health services and the fact that we have not been able to make key consultant appointments? Is he aware that Bro Taff is claiming that it has a projected deficit of £18 million and therefore cannot make such improvements? Given the large amount of extra resources to be put into the health service, will he make sure that those resources go to the communities suffering the greatest need and deprivation?

Mr. Hanson: My hon. Friend raises important points. I will ensure that his strength of feeling about deprivation and allocation of resources is conveyed to the Health Secretary, Jane Hutt. I can tell him that the resource increases are significant. This year in Wales, the national health service will receive £2.8 billion, a 7 per cent. increase of £182 million over resources last year. That reflects real commitment by the Government, matched by partnership with the Assembly.

Mr. Lembit Öpik (Montgomeryshire): Will the Minister discuss with the First Minister or the Health Secretary in the Assembly the prospect of holding a review of bed spaces in Wales, in line with the review being held in England?

Mr. Hanson: I shall certainly draw that issue to the attention of the Assembly Secretary for Health and Social Services, but I stress that it is a matter for the National Assembly, which has to make the decisions. That is the position.

Mr. Denzil Davies (Llanelli): Will the Secretary of State examine the crazy system of financing health authorities in Wales, whereby the authorities are deemed to have large deficits, which have arisen through providing health services? They are told to wipe out their deficits, but they can do that only by wiping out health services. Will the Secretary of State reconsider that system and institute a root and branch investigation into it?

Mr. Hanson: My right hon. Friend makes important points. The Government's commitment to increasing health expenditure in Wales and elsewhere in the United Kingdom has been made to ensure that we provide better public services at the sharp end. I shall discuss my right hon. Friend's point with the Assembly Secretary for Health and Social Services.

Railway Services

5. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): What representations he has received on the railway services available in Wales; and if he will make a statement. [108913]

The Secretary of State for Wales (Mr. Paul Murphy): I have received no representations on railway services in Wales. However, I have regularly discussed transport in Wales with the First Secretary and the Assembly Cabinet.

Transport generally is a matter for the National Assembly, although railways remain the responsibility of central Government, working closely with the Assembly on matters affecting Wales. I am keen to continue dialogue with the Assembly and Cabinet colleagues to determine how best to meet the transport needs of Wales.

Mr. Llwyd: I thank the right hon. Gentleman for that reply. One of the National Assembly's duties is to prepare

an integrated and sustainable transport policy. How is it possible to do that when the Assembly has no input into policy on the railways?

Mr. Murphy: That is not quite right. Under the Transport Bill, which is going through the House, the Department of the Environment, Transport and the Regions will accept that the Assembly has an interest in those matters. The Assembly will be consulted on the appointment of a member of the Strategic Rail Authority, which, in addition, will be compelled by law to consult the Assembly on its strategies. Nothing prevents the Assembly from discussing, or spending money on, the infrastructure of transport in Wales.

We can best deal with the problems of the railways in Wales through partnership between central Government and the National Assembly.

Mrs. Betty Williams (Conwy): Will my right hon. Friend press the case for travellers between Holyhead and London? We are confronted daily with poor stock, bad punctuality and the attendant problems of such a service. The service has been neglected for far too long and I encourage my right hon. Friend to press our case strongly to the First Secretary of the National Assembly.

Mr. Murphy: I understand my hon. Friend's points. I have travelled on that line on several occasions, and I fully accept her case. The Assembly is committed to investing £500,000 next year in the north Wales coast rail service to improve line speeds.

Unemployment

6. **Mr. Gareth Thomas** (Clwyd, West): What recent discussions he has held with the First Secretary on the level of unemployment in Wales. [108914]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend meets the First Secretary on a weekly basis to discuss a range of issues, including the level of unemployment in Wales. I am pleased to note that, between the general election and December 1999, the seasonally adjusted count of claimants of unemployment-related benefit has fallen from 81,800 under the Conservative Government to 59,200 under the Labour Government. That is a fall of more than 27 per cent.

Mr. Thomas: I am grateful to my hon. Friend for that response. Do not those figures reflect the Government's success in implementing the new deal and the working families tax credit, and encouraging sustainable growth and low inflation? Does my hon. Friend accept that the minimum wage has had a major impact on Wales? Far from creating more unemployment, it has had a genuine impact on, and is of real benefit to, many ordinary people in Wales.

Mr. Hanson: Unemployment is at a 20-year low. In my hon. Friend's constituency of Clwyd, West, unemployment has fallen by 17 per cent. since the general election. The Government are making great strides to help create jobs and a climate for employment in Wales. The minimum wage is a valuable component, which ensures that people in Wales have decent pay. I am pleased to tell my hon. Friend that the One2One telephone company has announced the creation of 1,000 jobs in Merthyr in the constituency of my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). That is good news for Wales, and for the Labour Government's handling of the economy in Wales.

Mr. Simon Thomas (Ceredigion): Does the Minister agree that objective 1 resources are one of the best ways to create well-paid jobs in a constituency such as mine? Will he therefore join the First Minister in Wales and bust a gut to make sure that objective 1 money is additional to the Welsh block grant?

Mr. Hanson: I welcome the hon. Gentleman to his first Welsh Question Time. He is aware of the situation, as we discussed it extensively during his by-election. There is a process, and the Government are following it. He will have to wait and see, but objective 1 was secured by the Government and it will deliver real employment prospects for the people of Wales. Discussions and consideration have been undertaken.

Mr. John Bercow (Buckingham): Given that unemployment has risen in Wales by 4,000 relative to the same quarter last year on the International Labour Organisation count, and that Business Strategies predicts an increase in unemployment of 7,000 consequent on the Government's stupid and malicious energy tax, when will the Minister abandon his smug complacency and own up to the massive damage that is being inflicted on the Welsh economy by their tax and regulatory policies?

Mr. Hanson: On 1 May 1997, 81,800 people were unemployed. In December 1999, the figure was 59,200, which is a fall of 27 per cent. Labour government is working, the people of Wales are working and investment is being brought in. The Conservative party, which would scrap the new deal and is just about content to have the minimum wage, would damage the economy of Wales dramatically.

Livestock Industry

7. **Mr. Owen Paterson** (North Shropshire): What discussions he has had with the First Secretary on the prospects for the Welsh livestock industry. [108915]

The Secretary of State for Wales (Mr. Paul Murphy): I have regular weekly meetings with the First Secretary and we discuss a wide range of issues, including the Welsh livestock industry. I am acutely aware of the problems facing the farming community and the agriculture industry in general.

Mr. Paterson: The prospects for livestock farmers are so bleak in Wales that some will have an annual income this year of only £2,000, according to the Ministry of Agriculture, Fisheries and Food. How can the Secretary of State look them in the eye and justify squandering £26 million of British taxpayers' money on a fancy new building for the First Secretary?

Mr. Murphy: The hon. Gentleman, who represents an English constituency, will be aware that all Welsh Members, save a very small number, represent

constituencies with farming interests and all of us, including those who represent the south Wales valleys, know the problems that farmers face and the crisis that they are in. The number of actions that the Government have taken in the past year shows how seriously we take the farming crisis. For example, we gave more than £15 million in hill livestock compensatory allowance, introduced a cattle passport and deferred the charges and reduced the regulatory burden on farmers. The Assembly has taken a host of actions. He should be aware that the future of farming lies in the relationship between the Government and the farming industry and we must consider it on a long-term basis.

Pig Farming

8. **Miss Anne McIntosh** (Vale of York): What recent discussions he has had about pig farming in Wales with the First Secretary. [108916]

The Secretary of State for Wales (Mr. Paul Murphy): I meet the First Secretary on a weekly basis and we discuss a wide range of issues.

Miss McIntosh: Has the Secretary of State discussed the Prime Minister's commitment to find money for English pig farmers and will that money be extended to Welsh pig farmers? Does he share my concern that the new First Secretary may not be in post very long if such funds are not found?

Mr. Murphy: I sincerely hope that the First Secretary will be in post for a very long time. The last thing that we want is another change. There are relatively few pig farmers in Wales and only 1.6 per cent. of Welsh farms are pig and poultry farms, but the work that my right hon. Friend the Minister of Agriculture, Fisheries and Food is undertaking on behalf of the pig industry applies just as much to Wales.

Agriculture

9. **Mr. Michael Fabricant** (Lichfield): When he will next meet the First Secretary to discuss the state of agriculture in Wales. [108917]

The Secretary of State for Wales (Mr. Paul Murphy): I meet the First Secretary on a weekly basis and we discuss a wide range of issues, including Welsh agriculture.

Mr. Fabricant: It is all very well for the Secretary of State to tell my hon. Friends the Members for Vale of York (Miss McIntosh) and for North Shropshire (Mr. Paterson) that he knows all about the problems that Welsh farmers face. The dairy and livestock industry in Wales—*[Interruption.]* Labour Members obviously do not care a damn about them. Those industries have experienced a drop in income of more than 40 per cent., pig farming is almost on the point of collapse and in Ceredigion, where more than 21 per cent. of the population work in farming, people have shown what they think of the Labour Government. When will the Secretary of State stop saying that he knows about the problems and do something?

Mr. Murphy: I live in, and represent, a Welsh constituency, and all of us who represent Welsh constituencies have a great interest in the farming industry and in its success. I have just told the House of the various measures that my right hon. Friend the Minister of Agriculture has taken. Those measures apply in Wales and, in addition, the National Assembly is doing a great deal to help the farming industry.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [108936] **Fiona Mactaggart** (Slough): If he will list his official engagements for Wednesday 16 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Fiona Mactaggart: Is the Prime Minister aware that probably the greatest cause of crime in Britain today is drugs? In the small town of Slough alone, 43 problem drug users arrested in the past two months will be responsible for 5,000 crimes in the four to six weeks during which they wait for treatment. I spoke to Slough's police commander today, and he said that we need to do two things: provide better education to prevent young people from turning to drugs, and faster treatment for those problem users. May I tell the police commander that the Government are as serious as he is about drugs, and will deliver both those things?

The Prime Minister: There is no more serious problem than the link between crime and drugs. The Government have already introduced minimum sentences of seven years for drug dealers, mandatory drug testing, and new drug treatment orders. An extra £220 million is going into a strategy to fight drugs. The number of seizures of both hard and soft drugs is up. We are now looking into the establishment of drug courts, which are already being piloted in Wakefield. We welcome the new campaign being launched by the Metropolitan police, which has dramatically increased the lead on drug dealers, and has resulted in 700 extra people being arrested just in the past two weeks. We are determined to fight the drug menace at every level through tougher measures in the law, better provision in the courts, better education in our schools and better treatment for drug offenders.

Mr. William Hague (Richmond, Yorks): The whole country and all parts of the House will have been shocked and saddened by the catalogue of abuse in many care homes uncovered by the Waterhouse report, which was published yesterday. We now know that hundreds of the most vulnerable children in our society were cruelly betrayed. The inquiry has come up with many sensible recommendations, as we always hoped it would. Can the Prime Minister give the House and the country a clear timetable for responding to this report, and for action,

particularly in regard to the creation of a children's commissioner for children in care for all parts of the United Kingdom?

The Prime Minister: It is, indeed, an appalling situation and an appalling catalogue of terror and tragedy inflicted on some of the most vulnerable children in our society. All parts of the House will be anxious to take action as soon as possible to act on the recommendations of the report. The Care Standards Bill and the Children (Leaving Care) Bill give us an opportunity to do so. We shall respond as soon as we possibly can.

The Care Standards Bill provides for a children's rights director in England and a similar post in Wales. We are obviously considering all the recommendations, and the issue is being taken forward by a ministerial task force. We shall implement the recommendations as soon as we possibly can, and I believe that we shall do so with the support of the whole House.

Mr. Hague: I am grateful for that reply. A children's rights director is not necessarily the same as a children's commissioner, but we all look forward to that proposal.

On an even more urgent aspect, the Prime Minister will be aware that 28 people were named in the report as being involved in cases of abuse but whose whereabouts are unknown. Will he assure the House that all resources will be made available to find those people, to have their cases properly investigated, where appropriate to bring them to justice and to ensure that they never work with children in care again?

The Prime Minister: Of course we will do that. It is necessary for us to do that. Moreover, under the Crime and Disorder Act 1998 there are now new provisions in respect of sex offenders, which should give us some assistance.

The post of children's rights director will be a senior post within the National Care Standards Commission. The commission as a whole will be able to drive forward the process of raising the standard of care in homes, and there will be a specific children's rights director. We will implement all the other recommendations in the report as soon as we can.

Q2. [108937] **Helen Jones** (Warrington, North): I agree with what the Prime Minister has said about children in care, but will he now turn his attention to a specific group of national health service staff? Does he agree that the valuable contribution made to the NHS by midwives has not been properly recognised, and that the implementation of clinical grading by the last Government led to serious problems of recruitment and retention? Bearing that in mind, will he tell us what the Government will do to develop the role of midwives, and to make best use of their expertise? Will he ensure that we have policies not only to attract new recruits, but to keep experienced midwives in the profession?

The Prime Minister: I am pleased to pay tribute to the work of registered midwives. The number of midwives fell by some 1,000 under the last Government, but there are now more than 33,000 practising midwives, the most for three years. Last year alone, the number of applications for midwifery training rose by 50 per cent., and the number of widwives intending to practise has risen by 1,000. Action is being taken. Moreover, figures will soon show that there are more nurses and doctors in the system, and, having talked to the Government's cancer adviser two days ago, I can tell the House that there are now 50 per cent. more cancer specialists in training.

It will take time to deal with some of the problems, but they are being dealt with.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Has the Prime Minister seen the reports in today's press that the entrepreneur James Dyson, who is to commit a significant sum involving a substantial number of jobs, is likely to invest that sum in China, Hong Kong and Malaysia because of the strength of the pound and the uncertainty over the Government's commitment to the euro? Does the Prime Minister not recognise that, if we are losing investment opportunities of that kind, the Government need to make the case for the euro and promote the cause of Europe more strenuously?

The Prime Minister: I will not comment on the particular case, which involves a decision that a particular person must make. I think that the important thing is to join the euro only in circumstances in which it is economically beneficial to the country, and that is precisely why we have set out the economic tests and conditions. The test should surely be British jobs, British investment and British industry: that is a sensible test. We should not rule out joining the euro for political reasons, which is the position of the Conservative party, but neither should we be in a position whereby we join regardless of the economic conditions. That, surely, is to the best benefit of the whole of British industry.

Mr. Kennedy: Surely the Prime Minister must engage more seriously, given the serious campaign that has been launched by the leader of the Tory party. If ever there was a case of dodgy goods falling on to the back of a truck, that is it.

Does the Prime Minister not recognise that sentiment is slipping away from the sensible pro-European case, and that those of us in all parties who have shared a platform—including the former Tory Chancellor, the former Tory Deputy Prime Minister, himself, myself and others—must redouble our efforts to make the case, and to win in our vital national interest?

The Prime Minister: The case that I want to make is the case of the Government, and the case of the Government is that we should apply the test of the economic conditions. That is the sensible test, and I believe that it is the position of the vast majority of British people. They want the test to be one of Britain's national interest. The test is British jobs, British industry and British investment, and the people believe it is right that they should have the ultimate say in a referendum. That is why I disagree so profoundly with the position of the Conservative party. As for the Liberal Democrats, I am never sure whether or not they disagree with our position, and are saying that they would join on a basis other than the economic conditions.

I shall be emphatic. It will be done on the basis of the British national interest—that is the right test—not the ideology of anti-Europeans, or those who want to join

the euro regardless of the economic conditions. It will be done according to them because that is the right thing for Britain.

Q3. [108938] **Ms Hazel Blears** (Salford): I am delighted that the Government's new crime fighting fund will mean that Greater Manchester police are able to recruit an extra 378 officers to tackle crime on the streets, but crime and disorder have left many inner-city communities deeply damaged. Will the Prime Minister confirm that the Government will help local authorities such as Salford, especially their social services departments, which have to pick up the pieces, to care for children and their families and help to rebuild those communities?

The Prime Minister: We shall support local government and other players too in the inner cities who are trying to put together imaginative programmes to regenerate the inner city. That is why we are putting more money into education, more money into health and more money into fighting crime in areas such as Salford.

It is also why we are offering the new deal to some of the people in areas that are represented by my hon. Friend and many other hon. Members where there are high levels of unemployment. Where there is a doubt about whether work pays, we are offering a 10p starting rate, plus the working families tax credit. We are also offering, of course, better child benefit, so that we support families. That is the right way: acting both on the regeneration problems in inner cities and on the individual problems of people, to bring hope to communities and constituencies such as those of my hon. Friend.

Q4. [108939] **Mr. Peter Bottomley** (Worthing, West): May I ask the Prime Minister a non-partisan question following his statement on drugs? He had the meeting this morning with Keith Hellawell. I have no doubt that he has now had a chance to see the letter that I sent him two days ago, at the request of my constituents who are providing voluntary and statutory services for drug misusers.

Given the problem of people in jail, where, 18,000 times last year, prisoners were detected using drugs, and there were only three prosecutions, would it be possible for the Prime Minister to co-ordinate the efforts of the Department of Health, the Home Office and the Department of the Environment, Transport and the Regions to ensure that those concerned with providing day centres outside prison do not find themselves martyred and sent to prison in the way that the Wintercomfort two were? In a positive way, without interfering in the judicial process, which is not appropriate across the Floor of the House of Commons, will he call together those involved in the statutory services and the voluntary ones, so that those who do follow the guidelines do not find themselves at risk of being prosecuted?

The Prime Minister: It is entirely sensible, obviously, to ensure that the strategy is a common one that works across all the different agencies. I have not yet seen the letter that the hon. Gentleman sent to me. I shall reply to it in due course, but may I say that, as a result of the new measures that we have introduced on drug testing in prison, the number of those who have had positive mandatory drugs tests in prison has fallen from 24.4 per cent. three years ago to 18.3 per cent. now. That is some help that is being given: better treatment, better testing in prisons.

The same has to be done effectively in the community as well. That is why we are introducing the mandatory drug testing treatment orders. We will be able to reach a situation, when the new Bill goes through, which I hope the hon. Gentleman and other members of his party will support, that will allow us—in circumstances where the police charge someone who is a drug addict and who, if they are allowed back out on bail, will simply commit more criminal offences—to give proper treatment.

That requires the treatment to be available, but it also requires the police to have the powers. Those two things going together is the best way that we are going to tackle this particular problem. I agree with the hon. Gentleman. It is one that causes concern in every single constituency in the country, but I was very heartened by the meeting that I had this morning. I thought that the strategy that was outlined by Keith Hellawell was exactly right. It will take time, but it will work.

Ms Debra Shipley (Stourbridge): Will my right hon. Friend, in view of yesterday's horrifying report, draw to the attention of employers of child care workers that not only are they required by law to vet their employees now, but, if they have even suspicions of abuse, they are required under the Protection of Children Act 1999 to report them and to investigate them? No longer are they allowed to let someone retire early, to leave, or simply to dismiss them on some other grounds. That is the law now.

The Prime Minister: It is important that people realise that they have such a duty and that, if they simply pass the problem on to someone else, some other organisation or some other body, it is children in the end who will suffer. One thing we have learned about these cases over a long period is that, of course, we have to investigate any inquiries very carefully, but we must ensure that, when those inquiries are made and they do find abuse, we act upon it.

Q5. [108940] **Mr. Richard Allan** (Sheffield, Hallam): The Prime Minister may be aware of recent reports that the United States company Myriad Genetics is seeking to patent the genes indicating susceptibility to breast cancer, which could result in British women being tied to using expensive tests from a single US company. Given reports, last September, that the Prime Minister was holding negotiations with the US president on how to keep the human genetic sequence in the public domain, will he tell us not only how those negotiations are going, but particularly whether he agrees with Bill Clinton's comment, last week, that such genetic patents should be kept narrow—so that only specific uses of the genetic code are patented, rather than the code itself, which belongs to all of mankind?

The Prime Minister: The hon. Gentleman is somewhat overstating the matter of negotiations on genetic issues. We have not had any negotiations with the American Government on those issues, which of course are important. The most important thing that we have done is to introduce the National Institute for Clinical Excellence, which can evaluate drugs. We now have a proper, independent way of evaluating and ensuring that we make

an assessment on the proper evidence. We have no interest in the particular issue to which the hon. Gentleman refers, other than to ensure that people get the best treatment possible. We have no more interest in one specific drug than another.

Q6. [108941] **Ms Rachel Squire** (Dunfermline, West): Does my right hon. Friend agree that sub-post offices—of which there are nearly 20 in my constituency, in villages such as Blairhall and Saline—provide a vital community service, as they are often the early warning system when an elderly or disabled person does not call in as usual for their pension or newspaper? Given the Government's commitment to building strong communities, does the Prime Minister agree that sub-post offices can not only be at their heart, but need the support and encouragement of us all?

The Prime Minister: Of course, they will get that encouragement and support. They are an important local network and focal point for communities. It is important, obviously, that we carry on introducing the new automation procedures—which will not force people to accept benefits in cash, but allow benefit to be paid into a bank account.

There has scarcely been a more hypocritical campaign than that of Conservative Members on this issue. Might I remind the House that it was the previous, Conservative Government who signed the contract for the automation? Had we cancelled the contract on coming to power, it would have cost hundreds of millions of pounds. Conservative Members—I got the figures out this morning—closed 3,000 post offices when they were in office. We shall do our best to support rural post offices, but we will not pay any attention to the hypocritical cant of the Tories.

Q7. [108942] **Mr. Eric Forth** (Bromley and Chislehurst): With which of the recent pronouncements on the future of Europe uttered by the Prime Minister's friend and nominee, Mr. Prodi, does the Prime Minister disagree?

The Prime Minister: We have set out our position in our own White Paper, which I commend to the right hon. Gentleman.

Q8. [108943] **Mr. Hilary Benn** (Leeds, Central): Is the Prime Minister aware that there are currently six countries that execute juvenile offenders, including the United States of America, where, earlier this month, in Oklahoma, Sean Sellers was put to death for crimes committed when he was 16 years of age? Given that the Government oppose the use of the death penalty in all circumstances, will my right hon. Friend urge those six countries—and other countries that retain capital punishment—to introduce a moratorium on its use, because its barbarity and potential for injustice has no place in any country that claims to call itself civilised?

The Prime Minister: We oppose the death penalty in all circumstances, and we have ratified the death penalty protocols—not only to the European convention on human rights, but to the international covenant on civil and political rights. That position will not change.

Mr. William Hague (Richmond, Yorks): The last time that I asked the Prime Minister about failing to keep his promises, he had to admit that police numbers had fallen by 1,000, but he assured the House that

"police numbers will rise again."—[*Official Report*, 15 December 1999; Vol. 341, c. 265.]

Will he read out to the House the latest figures for police numbers, published a few days ago?

The Prime Minister: We have made it clear that police numbers have come down. Police numbers will rise again as a result of the additional money over and above the plans that we inherited from the Conservatives, which will allow us to recruit 5,000 extra police. Those are 5,000 police who, had we maintained the plans that the right hon. Gentleman agreed when he was in the Cabinet, would not be recruited.

Mr. Hague: What is wrong with reading out the numbers? They are here in the Home Secretary's parliamentary answer. Some Ministers answer questions even if the Prime Minister will not. The Prime Minister said that the figures would rise again. The latest figures show that the number of police has now fallen by 1,700 since he became Prime Minister. Crime is rising again and police numbers are falling.

At the same time, I asked the right hon. Gentleman about meeting his promises on health. He said that in-patient waiting lists were falling. Will he read out to the House the latest figures on in-patient waiting lists?

The Prime Minister: In relation to crime—[HON. MEMBERS: "Answer!"] Do the Conservatives want the answers or not? Police numbers fell under the previous Government, during the time that the right hon. Gentleman was in office. Crime doubled. It increased faster than in any other western country. The chance of being a victim of crime trebled. The number of convictions and the proportion of convictions fell. The numbers of rapes, robberies and young offenders all rose. That was his record on crime.

In relation to waiting lists, they are 50,000 below the level that we inherited from the Conservatives. If the right hon. Gentleman is complaining about the numbers now, presumably he would like to condemn even more the time that he was in office.

Mr. Hague: All that is waffle. The accurate answer is that since the Prime Minister said that in-patient waiting lists were falling, the number has gone up by 36,000. There is no point in him shaking his head. That is the figure from the Department of Health. Out-patient waiting lists are a quarter of a million higher than when he took office. The assurances that he gave from the Dispatch Box on 15 December—only nine weeks ago—on health and police numbers have already turned out to be complete and total rubbish.

The Prime Minister also said in the House last year that he would deal better, more effectively and more quickly with asylum claims. Will he give us the latest figures for the number of asylum seekers?

The Prime Minister: The figures are 50,000 below the level that we inherited. There are more nurses in the health service than when the right hon. Gentleman was in office. There are more doctors in the health service. Waiting times are coming down and we have put massive new investment into the health service.

In respect of asylum, it is true that, like every other major European country, we have been hit with more asylum claims. That is why, from this April, we are introducing a wholly new procedure on asylum. That procedure was opposed by the Conservatives. The right hon. Gentleman attacks us on asylum. Yes, there is a problem, but we are dealing with it in the face of his opposition.

Mr. Hague: On this as well, the Prime Minister will not give us the figures. With his head for figures, no wonder it is taking him five days to count all those mayoral votes on his own. When he said last May that he would deal better, more effectively and more quickly with asylum claims, the backlog was 76,000 asylum seekers. Now it is 103,000. We have always known that he was not keeping the promises that he made at the last election. Now we know that he has not even kept the promises that he made in the House throughout last year. Waiting lists are higher when he said that they were going to fall, police numbers are lower when he said that they were going to rise and the asylum backlog is growing when he said that it was going to fall. Are not those facts the conclusive evidence that he is all mouth and no delivery?

The Prime Minister: Again, the right hon. Gentleman is wrong. Now, as a result of the additional resources that we have put in, the immigration department is close to achieving 4,000 asylum decisions a month. That figure will rise to 8,000 a month by the late spring. The new rules will then come in and we shall be able to deal with asylum seekers more effectively.

In respect of health and crime, it is absolutely true that we need to do even more about waiting lists and police numbers. However, all these measures require the expenditure of money. The one group of people who cannot claim that any more money should be spent is the Conservative party, which is saying that it will put the tax guarantee before any increase in public spending. In case the right hon. Gentleman should doubt that—*[Interruption.]*

Madam Speaker: Order. The House must come to order.

The Prime Minister: Just a few weeks ago, the right hon. Gentleman said that the tax guarantee meant that the Conservatives would not increase public spending. So he cannot complain about the need for more police; they cost money. He cannot complain about the need for more nurses; they cost money. He cannot complain about the waiting lists; reducing them costs money. He cannot complain about asylum seekers; it costs money to deal with them. Yes, it is true that every single promise that we made—on getting waiting lists down, getting class sizes down and increasing police numbers—will be met by the next general election, as we said they would be. The public know that whereas we will invest more in public services, the right hon. Gentleman, through his tax guarantee, will cut public spending. The tax guarantee is a boom and bust guarantee and an NHS cuts guarantee. That is the difference between the two parties. However much the right hon. Gentleman wants public spending, Labour will put in the investment and the Conservatives would take it out.

Q9. [108944] **Mr. Geraint Davies** (Croydon, Central): Does my right hon. Friend agree that the growth of the internet has brought with it a growth in at-home shopping and working and that those trends will lead to a reduction in the demand for office space and shopping space? As a result, there may be a new renaissance in building new homes in new townscapes that will be environmentally sustainable and economically effective, using the technologies of the new century.

The Prime Minister: It is important that we drive through the internet revolution and make sure that people have access to computer technology. When we came to office in 1997, around one in 10 schools were linked to the internet. By 2002, more than 23,000 schools will be connected, with computer training available to 400,000 teachers. We already have 15,000 schools online. In addition, we shall be giving people special help to take computer courses. In last year's Budget, we set a target for a national network of 1,000 computer learning centres—one for every community in Britain. That is one reason why the number of people in employment is 800,000 higher than it was when we took office.

Q10. [108945] **Dr. Michael Clark** (Rayleigh): Is the Prime Minister aware that the rumour that there will be a big increase in stamp duty on house purchase is being received with dismay in my constituency and elsewhere? Does he accept that this would push up the cost of purchasing a house in the south-east, where house prices are already expensive, and that it would reduce national mobility, particularly for those in the north who wished to move to the south? What would the purpose be of such a move, apart from being just another increase in taxation?

The Prime Minister: I shall treat that as an early Budget submission. I would have thought that the hon. Gentleman's constituents were glad of an economy in which economic stability has been delivered, and we have 800,000 extra people in work, which stands in sharp contrast to the situation in the early 1990s—the last time the policies now advocated by his leader were pursued; they resulted in interest rates of 10 per cent. for four years or more, interest rates at 15 per cent. for one year or more, and literally millions of jobs lost.

Points of Order

3.30 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. In view of the resignation now of Mrs. Jutta Burghardt, the United Nations food programme director in Baghdad, and previously of Hans von Sponeck and Denis Halliday, two very senior international civil servants, on matters of principle over what is happening to the children of Iraq, have you had any request for an answer to Question 18 to the Prime Minister, or any request from the Foreign Office to make a statement?

Madam Speaker: The hon. Gentleman is taking a little advantage. I have seen his question on the Order Paper and, like many others, it was not reached. To answer him factually, I have not been told that any Minister is seeking to make a statement today.

Sir Raymond Powell (Ogmore): On a point of order, Madam Speaker. My point of order is directed to you and is not a bogus point of order.

Madam Speaker: That makes a change.

Sir Raymond Powell: Last week, you commented in reply to a point of order that you are in daily and weekly conversation with the Presiding Officers of the Welsh Assembly and the Scottish Parliament. Could you use your influence with, and attachment to, the Presiding Officer of the Welsh Assembly to share some of your knowledge and experience gained over the years, especially of being an impartial Speaker—as every right hon. and hon. Member applauds and appreciates? Could you take him to your bosom and convince him that it is a necessity when he is presiding to be impartial and not to show his Welsh nationalist connections? Those connections showed last week in the Assembly debate, and most people in Wales were absolutely disgusted at the attitude that the Presiding Officer took.

Madam Speaker: And I thought that was going to be a genuine point of order. Of course I am in touch from time to time with the Presiding Officers of the Scottish Parliament and the Welsh Assembly, but I always wait to be invited before giving advice. I think that that is a wise way to proceed.

Sir David Madel (South-West Bedfordshire): On a point of order, Madam Speaker. I wish to seek your guidance on answers given by the Foreign Secretary yesterday on the intergovernmental conference. In relation to Cyprus's application to join the European Union, he said:

"The principle of freedom of movement will certainly apply to all applicant countries when they succeed in becoming members."

However, in a later answer, he said:

"Freedom of movement between the Republic of Cyprus and the occupied northern sector would apply only if Turkey simultaneously joined the European Union."—[*Official Report*, 15 February 2000; Vol. 344, c. 778-81.]

That is a contradiction, and I wondered whether at 7 o'clock we could take a little break and have a statement from the Foreign Secretary—

Madam Speaker: Order. The hon. Gentleman is a longstanding Member and he knows full well that that is a matter for argument and is by no means a point of order.

Welfare of Racing Greyhounds

3.34 pm

Mr. Jim Fitzpatrick (Poplar and Canning Town): I beg to move,

That leave be given to bring in a Bill to make provision for the welfare of racing greyhounds at all tracks in the United Kingdom; and for connected purposes.

I am grateful for this opportunity to bring to the attention of the House a matter in which I have taken a special interest in the past couple of years.

In 1998, two of my constituents—Mrs. Pudney and Miss Pudney, who regularly write on animal welfare matters—brought to my attention some of the problems associated with the greyhound industry, which is otherwise known as a sport. First, they told me that a great many very young greyhound puppies are destroyed each year when they fail to make the grade, and that many others are discarded after they have peaked at an early age. Secondly, they highlighted the plight suffered by other greyhounds when their racing days in the UK are over. I should like to thank my constituents for raising those matters with me, and I shall return to them in a moment.

In addition, I want to raise the matter of the health and welfare of dogs at UK tracks. This is a problem at both licensed and unlicensed tracks, but it is the unlicensed tracks that give the greater cause for concern.

I must declare an interest in this matter. In the past seven years, my family and I have taken in two dogs from Battersea dogs home. Scruffy has now gone to the great kennel in the sky, but Kajan was Westminster dog of the year this year. Both knew a thing or two about greyhounds: although neither belong to that breed, there were many greyhounds with them at Battersea—indeed, far too many.

Individuals and groups concerned with greyhound welfare have told me about the number of greyhound puppies that are bred each year. The figures suggest that 75 to 85 per cent. of greyhounds racing in the UK are bred in Ireland, which also supplies the US, Spain, the United Arab Emirates and other countries. In 1998, my noble Friend Lord Williams of Mostyn, the Minister who was responsible for this area of animal welfare, informed me in correspondence that the

"destruction of healthy greyhound puppies is, of course, to be regretted."

That may be Government understatement, but unfortunately that was as much as my noble Friend was able to say. Some estimates suggest that several thousand dogs are routinely destroyed each year. That gives some idea of how early in the life of a greyhound the problems begin to arise.

So what is life at the tracks like for the dogs? I am sure that many people innocently assume that, because greyhounds run very fast, it is no hardship for them to do so, and that, given that they do not have to jump high fences and that they have no one on their backs, they probably do not have a bad life, all told. I am afraid that closer inspection shows that that is not the whole story.

In the greyhound industry, 33 tracks are registered by the National Greyhound Racing Club, greyhound racing's

judicial body, which registers dogs on their tracks and controls the racing rule book. However, 35 tracks are outside NGRC control, and there is no identifiable representative body for the independent tracks—or flapping tracks, as they are known.

Under NGRC rules, all registered tracks must have a veterinary surgeon in attendance when greyhounds are racing, but that rule does not apply at independent tracks. The Royal Society for the Prevention of Cruelty to Animals—which I believe has the respect of all hon. Members—has stated that

"it is important that animals hurt or injured during racing receive swift and adequate veterinary attention to minimise their suffering".

The RSPCA also set out a number of items on a check list. First, common standards of track design should be improved to ensure that dangerous bends do not cause unnecessary injury to dogs. I believe that those improvements should also cover track surfaces. Secondly, the organisation states that track kennels must be inspected and licensed by local authorities. No legislation exists to allow local authorities to control the welfare of racing greyhounds, and their only responsibility is in respect of gaming and betting. The RSPCA also states that the frequency of races should be restricted.

Thirdly, the RSPCA has stipulated that a vet must be in attendance at all races, and that that should be funded centrally by the racing organisations, rather than by the track owner, as is currently the case at NGRC races. Fourthly, and most importantly, the RSPCA states that tracks without veterinary provision should not be allowed to operate.

I believe that that check list from the RSPCA is the very least that the sport or industry should be made to adhere to, and I assume that the NGRC would agree. There is a good case for introducing legislation to regulate the whole industry, and the time has come for a review. I feel that the House can do something more positive to protect greyhounds during their racing lives.

The dogs have a number of champions besides my constituents. They include Annette Crosbie of Greyhounds UK, the National Canine Defence League and its members, and a retired vet by the name of Paddy Sweeney, who has done much to highlight the situation in respect of racing conditions. I should like to record my thanks to Mr. Sweeney in particular for his work in this area.

Mr. Sweeney pointed out that NGRC rules give vets no complete power or authority at the licensed tracks. Vets can advise promoters or managers, but the rules do not state that that advice must be accepted. So where profitability is threatened, vets can be given short shrift if they endeavour to act in the best interests of the racing dog.

Paddy outlined an example in which atrocious conditions one winter's night at a track led trainers to plead with the vet to intercede for them. The vet telephoned the manager of the track to ask that someone go along to inspect it. There was no immediate response, but I am informed that the next day the vet received a letter terminating his contract. As matters stand, it sometimes appears that even when vets are present, it is more to reassure the public than because they are on active duty. I sincerely hope that that is not the case.

I want to address what happens to the dogs when their racing days in this country are over. We all know the saying, "A dog is for life, not just for Christmas." For our purposes, we need to bear it in mind that a greyhound is for life, not just for the duration of its racing and money-making years. Unsurprisingly, the various groups with a concern or interest in the matter disagree as to the nature of the problem and its relative severity. However, no one could contend that no problem exists.

The Retired Greyhound Trust, established to ensure the welfare of post-racing dogs, was deemed by the Select Committee on Home Affairs to be grossly underfunded. It can find homes for only about 1,500 greyhounds out of the total of 10,000-odd which retire each year. Some are put down; others are exported from the United Kingdom. Those dogs have usually ended their racing life in this country. Whatever the fate of exported greyhounds, I take this opportunity to advocate support, in the Bill, for greatly increased resources for retired greyhounds.

I am pleased to report that in 1991 a Home Affairs Committee report recommended:

"track owners and both on and off-course bookmakers should be required to donate a part of their profits to the Retired Greyhound Trust. The NGRC/BGRB should take the lead in this."

New legislation could address that matter. However, I am aware that the BGRB is actively seeking agreement to increase the funding of the trust to £1 million a year. The sooner that that can be done, the better.

Furthermore, £2 billion a year is bet on greyhound racing. A levy on betting, similar to that which applies to horse racing, would provide a fund for improving tracks, veterinary support and greyhound welfare. The Government have yet to give their endorsement, regarding this as a commercial activity. However, it might be time to rethink that perspective.

I conclude by reminding hon. Members that the dog has been called man's best friend. That may not be politically correct, and my cat-loving assistant, Debbie, would disagree. However, greyhounds make great pets, especially for pensioners. Greyhounds are renowned for their mild and friendly nature and, as they are very lean, they do not take a lot of feeding. That makes them economic as well as affectionate.

The Bill is very timely. We will be able not only to say that a dog is for life, not just for Christmas, but that a greyhound is for life, not just for its money-making sporting ability.

Dogs give service as workers, pets and friends, but greyhounds serve also as entertainers for us. It is time we recognised their role by taking this matter forward in the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jim Fitzpatrick, Mr. Nigel Griffiths, Mr. Ian Cawsey, Mr. Tony Banks, Angela Smith, Mr. Keith Darvill and Dr. Nick Palmer.

Welfare of Racing Greyhounds

Mr. Jim Fitzpatrick accordingly presented a Bill to make provision for the welfare of racing greyhounds at all tracks in the United Kingdom; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 7 April, and to be printed [Bill 70].

Orders of the Day

Political Parties, Elections and Referendums Bill

[2ND ALLOTTED DAY]

(Clauses 1 to 18 and 95 to 120, Schedules 1, 2 and 11 to 14, New Clauses and New Schedules relating to Parts I and VII)

Considered in Committee [Progress, 14 February].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 95

REFERENDUMS TO WHICH THIS PART APPLIES.

3.44 pm

Mr. Robert Walter (North Dorset): I beg to move amendment No. 36, in page 60, line 37, leave out from "Ireland" to end of line 39.

The First Deputy Chairman: With this it will be convenient to discuss amendment No. 44, in page 60, line 39, at end insert—

'or

(d) any two or more local government administrative units in England and Wales.'.

Mr. Walter: I do not intend to dwell long on the amendments, which are relatively simple. Conservative Members are conscious of the fact that the measure provides for referendums to be held not only nationally, but in England, Wales, Scotland or Northern Ireland, and in any of the regions, as defined by the regional development agencies.

It may come as no surprise to the Committee that Conservative Members see nothing magical in the areas of the RDAs. Elsewhere and on other occasions, we have pointed out that we are not entirely happy with the concept of RDAs—not least because we are not entirely happy that government should be organised on such a basis, although regional boundaries must be drawn somewhere.

That does not mean, however, that there is always a community of interest in a particular region. For example, my constituency is in Dorset, which is linked to the south-west region, but my constituents have little in common with the electors of Tewkesbury or Truro—save the fact that we all catch the train from either Waterloo or Paddington to reach the area.

Through the amendments, we want to provide the Electoral Commission with the power to regulate referendums held in smaller areas in multiples of local government areas—not in individual local government areas, because those are covered elsewhere. It would thus be possible to hold a regional referendum in, for example, Devon and Cornwall on an issue that was pertinent to both counties, but not to only one of them, and certainly not to the whole south-west region.

One could envisage a referendum being held on an issue that affected both sides of the Severn estuary; that might include the local government units in the former county of Gwent, in Gloucestershire and in Somerset. To give the Electoral Commission the flexibility to consider local referendums in areas that do not necessarily coincide with those covered by the RDAs or the home nations would be a worthwhile addition to the Bill.

Mr. Andrew Stunell (Hazel Grove): The amendments are rather mismatched. The first would delete one category of referendum. That is a mistake, because we need the widest possible range of options to ensure that the area in which opinions are sought, whatever its boundaries, comes within the purview of the Electoral Commission. As we want to bring all such matters under the control of the commission, it seems perverse to remove one category of referendum.

The second amendment is sensible. As the hon. Member for North Dorset (Mr. Walter) pointed out, it will sometimes be appropriate or expedient to hold referendums in more limited areas. He hinted at a Severn estuary referendum or at others that might cross current regional boundaries. I represent a constituency with the east midlands region on its southern boundary, but it is firmly placed in the north-west. It is less than 10 miles to the Yorkshire and Humberside region. The hon. Member for High Peak (Mr. Levitt) is in the Chamber, and we share a constituency boundary even though our constituencies are in different regions. One can imagine that a referendum on the Peak district national park or related issues would necessarily cross regional boundaries. *[Interruption.]* The hon. Gentleman is holding up several fingers, but I cannot interpret what they mean.

Amendment No. 44 would allow for something that is not constrained by the nations and states of the United Kingdom, or by the economic regions. It would thus be a useful addition to the Bill. Unfortunately, any vote would be on amendment No. 36. I hope that the Government will reject that, but that they will give serious consideration to amendment No. 44, which would build in a level of flexibility that would allow the Electoral Commission in reasonably foreseeable circumstances to exercise control and be the effective monitoring body, without the need to resort again to primary legislation.

Dr. Norman A. Godman (Greenock and Inverclyde): I shall be brief. I agree with much of what the hon. Member for Hazel Grove (Mr. Stunell) said about the two amendments.

Regional referendums can be important. The Committee may recall a referendum on the merits of the public ownership of water authorities that was held some years ago in the Strathclyde region. It attracted about 1 million respondents, 98 per cent. of whom said that they wanted water services to remain under local authority control. The potency of that response deterred the then Tory Government from privatising the water boards in Scotland.

I wish to ask my hon. Friend the Minister a question. It might be a little precipitate, but it was prompted by something that the hon. Member for North Dorset (Mr. Walter) said. Have there been any discussions with the Scottish Executive, the Northern Ireland Executive—we all know about the problems there—and the Welsh Executive about the conduct and commissioning of referendums? For example, if referendums are held in Northern Ireland once the Executive is reinstituted—

I hope that that will take place soon—or in Scotland and Wales, am I right in thinking that it will be the respective Executives rather than the Westminster Government who will have the authority to call the referendums?

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): The distance between us is very small, even though I will not accept the amendments. I do not agree with amendment No. 36, but I shall give some consideration to amendment No. 44, albeit not on this Bill. As I shall explain, there is a way of dealing with the issue other than trying to amend the Bill.

Clause 95(1) specifies the referendums to which the provisions of part VII apply. It is not ultimately an exhaustive list, in the sense that future legislation providing for referendums to be held throughout areas or combinations of administrative units not specified in the clause could provide for the controls set in this part to be applied fully or in part to those referendums. That is not the only way in which we can manage the division of areas for referendums. We could decide in later legislation to do it differently. All that we are providing here, for the sake of convenience, is a template that we may or may not choose to use.

A case in point would be referendums on directly elected mayors under the Local Government Bill, which will make provision for the Secretary of State to make regulations as to the conduct of such referendums. It is intended that those regulations should apply, with necessary modifications, to a number of the provisions in part VII, having regard to the particular circumstances of those local referendums.

Clause 95(1)(c), which amendment No. 36 would delete, allows the provisions of part VII to be applied to a referendum held throughout an English region. Such referendums are not by any means an immediate prospect, but the Government intend to introduce, possibly in the next Parliament, legislation to allow people, region by region, to decide in a referendum whether they want directly elected regional government. The Government's judgment is that the part VII provisions would apply fully to such referendums. We might as well put them in place, because this is convenient legislation in which to do so, and it will provide for simplicity later.

Those referendums would be held on matters of significance, and each would involve a substantial electorate. Given that regional referendums are a genuine prospect, it makes sense to take this opportunity to make it clear that these controls would apply to those referendums.

Amendment No. 44 would apply the part VII provisions to referendums held in two or more local government administrative units in England and Wales. I am not persuaded that we need to put that into the Bill. We have made no presumptions that the boundaries for any future regional government in England need necessarily follow those of the existing administrative regions; that is, the Government office boundaries.

We have said that in time we shall introduce legislation to allow people to choose whether they want regional government. How we would deal with referendums cutting across regional boundaries should be a matter for that legislation. It is no use trying to prejudge the boundaries that we would use, when it may be some time before we will want to call those referendums. The Bill is convenient and simple and gives us a legitimate basis for proceeding with those referendums.

We are not closing the door on the ideas put forward by the hon. Members for North Dorset (Mr. Walter) and for Hazel Grove (Mr. Stunell), and I hope that, with the reassurances that I have given, the hon. Member for North Dorset will feel able to withdraw the amendment.

I say to my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) that there have been discussions with the Scots and Welsh about how to proceed with the legislation. As we get used to devolution, it is becoming natural for us to consult and discuss with our colleagues in the Scottish Parliament and Executive and the Welsh Assembly and Executive the changes that are taking place. I hope that he is satisfied with that reassurance.

Mr. Walter: I thank the Minister for his response. I am slightly—I would not say entirely—reassured that he has taken on board our points, particularly on amendment No. 44. On the basis that he seems to accept their spirit and suggests that they should be incorporated in other, later legislation, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

4 pm

Sir Patrick Cormack (South Staffordshire): I beg to move amendment No. 45, in page 61, line 13, at end add—

'(6) The exact number, nature and wording of

(a) the question or questions, and

(b) the possible answers to each question

in a referendum or other poll to which this Part applies shall be determined after consultation with the Commission; and any views expressed by the Commission shall be published.'.

The First Deputy Chairman: With this it will be convenient to discuss the following amendments: No. 46, in clause 97, page 61, line 33, leave out from beginning to 'the' in line 34 and insert—

'The date of the poll in the case of any referendum to which this Part applies shall be fixed by the Commission, and'.

No. 48, in clause 101, page 63, line 34, leave out 'after consulting the Commission' and insert—

'on the recommendation of the Commission'.

Sir Patrick Cormack: In responding to the previous group of amendments moved by my hon. Friend the Member for North Dorset (Mr. Walter), the Minister used some interesting turns of phrase, of which I made a note. He talked of, "We might as well put in place", "It will be convenient" and "It makes sense." I hope that he will respond to amendment No. 45 in a similar spirit, because it would make sense and be convenient to implement the provisions suggested in it and the consequential amendments that we have tabled.

There was much talk on Monday, when we debated previous clauses, of the role of the commission and of the Speaker's Committee that will oversee its work. However, there seems to be no place for the commission in the crucial, central part of the Bill on drafting questions on referendum forms. The amendments would ensure a

[Sir Patrick Cormack]

specified, proper and official place for the commission. It should be consulted on the drafting, so that it may be satisfied, beyond doubt, that the wording is not loaded.

Members of Parliament are called on more than others to fill in questionnaires day after day. Frankly, I make a practice of refusing to do so.

Mr. Mike O'Brien: So do I.

Sir Patrick Cormack: I am glad that the Minister takes the same line. His apt sedentary intervention underlines the need for the amendments.

It is easy to load a question, thereby almost directing the answer. The commission should be consulted and any views expressed by it published, so that people may take due note of what it has said.

Mr. John Bercow (Buckingham): The Committee knows that my hon. Friend's eloquence is legendary. Do I interpret him correctly if I say that, without the amendments that he is eloquently advocating, the danger is that the commission would be nothing but the Prime Minister's hapless glove puppet?

Sir Patrick Cormack: I am always reluctant to allow any colleague to put words into my mouth, particularly when they come from my hon. Friend's silver tongue. If we do not incorporate the amendment, the danger is that we shall have an emasculated commission, which, at the very point of delivery, cannot exert influence or even express an opinion.

In a sense, therefore, my hon. Friend is right. We are concerned about the commission. We want it to have due and proper influence on the way in which questions are worded. We want its views to be known to all so that, if there is conflict or doubt, those who are called on to vote on any issue will know what the commission has said.

I hope that there is common ground between parties that the commission should be a respected body, whose general impartiality and approach is never questioned. If the commission is to have such a reputation and to maintain it through the years, it must have influence at such a crucial point.

The Minister has acknowledged, not only in his sedentary intervention, but in the context of the Bill, that there is some force to my argument, so I hope that he will accept the amendment. Even in the new clause, which we shall debate later and which I therefore cannot debate now, and which is so draconian, there is a specific reference to the commission and a role assigned to it. How much more important it is, then, to assign a role to the commission in clause 95.

Mr. Martin Bell (Tatton): I shall be brief. The independents have not been widely consulted on this measure. Indeed, regrettably, they have not been consulted at all. The Parliamentary Secretary said that it was his belief that independents were usually Conservatives in disguise. That is not always and invariably the case.

I support the amendment, because I believe that the Bill contains some anti-democratic elements, of which this provision is one. The commission's independence is paramount, as it is in the nature of political parties—all political parties—to take power or to hold on to power. It will be extraordinarily difficult to safeguard the independence of the commission and its right to speak for and protect the interests of all the people in the country, who may not necessarily belong to a political party but who have profound political interests. Therefore, I support the amendment.

Mr. Stunell: The Liberal Democrats support the thrust of the amendment.

The three national referendums most likely to be held over the next few years are all on issues on which I would want the answer to be yes—Lords reform, the European Union and proportional representation. However, my strong desire for a positive result when those referendums are held does not blind me to the fact that those who set the questions have tremendous power to determine the outcome.

Every politician, I suppose, wants to win by fair means or foul, but I want to win primarily by fair means.

Hon. Members: Primarily?

Sir Patrick Cormack: Having enunciated that novel—or perhaps traditional—Liberal Democrat policy, will the hon. Gentleman explain the ratio?

Mr. Stunell: I am glad to have livened up the debate somewhat. The difficulty in discussing the Bill, as I said in a previous debate on the Floor of the House, is not that Members of Parliament are too poorly informed to discuss it—a fault that sometimes arises, if I may say so—but that we are too well informed to discuss it properly.

Regardless of the passion with which we want a particular outcome in politics, we have a duty to ensure that the processes used to reach decisions are fair, proper and balanced, not just to produce the desired outcome, but to ensure a fair opportunity for alternative views to be expressed and heard.

The point made by the hon. Member for Tatton (Mr. Bell) is one that we may not want to state on the Floor of the Chamber, but which we would certainly admit elsewhere—that is, that politicians never want to give up power. They will take power and hold on to it. I do not exclude the Liberal Democrats or any other political party from that. Perhaps the hon. Member for Tatton would allow me to say that even independents, once elected to the House, are sometimes tempted to stay. They may resist that temptation, and the Bill is about resisting temptation.

The intention of the amendments, if not their precise wording, is right. They reserve to the commission some of the fundamental decisions about how referendum questions will be phrased and put to the public. That is a proper reservation of power and duty to the Electoral Commission.

I understand the Government's thinking. I understand that there is a certain amount of expedience in this Parliament and, in their mind, in the next Parliament and possibly for the next thousand years. They will set the questions. However, a day will come when they will not set the questions. They might then wish that the Electoral Commission had a bigger role than that for which the Bill provides.

As a Liberal Democrat, I seldom get to set the questions. Although I support a specific outcome, I am well versed in the need for safeguards against power. I urge the Government to look favourably on the amendment's intention, if not the precise wording.

Dr. Godman: I have been a Member of Parliament for 16 years, but I never thought the day would come when I found myself in some agreement with a Conservative, the hon. Member for South Staffordshire (Sir P. Cormack); a Liberal Democrat spokesman, the hon. Member for Hazel Grove (Mr. Stunell); and an Independent Member, the hon. Member for Tatton (Mr. Bell). I may get into trouble, but they have raised important points of principle about setting a fair question or series of questions in a referendum.

I was sorry to hear the hon. Member for South Staffordshire say that he never fills in questionnaires. Much empirical social science research uses questionnaires as a methodological tool. Not all questionnaires should be dismissed out of hand, because they can elicit useful information for public bodies and others. I was therefore sorry to hear him adopt such a dogmatic position. I throw the occasional questionnaire away, but such documents should be examined on their merit.

I hope that the Minister will take cognisance of some of the mistakes made by Governments in the Irish Republic, which has much more experience of referendums than we have. In recent years, as the Minister knows, there has been huge controversy about setting questions in referendums in the Irish Republic. For example, there was a recent referendum on the controversial issue of abortion, and controversy surrounded setting the question for the referendum on divorce.

Mr. Bercow: I agree with the thrust of the hon. Gentleman's comments. Does he agree that one useful test of the fairness of a referendum question is whether the wording is acceptable to a professionally commissioned opinion pollster?

Dr. Godman: I am being too agreeable this afternoon. I agree that setting the question—whether in a social science research questionnaire, of which I have some experience, or, more importantly, in a referendum—is very important. It is essential therefore that, whichever party is in power, the electorate perceive referendum questions to be fair and above board. In 10 or 15 years' time, we may have a referendum in Scotland on whether to be independent or to maintain the United Kingdom, if I can call it that. As the hon. Member for South Staffordshire said, there is nothing worse than a loaded question. We are dealing with a smart electorate, who are much more intelligent than some hon. Members—none of whom are present today, of course—believe.

Irrespective of political differences, we all owe it to the electorate to ensure that, when we conduct referendums at regional level, or in Northern Ireland, Scotland or Wales, we can say, "Yes, a fair set of questions is being asked." I agree with the Opposition that the commission could vet the questions that are to be asked in a referendum by a party in power.

Mr. Mike O'Brien: The debate, including the Freudian speech of the hon. Member for Hazel Grove (Mr. Stunell), has been useful. However, I do not necessarily share his cynical view that politicians hold on to power. It could be argued that, given our unwritten constitution and the power of the Executive, abstinence from the abuse of power might sum up the whole of British constitutional history, at least in recent centuries. Perhaps we could argue that academically on another occasion.

4.15 pm

I am sorry that the hon. Member for Tatton (Mr. Bell) feels under-consulted on the Bill. If he wants to meet to discuss its terms and how it might be better framed, I should be more than happy to do so. The hon. Member for South Staffordshire (Sir P. Cormack) made a well-argued case for the question in any referendum to which part VII applies to be set after consultation with the Electoral Commission. Let me say up front that the Government want to reflect on that proposition. I agree that the commission must be seen as impartial and above the fray, and that it is possible to frame questions to achieve a certain result.

I welcome the fact that amendment No. 45 requires that a referendum question should be determined after consultation with, rather than on the recommendation of, the commission. It must be right that it is ultimately for Parliament to decide the wording of a referendum question. Part VII does not replace the need for separate legislation to authorise the holding of a particular referendum. That legislation will need to determine in particular the wording of the question and the date of the poll. Those are important issues for Parliament to consider.

Mr. Bercow: I note that the Minister said that, ultimately, it should be for Parliament to decide the question. Does he accept that if the commission recommended a particular question and the Government of the day sought to persuade Parliament to accept an alternative form of words, the least that the Government would owe Parliament and the British public would be an explanation of their reasons for rejecting the recommendation?

Mr. O'Brien: The Government listen carefully to Parliament and the Home Office has shown repeatedly that it listens to debates in the House with care and notes the strength of the arguments. We reflect on those arguments and are prepared to change our view if they are good, but sometimes they are not so good and we tell people where to get off.

If the wording of the question were left entirely to the Electoral Commission to determine, the House would be denied its proper role, which it should retain. The Government, therefore, would not agree to the question in a referendum being set or approved by the commission. However, consultation is an entirely different matter. Given the commission's wider role in ensuring fair play in the conduct of a referendum, I can see merit in the argument made by the hon. Member for South Staffordshire. However, it is worth noting that the Neill committee made no proposals on the commission's involvement in setting a referendum question. That matter was considered in the November 1996 report of the Commission on Conduct of Referendums, chaired by Sir Patrick Nairne, but even it recognised that the wording of the question had to be for Parliament to

[Mr. O'Brien]

decide. I have listened carefully to the points made in the debate and we want to reflect on the matter. The hon. Gentleman made some sound arguments in favour of the proposition and we shall consider them. In the meantime, I ask him not to press amendment No. 45.

The proposal in amendment No. 46 would not fit properly into our constitutional arrangements or the scheme set up by the Bill. Other countries have systems in which the Government or a certain number of citizens can require a referendum to be held. Alternatively, the constitution of the country concerned may require a referendum to be held to approve any constitutional change. In such a system it would be natural, and probably inescapable, for all the arrangements for holding the referendum to be put in the hands of a body equivalent to the Electoral Commission, which we are establishing in the Bill.

However, our system is not of that variety. It has almost invariably been the practice in the past, and seems likely to remain so in the future, that Parliament legislates for a particular referendum on a case-by-case basis. The proposed date on which the referendum would be held is an integral part of the proposition that is presented to Parliament, which Parliament adopts, alters or rejects.

There is no denying that the date on which a referendum is to be held is itself a political matter. Having it on one date may have consequences that having it on another date would not. Passing that matter over to the Electoral Commission would not transform it from a political to an apolitical question; it would simply mean that a decision of a political character, or at least with heavy political overtones, was being taken by the Electoral Commission rather than by Parliament. That would open it to criticism from political parties, which may feel themselves advantaged or disadvantaged in some way. We do not think that that would be a sensible arrangement or would benefit anyone.

This issue would be all the more difficult for the Electoral Commission because the amendment provides no criteria to guide it. The only guideline is the one already in the Bill, which provides for a minimum 28-day interval following the determination of applications for designation. The amendment does not, for example, say that the poll is to be held as soon as is practicable thereafter.

What are the Opposition after? Are they seeking a device to delay a referendum taking place? Well, we shall see. They say that the amendment is to prevent the Government of the day from putting into a Bill a date for a referendum that will best suit their own purposes. However, with no criteria to guide the commission, the obvious implication is that it is expected to ensure that the date of the poll does not unduly favour the Government side, which means that, relatively speaking, it favours the other side. That is asking too much of the commission, and is wrong in principle under our system. Trying to take what is, in many ways, a political decision out of the realm of political debate is not a sensible approach.

Mr. Bercow: So the Government are motivated by charity.

Mr. O'Brien: The Government are motivated by the highest standards of national interest and concern.

Clause 101(3), to which amendment No. 48 relates, is concerned with the possibility that a referendum question may admit more than two possible outcomes. In such circumstances, it may be open to question whether a permitted participant should be designated in respect of each of the possible outcomes. It is conceivable, for example, that one or more of the possible outcomes would be nonsensical.

An example of that was the 1997 poll on Scottish devolution, in which voters were presented with a two-part ballot paper and asked, first, to indicate whether they agreed or disagreed that there should be a Scottish Parliament, and, secondly, whether they agreed or disagreed that such a Parliament should have tax-varying powers. There were four possible outcomes, at least one of which—no to a Parliament but yes to giving it tax-varying powers—was meaningless in terms of the referendum campaign. Subsection (3) sets out a mechanism whereby it could be directed that no permitted participant be designated in respect of such an outcome.

The question is how such a decision is arrived at. Subsection (3) requires that the commission be consulted. As amended by amendment 48, such an order could be made only on the recommendation of the commission. In practice, it seems very unlikely that there would be much difference either way. It is difficult to envisage the circumstances in which there could be any real dispute as to whether a particular outcome merited the designation of a permitted participant.

In principle, I believe that this subsection should remain as it stands. The provisions of part VII start from the premise that the key decisions on whether and when a referendum is held, and the question of policy that the referendum is intended to resolve, are matters for the Government of the day and for Parliament. It is for the commission then to oversee the conduct of the referendum to ensure that, above all, it is fair. Although it is entirely right to consult the commission on the matter, it does not seem right to take that decision entirely out of the hands of the political arena, of the Chamber and of Parliament. I stress the role of Parliament in deciding these matters, as any order made under clause 101(3) is subject to the affirmative resolution procedure.

In view of what I think the hon. Member for South Staffordshire would agree was a sympathetic response to the amendments—at least on amendment No. 45—I hope that he will feel able to withdraw them.

Sir Patrick Cormack: Ah! The Minister says he hopes that I will feel able to withdraw "them". Well, I am perfectly content to withdraw amendment No. 45. The Minister has given a sympathetic and understanding answer; I believe him to be a man of his word, and I expect an amendment along the lines of amendment No. 45, giving the commission the role that he and I both want it to have, to be tabled on Report. If my inference is correct, we shall not press the amendment to a Division at this point, but, if the Minister does not table a similar amendment on Report, we shall do so then.

Mr. O'Brien: I want to reflect and consider. Obviously, consultations will be necessary. We spoke earlier of the need to consult devolved Executives, for instance. I am not giving the hon. Gentleman an undertaking; I am saying that I am very sympathetic, but wish to consider the matter

further and undertake the proper consultations that I am sure he would want me to undertake before proposing such a measure.

Sir Patrick Cormack: It is early in the afternoon, and I am a man of infinite charity. I am therefore prepared to accept what the Minister has said in regard to amendment No. 45, but I must make plain our belief that my point—echoed, briefly but eloquently, by the hon. Members for Tatton (Mr. Bell), for Hazel Grove (Mr. Stunell) and for Greenock and Inverclyde (Dr. Godman), and by my hon. and silver-tongued Friend the Member for Buckingham (Mr. Bercow) in his interventions—is important, and that the amendment is important. We want to return to the issue on Report if the Minister does not, and it is only right to give the Committee notice of that.

The Minister gave an elegantly forensic response to amendment No. 46, but a response that was wholly unsatisfactory to us. There are worries about the timing of referendums, and the Minister was honest enough to admit that timing can influence outcome. Let us look back to the two constitutional referendums that took place in the autumn of 1997. I cannot prove and do not know, but strongly suspect, that, had Wales voted on the same day as Scotland, the result might well have been different. A week later, the result was too close to call: it was so marginal as to be equivalent to a result demanding a recount in a marginal seat. We had the tiniest possible majority for the Welsh Assembly.

Nothing that I say should be taken to mean that I want to rerun that referendum. Constitutionally speaking, we of course accept that a majority is a majority, and we are doing all in our power to make the Welsh Assembly work; but the concept was not embraced with universal enthusiasm in the Principality. Half the people voted, and of those, nearly half said that they did not want it. I think that, if people had not been to some degree influenced by what I accept was a much more decisive result in Scotland in the previous week, we might well have seen a different result in Wales. That experience underlies our amendment.

The Minister sought to argue, in a pleasant and plausible manner, that the commission should have no say in the fixing of the date, but we nevertheless believe that it should have a real part to play, for all the reasons that I sought to advance in support of amendment No. 45—reasons with which hon. Members on both sides of the Committee agreed. We want the commission to be widely respected throughout the country. We want it to have a real role, which we think can be complete only if it can influence both the wording of the question and the date.

4.30 pm

Therefore, although I am prepared, for the reasons that I have advanced, to withdraw amendment No. 45 and will not press amendment No. 48 to a vote because the argument is finely balanced. We do not agree with the Minister, but we do not seek to divide the Committee on every amendment. We believe that there is a point of real substance in amendment No. 46. The Committee should be given the opportunity to vote on it. At the appropriate time, therefore, I would wish to call a Division on amendment No. 46.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 95 ordered to stand part of the Bill.

Clause 96

REFERENDUM PERIOD

Question proposed, That the clause stand part of the Bill.

Mr. Dominic Grieve (Beaconsfield): I do not want to take up the Committee's time, but we should widen the discussion a little to look at what clauses 96 and 97 contain, in the absence of amendment No. 46 which we discussed earlier. Clause 97 is of particular concern.

As the Committee will be aware, the whole purpose of the legislation is to establish a set of ground rules. It provides for fairness between the respective parties participating in a referendum campaign. As some of the clauses concern the provision of funding to one side or another, fairness is essential—above all, fairness for a campaign to get off the ground to put its case.

Clause 97 is linked to clause 96. There are two provisions. Clause 96 provides for a period not exceeding six months from when the draft of an order comes in to the date of a poll, but, crucially, clause 97 provides that

"the date so fixed shall not be earlier than 28 days after the end of the period"

in which the various parties participating in the campaign have been identified. If it were taken to its absolute conclusion, the 28-day period would be very short.

After designation, I would find it hard to imagine getting a national campaign off the ground with funds in only 28 days. I think that the Minister would agree that that is the absolute minimum period in which a referendum campaign could properly take place and be described as fair, yet clause 97 will not apply to a referendum where the date of the poll is specified in the Act.

The explanatory notes put it in a way that the Minister might say is a little disingenuous:

"Nonetheless, the expectation in such cases will similarly be that there will be at least 28 days for campaigning following the designation of campaign organisations."

That fills me with some concern. We are enacting complex legislation, some issues in which have taken up much time upstairs in Committee and which we have tried as best we can to speed through, yet we are left with a clause—clause 97—that the Minister would have to agree could be circumvented at will by a Government who wished to do so. All they would have to do would be to designate in the Act that the period concerned was reduced to 10 days, five days or four days. What is the purpose of the Bill if it is not to set a fair framework? Yet, as things stand, what I have outlined could easily happen: it will not matter how much funding is provided to the campaign that the Government do not like because, in reality, the campaign will never have an opportunity to get off the ground.

I should therefore be grateful if the Minister could comment on that issue as we debate the two clauses, but particularly clause 97. It might also give him pause for thought in relation to amendment No. 46, to which my hon. Friend the Member for South Staffordshire (Sir P. Cormack) spoke earlier and which was dismissed

[Mr. Dominic Grieve]

rather out of hand by the Minister as being "unnecessary". The Minister said that those are political decisions—of course they are political decisions—but the whole purpose of the legislation is to remove party politics from, and introduce a note of fairness into, proceedings.

Sir Michael Spicer (West Worcestershire): I am listening very carefully to my hon. Friend's comments. I wonder whether his interpretation of the Bill is such that he believes that the 28-day period specified in clause 97 is relevant also to the powers that the Government would have to intervene and to make their case? Is it part of the quarantine period that the Government would have applied in communicating their own point of view? If so, such a period is not only very short, but highly relevant.

Mr. Grieve: My hon. Friend has a good point. The clauses are complex, but the Minister may care to enlighten us. Certainly there is a whole series of mechanisms of interlinked timings. Part of that is the quarantine for the Government, which would run up to the time of the referendum. I would assume, therefore, that that is the time in which the umbrella organisations are up and running and the Government have no part in the proceedings. If I am wrong about that, the Minister will enlighten me.

The point I was making—my hon. Friend has rightly just added another element to it—is that, if in fact we are leaving open the opportunity for the House or a Government using their majority to specify in an Act a shorter period, one might well ask why on earth we are being bothered with passing this complicated legislation with all these rules. Without so much as altering this Bill or having a debate on whether its provisions should be changed, it would be possible for a Government who wished to do so completely to circumvent the purpose that the legislation is designed to achieve. That is a matter of concern.

Why bother to have the Electoral Commission's input into referendums if the Government could, with a short wave of the hand, simply introduce a referendum Bill stating that these clauses will not in reality have effect?

Mr. Mike O'Brien: We are considering clauses 96 and 97. In clause 96, we are ensuring that we establish a basis for subsequent clauses, in part VII, such as those providing for the designation of umbrella groups and for expenditure restrictions. Those later clauses lean heavily on the concept of there being a defined referendum period in which the provisions will apply.

The purpose of clause 96 is to establish how the referendum period is to be calculated. The main provision is in subsection (4) and applies to the great majority of cases in which the date of a referendum poll is specified in a Bill. It is an important point. Parliament will decide the date of the great majority of referendums. Therefore, the length of time for a campaign will be a matter for political discussion in this place.

If a Government were to seek to introduce a Bill attempting unfairly to constrain the period for the public to consider a debate, the public would make a judgment on the integrity and proper behaviour of that Government. Anyone who sought to manipulate the electorate in quite that way would undoubtedly be judged by the electorate.

Mr. Grieve: Is it not the purpose of this legislation to impose a little fetter on the Government's ability to do that, or have I completely misunderstood why I have spent the past four weeks upstairs in Committee?

Mr. O'Brien: The hon. Gentleman knows well—he is a lawyer; he knows perfectly well—that the Bill cannot bind a future Parliament or prevent another Bill from being introduced that makes entirely different provision. He also knows that any Government who introduce legislation on a referendum will in all probability be raising a highly politically charged issue, and that the electorate will be very well briefed on the way in which the Government are handling the matter. If it is clear that a Government are seeking to fix the referendum—in other words to fix the voters—the electorate will not be terribly pleased. Any Government would be well aware of that.

Any future Bill providing for a referendum could override this Bill. However, we believe that a minimum campaigning period should be 28 days. General election campaigns can be of a similar length. In the past—although not in 1997—Prime Ministers have often concluded that 28 days is highly adequate for the electorate to decide which way they want to vote in a general election. I suspect that that view has not escaped the minds of Conservative Prime Ministers in the past couple of decades.

Sir Patrick Cormack: The hon. Gentleman puts his case with disarming charm, but he knows that when a Government have a huge majority, as his Government currently enjoy, they can get away with whatever they want. We do not have a written constitution providing for qualified majority voting and a two-thirds vote in Parliament before a constitutional issue can be decided. If the Government decide that they are going to do something and they have a majority such as the present Government's, they can do it. That is why we are anxious for amendment No. 46, which we shall shortly press to a Division, to be inserted in the Bill and why we take the line that we do on these clauses.

Mr. O'Brien: That brings me back to the first point that I made in reply to the hon. Member for Hazel Grove (Mr. Stunell). I disagreed with his cynical view about politicians and suggested that it was arguable that the history of our unwritten constitution was one of abstinence from the abuse of power by various Governments, taking cognisance of the fact that they are answerable to the electorate who will form a view about how they behave. They have to behave reasonably and deal with the electorate in a way that commands broad support. Every Member of Parliament is aware that a Government's majority—and their seat—can be taken away by the electorate. The majority in the Commons may be big or small, but even with a majority of one, a Government have power if they can carry the House. The size of a majority is not the issue. The issue is whether a Government can command support. Every Member of Parliament has to deal with their constituents and will be aware of the how the public will view the Government if the Government seek to abuse their power.

One can hold all sorts of paranoid views about any Government, but Governments have to manage the political debate in a way that commands support in the country, as we seek to do. No doubt, in their own way, previous Governments sought to do the same, however well they have managed it. No Parliament can bind another. Some of the concerns expressed by Opposition Members are not of the real world.

Mr. Stunell: The Minister has missed the central point of the argument. Politics in this country is comparatively free of the abuses seen in some other democracies—and certainly in non-democracies—not because we have a better class of politician, but because we have a strong framework of regulation. The point of the Bill is to ensure that we have a strong framework for referendums, which are a new constitutional development. We are good because we are made good, not because we are good by intention. I hope that the Minister understands that that is how the system works. It is important to get these rules and regulations right, so that in 10 or 15 years we can still say the same thing.

4.45 pm

Mr. O'Brien: I am afraid that the hon. Gentleman has not quite understood the nature of the debate between the two Front-Bench spokesmen about whether everything has to be in the Bill so that it can become the basis of all future referendums. The reality is that Parliament makes laws. We do not simply have a system of regulations; we have a Parliament that is answerable to the electorate and a Government who have to respond to the electorate and are ultimately dependent on the electorate for their future.

Mr. Richard Shepherd (Aldridge-Brownhills): Will the Minister give way?

Mr. O'Brien: I shall give way when I have finished this point.

Conservative Members have suggested that the Bill must somehow cover everything. That is not necessary. We have to ensure that the Bill provides a basis, a template or a foundation for future referendum campaigns so that, broadly speaking, we know how they should be conducted. The detail will be decided by the House in the normal way—by the passing of a Bill. The broad-based political debate will take place then. That is why the concerns that have been raised about clauses 96 and 97 are unfounded.

Most of the arguments were based on the idea that a referendum campaign will last for 28 days. As I have said, 28 days is not a short time for a general election campaign. The Bill envisages that, at least in normal circumstances, there should be at least a further 14 days for preparing the various umbrella groups that might be needed. As there will probably be a fixed date, there will be months of lead-in time to any referendum.

Referendums do not appear from nowhere. Many of them have gestations of many years. Indeed, it is arguable that we are now into a long gestation period in respect of deciding whether to join the single currency. Almost invariably, there is a long time to consider such issues.

The hon. Member for Aldridge-Brownhills (Mr. Shepherd) asked me to give way.

Mr. Shepherd: I would rather make my own speech.

Sir Michael Spicer *rose—*

Mr. O'Brien: Then I shall give way to the hon. Member for West Worcestershire (Sir M. Spicer).

Sir Michael Spicer: Will the Minister explain the Government quarantine period? Are the 28 days the period during which the Government may not interfere, get involved financially or proselytise? Does he envisage a further period, or will he say that that is a matter for a future Bill, in which case what is the point of this one?

Mr. O'Brien: The quarantine period is covered later in the Bill, when we shall debate whether the Government could use their influence over civil servants. I must be careful what I say as I am conscious that you will rule us out of order, Mr. Martin, if we discuss a clause that we have not reached. We shall have the opportunity to debate the quarantine period, but our view is that it should be the same as it is during a general election campaign. It has never been a matter of great controversy in the past and I suspect that it need not be in future.

We believe that clauses 96 and 97 provide a framework. They do no more than that, and issues relating to the conduct of future referendums will be dealt with at the time by legislation that will determine the detail of those referendums.

Mr. Shepherd: The Minister is quite right to say that Governments come and go and that the British public can take a view on whether they wish to continue with an Administration. The 28 days may be appropriate for that. However, the Minister will also be perfectly well aware that referendums are an attempt at a permanent settlement, and are therefore different in character from general elections. I cite that fact that because my party—that is why I support it so vigorously—is concerned about the position of the pound.

In the treaty that will be put to the British people—if the Government fulfil their pledge and the conditions are met—it is intended that the judgment taken by the British electorate should be irrevocable and for all time. "Irrevocable" and "irreversible" are the actual words of the treaty. In a general election, the British people can say whether they wish to continue to be governed by new Labour, but after a referendum the terms are set in concrete. The point that my Front-Bench colleagues have made is valid, and the Minister should reflect on his counter-argument that a referendum campaign is equivalent to a general election campaign, because of the nature of the referendum decision. That is why I support my right hon. and hon. Friends on the issue.

Question put and agreed to.

Clause 96 ordered to stand part of the Bill.

Clause 97

DATE OF POLL

Amendment proposed: No. 46, page 61, line 33, leave out from beginning to 'the' in line 34 and insert—

'The date of the poll in the case of any referendum to which this Part applies shall be fixed by the Commission, and'.—*[Sir Patrick Cormack.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 176, Noes 323.

Division No. 78] **[4.51 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burstow, Paul
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and Mr. Stephen Day.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dobbin, Jim
Donohoe, Brian H

Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Snape, Peter
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. Graham Allen.

Question accordingly negatived.

Clause 97 ordered to stand part of the Bill.

Clause 98

PERMITTED PARTICIPANTS

Mr. Walter: I beg to move amendment No. 47, in page 62 line 1, after "individual", insert—

'registered in an electoral register'.

The purpose of the Bill is to introduce into our political life a sense of financial propriety and of transparency, and to raise the standards of political life. One of the purposes underlying the Bill is to remove foreign donations from our political life.

The clause as drafted allows an individual—without qualification—a company, or an unincorporated association to be a permitted participant in a referendum. Such an individual, as a permitted participant, could spend £500,000, out of his own pocket, in a referendum campaign, pursuing the case of one side or the other.

[Mr. Walter]

There are a few leaks in the Bill and that is one of them. The Government plugged it in their original draft of clause 48, which covers permissible donations to political parties. The definition of permissible donors includes

"an individual registered in an electoral register".

Neill's original recommendation for that provision was that it should also include

"those who are eligible to be put on an electoral register in the United Kingdom".

In Committee, my hon. Friend the Member for Beaconsfield (Mr. Grieve) and I tabled an amendment to try to reincorporate the original Neill recommendation, but it was not accepted because the Government wanted to keep the original wording.

Clause 81 deals with those who could be registered third parties in an election campaign. In Committee, we found that a third party could simply be an individual. Again, my hon. Friend and I tabled an amendment to expand the provision to include the words

"an individual registered in an electoral register".

That is the crux of amendment No. 47.

I imagine that the Parliamentary Secretary, Privy Council Office will respond to the debate. I do not want to make his speech for him, but I shall refer to his answer, which he gave me outside the Committee, as to why our amendment to clause 81 in Committee was—and possibly why this amendment will be—unacceptable, even though it would have plugged a worrying leak.

The Minister's letter to me stated:

"Turning to clause 81 you correctly inferred that it was possible for a foreign national to be a recognised third party in an election. As I indicated in Committee we have not sought to prohibit foreign nationals resident in the United Kingdom from spending their own money in their own name in order to express their opinion and by extension influence the outcome of an election."

He then came to the crux of the matter. The letter continued:

"To do so would be a contravention of Article 10 of the European Convention on Human Rights (which provides for the right to freedom of expression including the freedom to impart information). It is one thing to prevent a foreign national donating money to a political party or other organisation to help it to further its political objectives, but it is quite another thing to place absolute restrictions on the ability of a person to publicise his or her own views."

The problem with that interpretation of the European convention is that the people mentioned in the clause are not those who spread their thoughts around the country in the furtherance of a political idea without supporting a specific candidate for election. The clause refers to registered permitted participants who may be on one side or other of the question on the referendum paper. They are much more closely involved in the process and in securing the outcome of the referendum. If we draw an election analogy, it is almost as though they support a specific candidate in a general, Assembly or parliamentary election.

I will be interested to find whether the Minister will again pray in aid the European convention on human rights. I am not sure whether a permitted participant even has to be resident in the United Kingdom. He could simply stay at Claridge's or the Savoy for the duration of the campaign and use the hotel as his registered office with the Electoral Commission. He could spend £500,000 taking out advertisements in national newspapers in favour of the yes or the no vote in a referendum. If he got a few chums to do the same thing, we could be talking about a significant amount of money from foreign sources being committed to one side or the other of a referendum campaign.

The Bill clearly seeks to exclude foreign financing of our electoral and political processes. Therefore, I suggest that the Government should consider the amendment seriously if the Bill is not to develop an enormous leak, with parcels of up to £500,000 coming into our electoral process from foreign sources. In other circumstances, such as the financing of political parties or of individual candidates at general elections, that would be considered impermissible.

To stick with the spirit of the Bill and the Neill report, which is to exclude foreign money from our electoral process, I commend the amendment to the Committee. It would add after the word "individual" the phrase

"registered in an electoral register".

That would ensure that permitted participants in our referendum campaigns are citizens of the United Kingdom, the Commonwealth or the Irish Republic and are part of the United Kingdom electoral process to the extent that they are registered in an electoral register and prevent foreigners from distorting the result of a referendum in this country.

Sir Michael Spicer: I wish briefly to support my hon. Friend's argument. If the Bill is left untouched, it will contain the leak that he described and foreign people might become involved in our referendums. Under a wicked Secretary of State, that might mean the foreigners whom he likes best for the purposes of a campaign.

Clause 98(1)(b)(i) refers to an individual

"by whom a notification has been given under section 99".

Sub-paragraph (i) is the only one referred to in the explanatory notes, but sub-paragraph (ii) adds

"in the case of whom any other prescribed requirements are satisfied".

The Bill then states:

"for this purpose 'prescribed' means prescribed by regulations made by the Secretary of State after consulting the Commission."

5.15 pm

We have here the old problem of the Secretary of State having far too many powers and the commission far too few. That is by the by, but unless the amendment is made or assurances are given by the Government, not only will foreigners be able to take part in referendums, but the Secretary of State will be able to choose which foreigners he will allow to take part and which he will ban from taking part. The amendment seems innocent and unimportant but it could be very important. I hope that the Government can reassure us.

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): As the hon. Member for North Dorset (Mr. Walter) said, the amendment covers ground that the Standing Committee has already covered a couple of times, particularly on clause 81, when a similar amendment was discussed. He and the hon. Member for West Worcestershire (Sir M. Spicer) said that they are worried because there is a leak in the Bill. I shall try to reassure them on the point about the Secretary of State.

In a referendum campaign, participants who want to spend more than £10,000 will have to have a dialogue with, and be recognised by, the Electoral Commission. That recognition will then be prescribed by the Secretary of State, so whether he is wicked or benign, he will act on the commission's advice, and it is not a question of him prescribing his friends or enemies.

Sir Michael Spicer: Advice will be given, but it may not be accepted, and ultimately the Bill leaves it to the Secretary of State to decide whether to take the advice.

Mr. Tipping: The prescription is recommended by the commission and there is no intention that the Secretary of State should not take the prescription. I can see that the hon. Gentleman is unhappy with that answer, and while we are still in Committee, I shall have another look at the wording of the Bill. He makes a fair point that the Secretary of State should not be able to prescribe his friends and enemies. I am confident on the point, but I shall consider the wording.

The hon. Member for North Dorset said that he was not going to make my speech for me, but in effect he did when he took the Committee through my letter to him of 12 February. For the record and for members of the Committee, I shall repeat what I said. I stated:

"we have not sought to prohibit foreign nationals resident in the United Kingdom from spending their own money in their own name in order to express their opinion and by extension influence the outcome of an election"—

or referendum. I went on to say:

"To do so would be a contravention of Article 10 of the European Convention on Human Rights (which provides for the right to freedom of expression including the freedom to impart information)."

The hon. Gentleman said that there is a difference in the Bill between clause 48, which we have discussed and which deals with money being given to a political party by a foreign source, and this part, on which I am advised that article 10 would prohibit the Government stopping foreign donations or involvement in a referendum campaign.

Mr. Walter: Will the Minister give a little more clarification on that point? If article 10 of the European convention prohibits such action under the right to freedom of expression, would it not prohibit the Government limiting the expenditure to £500,000?

Mr. Tipping: I am not exactly sure what point the hon. Gentleman is making. Under the Bill, a foreign national—or, to use his phrase, a foreigner—could participate in a referendum by incurring expenses up to any sum that he desires.

The hon. Gentleman presses me on article 10 of the convention. We have looked at the issue again since he raised it in Committee upstairs, and I shall take him through some more of the legal advice. The very same issues were examined by the European Court of Human Rights in the Bowman judgment, which, as he knows, informs part of the Bill. The implications of the judgment are considered in paragraphs 10.51 to 10.71 of the Neill report.

The court held that the existing £5 limit on third-party expenditure in section 75 of the Representation of the People Act 1983 was so low that it amounted to an unjustified restriction on freedom of expression. I am advised that the court would undoubtedly take the same view of any prohibition or undue restriction on foreign nationals resident in the UK incurring controlled expenditure under part VI or referendum expenses under part VII.

The hon. Gentleman described—I shall not argue with him—a foreign national who is resident in the UK spending large sums of money in the referendum campaign. That clearly is a possibility. How far it will translate into reality and whether, if I may use the phrase, the person would bring his mates to participate, is moot.

Legal advice is very clear. The Government have sought to—and through clause 48 will—stop political parties receiving money from foreign sources. I think that the phrase that we used upstairs was firetight or watertight; there was some doubt about the correct phraseology. The possibility has been plugged and secured.

I sense the hon. Gentleman's unhappiness on the matter. I feel some uncomfortableness across the Chamber, but I have presented the reality. Article 10 prohibits us accepting the amendment as drafted. I have tried to reassure him, but I suspect that I have not. Having discussed the matter under clause 41 and clause 81 and in this debate, I shall not be able to reassure him further. He may wish to return to the issue.

Mr. Walter: The Minister has not reassured me. In fact, as the debate went on, I became more worried by the provision. It appears—he has not said anything to reassure me otherwise—that although we can limit the amount of money that an individual permitted participant who is a UK citizen spends to £500,000, a permitted participant who is not a UK citizen and not on the electoral register could spend what he liked.

So, foreigners—I use the term advisedly, because we are talking about foreigners participating in our democratic process—may register as permitted participants and spend whatever they like on ensuring the outcome of a referendum that they, rather than United Kingdom citizens, want. Indeed, under the European convention, they may not even have to register as permitted participants.

I suspect that I should be taking this debate elsewhere; this Bill will not overrule European Court judgments or supersede the treaty that established the European convention on human rights.

What we have discovered is a leak. Although we can control the amount of money given to political parties, we cannot control the amount spent by third parties in the political process, or the amount spent by permitted or even non-permitted participants in a referendum campaign.

Mr. John Hayes (South Holland and The Deepings): Is not that ironic, given the fact that there is likely to be heightened interest from abroad in elections in this country, and certainly in referendums? Surely we should be exerting more control and having more sensible and enlightened regulation, rather than freeing up the process. That is nonsense. Are we not travelling in entirely the wrong direction?

Mr. Walter: I am grateful to my hon. Friend, who put the case more succinctly than I had. The Bill is supposed to enable us to clean up our act with regard to foreign

[Mr. Walter]

donations, yet outside the registered political parties and the candidates nominated in elections, foreigners can come into the country and spend whatever they like to achieve the outcome of an election or referendum that best suits them.

We may have a referendum in the not too distant future, although I suspect not during this Parliament, when foreigners may well have a vested interest in the outcome, and may want to make a contribution to the debate in the form of large cheques, while watching the outcome from their suite at the Savoy.

The situation is worrying, but the objections that I have raised are outside the scope of the Bill, so I reluctantly beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Grieve: The Committee has noted that a series of amendments dealing with the participation of European Union institutions was not moved. In view of the Minister's comments in reply to my hon. Friend the Member for North Dorset (Mr. Walter), one can understand why.

The Minister would reply that such a fetter on the activities of any organisation was redundant, because although such an organisation could not become a permitted participant under our rules, it could continue as an independent operator to spend any amount of money to further a particular cause. I am sure that the Minister will confirm that.

Some interesting questions arise, which it may be worth flagging up in the debate on clause 98 stand part, as they will feature later in our deliberations.

Clause 111 places a ceiling limit on expenditure by the permitted participants in referendum campaigns. The aim is to prevent a free spending competition to determine the outcome of a referendum. We did the same upstairs in Committee in relation to elections. It is an important issue. If I understand correctly the answers that the Minister gave my hon. Friend the Member for North Dorset on amendment No. 47, it is clear that there is no mechanism whereby a ceiling can be imposed on spending money to influence a referendum result. All people need to do if they fail to become a permitted participant is to become a loose cannon participant. A foreign organisation cannot be prevented from doing that; it can spend any amount of money it likes.

Mr. Martin, the House must face the inequalities that such a system is likely to introduce.

Mr. Graham Allen (Vice-Chamberlain of Her Majesty's Household): Mr. Martin has gone.

5.30 pm

Mr. Grieve: I apologise, Sir Alan. You appeared in the Chair so magically that I was not as conscious of your arrival as I should have been.

Let us take an example that the Minister might consider fair. Let us consider a referendum that involves a national interest and an international dimension. One side has no international support, and its members would say that they stood for the national interest; the other side is backed by an international interest. The national participants will be fettered; they will have to be permitted participants. Those who are not will be unable to contribute. The national participants will also be fettered in the amount of money that they can spend because clause 111, which is intimately linked to clause 98, places a ceiling on their expenditure.

There will be no such problem for the international participants. Spending will be capped for the national campaign and the permitted participants who are based in this country, while the sky will be the limit on the expenditure incurred by international participants, whose impact on a referendum campaign could be as great as that of national participants, in terms of taking out advertisements and distributing literature.

Will the Minister tell the Committee how the clause will work in practice? His reply to my hon. Friend the Member for North Dorset calls into question the clause and the provisions that deal with referendums. We are about to create an extraordinarily unequal system. Far from putting a ceiling on expenditure and properly regulating participants, we will create a system that regulates some participants, who have the misfortune to be British nationals, and allows international participants to do as they please. I wonder whether the Government have taken that on board.

I appreciate that we are considering a difficult subject and that the creation of an unequal system was not the intention when the Neill committee reported or when the Government first considered the measure. However, a coach and horses have been driven through the Bill's provisions on referendums. The problem is different from those we faced over elections. I would therefore be grateful for the Minister's view on whether clause 98 should remain in the Bill and on whether the Government will go back to the drawing board and return with fresh suggestions.

Dr. Julian Lewis (New Forest, East): I want to reinforce the comments of my hon. Friend the Member for Beaconsfield (Mr. Grieve). When we considered other provisions in Standing Committee, we were worried about the framing of clauses that might be deemed to be motivated by the circumstances of a specific, wealthy individual donor. Today, we are considering a clause which could be regarded as tailor-made to allow the European Union, as an international body, to overwhelm completely, through the money that it spends on propaganda, the strict limits on such expenditure that the Bill imposes on individual parties that may campaign on the referendum question at issue.

What would be the point of having such strict limits on the sums that the national parties on either side of the argument would be allowed to raise and spend—for example, in a referendum on the single currency—if the European Union, as an international institution and in support of those who wanted Britain to join, could outspend the whole lot of them put together, and multiplied by an untold factor? That would not only drive a coach and horses through the restrictions, but show up the entire system as skewed.

At Prime Minister's Question Time a couple of weeks ago, I raised the issue of public money being spent by each side in a referendum campaign—for and against—

and he went to considerable lengths to try to reassure me and the House that the system is fair. This country faces the possibility of a referendum on the single currency—which will determine what happens to our political and economic independence, perhaps irrevocably—and the parties are being told that they can spend only up to certain limits. However, the EU and its institutions could outspend the lot of them.

I do not know why my hon. Friend the Member for Blaby (Mr. Robathan) and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) were unable to move amendment No. 14, but I am sure that it has nothing to do with the merits of the case. If the Bill is to include meaningful provisions on referendums, the Minister must show the same consideration, fairness and concern on the Floor of the House as he manifestly showed in Committee—time and again, I am delighted to say.

Sir Michael Spicer: My hon. Friends and I are not displaying paranoia and we feel strongly that the European Union would clearly have a strong vested interest in the outcome of a referendum on the single currency. There is no question about that, so the issue is whether it is right and proper for it to be able to become directly or indirectly involved--financially, in particular—in that referendum.

If the clause is not amended or if the Government do not give us the assurance that they will think again, the EU could become involved in two ways. If it was a permitted participant, it would be allowed to spend up to the limit of £500,000 or whatever, which is unacceptable in itself, or it could stay out and, as it would not be a permitted participant, the restrictions in the Bill would not apply. That is particularly worrying because under these arrangements "prescribed" means

"prescribed by regulations made by the Secretary of State after consulting";

and the Minister has said that consulting means no more than that. The Secretary of State would not have to take the advice he was given and ultimately would determine who was and was not a permitted participant. He could decide not to allow the EU to be a permitted participant and, as my hon. Friend the Member for Beaconsfield (Mr. Grieve) said, it would be allowed an unlimited run of expenditure and involvement in the campaign from the sidelines.

I am grateful to the Minister for saying that he will consider prescription and how it works—he was extremely helpful—and I hope that in this context, as in others, he will give the commission greater independence vis-a-vis the Secretary of State. However, that is a separate issue.

I hope that the Minister will consider this point. Whatever side of the argument one is on, it clearly would be wrong for a body outside this country with a direct interest in the result to be allowed for one reason or another—there are at least two opposite reasons—to be a participant and deeply involved in a referendum under the terms of the clause.

I hope that the Minister, in the spirit in which he responded earlier on this matter, will agree to consider this issue carefully; specifically, the question of not allowing the European Union to become involved directly or indirectly through companies or unincorporated associations, or by giving money on the side to permitted participants. That could completely distort a future referendum campaign—or referendum struggle—and it would be in the interests of democracy to consider this matter carefully.

Mr. Hayes: I want to refer particularly to the comment of my hon. Friend the Member for West Worcestershire (Sir M. Spicer) about the possible involvement of commercial organisations. Some multinational companies will have a vested commercial interest in the outcome of such a referendum campaign, and would have a great deal of money to commit to a campaign in their self-interest. I am particularly concerned that we are loosening the regulation in that respect, whereas we should be tightening it.

This provision is expressly against the will of the Neill committee. All hon. Members who value democratic fairness and political decency will be intimately familiar with pages 160 to 170 of the Neill report. When Neill studied this issue, he referred to the 1975 referendum campaign, when we voted to stay in the European Union. The report explicitly states that the Britain in Europe campaign

"vastly outspent the National Referendum Campaign, by a factor of one to 20 . . . There is also the danger, if there is lavish spending on one or more sides, that the impression will be given that the Yes and No campaigns are trying to 'buy' people's votes."

Buying people's votes is one thing, but the buying of people's votes by organisations which are outside this country, which do not necessarily have this country's national interests at heart and which may, in addition, have a commercial, financial or pecuniary interest in the outcome of any such campaign is entirely undesirable. It is certainly not in the spirit of the Neill report or in the best interests of good democratic practice in this country.

I am surprised that the clause does not address the matters considered by Neill. I am also surprised that the Government want to be associated with a measure that will be perceived outside the House as a diminution of good, fair, democratic politics.

Mr. Desmond Swayne (New Forest, West): It would be perverse for a Bill that is specifically aimed at excluding the possibility of foreign donations to our political process and which seeks properly to limit the permitted participants' ability to spend, at the same time to leave international participants entirely unrestrained in the amounts that they can spend. Those concerns are not academic: they are very real, given the prospect of a referendum early in the next Parliament. It certainly has not escaped my notice that the European Union is taking a more elaborate interest than hitherto—

Mr. Tipping: I just want to clarify the point that the hon. Gentleman made. He said that individuals could give unlimited amounts of money. His hon. Friend the Member for Beaconsfield (Mr. Grieve) referred to that as well. I remind him that clause 110(2) makes it a criminal offence for anyone to give more than £10,000.

Mr. Swayne: I am aware of that provision in clause 110. I was more concerned about institutions, such as the European Union, than about individuals.

As we have now raised the prospect of a referendum, it is clear that the European Union is taking more than a close interest in the politics of participant member states.

5.45 pm

Let me say in passing that I support the British Government's view of recent events in Austria, and therefore, by implication, the view taken by most other European member states. I am, however, deeply alarmed by the view of those events taken by the European Commission. Members of the Commission are, of course, civil servants. My fear is that a similar interest will be taken in any referendum that we might hold in regard to our own national interests, especially a referendum on whether we should join the single European currency. The issue will undoubtedly be of great interest to the European Union, and I very much fear that it will be able to spend without limit in attempting to influence us.

Dr. Julian Lewis: Spend our money, that is.

Mr. Swayne: Indeed; but there will be those who spend their own money as well. My hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) mentioned companies, and we already know that companies—foreign companies—have been lining up on both sides of the argument, threatening us with the withdrawal of investment should we decide not to go into the currency, or with the prospect of uncompetitiveness should we decide to do so. Companies on either side of the argument might seek to put their money where their mouth is, and I do not believe that that would be healthy for the British democratic process—although I think that the totality of expenditure would be swamped by the European Union's potential to spend in this respect.

Let me take the Committee a step further, to the prospect of another referendum. It would be entirely legitimate for us to hold a referendum on the question of continued membership of the European Union; it is, after all, some 25 years since we held such a referendum. I am sure that you, Sir Alan, like me, would not espouse some form of African democracy: "one man, one vote . . . once", which would not allow future generations to decide the matter. Clearly, such a referendum would be hugely significant to the European Union itself.

What assurance can the Minister give that the Government have thought the issue through? What limit can be placed on the European Union's ability to spend what is, as my hon. Friend the Member for New Forest, East (Dr. Lewis) pointed out, our money, to influence our decisions on our national interest?

These are hugely important issues, and I hope that the Minister will be able to reassure me.

Mr. Martin Bell: I shall be brief.

I am aware that the Parliamentary Secretary, Privy Council Office, thinks that most Independents are Conservatives in disguise. This is rather embarrassing for me, because there has been a great deal of merit in what Conservatives have said today.

Mr. Tipping: I said that, in my experience, most Independents were Conservatives in disguise. There are, of course, exceptions.

Mr. Bell: We hope to enlarge the Minister's experience shortly.

The Bill and the Neill report are about purging the British political system of the corruption of money, and we should not need too much persuasion of the need for that. I envisage a difficult situation if a referendum is held binding the British people more or less in perpetuity. There appears to be an imbalance, in that money is flooding in from one side rather than the other.

Mr. Swayne: Is the hon. Gentleman aware of the bitter taste left in many mouths by the hugely disproportionate spending on the occasion of the 1975 referendum, when the "yes" campaign was able to outspend the "no" campaign by a factor of 20 to one?

Mr. Bell: I am well aware of it. That is precisely the kind of imbalance that the Bill tries to address. No referendum will work, or will be seen to be democratic, unless the losing side accepts its validity: that is the test of a referendum, and we must ensure that the Bill meets it.

Mr. Tipping: These points are extremely important. The first substantive point to make is that, in any referendum campaign, it will not be possible to ensure that both sides are equally balanced. There are discussions about that. Many hon. Members on both sides of the Chamber feel that, in fairness—

Dr. Julian Lewis *rose—*

Mr. Tipping: Let me make just a bit of progress.

Both sides should be evenly balanced, but we all live in the political world and we know that that will not be possible. Different organisations, individuals and participants will want to contribute, and one side of the argument will try to develop resources. One of the Bill's provisions is to ensure that there is a second side—that the commission has resources to enable an opposition campaign to go forward—but we must recognise that individuals, parties and companies can collectively work together, spend and campaign. Given that, one of the Bill's important provisions is to place a cap on what parties, companies or individuals can spend. As the Neill committee put it in relation to the general election, it is a way to reduce the arms race.

Dr. Lewis: I am glad that the Minister has given way at this point. What is the point of placing a cap on what the parties on either side of a referendum campaign can spend if the institutions of an international organisation such as the European Union do not face such a limitation?

Mr. Tipping: I know that the hon. Gentleman gets excited by Europe—he tried to intervene after three or four sentences. I shall come to the point about the European Union, which is extremely important and excites the hon. Gentleman and some of his colleagues. We need to be aware of it, to look at it, to act rationally on it and to engage in some grown-up politics; we should not engage in yah-boo politics about the EU and the euro. The more mature consideration and debate on such matters are, the better. He and the hon. Member for West Worcestershire (Sir M. Spicer), who takes important, long-standing and strong views on European matters, are rightly making those points.

Mr. Grieve *rose—*

Mr. Tipping: I give way before I get to the EU.

Mr. Grieve: Perhaps I can spare the Minister from necessarily focusing on the EU, which is but one example.

There is a need for clarification and I should be grateful if the Minister could provide it as soon as possible. Clause 110 says that those who are not permitted participants will commit a criminal offence if they spend more than £10,000 to influence the campaign. Does that apply to foreign nationals or institutions, or would that breach the European convention on human rights?

Mr. Tipping: It applies. I made the point—I will do so more substantively in a moment—to the hon. Member for New Forest, West (Mr. Swayne). I reminded him that there is a criminal offence. Anyone who spends more than £10,000 and is not a permitted participant is committing a criminal offence.

Mr. Walter: The Minister will forgive me for intervening. He has used article 10 of the European convention on human rights. I have managed to get a copy from the Vote Office, and it says:

"Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

Does that not mean that the Bill contravenes the convention?

Mr. Tipping: No. It reinforces my points to the hon. Gentleman during an earlier debate. He has quoted article 10, which reinforces all my points. I know that he did not like those points, but it reinforces them. Article 10 guarantees rights and freedoms, but, as I have said, the £10,000 restriction applies to individuals.

I shall not address amendments Nos. 14, 15 and 16, which were not discussed, but come to the issue of the EU. Hon. Members ask fairly: how we can ensure that the EU does not become involved? I say at the outset that this is an enabling Bill. It is not designed to set up a referendum on the EU. We are not at that stage yet, and we may not reach that stage for some time—if some hon. Members have their way, we shall never reach that stage. It is an enabling Bill that sets out the context—my hon. Friend the Under-Secretary of State for the Home Department called it a template. The Bill is not about a campaign for the euro.

Hon. Members say to me, "How can we ensure that the EU does not become involved in these matters?" The EU can, of course, run information campaigns. Indeed, it does run such campaigns. Some of us may not like some of what it says in those campaigns, but it has the right to say it.

When, or if, we get to a referendum campaign on the EU, the best way to be sure that the EU will not become involved is to look at the Bill and to be aware that it is a matter for the British people, the British Parliament and British parties. It is inconceivable that the European Commission, the European Parliament or others will become involved in a campaign because they know that it would be counterproductive.

Mr. Andrew Miller (Ellesmere Port and Neston): My hon. Friend is coming to the point that I want to raise. If one followed the logic of Opposition Members' claims that the Commission is an unpopular institution and their figures on the popularity of the euro, it would play right into their hands if the Commission were to spend a penny piece on supporting such a change, so it is a complete and utter red herring.

Dr. Julian Lewis *rose—*

Mr. Tipping: The hon. Gentleman will have to intervene on me, rather than on my hon. Friend. I can see that he is getting excited again. We are a long way from the referendum campaign, although I am looking forward to it. I can see that he is looking forward to it, too; he can hardly contain himself. My hon. Friend, however, is right.

Dr. Lewis: I assure the Minister that he has not seen me even begin to get excited. Does he expect us to think that he is naive enough to believe that the European Commission would directly stand up and dish out the currency, whichever particular brand it was using, and intervene in the campaign openly? Of course it would not. It would operate by channelling funds through all sorts of intermediate institutions and pressure groups. Bodies would spring up like mushrooms, apparently independent but covertly funded by our money to defeat the interest of our people.

Mr. Tipping: I should hate to see the hon. Gentleman consumed by passion. We see him getting excited tonight, but, when he becomes passionate, that will be a sight for someone—perhaps behind closed doors. I shall develop my hon. Friend's point. Rather than being naive, we are fully aware of the political reality, which is that if the EU itself, or through its agents, companies or some shadowy organisation, became involved, that would work against it. It is absolutely clear that referendums, whatever the questions concerned, are about the British people deciding. That is the purpose of a referendum, and that is why we are going down this route. I know that that reassures neither the hon. Gentleman nor some of his hon. Friends.

6 pm

Mr. Hayes: I have no desire to see either the Minister or my hon. Friend the Member for New Forest, East (Dr. Lewis) excited. The Minister underestimates the Committee's intelligence when he says that the Bill is only enabling legislation and not specific provision for a specific referendum. Surely he will acknowledge that the framework and tone that are established in the Bill, and the messages and signals that are broadcast by it, are vital. The Bill is an opportunity to get the matter right, even if there will be subsequent legislation on a specific situation.

Mr. Tipping: The hon. Gentleman has not followed the debate as closely as some other Opposition Members have. I repeat that the Bill is enabling legislation. It is a new and important step forward and a building block. Before any future referendum, a new Bill will have to be considered by the House. Later in our proceedings on this Bill, we shall discuss the design of some of those Bills. Nevertheless, it is absolutely clear that the wording of any question and, in many cases, the election date, will have to be decided by the House.

Sir Michael Spicer: The Government keep hiding behind the idea that this is only an enabling Bill and that we must wait for the great Bill, whenever it arrives. However,

[Sir Michael Spicer]

this Bill is very specific on many matters, such as the number of days to polling day and the permitted sums. As the Bill is littered with such detail, it is not good enough to pursue the point that it is only enabling legislation.

If the Minister thinks that it would be wrong for European institutions to become involved in a British referendum, and given the amount of detail that the Bill already contains, what does he have against incorporating in the Bill safeguards that would seem to deal with his own concerns about the involvement of institutions from abroad?

Mr. Tipping: As I said—and as my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) said—I just cannot see that happening. If there were a referendum on, say, the euro, I do not believe that the European Union would become involved. It would be counterproductive for it to do so. As I keep telling the Committee, such a matter is for the British people to decide, and they would not take kindly to other organisations becoming involved in it.

The hon. Member for West Worcestershire says that we should make provision in the Bill to address that issue—there is an issue, and I do not dismiss it lightly—but the correct time to address it is when, if ever, we have to debate the design of a European single currency Bill, not now. I appreciate that hon. Members want to demonstrate their European credentials and Euro-scepticism and to express their dissatisfaction with Europe, but that future debate is the time for them to do that. This Bill is quite simply enabling legislation.

The hon. Member for South Holland and Deeping—

Mr. Hayes: The Deepings. My constituency is right next door to the Minister's.

Mr. Tipping: I know where the constituency is located—I often campaign down that way—and it is not quite next door to my constituency. Nevertheless, the hon. Gentleman asked about the position on companies. There will be a cap—£500,000—on the sums that companies can contribute.

As I said at the beginning of a this debate, partly in reply to the hon. Member for Tatton (Mr. Bell), those of us who are in politics realise the excitement and passions that certain issues can arouse. We also certainly know that, in any referendum campaign, the two opposing sides will not be equally armed. The sides will look to different sources for money, and anyone who thinks that, in any issue, both sides could raise equal sums is living in cloud cuckoo land.

The Bill tackles that situation by placing caps on the sums that individuals, companies and parties can spend. The Bill will not create a level playing field, but it will at least keep spending under control.

Mr. Shepherd: The Irish Republic examined that problem, and I should imagine that the Home Office has spent much time examining that experience. The Irish Republic seeks equality of funding in national referendum campaigns, and its policy has had an impact on the outturn of a series of referendums on the European Union. In the most recent referendum, the policy achieved a much more equal balance in the vote turned out.

The point of my intervention is to support my hon. Friend the Member for West Worcestershire (Sir M. Spicer). This is a framework Bill which is trying to create the ground rules to ensure fairness. It seems not unreasonable, therefore, to expect that some of the contentions that my hon. Friend mentioned should be dealt with in the framework. Specific matters could be identified and dealt with in subsequent legislation introduced by the Government—who, after all, are the initiating force in a referendum. They initiate a referendum only because they themselves have a view on the matter. The rules—in the framework Bill—should work to ensure fairness.

Mr. Tipping: The hon. Gentleman makes a fair point. I thought that he was going to try to persuade me that different parties should have the same sums to spend on referendums.

Mr. Shepherd: They should have an equal sum.

Mr. Tipping: I have extracted the hon. Gentleman's view. However, I do not think that that objective is practically achievable. He asked whether European and international comparisons have been made: they have been made. He also pursued me on whether the Bill is template and framework legislation: it is.

One important aspect of the Bill—we shall have an opportunity to discuss it in a later debate—is the provision, in clauses 4 and 5, for the Electoral Commission to review both the legislation's operation and how referendums are working.

It has been acknowledged on both sides of the Committee that we are addressing new and difficult issues. Nevertheless—to reply to the point made by the hon. Member for West Worcestershire—the way to tackle those issues is to acknowledge that this is a template and framework Bill and to consider it in the light of experience. The Electoral Commission, for example, will have to respond after each election by producing a report. That issue is being addressed.

The time for discussion of Europe and funding from Europe, a subject that is clearly taxing hon. Members, is when—at some point in the future, or never, if some people have their way—the House considers a referendum Bill on that matter.

I hope that the Committee will agree to clause 98 standing part of the Bill.

Mr. Grieve: I hope that the Minister will accept, from the long time that we have had discussing the Bill upstairs in Committee, that the Opposition have tried to take a non-partisan and constructive approach to the legislation. However, in his last remarks, the Minister sounded like Mr. Micawber, waiting for something to turn up in the future, rather than looking for something to solve his problem. As my hon. Friends the Members for West Worcestershire (Sir M. Spicer) and for Aldridge-Brownhills (Mr. Shepherd) said, this is supposed to be a framework Bill. Yet, everything that I have heard in the debate suggests that the framework is flawed.

To clear up some anomalies—the Minister will correct me if I have it wrong—foreign organisations will be able to register under clause 98, and there is nothing to stop them from doing so. If they do so as individual organisations and companies, they will be able to spend

£500,000 in participating in a referendum campaign. That is notwithstanding the fact that Lord Neill, at paragraph 12.51 of his report, says that he considers that the arguments on the funding of political parties apply equally

"to the funding of referendum campaigns, especially since these are likely to be concerned with major constitutional questions. We believe, therefore, that the same rules about 'permissible sources' that we recommend should apply to political parties and others in connection with foreign donations should also apply to individuals and organisations, including political parties, taking part in referendum campaigns."

The Minister has had to accept that that cannot happen. The Bill goes further, because even foreign individuals and organisations who do not register as permitted organisations can spend £10,000 each. If an external organisation were divided into its constituent members, it could spend hundreds of thousands, if not millions of pounds in a referendum campaign. I am not concerned specifically about a referendum on the single currency. That could apply to any referendum.

The Minister knows that we have approved of other parts of the Bill, but the whole of this part on referendums is badly flawed.

Mr. Shepherd: The Minister said that the commission could review the arrangements, but that would be a post mortem. The critical events would already have happened. The commission would have no status in what could be an enormously important referendum.

Mr. Grieve: I entirely agree with my hon. Friend. We cannot support the clause and we intend to divide the House on it. It is the benchmark of a series of clauses that set up an edifice that is supposed to reflect Lord Neill's recommendations. Due to circumstances outside the Government's control—European law and the European convention on human rights—it is proving impossible to do that. This whole part of the Bill needs to be taken back to the drawing board. We should seriously consider dispensing with it until we have got it right.

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 334, Noes 146.

Division No. 79] **[6.12 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum

McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Snape, Peter
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John

Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. Peter Luff.

Question accordingly agreed to.

Clause 98 ordered to stand part of the Bill.

Clause 99

DECLARATIONS AND NOTIFICATIONS FOR PURPOSES OF SECTION 98

Question proposed, That the clause stand part of the Bill.

Mr. Walter: I do not wish to prolong the debate on organisations that are designated as permitted participants in a referendum campaign. Clause 99 deals with declarations and notifications for the purposes of clause 98. I wish to alert the Committee to what I see as more evidence of the problems in the Bill with regard to those who might well decide that they are or want to be permitted participants, but are not normally regarded as citizens of the United Kingdom or are not normally resident here.

Clause 99(4)(a) states:

"A notification under this section must—

(a) if given by an individual, state—

(i) his full name, and

(ii) his home address in the United Kingdom".

I imagine that, for the purposes of his home address in the United Kingdom, a hotel or a friend's address would be perfectly acceptable so long as he signed the notification.

In respect of a company, the name and the address of its registered office is required. To some extent, that brings companies within the scope of the Bill. None the less, there are no specific provisions, despite those in respect of permitted donors to political parties, that relate to a company

"registered under the Companies Act 1985 or the Companies (Northern Ireland) Order 1986, and . . . incorporated within the European Union, which carries on business in the United Kingdom."

There are no such provisions in clause 99 in respect of the declarations and notifications that have to be made.

If a notification is

"given by an unincorporated association",

it must state

"(i) the name of the association,

(ii) the address of an office of the association in the United Kingdom".

So one might well receive a notification from the good burghers of Calais who wished to participate in a referendum campaign and had a branch office in Dover. That would be sufficient for them to be permitted participants. If the limits in the Bill applied to them, as foreigners, they would be entitled to spend £500,000.

In the previous couple of debates on amendments to clause 98 and clause stand part, we have emphasised the fact that the Bill allows for an enormous leak which will permit foreign individuals, companies, unincorporated associations and other bodies to participate in our democratic procedures without necessarily being United Kingdom nationals. It is a worrying provision and it is highlighted yet again in clause 99.

Question put and agreed to.

Clause 99 ordered to stand part of the Bill.

Clauses 100 and 101 ordered to stand part of the Bill.

Clause 102

APPLICATIONS FOR DESIGNATION UNDER SECTION 101

Mr. Stunell: I beg to move amendment No. 13, in page 64, line 28, at end insert—

'(5A) In making any designation of a permitted participant under section 101(2) or (4) the Commission shall have regard to

(i) the separate levels of support for each of the permitted participants which have given notice under section 99(1)(b) or section 99(3)(b) that they propose to campaign for the same outcome, and

(ii) evidence submitted to it by any permitted participants relating to their principal reasons for campaigning for that outcome.

(5B) Where the Commission is satisfied that more than one permitted participant has demonstrated

(a) substantial support, and

(b) a distinct "principal reason" for campaigning for the same outcome, and

(c) that it would be unreasonable to refuse designation under section 101(1),

it may designate 2 or more permitted participants for assistance under section 103.

(5C) Where the Commission makes any designation under subsection (5C) above, they shall make such an apportionment of eligibility for assistance between the designated permitted participants as they think fit.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss amendment No. 12, in clause 103, page 64, line 40, at end insert—

'(2A) Where more than one designation has been made under section 102(5B), that amount shall be apportioned in accordance with section 102(5C).'.

6.30 pm

Mr. Stunell: I refer hon. Members to clause 101(1), which states:

"The Commission may . . . designate permitted participants as organisations to whom assistance is available".

We have a small language problem here in that there are designated organisations and permitted organisations. I do not claim that the Bill is ambiguous, but it is easy to become ambiguous when one is speaking about them.

Clause 101 establishes that the designated participants that meet certain criteria may receive financial assistance, and the decision on that will be made by the Electoral Commission. Clause 102, to which amendment No. 13 relates, deals with how permitted participants will be designated. Clause 102(5) provides for a situation in which designated participants make competing applications to become the organisation that will receive assistance. The special use of language in the Bill means that it is possible to lose sight of the fine distinctions between the two types of body, but a person, political party or organisation that fulfils certain criteria can

[Mr. Stunell]

become a designated participant, which allows them to take part in the process. Beyond that, one or more of those designated participants can then apply to become an organisation that will receive assistance.

The amendment would extend the options available to the Electoral Commission when deciding between competing designated participants who wished to become the organisation eligible to receive assistance. The Bill, as drafted, provides the commission with two options—it can establish which of the permitted participants has the greatest popular support, or, if it is not satisfied that any of the applicants adequately represents those campaigning for a particular outcome, it can make no award. In other words, the commission has to make an all or nothing choice if there are competing demands for support.

The amendment would give the Electoral Commission more flexibility so that it could consider a third option. For example, in the feasible prospect of a referendum on the United Kingdom's joining the euro, it is likely that several bodies that are opposed to joining will compete to become the designated organisation. At one end of the spectrum of those opposed to joining will be the Socialist Workers party. Its reasons for opposing it might be complex and various, but they boil down to the argument that the euro is a capitalist plot that should be resisted at all costs. At the other end of the spectrum will be the so-called Democracy movement, which is equally ferociously opposed to the euro, essentially because it is a communist plot. Perhaps somewhere in the middle will be a large body of Conservatives, some of whom are what I call quitters and some of whom are stayers but all of whom are committed at the moment to opposing joining the euro.

As the Bill is drafted, all three of those umbrella bodies would be able properly to participate in the campaign, but it would be for the Electoral Commission to decide which body would receive financial support for making its case in the campaign. If people are confident that their factional view is likely to be seen as the majority view among those seeking a particular outcome, they would not have to worry because the commission would designate them and they would receive the money. However, there is a problem if—perhaps in some future referendum—the forces that want one particular outcome are all strongly motivated and strongly supported, and it is not so evident which should receive the financial support of the commission.

At the limit, the commission could toss a coin and say that the money would go to, for example, the SWP; or the commission could be unable to make up its mind, because there was too much controversy or uncertainty, and allocate no money to one side of the argument. While it may not be too helpful to pursue the specific case of the euro referendum to its logical conclusion, because people will argue that it is unlikely that the SWP would receive the money, I use it as an illustration of the fact that people can have fundamentally different reasons for supporting a particular outcome in a referendum. In some cases, it may be appropriate and proper for them to form an umbrella body that can qualify for support, but on other occasions that will not be possible.

Let us suppose that the line of thought represented by Lord Shore, the right hon. Member for Chesterfield (Mr. Benn), the hon. Member for Bolsover (Mr. Skinner) and the SWP was the ascendant view in popular opinion as we approached a referendum on the euro. I put it to Conservative Members that they would not be happy if all the money to support the no campaign went to that faction and none went to the Conservative faction.

Another likely future referendum is on stage 2 of the reform of the House of Lords. It is possible that some might want to vote against the reform package, their opposition being based on the fact that they wanted a wholly elected House of Lords and that what was being offered was a miserable and unworthy compromise. Some others might also be strongly opposed to the reforms because they wished to return to the hereditary principle. As the Bill stands, those two factions would either knock each other out, with the Electoral Commission making no grant, or one of them—if it could establish some ascendancy in its views—would be supported and the other would not.

We have said several times in previous debates that the Bill is fundamental. It is the first reworking, in detailed and substantial form, of legislation that goes back 117 years, and we do not know how frequently it will be updated in the future. We heard earlier that it is a framework Bill on which other legislation dealing with referendums will be based. Therefore, the issue that I have drawn to the Committee's attention requires careful consideration. It may be that the examples I have mentioned—of the referendums on the euro and the House of Lords—are not appropriate, but it seems likely that over the next few generations the situation I have outlined will arise. If so, the absence of a third option in the Bill will be a drawback that will have considerable consequences.

Amendment No. 13 would require that before the commission could adopt any sort of third-way approach, it would have to be satisfied that each alternative choice had substantial support. The Bill uses the phrase "to the greatest extent" to describe the necessary level of support, but that might be only 36 or 37 per cent. Alternative factions, with other views, might achieve support levels of 30, 32 or 33 per cent.

The amendment retains the need for support to be substantial: it would not mean that some crackpot from Hazel Grove could turn and claim a share of the money just because he said that he had a distinctly different way of looking at things. It also requires that there be a "distinct 'principal reason'" for seeking the same outcome. If those two conditions were met, the amendment would give the Electoral Commission the authority to split the amount of financial support given to those supporting a particular outcome—but only if it would be unreasonable not to do so.

The amendment would also provide that the split of the financial support available should be decided by the Electoral Commission. Amendment No. 12, to clause 103, is the consequential amendment that would implement that requirement.

Amendment No. 13 would prevent a difficulty that is certainly possible in theory, and which I submit is quite feasible in real life—namely, that it is possible for there to be more than one completely distinct and separate reason for wanting a particular outcome. I do not know how many such reasons for wanting a particular outcome it might be possible to have, but I suggest that three is a practical limit. The amendment would prevent money

going to an organisation that enjoyed only 35 per cent. support, when a larger number of people—the collective total of those who support the same outcome—would not get anything. It would also prevent the outcome whereby no money would be given to anyone simply because the Electoral Commission had lost patience with them all.

The amendment would remove unfairness and prevent the undesirable and undemocratic outcome that such unfairness might produce. It would provide a third-way alternative for the Electoral Commission when it was deciding how to allocate resources in a referendum campaign. It is designed to ensure that those resources are not fragmented and that coherent and separate arguments opposing or supporting a particular outcome are taken into account.

The amendment would safeguard democracy. I hope that the Minister will bear in mind the fact that the Bill puts in place a framework that will last for a long time. Many different circumstances will arise, and the circumstances in which there will be distinct and separate principal reasons should be a factor that the Electoral Commission takes into account when allocating resources.

Mr. Walter: I am rather concerned about amendment No. 13, which I call the chaos amendment. The hon. Member for Hazel Grove (Mr. Stunell) described the third way and where it leads. I suspect that I am beginning to find out where it leads. This delightful amendment sums up my understanding of the Liberal Democrats, especially when they campaign in elections. For them, the desired outcome is clear—that Liberal Democrats should get elected. However, they believe it reasonable to use different—even conflicting—arguments to get to the same point.

That propensity reminds me of a story arising from some local council elections in Dorset. In one village, a lady who had recently moved in complained that there were no street lights. The candidate told her that his party was going to make sure that street lights were installed. However, when the lady in the next house told him that she had heard that his party was going to put in street lights, he told her that she was safe and that his party had no intention of going against the village's tradition of not having them.

6.45 pm

Mr. Miller: The same thing happened in my constituency.

Mr. Walter: I am pleased that it does not happen only in Dorset.

The amendment is worrying because, instead of allowing for the designation of one umbrella organisation on each side of the argument, it would allow several such umbrellas to exist. People would then run around looking for cover under the umbrella that most suited them. Under clause 103 and schedule 3, designated organisations will get £600,000. The precedent for that was set in the 1975 referendum, and the amount has been uprated to allow for inflation.

However, designated organisations are also allowed to send an address to every household or elector, so if there were more than one designated organisation, which organisation would send the address? Would those messages be sent to only a third of the available households or electors, or to every other one?

Under the amendment, would the designated organisations get the use of public rooms free of charge? If there were several such umbrella organisations on each side of the argument, that would come to an awful lot of rooms.

How would the broadcasting authorities cope with referendum campaign broadcasts? For instance, umbrella organisations that support a single currency from capitalist and socialist points of view, respectively, might both seek time for referendum broadcasts. However, one organisation may fear that the broadcast made by the other might kill off the case for the single currency for all time.

The Bill's provision that only one umbrella organisation should receive the grant from Government is the correct approach. The Electoral Commission may wish to knock heads together to determine which body should receive the money, or it may leave it for the relevant groups to work out for themselves. However, such an approach would not preclude other points of view being expressed, as the Bill allows political parties and other bodies to participate in the referendum process. The Bill means that the commission will have to deal with only one body on each side of the argument, and we are content with that.

Mr. Tipping: The hon. Member for Hazel Grove (Mr. Stunell) struggled with the language when he spoke to his amendment. The matter is difficult, but he made it clear that his intention was to find a third way when it comes to funding. The amendment departs from the Bill's provision that the Electoral Commission will designate money to one umbrella organisation on each side of the referendum campaign, and would instead provide that there might be more than one such organisation on each side. The Government would strongly oppose taking that line. The essence of the Neill committee's proposal is that there should be one organisation on each side of the campaign. The committee's work in Wales persuaded it that a grant of £600,000 and facilities should be available to enable a minimum campaign to be run.

As the hon. Member for North Dorset (Mr. Walter) said, the real advantage of an umbrella organisation is the mailshot—I had better be careful what I say about mailshots in view of last night's debate on election expenses for the mayor of London and the assembly—the free use of rooms and the right to broadcast. It is difficult to see how those resources could be shared among competing claims. The hon. Member for Hazel Grove said that the Electoral Commission would face a difficult task in identifying the umbrella organisation when there were competing demands.

The hon. Gentleman's amendment states:

"Where the Commission makes any designation under subsection (5C) above, they shall make such an apportionment of eligibility for assistance between the designated permitted participants as they think fit."

It is unclear how the Electoral Commission could be unable to identify an umbrella organisation and then do a more sophisticated analysis, in what the hon. Member for North Dorset called a chaotic situation, to identify the share-out within the umbrella group.

The Government have always recognised that it will not always be possible for everybody to work together under an umbrella group, and the hon. Member for Hazel Grove gave us some examples. However, the Bill does

[Mr. Tipping]

not prevent that from happening. It will be possible to have an umbrella organisation and groups working alongside it, which are not part of it, and have a slightly different view. That is the plurality of the situation.

It must be right to have only one umbrella group on either side. It is also right that others who want to participate will still be able to do so. There are rules in the Bill governing that. However, they will not have a right, unless they are part of the umbrella campaign, to a share of the public resources—the £600,000, the right to broadcast and the free mailshot. The hon. Member for North Dorset said that the financial pot will lead people to bang their heads together. I am not sure whether the Electoral Commission will be banging heads together. The prospect of substantial sums of money will, after a lot of discussion and some heartache, force bodies to work together as part of an umbrella organisation.

To have an umbrella organisation on each side of the argument must be the way forward. It is what the Neill committee recommended, and it is the approach that the Government would like to adopt to avoid a chaotic situation. With that, I ask the hon. Member for Hazel Grove to reflect on his amendments.

Mr. Stunell: I shall not talk about the intricacies of street lights in Dorset. However, I once made an issue out of two Conservative leaflets in my constituency—one was strongly in favour of a road, and one was strongly against it. They seemed to be distributed in adjacent areas, depending on what it was thought people in each area would like to hear. No one has a monopoly on distributing leaflets or talking to electors with what is sometimes called a forked tongue.

I apologise to the House and the *Hansard* reporters if I got my "permitted participants" and "designated organisations" mixed up at various points in my speech. I hope that my intention was clear; in any event, the Minister has clarified what I was trying to say, and I thank him for that.

I freely concede that there are some difficulties. My amendment may not be comprehensive enough in its scope and precise enough in its detail to achieve its objective. I understand the point that is being made. I am less happy, however, with the view that the scenario that I have described is unlikely or that if it does occur, it is not greatly to be feared. We are setting in place framework designation that is designed to last for a long time. The intention of my amendment is to provide a seldom-used but available alternative in a particular set of circumstances. However, I understand the Minister's reluctance to proceed, and recognise that there is no support for the proposal elsewhere in the House. Having aired my case, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Grieve: I beg to move amendment No. 49, in page 64, line 32, leave out "shorter or".

This is a small amendment that can be considered without having to consider some of the wider issues that were before us earlier. Nevertheless, it cannot be completely divorced from those issues, because it concerns the power that clause 102 gives the Secretary of State to vary the periods that are provided for in that clause. It may be worth setting out briefly what this part of the Bill aims to do.

Certain organisations may become designated organisations and receive funding, so there will be competition among various organisations to become so designated. All permitted participants will be eligible for designation, and will doubtless be rooting to be the designated group and receive the funding. Clause 102 provides:

"A permitted participant seeking to be designated under section 101 must make an application for the purpose to the Commission."

He must provide statements saying that he adequately represents those campaigning for the outcome of the referendum. He must make his application within 28 days, beginning with the first day of the referendum period. Thereafter, the commission will have to get to work and, with considerable rapidity—given that dozens of organisations may be vying for designation—decide within 14 days which of the applications should be determined favourably or otherwise.

If there is one application in relation to a particular outcome of the referendum, the commission will designate that applicant unless it is not satisfied that the applicant adequately represents those campaigning for that outcome. If there is more than one application in relation to a particular outcome, which I venture to suggest may well be the case, the commission has to make almost a judgment of Solomon between the various organisations. It must pick the one which appears to represent, to the greatest extent, those campaigning for that outcome, unless it is not satisfied that any of the applicants adequately represents those campaigning for the outcome.

It is a complex and bureaucratic process, which will undoubtedly attract much public comment. One can envisage circumstances in which members of organisations may become upset and angry if they do not achieve designation. That is the task given to the commission.

7 pm

The clause sets out an extremely tight timetable, which is linked to the rest of the timetable for referendum periods. As the Home Office Minister pointed out earlier, in reality there may be a long preliminary period for most referendums, during which all the parties would vie for position. Everyone would know that the referendum was due to be held, so no one would be taken by surprise. However, the measure is framework legislation and it must take account of contingencies, some of which might include circumstances when a referendum is sprung on an unsuspecting electorate by a Government. One example—dare I offer it to the Parliamentary Secretary, Privy Council Office?—might be that of a Government who had been promising a referendum for a long time, who lulled the electorate into a false sense of security because the referendum never seemed to happen, and then suddenly announced that it would take place immediately.

If that were to happen, it would create an immense logjam. Indeed, in those circumstances the 28-day period for designation might be too short. Similarly, the poor old commission might be hard put to find the time to choose between competing organisations. It strikes me—and the official Opposition—as astonishing that in subsection (6)

we give the Secretary of State the power to make by order a variation in the 28 and 14-day periods to make the period not only longer, but, if he sees fit, shorter.

That appears completely crazy. I can understand the need for a longer period, but I cannot fathom how a shorter period could be just. The mere fact that the measure includes that provision gives me some cause for anxiety. Technically, it would allow the Secretary of State to move, by order, that the period for the submission of designation could be limited, for example, to six or seven days—let alone the absurdity that it might be reduced to 24 hours. One consequence of that would be that individual organisations seeking to be the designated party in a referendum campaign would be hamstrung because they would have insufficient time to mount their case.

I should be grateful if the Minister would explain the justification for providing a shorter as well as a longer period, although I can well understand why a longer period might be provided.

Mr. Tipping *indicated assent.*

Mr. Grieve: The Minister nods.

However, if we consider the matter realistically, a period of 28 days to put in a designation request and 14 days for its consideration is the bare minimum. In that case, the Committee can safely tell the Government to adopt the amendment and delete the possibility of a shorter period because, in practice, that shorter period could never happen. At least, it could never happen if a Government were acting properly.

Although I have confidence even in the Government of whom the Minister is a representative, one has to look ahead, in framework legislation, to possible occasions when that might not be so. In those circumstances, unless the Minister can offer me some clear examples of why he thinks that the existing provision is useful, I urge him to reconsider the matter. If he thinks that my remarks make some sense, will he adopt the amendment or, at least, assure me that he will consider it?

Mr. Tipping: I was struck by the hon. Gentleman's comment that provisions were needed so that contingencies could be taken into account. He rightly pointed out that, in this case, the contingency is the power of the Secretary of State to provide for a longer or shorter period than the 28 or 14 days. I shall not go over the provisions in the measure because he explained them so well.

As the hon. Gentleman pointed out, the argument for a longer period is that there will be much pressure on the commission. According to the provisions set out in the measure, the quickest time in which a referendum could take place is 10 weeks. Usually, there would be far more notice than that. There may be a case for some flexibility and for a longer period because of the difficulties that the commission might face. That is why provision for a longer period has been included.

Sir Michael Spicer: Will the Minister clarify whether it is possible that the use of the 28-day period in clause 102 would cause the designated 28-day period in clause 97 to run out? Is it possible that the umbrella group might never be formed during the referendum period?

Mr. Tipping: That is certainly not the intention of the measure. It provides money and resources to umbrella groups—for the first time, £600,000 will be available, as well as free mailshots and so on. The intention clearly is not to stop the formation of umbrella organisations.

Sir Michael Spicer: I accept that that is not the intention, but is it a possible outcome that the 28-day period mentioned in clause 97 would be the same 28-day period mentioned in clause 102? If so, the commission would run out of time for designation.

Mr. Tipping: I think that the hon. Gentleman is taking the Committee back to a point that I made a few moments ago—that the minimum time for a referendum could be 10 weeks. The 10 weeks comprise two 28-day periods and a 14-day period. There is a 28-day period for the formation of the umbrella group; 14 days for the commission to deal with designation; and a campaign period, beyond that, of not less than 28 days. I think that covers the hon. Gentleman's point.

The hon. Member for Beaconsfield (Mr. Grieve) asked why there was provision for a shorter period and why flexibility was needed. He asked for clear examples. The most obvious example is in Northern Ireland, where it is sometimes necessary quickly to seek the consent of the people on a particular settlement. In the referendum on the Good Friday agreement, only 32 days elapsed between the laying of the Northern Ireland Negotiations (Referendum) Order 1998 and the holding of the referendum. That is the reason for the inclusion of a reference to a shorter period.

The Government believe that, occasionally, there might be situations where it is necessary to act quickly, but that will not be the norm. Ministers and officials feel that we should reserve that flexibility; in extreme circumstances, there should be the chance to move to a shorter period. The object of the Bill is to conform to the time periods that it establishes—the 28 days and the 14 days, which, as the hon. Gentleman points out, will be most demanding. However, there could be occasions—especially in Northern Ireland—when some flexibility might be used.

Given that reassurance, I hope that the hon. Gentleman will reconsider the amendment.

Mr. Grieve: I am grateful to the Minister for his candour, although I do not find the Northern Ireland example entirely reassuring. Indeed, it is a good example, because one might say that what was being sought was to take a snapshot of public opinion in the Province and to do it so quickly that people did not have time to change their minds on the issue. Dare I say it to the Minister, but I thought that the whole idea behind the Bill was to create a fair framework that would prevent sudden advantage being taken of public moods? I make that point even though, if I had been living in Northern Ireland, I might have voted yes in the referendum there.

I am not wholly persuaded by the Minister's argument. He is honestly telling us that there may be circumstances in which the Government think that it is to their advantage to ask a question and get a quick answer. However, those who disagree with the answer that a Government are seeking look to the rules and regulations, as set out by Lord Neill, to do the opposite. They look to them to offer a sufficient time frame in which debate and reasoned argument can take place, so that everyone can go to the polling station on the day of the referendum having had a real opportunity to consider the issues.

[Mr. Grieve]

We cannot get away from the fact that, historically, referendums have often been used by tyrannical regimes to seek endorsement for matters to their advantage from waves of public opinion. Sometimes, they come unstuck. For example, in the past 48 hours, a Government, who seem to have pretty dubious democratic credentials have received a slap in the face from the electorate when they thought that they had it all stitched up.

We are trying to do something different. I am not persuaded by the Minister's argument, but I shall not press the amendment to a vote. However, I hope that he will reconsider the issue, because the limits set out in the clause are the absolute minimum on which a fair campaign could possibly be based. If that is so, the only possible ground for having a shorter period would be to introduce a measure of unfairness. In those circumstances, the Committee should have nothing to do with the provision. However, subject to those comments—and I hope that the Minister will bear them in mind—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Sir Michael Spicer: I wish to make two brief points. First, I believe that it is unhealthy for the state to fund political campaigns. Down that path are all sorts of threats to democracy. However, I shall put that point to one side. Secondly, if the state is going to make such payments, it is right that there should be an independent commission as outlined in the clause. It should be responsible for allocating state payments. If it is right for the commission to have designation and authoritative powers under the clause, why is it not given similar powers in other clauses? I have returned to that point time and again, because it is illogical. If the commission is correctly given such authoritative powers by this clause, could not the Government reconsider, as I sense they might, the whole philosophy, so that they strengthen the authority and independence of the commission?

I hope that the clause will act as a precedent for the Government and that they will continue the process of giving as much independence to the commission—as opposed to the Secretary of State—as is possible.

Mr. Tipping: I will not comment on the hon. Gentleman's view that we should not go down the road of state funding, except to point out that he, his party and all of us receive such facilities during a general election campaign. The proposal in the clause is not as new as he suggests.

7.15 pm

I agree entirely with the hon. Gentleman that the commission must be seen as independent and authoritative, and it must have the support of all the political parties and players. I have never said that the Bill is in the best shape possible; we have already improved it in our discussions and there will be further opportunities to do that. I also draw his attention to clauses 4 and 5, which will give the commission the task of preparing reports after each election and reviewing its work regularly so that it can take stock of what it has done. Referendums are a new area for legislation, and the commission will want to revisit the issues, revise them and bring forward further proposals.

Sir Michael Spicer: The Minister's point about independence was correct, and I am grateful to him for saying that he will consider ways of improving the Bill.

This clause is about the commission's functions and powers. I hope that the precedent established by the powers for designation in the clause will be borne in mind by the Minister when he considers the commission's powers and functions in other clauses.

Question put and agreed to.

Clause 102 ordered to stand part of the Bill.

Clause 103

ASSISTANCE AVAILABLE TO DESIGNATED ORGANISATIONS

Question proposed, That the clause stand part of the Bill.

Sir George Young (North-West Hampshire): I wish to raise a few points, in particular about subsection (2) which mentions £600,000 as the sum available. I have traced the genealogy of the sum through the Neill report and the White Paper and I am not arguing for a higher figure—once a Treasury Minister, always a Treasury Minister. However, I was slightly surprised to see that the figure of £600,000 is set in stone. I have looked through the clause and I cannot see any provision for varying it. On several occasions, we have heard that the Bill is a template and that it is designed to last for a long time, so I assume that we shall need primary legislation to change the figure of £600,000. I appreciate that sums are mentioned elsewhere in the Bill, but they tend to be larger sums—£20 million and others. The figure in this clause is relatively small, so I am puzzled why there is no power to vary it.

Mr. Tipping: I draw the right hon. Gentleman's attention to clause 141.

Sir George Young: It is kind of the Minister to suggest that there may be that provision for variation. I take it that that applies to this clause.

Mr. Tipping *indicated assent.*

Sir George Young: That is helpful. However, I seek further explanation. Other clauses in the Bill, such as clause 11 on grants, give the commission pretty wide discretion. It can make grants to other persons or bodies to enable them to carry out certain programmes. Under clause 11, it seems to have enormous flexibility to spend quite large sums of money on grants that are not wholly its prime purpose. However, this clause gives it £600,000 to help designated organisations, and clause 141, which the Minister mentioned, gives powers to the Secretary of State to vary the figure. In effect, that is my point.

Other parts of the Bill, such as schedule 13, allow for flexibility, although I concede that, in the case of the schedule, it is flexibility on the part of the Secretary of State. When the commission produces its post mortem on a referendum, will it have the freedom to state its view of the figure of £600,000? That is not clear from this clause.

However, if, for the sake of argument, it felt that the figure in subsection (2) was wrong, will it be able to make recommendations to the Secretary of State suggesting that the figure was either too high or too low and will he take its views on board and consider varying it?

It would be helpful if the Minister could explain why the figure of £600,000 is so tightly constrained by the Secretary of State, when one of the commission's prime functions is to make sure that a side of the argument that is in danger of being under-represented gets sufficient money. There are no such constraints on the commission in making the grants in clause 11, yet that function is arguably less important. In fact, we argued that it was so unimportant that the provision should be deleted. There seems to be an imbalance between clauses 11 and 103. Can the Minister shed any light on that?

Mr. Tipping: I shall try to shed light on the matter. I take the right hon. Gentleman back to clause 141. I admit that I sprung that on him earlier, but if he reads it he will realise that although the Secretary of State makes the order, subsection (2)(b) adds,

"where the order gives effect to a recommendation of the Commission."

The Secretary of State cannot therefore make an order without a recommendation from the commission.

I turn the right hon. Gentleman's attention to clause 4, which spells out the reports that the commission must produce regularly after elections, and clause 5, which contains a much more permissive power to keep matters under review and submit reports to the Secretary of State from time to time.

The right hon. Gentleman asked why clause 11 gives the commission a great deal of flexibility. Speaking from memory, I believe that the sum concerned is £3 million, but a lot of that is existing money within the Home Office and local government, which is used, perhaps not very successfully, to remind and exhort people to vote. Although I should not stray from the subject at hand, I accept that there is a great deal of good work for the commission to do on electoral education under clause 11.

Another part of the Bill dealing with policy development grants represents a step forward. It gives the commission the power to make £2 million of grants to political parties so that they can develop their policies, but the commission has to bring forward a scheme after consultation.

There is, therefore, a great deal of flexibility throughout the Bill for promoting awareness and policy development. As I pointed out to the right hon. Gentleman, there is also flexibility in the power to vary the sum of £600,000. I look forward to the commission's reports because they will be a trigger that will help all our thinking.

Question put and agreed to.

Clause 103 ordered to stand part of the Bill.

Schedule 11

ASSISTANCE AVAILABLE TO DESIGNATED ORGANISATIONS

Question proposed, That this schedule be the Eleventh schedule to the Bill.

Sir George Young: Schedule 11 deals with the right to send a referendum address post free, which is of topical interest.

Paragraph 280 on page 64 of the explanatory notes, which the Department kindly circulated with the Bill, says:

"A mailing by the two sides in a United Kingdom-wide referendum to every elector would cost some £13.2 million. One to every household would cost some £7.2 million."

I am entirely in favour of free mailshots during a referendum campaign.

In the previous debate, the Minister pulled something out of a hat, and I wonder whether he can do the same on this occasion. I was following last night's debate, and at 11.16 pm, the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), said:

"The GLA is a small streamlined authority with a budget of £35 million, and expenditure of £15 million to £20 million on mailshots would be quite disproportionate."—[*Official Report*, 15 February 2000; Vol. 344, c. 893.]

I am sure that the Parliamentary Secretary is asking himself the same question as I am asking myself, which is why the Greater London Authority would spend £15 million to £20 million if it paid for mailshots, but a mailshot to every elector by the two sides in a UK-wide referendum would cost £13.2 million. I appreciate that there can be more than two candidates in a mayoral election, although presumably if there were more than two, the mailshots could be delivered at the same time. Last night, however, the Government used a rather high figure when they were trying to discourage the House from pushing for a free mailshot, and that figure was much higher than that on page 64 of the explanatory notes. Can the Minister shed any light on the apparent incompatibility of the two figures?

Mr. Tipping: Having pulled something out of the hat earlier, I am afraid that it is empty on this occasion. All I can do is consider the figures and the extracts that the right hon. Gentleman has just quoted, and write to him. I would add that the GLA provisions are seen as local government provisions, whereas we are discussing national campaigns in this Bill. Referendum mailshots would typically be for two sides, but I understand that there may be up to 20 candidates for the mayor of London, which will clearly increase costs. I will write to the right hon. Gentleman, without the sense of magic and flourish that goes with pulling something out of a hat.

Sir Michael Spicer: Schedule 11 also deals with the commission's role in ensuring fairness in broadcasting. Do the Government envisage the commission having not only the powers to set policies on fairness but the resources to monitor and ensure that those policies are implemented? We all know that broadcasters can set out with good intentions, but they do not always fulfil them. The BBC is ruled by statute but does not always comply with it in practice. Will the commission be responsible for ensuring that its policies on fairness are implemented day to day?

Mr. Tipping: The Committee has had an opportunity to discuss this matter. I draw hon. Members' attention to clause 9, which says that broadcasters shall have regard to the commission's views. The commission is in a position to express views about broadcasting. I have already given the Committee an undertaking to consider

[Mr. Tipping]

introducing a new form of words. It is clearly important that the commission should be involved, but that does not remove responsibility from broadcasters.

Question put and agreed to.

Schedule 11 agreed to.

Clause 104 ordered to stand part of the Bill.

Schedule 12

REFERENDUM EXPENSES: QUALIFYING EXPENSES

Question proposed, That this schedule be the Twelfth schedule to the Bill.

Mr. Walter: The schedule, which deals with qualifying expenses in a referendum, seems reasonable, but as I read through it I become a little confused. We are given a list of expenses, including those incurred in referendum campaign broadcasts, advertising of any nature, and

"unsolicited material addressed to electors (whether addressed to them by name or intended for delivery to households within any particular area or areas)."

The list of exclusions in paragraph 2, however, says:

"Nothing in paragraph 1 shall be taken as extending to . . .

(b) any expenses in respects of unsolicited material sent to supporters of the referendum campaign".

7.30 pm

I am not sure of the distinction between the two types of unsolicited material. Those fighting a referendum campaign usually start from the presumption that everybody is a supporter of their cause. So perhaps they do not have to count against their expenditure limits the expense of sending material to those whom they perceive to be their supporters.

Also among the exclusions are

"any expenses in respect of newsletters or similar publications issued by or on behalf of the campaign organiser with a view to giving electors in a particular electoral area information about the opinions or activities of, or other personal information relating to, their elected representatives or existing or prospective candidates".

At first I thought that the sub-paragraph had strayed from another part of the Bill. In fact, it means that as long as newsletters tell one something about the views of one's local elected representative, expense incurred in sending them does not count as the campaign expenditure of an organisation campaigning in a referendum. One can therefore imagine an awful lot of newsletters going out in a referendum. Will the Minister give me some guidance, particularly on the exclusions?

Another exclusion is:

"any expenses incurred in respect of the remuneration or allowances payable to any member of the permanent staff of the campaign organiser".

That means that such staff are no longer an expense in the referendum. I can understand the exclusions covering

"any reasonable expenses incurred in respect of an individual by way of travelling expenses . . . or in providing for his accommodation or other personal needs",

but fail to see why expenditure on publications and newsletters, on unsolicited material and in respect of remuneration of staff should be excluded.

Paragraph 2 is another example of dilution of what we thought were ground rules on campaign expenditure. Indeed, two sub-paragraphs—on unsolicited material addressed to electors and on unsolicited material sent to supporters—appear to be contradictory. Electors and supporters can be one and the same thing.

Mr. Tipping: The hon. Gentleman will recognise that schedule 12 almost exactly mirrors schedule 7, which we have had the opportunity to discuss. I am grateful to him for drawing our attention to paragraph 2 and, incidentally, to similar provisions in schedule 7. During our debate upstairs, I said on a number of occasions that I would like to reflect on the matter. The hon. Gentleman has made important points. There may have been some drafting errors. I am grateful for his points; I will write to him and, if necessary, correct matters later.

Question put and agreed to.

Schedule 12 agreed to.

Clause 105

NOTIONAL REFERENDUM EXPENSES

Mr. Grieve: I beg to move amendment No. 50, in page 66, line 2, leave out "£100" and insert "£200".

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss amendment No. 51, in clause 107, page 67, line 10, leave out "£100" and insert "£200".

Mr. Grieve: These amendments follow a pattern reflected elsewhere concerning de minimis amounts. In the light of some earlier comments, considerations in the context of referendum expenditure may be slightly different from those that apply to elections.

Under clause 105, any individual or body that is provided with certain services must declare them, and they are treated as incurred if they exceed £100. Similarly, clause 107 states:

"No payment (of whatever nature) may be made in respect of any referendum expenses incurred or to be incurred by or on behalf of a permitted participant unless it is . . . less than £100."

If payment is over £100, it must be properly recorded and submitted to the commission.

There seems to be a difference between the two clauses. Clause 105 refers to any "individual or body", whereas clause 107 refers to "a permitted participant". Will the Minister clarify whether it is intended that clause 105 should cover a wider group of people? One way of interpreting matters is that, unlike clause 105, clause 107 does not apply to others who might wish to get involved in a campaign—individuals whom I described earlier as the loose cannon of the procedure. If that is so, why the distinction between the two clauses?

Have we got the limits right? We have had some debate about whether the £100 limit—or the £200 limit, as we propose in our probing amendment—is appropriate. I shall not take up the Committee's time on that; the arguments were rehearsed almost ad infinitum when debating election expenses. However, the Minister will have to ponder the following issue.

We have discussed—we shall return to it—what those who are not permitted participants but foreign nationals, individuals or organisations can do in referendum campaigns. The Minister has conceded that they can spend up to £10,000. I find it difficult to identify mechanisms of scrutiny by which one may ascertain how much such individuals spend. It might be a criminal offence for them to spend more than £10,000, but there is nothing to indicate how they are supposed to make a return to the commission, how the commission might investigate them, or how such individuals might be kept under control. In addition, we must accept that because such individuals can spend up to £10,000, all they need do is club together as a group of, say, 10 and they can spend £100,000.

Are we being reasonable in specifying that if permitted participants spend a penny over £100 they must have an invoice and every conceivable detail, but all other people milling around on the sidelines, dabbling in a referendum campaign, can spend up to £10,000 without having to do so? I am prepared to accept the Minister's guidance. Clause 105 might just cover people who spend money as if there were no tomorrow.

It seems to me that the issue may be different from that which we discussed when we considered election expenses upstairs. We are imposing all these burdens on the poor old permitted participants, whereas there is a huge loophole allowing others to campaign without turning into third parties, as in the case of elections. They will be able to campaign, put forward their view and argue that a vote should go a particular way, yet they will not be subject to the same controls.

I should be grateful to hear from the Minister about the precise scope of clauses 105 and 107, and whether the limits that are being imposed are reasonable, in view of the fact that many other people will be able to participate without being subject to such stringent conditions.

Mr. Tipping: Clause 105 is concerned with goods or services provided to a permitted participant by a third party. Clause 107 is concerned with direct expenditure by a permitted participant. That is the difference between the two clauses.

The hon. Gentleman spoke about the loose cannons that may get involved, and there may be some. He is always interested in hypothetical situations, in which such loose cannons appear larger than in reality.

Mr. Jim Dowd (Lord Commissioner to the Treasury): Loose cannon.

Mr. Tipping: Loose cannon. I am corrected by a voice that rarely speaks, but when it does, it does so with force.

The hypothetical situations described by the hon. Gentleman may not develop in reality to the extent that he is tempted to think.

Let me remind the hon. Gentleman about the de minimis provision. People can spend up to £10,000 without being a permitted party and without having to keep accounts. He asks what monitoring there will be. The commission will examine the matter. The offence is set out in clause 106(2). It is a criminal offence. That will put the brake on overspending, avoidance and evasion. I remember that only a day or two ago, the hon. Gentleman told me that the criminal sanctions in the Bill were far too draconian.

Mr. Grieve: I counted 68 criminal offences created by the Bill. Some of them are draconian, and some appear absolute—I shall shortly deal with one—and may need amendment. I know that the Minister will do that.

However, an offence is draconian only if someone can be convicted of it. If I spend £100,000 and am investigated for it, I produce 10 friends and say that we spent £10,000 each.

Mr. Tipping: Of course that is a possibility. We discussed the matter on Second Reading and on various occasions since. It takes us back to the argument about hypothesis versus reality. I expect that the reality will not be as exciting as the hon. Gentleman tempts me to believe.

Let me be more helpful to the hon. Gentleman and say that he makes a fair point in amendment No. 50. We discussed the figure in the context of part V. I am happy to accept amendment No. 50—another example of the Bill being improved.

Mr. Patrick McLoughlin (West Derbyshire): Can the Minister tell us how often the Bill has had to be improved so far? On how many amendments has he said that he will come back to the Committee? Does not that show how ill prepared the Bill was, rather than how much it has been improved?

Mr. Tipping: The hon. Gentleman makes a point, and I shall make another. Under previous Governments, there was a regime where it was seen as inappropriate to make concessions. I remember that he was a Minister in that regime.

7.45 pm

Mr. McLoughlin: It was a Government, not a regime.

Mr. Tipping: It may have been a Government, but the regime introduced by the Government led to their losing office. One of the things that I have been keen to do during the course of the Bill—perhaps the hon. Gentleman will speak to some of his hon. Friends about this—is to listen to the arguments and make concessions where that will improve—

Mr. McLoughlin: How many?

Mr. Tipping: I do not have a score chart. I will write to the hon. Gentleman. There have been a good number of occasions when appropriate suggestion were made. We are coming to one from the hon. Member for Hazel Grove (Mr. Stunell) in a moment.

It has been appropriate to make changes because the Bill will affect us all fundamentally. What marks the Bill is the fact that we all know something about the political system, and we all have a contribution to make. I do not accept that the Bill was ill prepared. I remind the hon. Member for West Derbyshire (Mr. McLoughlin) that it was published in draft form in July. His party had an opportunity to comment on it. If there are failings in it, it

[Mr. Tipping]

reflects badly on those who work for his party that they were not picked up. I shall not be tempted further down that route. He hits a nerve, and I shall return to the matter.

I am not persuaded to accept amendment No. 51, which deals with receipts and suggests that the value of the receipts should be increased from £100 to £200. There is a case, which the hon. Member for Hazel Grove may make, in relation to smaller organisations. The de minimis provision is £100, which applies in this case, so only organisations that spend more than that will be affected.

The figure in the Bill is drawn from the Representation of the People Act 1983, where it was set at £20. It has been increased to £100, so that affords referendum campaigns more leeway. However, it is not unreasonable to ask well run, well resourced campaigns to present receipts and invoices.

These are ultimately matters of judgment. There is not a great deal between £100 and £200. What is important is that a milestone is set down. In my judgment, £100, rather than £200, is the right figure.

Mr. Grieve: I have reason to be grateful to the Minister, who has given me 50 per cent. more than I expected. I am happy that he has accepted amendment No. 50.

Amendment agreed to.

Clause 105, as amended, ordered to stand part of the Bill.

Clause 106 ordered to stand part of the Bill.

Clause 107

RESTRICTION ON PAYMENTS IN RESPECT OF REFERENDUM EXPENSES

Question proposed, That the clause stand part of the Bill.

Mr. Grieve: I mentioned to the Minister earlier that I would return to a topic that has excited me during the passage of the Bill—the creation of absolute offences. Under clause 107(4), an absolute offence is committed if a person makes a payment in contravention of subsection (1), even if he did so by mistake or with an excuse that he believed to be reasonable. Is that what the Minister intends?

With regard to the contravention of subsection (3), the reasonable excuse defence exists. Perhaps the Minister will look into that, in the spirit in which he has undertaken to look at other points in the Bill.

Mr. Tipping: I have already given the hon. Gentleman and the Committee an undertaking that all the defence arguments will be brought in line during the period when we reflect on the Bill. I have heard what he said, and I will of course consider it.

Question put and agreed to.

Clause 107 ordered to stand part of the Bill.

Clause 108

RESTRICTION ON MAKING CLAIMS IN RESPECT OF REFERENDUM EXPENSES

Mr. Tipping: I beg to move amendment No. 8, in page 67, line 30, leave out '30' and insert '42'.

The amendment constitutes plagiarism. Similar amendments, originally tabled by the hon. Member for Hazel Grove (Mr. Stunell), were made to parallel clauses 70 and 85. We accepted his amendments then, and I am happy to move amendment No. 8 now.

Mr. Stunell: I wish to put on record that the Minister has been helpful and constructive throughout our proceedings. He has not always given us what we wanted—perhaps not even most of what we wanted—but he has always listened carefully. I appreciate his adoption of our amendment, which we tabled early in our proceedings. It provides an opportunity for organisations that make returns to get their paperwork done. Those organisations are often small and inevitably involve human frailty. I am pleased that the Minister has accepted the amendment.

Amendment agreed to.

Clause 108, as amended, ordered to stand part of the Bill.

Clause 109 ordered to stand part of the Bill.

Clause 110

GENERAL RESTRICTION ON REFERENDUM EXPENSES

Question proposed, That the clause stand part of the Bill.

Mr. Walter: I want to consider again, perhaps in a slightly different way, financial limits and circumstances in which someone who is not a permitted participant can spend up to £10,000. If that person spends more than £10,000,

"he is guilty of an offence if he knew, or ought reasonably to have known that the expenses were being incurred in excess of that limit."

When we consider clause 111, we shall discuss the matter in more detail. There is a complex set of formulae for deciding how much various categories of participants—permitted participants, political parties or designated organisations—can spend in a referendum campaign.

However, there is a loophole, if I dare call it that, which suggests that those who are not permitted participants can spend up to £10,000. Let us consider a specific scenario in which an organisation that, for whatever reason, is not a permitted participant in a referendum campaign and operates in London has several supporters dotted around the country. On a word processor or a laptop in London, the organisation draws up a sample newspaper advertisement to persuade people to vote in a particular way in a referendum campaign. The only missing item from the advertisement is an imprint. The organisation distributes the advertisement to its supporters throughout the country and suggests to them, "Why don't you insert this advertisement in your local newspapers and pay for it out of your own pocket? You won't be a permitted participant, but the advertisement will have a massive impact on the campaign because we'll have newspaper

advertisements all over the country. You won't have made any donations to us directly. We're not registered; you're not registered. There's nothing anyone can do about it."

If we are to exercise rigorous control, more time and consideration should have been given to that obvious loophole. I do not want to trespass on the ground of my right hon. Friend the Member for North-West Hampshire (Sir G. Young), who will speak shortly, but the alternative is to set no financial limits in referendum campaigns.

Mr. Hayes: That point is directly related to a matter that the Minister raised earlier. He claimed that the electorate would see through any attempt to disguise support for a specific side in a referendum campaign, and to fund such support. He said that such an attempt would backfire. As my hon. Friend suggests, the attempt could be heavily disguised and thus not transparent. I invite my hon. Friend to challenge the Minister to explain how the electorate can arbitrate when support or funding is heavily veiled.

Mr. Walter: I thank my hon. Friend for his intervention. The tenor of the Bill and the Neill report suggests that we are seeking transparency. Exceptions of as much as £10,000 to limits—that figure can be multiplied by people who are not permitted participants acting in concert—can make a significant impact on a referendum campaign.

I ask the Minister to ponder on whether the financial limits for which the clause provides are appropriate. If they are inappropriate, why should it be an offence to spend more than £10,000?

Mr. Tipping: The hon. Gentleman asks me to ponder, and I shall do that. I have listened consistently to the Committee's views. The hon. Member for West Derbyshire (Mr. McLoughlin) chastised me earlier for accepting amendments and thus making changes to the Bill. I believe that that is a sign of strength, not weakness.

In a previous intervention, the hon. Member for South Holland and The Deepings (Mr. Hayes) was vexed by the European Union. He suggested a scenario in which the European Union secretly funded clandestine organisations throughout the United Kingdom in a referendum campaign, I dare say about the euro. That stretches a hypothesis beyond the pale.

Mr. Graham Brady (Altrincham and Sale, West) *rose—*

Mr. Hayes *rose—*

Mr. Tipping: I shall not revert to the subject of the European Union. I appreciate that it excites Opposition Members. We had a good opportunity to discuss the European Union earlier.

The hon. Member for North Dorset (Mr. Walker) asked why the figure was set at £10,000 and invited me to reflect on it. I have been reminded that the Neill committee suggested £25,000. I am delighted that the right hon. Member for South Norfolk (Mr. MacGregor), who was a distinguished member of the Neill committee, will be able to participate in the debate. The Government have reduced the figure that the committee suggested. As I said, I shall ponder the matter.

The hon. Member for North Dorset gave me an example to consider. He presented the notion of an advertisement that was circulated by friends and supporters of an organisation. It is difficult to comment on hypothetical circumstances, but the organisation in his example seemed to be an unincorporated body by another name. If that was the case, the commission would want to examine the matter and perhaps involve the police and bring a prosecution. However, I do not claim that there is no scope for avoidance and evasion.

8 pm

Mr. Swayne: The clause is interesting in that it creates an offence in respect of persons or bodies that are not permitted participants and spend more than £10,000 to influence a campaign. I hope that the Minister will say whether such persons or bodies might indeed include the European Union, of which we have spoken. If not, why not? Will he therefore consider tabling an amendment on Report to make it so?

Mr. Tipping: Conservative Members tabled amendments on that point, but did not bother to turn up to move them.

Mr. Swayne: All the more reason for the Minister to consider such a move, given the expression of concern he has heard this evening—although he said that he regards our concerns as pure fantasy. I wonder what world he lives in. He spoke of the EU secretly funding a campaign. There is no question of secrecy; it is doing so openly.

I draw to the Minister's attention the fact that we held such a referendum in 1975, so our concerns are not fantasy and such referendums occur in the real world. At the beginning of the campaign, there was a 2:1 lead in the opinion polls for withdrawing from what was then the Common Market. By its end, albeit on a low turnout, the vote was 2:1 in favour of staying in. The strength of the argument or the wisdom of the British people might have achieved that result, but I cannot help but think that it had something to do with the fact that the no campaign was outspent by the yes campaign by 20:1.

Even if our concerns are fantasy and there is no prospect whatever of such a body as the EU spending money secretly or openly, what possible problem can there be with making such provision in the Bill? If that is unlikely to happen, the Minister will lose nothing, but he will gain everything by assuaging the concern, which is not restricted to Conservative Members, but is rife in the country. That is what his spin doctors would call a win-win situation. I invite him to take his opportunity.

Mr. Hayes: The Minister and I go back a long way and he well knows that I am neither paranoid nor extreme about anything. I am a terribly mild, moderate and reasonable chap, so the last thing in the world that he would want to do is give the false impression that my position is anything less than calm, cool and collected. To correct him, I did not mention the European Union in my intervention; I talked about commercial organisations and multinational companies that might take an interest in funding referendum campaigns. To be absolutely precise,

[Mr. Hayes]

my paranoia—if there is any paranoia at all, and I do not think there is—is more about international capitalism than the European Commission.

Mr. Tipping: That is a reflection of the change in the political agendas across the parties.

Mr. Hayes: It is more a reflection of the moderate broad church that is the Conservative party.

The Minister criticised Conservative Members for not moving amendments dealing specifically with the point made by my hon. Friend the Member for New Forest, West (Mr. Swayne) and said that if we felt so strongly we should, at this stage, have moved amendments that would have tightened up the Bill in respect of our particular concerns and fears, but he said also that the Bill is enabling legislation and freely acknowledged that, in the event of a specific referendum campaign at a particular time—many euphemisms have been used, but we all know the spectre that many of us fear—additional legislation specific to those circumstances would be needed. Surely, he cannot have it both ways.

My contention is that, at this stage, we need to set the tone, broadcast the signals and lay the foundations, which the Minister rightly said would be built on when we faced a particular referendum at an indeterminate time in the future. However, if those foundations are of an entirely different making from the building that is required later, there is little sense in arguing that we can construct a good building on shaky, insecure or inappropriate foundations, because that building will not be appropriate for an occasion that may or may not arise either later in this Parliament or in the next.

We must lay foundations that clearly and starkly signal—in the House and more widely—our intentions, assumptions and presuppositions about the conduct of future campaigns and how they are to be supported and funded. I am profoundly concerned that we are changing the nature of campaigning and the funding of campaigns. The Minister and I share a love of robust, honest and frank exchanges of views and a civilised concern that those matters should be dealt with in the right way. I emphasise that I know that from the previous life that we shared. [HON. MEMBERS: "Oh!"] Is not it a pity that *Hansard* does not record irony?

I am sure that the Minister also shares my desire that referendums and general election campaigns should be conducted, as far as possible, in a spirit of fairness, openness and honesty. The funding of those campaigns is fundamentally important to that fairness and that spirit. I believe, therefore, that these measures will concern decent democrats on both sides of the House—Labour Members as much as Conservative Members—not because they share the same views on what side they might take in a future and so far unspecified referendum, but because they would want that referendum to have a degree of legitimacy. Legitimacy is based on fairness, openness and honesty in terms of funding and the nature of campaigning. I am most concerned that we are missing an opportunity to lay the appropriate foundations on which we could construct a building of which we could all be justly proud.

Mr. John MacGregor (South Norfolk): I had not intended to speak, but the Minister referred to the Neill committee and I was its only member from the House of Commons. I may not have heard everything he said, but I realised that he was not addressing the point made by my hon. Friend the Member for North Dorset (Mr. Walter) about penalties. As he knows, the Neill committee recommended a limit of £25,000, not in relation to expenditure—we recommended against that and we shall come to it in a moment—but in relation to becoming a registered party and therefore having to observe all the requirements on donations and so on. We now find that there is a limit on expenditure as well, so someone who spends more than £10,000 will be caught on that, too.

I am worried about lowering the limit, which takes me beyond the clause to schedule 19. I said on Second Reading that I was anxious about the enormous number of offences that would apply to breaches of the clause. All of us on the Neill committee knew that it would be difficult to persuade some people of calibre to be treasurers in such circumstances. That applies to political parties more generally, not just to referendums. To be faced with this horrendous list of offences is a further disincentive to people to take on that role.

This problem applies acutely to the clause, because £10,000 is not a high expenditure figure when one is trying to put across a point of view. If someone inadvertently exceeded the £10,000 limit, they would, on indictment, be subject to a fine or one year's imprisonment. That is excessive for someone who may inadvertently breach that low limit. I do not think I heard the Minister refer to that point in his response to my hon. Friend the Member for North Dorset, and I should be grateful if he would address it because it is relevant if we are to lower the limit from £25,000 to £10,000.

Mr. Stephen O'Brien (Eddisbury): I, too, had not intended to speak in this debate, but when I heard my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) refer to paranoia, it struck me that we should focus on the reality of the problem that the clause is trying to address. It is a fair analysis to argue that this provision looks like an attempt to limit the conduct of the arguments in a referendum to political parties, and to extend the control of party Whips.

As we know, arguments in referendums tend to extend across parties. By insisting that a body can only spend up to £10,000 if it is not a permitted participant, this provision not only creates a mismatch but, one has to conclude, intends to favour political parties, as the participants, in putting forward the arguments in a referendum.

As my hon. Friend the Member for South Holland and The Deepings said, there are plenty of other bodies with legitimate interests in the arguments presented in any referendum campaign. The provision would choke the campaigning abilities of legitimate interested parties. When he spoke of paranoia, it seemed to me that we should try to understand what problem the clause seeks to address and relate that to the findings of the Neill committee. As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) said, £10,000 in today's communications world, particularly the broadcast world, is a small sum if one wants to get a message across.

I must ask whether the paranoia is on the Government side, given that they have included this provision in the Bill. I have a straightforward question to put to the Minister, and I look forward to receiving an answer. What are the Government afraid of which makes them advance this clause?

Mr. Brady: I had hoped to make a brief intervention when the Minister was speaking, but he would not allow me to, so I am forced to make a short speech. I took particular exception to the Minister's suggestion that Conservative Members who have raised concerns about the funding of such a referendum may be paranoid or living in a fantasy world. Just because some of my hon. Friends have suggested that the European Union may seek to become engaged in the funding or running of a referendum campaign, it is not appropriate for the Minister merely to brush their concerns aside.

8.15 pm

Whether it happens to involve the European Union or some other body, country, interest group, major multinational company or group of companies, we must remember that the major referendum on the horizon will be on whether the United Kingdom should give up its currency and join the euro zone. Such a change would have enormous geopolitical ramifications. It would be a massive step on the road to political integration of the European Union. People in other countries of the European Union may have an interest in discussing and influencing that process, and people across the world will also take an interest in it. It is entirely reasonable to assert that that issue may attract the funding, whether secret or open, that hon. Members have suggested. It is a realistic point to raise.

I wish that I had kept the reference, but I heard an interesting programme on Radio 4 a couple of weeks ago. One of the key protagonists of the European movement—he has recently written a book—was talking about the circumstances of the 1975 referendum. He made the point that in that campaign there were strong suspicions that funding was provided by agents of other Governments. He was happy with the outcome of the referendum, and had been part of the campaign.

There were strong suggestions that funding had come from the CIA, which, on behalf of the United States Government, was keen to promote the United Kingdom's membership of the European Economic Community. I do not know whether that is true. That person had no axe to grind and no interest in falsely suggesting that overseas Government funding was involved in that campaign. If that could happen then on a related issue, it could certainly happen now. It is not satisfactory for Ministers to brush aside these issues and suggest that only some Conservative Members with long-standing concerns about the European Union have expressed anxiety about the clause.

Mr. Swayne: There is every prospect that, in any referendum on this issue, the present governing party will be on the losing side. It should protect itself against the real possibility that international organisations, such as the North American Free Trade Agreement, may fund the side that it opposes.

Mr. Brady: I am grateful to my hon. Friend for making that important point. We are debating the issue of fairness in the conduct of a referendum. Whichever side of the argument one is on, it is in the interests of both sides to have a proper, fair campaign.

Mr. Miller: The hon. Gentleman should reflect on the fact that the hon. Member for Eddisbury (Mr. O'Brien) has just argued the case for having no upper limit. Conservative Members are talking at cross-purposes.

Mr. Brady: It is perfectly appropriate to examine the clause from all angles. I have no difficulty with that, and I am delighted that the hon. Gentleman has entered the debate. Whether the limit should be removed altogether or whether it should be £10,000, £25,000 or any other appropriate figure can be argued all ways, but that does not do away with the fundamental point about fairness to which my hon. Friend the Member for New Forest, West (Mr. Swayne) referred. This is about having a level playing field and maximum transparency.

I have some reservations about the £10,000 limit because it interferes with people's freedom to engage in political activity and to expend their own resources on a matter that may be of great significance to them. If the Government are intent on including a £10,000 limit in the legislation, they should carefully consider all the circumstances and how it could be enforced.

I ask the Minister to reflect on the situation provided for by clause 110, as it stands. The clause makes a distinction between, for instance, a body and an individual. At what stage of co-operation, or coalescence, between individuals do those individuals become a body in the terms of the clause? That is difficult to define.

A common theme has been seen to develop in the present age of the internet. Direct action supported by some Labour Members—I do not think that they are present this evening—has taken place in Seattle and in the City of London. Some of those activities are obviously co-ordinated in some way, frequently through the internet. The internet is clearly a way of bringing together disparate people and groups who may have slightly different interests, and different reasons for engaging in the activities in which they are participating. However, it is an increasing fact of modern life that it is far easier today to post, on the internet, a statement urging people to take some action, and others may independently, as individuals, choose to take that action.

Such people need not be members of an organisation such as a political party, a lobby group or a campaigning body, but, at that point, they would clearly be acting in concert to some extent. Under the Bill as it stands, how would Ministers define the point at which those individuals became a body?

If individual expenditure is involved, other questions need to be answered. If an individual is spending his own money in the way envisaged in the Bill, that may be one thing; but what if a person or body seeks to assist a number of different individuals who—as is perfectly possible—may support people on both sides of an argument? I do not know whether this still happens, but not so long ago some major British companies made a point of funding both major political parties, because they thought it a good idea to support the democratic process. It is possible that someone will see a good reason to support both sides of an argument in the future, perhaps to ensure that the process receives adequate funds.

[Mr. Brady]

In terms of subsection (3)(a), what is the definition of expense incurred "on behalf of" a body? Must it be according to the direction of the body providing the funds? What if there is total autonomy on the part of the recipient of the funds in terms of how they are spent, how the argument is presented and what media are used to convey the argument? As it stands, the clause contains many holes and poses many questions.

What arrangements does the Minister envisage for the checking and verification of expenditure? The clause does not appear to involve professional organisations or political parties. The aspect that concerns the individual is clearly aimed at those who may have strong beliefs, but are not part of a formal, organised political entity or process. If that is the case, we are clearly not dealing with professional political party agents who know the procedures for returning expenses incurred during elections or, in this instance, referendums.

How will expenditure be checked, verified and catalogued? How can that be done in the case of people who are not even registered entities? They may simply be ordinary members of the public who feel so strongly about the subject of a referendum that they want to become involved, and to make some impact on their own. As a result, they may distribute posters or leaflets. How, in such instances, can the £10,000 limit be policed in any meaningful way? If the Minister has decided that £10,000 is appropriate, rather than £25,000 or any other figure, we must have a mechanism enabling us to verify the expenditure and establish the items that will count towards that sum.

Although we may be dealing with enthusiastic amateurs, I think that the Government should make all that clear in detail so that the individuals concerned can have some certainty. If they are to be subject to the stringent criminal penalties referred to by my right hon. Friend the Member for South Norfolk (Mr. MacGregor), they must be able to know when they would be breaking the law.

As we have heard, fines or imprisonment can be imposed on individuals. Let me return to what at least purports to be the fundamental purpose of this part of the Bill. In the spirit of the Neill report, its purpose is to achieve fairness in the process of a referendum, and, through that, in the outcome; but the punishment that might be visited on an individual who exceeded the expenditure limits—imprisonment or a fine—would clearly have no bearing on the outcome of the referendum.

If Members of Parliament mistakenly overspend in their election campaigns, a penalty can be imposed involving the rerunning of the election. If someone engages in practices contrary to the spirit of the democratic process, the matter can be returned to the electors, who can be given another opportunity to engage in a contest that achieves the fairness that Ministers, in the spirit of the Neill report, want to achieve in the Bill. Clause 110, however, contains provisions that can be invoked to punish individuals who transgress—perhaps inadvertently—but no provision to bring the matter back. If there has been a widespread abuse, we may conclude that the referendum process was unfair, and that the result of the referendum is therefore tainted; yet we may find that people go to prison or pay a fine, while the result stands.

As I said, I did not intend to speak on this, but I feel that there are serious flaws in clause 110. The Committee needs some answers.

Mr. Walter: I had not intended to intervene again on the clause, but my right hon. and hon. Friends have raised some interesting points. They brought me back to our discussion on whether the clause in its entirety complies with the European convention on human rights.

I was intrigued to find on the Table a copy of the Bill that is not the same as the copy that we had on Second Reading, or were using in Committee. It has a statement about the convention, which was not there before. It states that the Home Secretary believes that the Bill is compatible with the convention.

8.30 pm

My hon. Friends who have been here for the whole of the debate will have heard the Minister use the convention as a reason for not permitting certain of our amendments to go forward, but article 10 states:

"This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

The Minister has cited clause 110 as the reason it is not possible to exclude foreigners from being third parties, or permitted participants. Surely, article 10 brings into question whether the clause complies with the convention. I would be interested to hear his view because it seems that, if the convention says that one can impart information without interference, a £10,000 limit with criminal penalties of up to a year's imprisonment may contravene the convention.

Mr. Tipping: I am conscious that I have spoken before and that the Committee wants to make progress. I hesitate to say it in view of the contributions that we have had over the past half hour or so, but there are one or two points to which I want to respond.

The hon. Member for North Dorset (Mr. Walter) asked whether the Bill complies with the Human Rights Act 1998. That is why the Secretary of State's name is on the front of it. It is straightforward. We put the Bill on the Table in front of the hon. Gentleman so that he knows. It may be challengeable, but that is the fact as we see it.

The hon. Member for Eddisbury (Mr. O'Brien) was saying, I think, that anyone should be able to spend what they want.

Mr. Stephen O'Brien: What are you afraid of?

Mr. Tipping: I am not afraid of anything. People can spend what they want. There is no prescription of what an individual can spend, up to £500,000. If someone wants to spend more than £10,000, they will have to become a permitted party in the terms of the Bill. People can spend far more. I am not afraid of these issues.

There will be consequences if people spend large sums. One of the themes that has run in Committee is whether both sides of the argument will be balanced. Clearly, that can never be the case—a point that Neill recognised and the Government recognise. To try to contain spending, caps at various levels have been imposed.

The hon. Member for Altrincham and Sale, West (Mr. Brady) tried to tempt me down the European Union road yet again. We had a prolonged discussion on clause 98 around those issues. I say for the record—it is merely for the record; I do not criticise it—that amendments on restricting EU contributions, amendments Nos. 14, 15 and 16, were not moved by Conservative Members. Having seen the reaction and excitement of Members during the debate, I have no doubt that there will be many other occasions when we will have the opportunity to discuss referendums, the euro and the EU's involvement. Many of us will welcome that.

The right hon. Member for South Norfolk (Mr. MacGregor) made one significant point, and throughout its discussions, the Committee has been aware of it. The Bill places some fairly onerous responsibilities on treasurers and responsible persons. There is anxiety—I put it no higher—that it may be difficult to persuade people to become involved as fully as they might in the political process. At various points in the Bill, de minimis provisions are worked in. During our discussions, it was acknowledged across the Committee that the de minimis provisions as they affect constituencies and branches are acceptable and should not cause the problems that they might appear to on first sight of the Bill.

The right hon. Gentleman asked me about the £10,000 limit and the criminal sanctions. I do not think that he heard my earlier remarks to the hon. Member for North Dorset, who was pressing hard—I am sure that he will continue to press—on what provisions are made to stop avoidance and evasion, and asking what in reality would stop a person from spending more than £10,000. Currently, the only provision in the Bill to achieve that objective is the hefty criminal sanctions.

The right hon. Member for South Norfolk rightly mentioned—the Committee has discussed the issue at length—the number of criminal offences listed in schedule 19. I agree with his major point that we must be careful not to make the Bill's provisions so strong, firm and frightening that it will put people off engaging in political activity. We should realise that, although political activity may have earned itself a bad name, the Bill will help to rectify the situation.

Despite what has been said, I believe that most people who work in political parties are the type of people who are involved in charitable work, who want to make a difference and who want to change their communities for the better.

Mr. MacGregor: I was making that point, but I was also making a point on clause 110 that was rather different from the first one. By lowering the limit from £25,000 to £10,000, one increases the risk of people inadvertently spending modest sums in making their case and yet incurring those heavy criminal sanctions. The two points are slightly different from each other. If the limit were £25,000 as the Neill committee recommended, the provision would not be quite so serious.

Mr. Tipping: The right hon. Gentleman has hit on a theme that has occupied members of this Committee, and particularly Conservative Members—the Bill's provision of defence clauses. Surely, the type of person whom I described—those who act in good faith and who want to make change and to be part of the process—provided that they act in good faith and properly, should not be penalised for mistakes.

In our debates, I have given the Committee an assurance that the Government have written in more comprehensive defence arguments. I have also, more than once, given the Committee an undertaking that, before Report, we shall work our way through the Bill, to ensure that the defence arguments and reasons are comprehensive and in good shape.

With that, I hope that the Committee will agree that clause 110 should stand part.

Question put and agreed to.

Clause 110 ordered to stand part of the Bill.

Clause 111

SPECIAL RESTRICTIONS ON REFERENDUM EXPENSES BY PERMITTED PARTICIPANTS

Question proposed, That the clause stand part of the Bill.

The Second Deputy Chairman: With this it will be convenient to discuss schedule 13 stand part and new clause 4—*Spending limits in referendums—*

'.—(1) The Commission shall review from time to time the question of spending limits in referendums.

(2) The Commission shall present a report on any review under subsection (1) above to each House of Parliament.'.

Sir George Young: This debate complements the debate that we have just had, which was introduced by my hon. Friend the Member for North Dorset (Mr. Walter) and focused on the lower expenditure limit of £10,000. This debate will examine the much higher expenditure limits that are provided for, particularly in schedule 13, and address one of the major contentious issues in the Bill.

In the earlier debate, the Parliamentary Secretary, Privy Council Office said that it was a sign of strength each time he made a concession to the Opposition. We seek a display of yet more strength in this debate, although it may test his virility to the extreme as we consider clause 111 stand part.

In a nutshell, we believe that the Government have got the matter wrong. We believe that they have it wrong in principle and in practice. We therefore propose to delete the spending limits provided for in the Bill and revert to the position adopted by the Neill committee. If I can use a computer analogy, the Government have turned the parliamentary screen blue. We now need to press a number of buttons, including delete, to try to get back to a workable position.

There were no spending limits in the 1975 referendum, when the Labour Government of the day concluded that such measures would be impractical. The Welsh and Scottish devolution referendums in 1979 had no limits. The Referendums (Scotland and Wales) Act 1997, the Greater London Authority (Referendum) Act 1998, the Northern Ireland Negotiations (Referendum) Order 1998 and the Education (Grammar School Ballots) Regulations 1998 contained no limits. The Local Government Bill, which provides for local referendums on mayoral appointments and other issues, also contains no spending limits.

[Sir George Young]

The Neill committee looked at the issue in depth and reported in October 1998. In paragraph 12.45, it conceded:

"The case, in principle, for imposing spending limits in referendum campaigns is a strong one."

However, the next paragraph concludes:

"We believe, however, that it would be futile and possibly also wrong to attempt to impose such limits in connection with referendums."

The report goes on to describe the circumstances of a referendum, which include strange bedfellows, participants not confined to the political parties and unknown timing. Explaining its conclusion, the committee says:

"It appears to us that under these circumstances it would be impracticable to try to control campaign spending. The number of individuals and organisations involved would often be too large. The time-scale would often be too short. Adequate accounting procedures would often be impossible to put in place. The administrative apparatus required would resemble one of Heath Robinson's most outlandish contraptions—and would almost certainly not work."

The commission on the conduct of referendums reached the same conclusion in 1996, saying:

"On balance, it is not considered practical to exercise Government control over the total expenditure by those campaigning on either side in a referendum."

Notwithstanding those conclusions, the Government rejected the Neill committee's advice, although anyone reading the White Paper might be forgiven for not realising that. Chapter 8, on referendums, says:

"The Committee's report contains a set of recommendations on these matters which the Government accepts."

That is Government speak for "The committee's report contains one major recommendation, which the Government reject." That semblance of acceptance of Neill, with the Government in denial mode, was repeated by the Home Secretary on Second Reading. He said:

"I have sought to ensure that the spirit, as well as the letter, of the Neill committee's recommendations on referendums is introduced into the Bill."—[*Official Report*, 10 January 2000; Vol. 342, c. 36.]

That was a surprising assertion, as Neill considered and specifically rejected the Home Secretary's solution. The Government not only rejected the committee's principal conclusions, but went on to adopt a solution that the committee had explicitly rejected—an expenditure limit based on votes at the most recent general election. That formula is set out in schedule 13.

There are three options. The first is that each side in a referendum campaign spends the same amount. Option two is that what each participant can spend is limited. Option three is that there are no limits. The intuitive solution is option one—that in a referendum campaign, the yes and the no side should have equal funding. Sadly, that is ruled out by nearly everyone. However attractive it may be to try to corral all those with an interest in the outcome into two large camps, each with an identical spending cap in the interests of equity, it does not work. When it was tried in Quebec, it was struck down on legal grounds as a violation of the right of freedom of expression of those who did not want to be in one of those two camps. As the Home Secretary said on Second Reading, if we tried to do that here, it would be vulnerable to legal challenge under article 10 of the European convention on human rights. In the clause 98 stand part debate, the Minister said that option one, with each side spending the same, was a cloud cuckoo land solution.

If that option is not available, those who favour spending restrictions on participants are driven to option 2, which is set out in clause 111 and schedule 13. However, spending restrictions on participants do not work either, particularly when the participants are defined as they are in the Bill.

8.45 pm

In paragraph 12.21, Neill clearly made the point that

"in referendums the political parties may be pitted one against another, or most of the parties may find themselves on the same side . . . or one or more of them may be seriously split . . . Whatever happens in any particular case, it is clear that general rules governing the conduct of referendums cannot be based on predictions about the parties' behaviour or assumptions about their role."

Neill dismissed the assertion by the Labour party in its evidence that

"the focus of any regulation should be on the political parties."

It is worth repeating Neill's conclusions:

"To represent referendum campaigns as merely another manifestation of the usual party political battle seems to us both misconceived in principle and false to the history".

But that is exactly what is manifested in the Bill.

In fairness to the Government, they recognised the vulnerability of their proposals during our debate on Second Reading. The speeches of Ministers were peppered with recognition of the difficulties, and with almost desperate invitations to the House to come up with something different. The Home Secretary said:

"We remain open to argument if better, more workable proposals can be introduced."—[*Official Report*, 10 January 2000; Vol. 342, c. 39.]

The Under-Secretary of State for the Home Department said in winding-up:

"I repeat that we do not have a closed mind on the issue."—[*Official Report*, 10 January 2000; Vol. 342, c. 113.]

This debate will test that assertion.

On Second Reading, this aspect of the Bill engaged the attention of many of those who spoke; and the Government's proposals took on board a fair amount of water. That is significant because it was in the context of broad support for the Bill, which had an unopposed Second Reading.

The right hon. Member for Birkenhead (Mr. Field) said:

"For the proposals on the financing of third parties that want to campaign in a referendum to be workable, we shall have to lock some people up."—[*Official Report*, 10 January 2000; Vol. 342, c. 54.]

I recognise that, with the present Home Secretary, that may well be an argument in its favour, but the more squeamish among us will want to see if there is a third way.

My right hon. Friend the Member for South Norfolk (Mr. MacGregor), who was a member of the Neill committee, reaffirmed its recommendations. He said:

"That is why the Neill committee found that it would be difficult to have a fair, workable system of capping in referendums. I still hold to that view",—[*Official Report*, 10 January 2000; Vol. 342, c. 67.]

The hon. Member for Rotherham (Mr. MacShane) made the point that one referendum campaign—on Europe—is under way already, so the limits in the Bill

are to some extent redundant. My hon. Friend the Member for Blaby (Mr. Robathan) said that these sections of the Bill "remain flawed".

My hon. Friend the Member for New Forest, East (Dr. Lewis) used his legendary knowledge of the component parts of the pro-nuclear disarmament movement in the 1970s and 1980s to show how the limits in the Bill could easily be evaded. He concluded:

"That is why the whole concept of putting caps on what may be spent by parties or groups in a referendum is fundamentally flawed."—[*Official Report*, 10 January 2000; Vol. 342, c. 107.]

I stand to be corrected, but I could not find in *Hansard* during the Second Reading debate one explicit endorsement of the Government's proposals. There was criticism from all sides, and even the Ministers were uncharacteristically hesitant in their advocacy.

The reality is that they have come up with something that is neither defensible intellectually, nor deliverable in practice. It is fatally flawed in relating spending power to votes at the general election. There is no intellectual argument whatsoever for that limit. As Neill pointed out, general rules governing the conduct of referendums cannot be based on predictions about parties' behaviour or assumptions about their role. If we are resolving in a referendum an issue that it has not been possible to resolve through a general election, and on which major parties may be split, why should we base spending limits on the basis of votes cast at the last election? If, for the sake of argument, the amount Labour could spend on a yes vote in a euro referendum was based on how many votes it got at the next general election, that would be assuming that everyone who votes Labour would like to join, but we all know that that is not the case.

If we had a referendum on proportional representation, how would Labour's entitlement to spend be determined? It has no policy on PR—we all know that it is split. Why should all Labour's spending power be allocated to one side of the argument according to the whim of the national executive? That is an absurd proposition, rejected by Neill and supported by no one.

It is also incongruous to place spending limits on the protagonists in a referendum, when the media remain free to sponsor or promote any campaign they see fit. Indeed, one of the protagonists could simply buy a newspaper or magazine and circumvent the restrictions, and the message might not be seen as an advertisement, but as unbiased editorial comment.

Not only are there some arguments of principle, but there are some practical problems, many of which were rehearsed earlier in Committee, including the so-called amoeba factor where a group simply divides itself into two. Individuals can form an unlimited number of partnerships or establish an unlimited number of companies. If they registered as permitted participants, they could then each spend up to an amount prescribed in the Bill. Of course, any spending controls can be got round by spending prior to the official commencement of the campaign.

One interesting point that we raised earlier in Committee was that political parties can donate to other political parties under clause 48(2)(c). On Second Reading, the Home Secretary defended his limits as being unbiased because, he said, it was a "racing certainty" that the Liberal Democrats could never raise £3.5 million. However, they would not need to raise the money themselves because Labour could simply give it to them under clause 48(2). We heard earlier about the potential role of international organisations. I do not wish to spend too much time on Europe, but in effect the Minister pleaded with European institutions not to get involved in domestic referendums and another hon. Member remarked that that might be counterproductive. That may be right, but the Minister's pleading may fall on deaf ears. On top of what might be spent in this country, foreign donations—about which we have heard so much—could influence the outcome of a domestic referendum.

We are left with option three of no spending limits, which is the preferred option of Neill and others. I think that that is the best solution, certainly in the short term. Of course, we want to avoid a re-run of the situation in Wales, where one side had lots of money and the other very little, and the possibility—I put it no higher than that—that that influenced the outcome. However, let us look at the likely referendums in the near future, which include first past the post against alternative vote plus, and entry into the euro. In neither case is it likely that any side will want for financial support. On the euro, there are some big battalions on both sides, as there are on the voting system. Once those two referendums are out of the way, new clause 4 can kick in, and the Electoral Commission can reflect on that and come up with its views.

The Government have been flexible on the Bill, and they have said that they will consider and reflect in the light of our debates. It really is important they do the same on this issue, otherwise the verdict of the referendum will not have the validity that we all want. A few hours ago, the voting closed in the Labour party's selection of a candidate for the mayor of London. I do not mind the Labour party having strange rules for its internal elections, but the Committee should think twice before it imports unchallenged into the Bill the propositions before us tonight.

Sir Michael Spicer: As my right hon. Friend the Member for North-West Hampshire (Sir G. Young) has just said, the problem with clause 111 as it stands is that it is unfair in two ways. First, at the moment all the official parties in the House—with the exception of the Conservatives—are in favour of a yes vote in a referendum on the euro. The formula in clause 111 and schedule 13 would mean that much more money would be collected by the yes campaign. On grounds of general equity, that would be inappropriate.

The second unfairness is much more serious and it was alluded to by Neill, as well as by my right hon. Friend. In chapter 12.30, Neill states:

"To represent referendum campaigns as merely another manifestation of the usual party political battle seems to us both misconceived in principle and false to the history of referendums since 1975."

The reason that Neill gives, as my right hon. Friend mentioned, is that political parties are alliances. All parties are split on the question of Europe, for example. The hon. Member for North Devon (Mr. Harvey) has his own faction in the Liberal Democrat party. That party's official position on Europe has been clear for many years, and it is that it wants a federal European state. However, the party's membership and electors hold a view that is very different from that of the party establishment.

[Sir Michael Spicer]

The same is true of the Labour party.

Mr. Miller: Is the hon. Gentleman arguing that, in a campaign on the euro, for example, part of Conservative party resources should be allocated to promoting the views of the hon. Member for Esher and Walton (Mr. Taylor), which contrast with the hon. Gentleman's own views?

Sir Michael Spicer: I am saying that the Bill is nonsense. I am dealing with unfairness at the moment, but I shall come to questions of logic and principle in a moment.

The leadership of the Labour party suppresses the faction led by the hon. Member for Great Grimsby (Mr. Mitchell). Many Labour Members support views that are diametrically opposite to those held by the party leadership. The fact that parties are alliances is therefore manifest throughout the House.

The same is true of other permitted participants in the referendum campaign, such as the trade unions. Some of the biggest unions—the Transport and General Workers Union, for example, and Unison—have come out against entry to the single currency. However, the established leadership of many of the unions that took part in last year's Trades Union Congress special conference on the matter clearly demonstrated its support for the project. The unions' leadership—and, therefore, the people whom one presumes would apply for the money available under the clause—is committed in one direction, but members are much less convinced. That difference was fudged at the special conference.

It is not surprising that trade union members should be so unhappy about the European question, as 69 per cent. of the entire population share their views. The same fault line runs through most of our institutions, but the Bill provides that overwhelming amounts of money will be collected by organisations whose established leaderships have settled on a particular point of view—in many cases, without the full-blooded support of their members.

The Bill is therefore manifestly unfair to the memberships of the political parties and the other organisations involved in the referendum campaign. The Conservative position is the correct one. Neill looked at the matter very carefully and his arguments are very balanced. He concluded that it would be completely wrong to use political parties as the basis for the allocation of limits on referendum expenses.

Secondly, Neill came to the conclusion—this was implicit in what he said—that if that process was engaged upon, given the present position of most of the establishments of the political parties and trade unions, campaign funding would be unbalanced. That seems a poor way of establishing fairness.

9 pm

The clause throws up something even more fundamental about the Bill. It demonstrates how obsessed the Government are with trying to control spending amounts, and in a way that is unfair. The Bill is sloppy when it comes to other important aspects that it should be addressing, such as the powers of the commission to set the question. The Government have said that they will look at such matters again, but they have displayed a sloppiness of thinking in that respect. However, that is not the case when it comes to money. The Government are absolutely obsessed about controlling expenditure in a way that could do great harm to the cause of democracy, in so far as it is represented by a referendum.

I support my right hon. and hon. Friends in that it must be right to go down the Neill path. There should be no limits on referendum campaign spending, because they are both appropriate and impossible to apply.

Mr. MacGregor: I congratulate my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on his speech in opening the debate. He expressed admirably a series of arguments that totally demolished the Government's case. I will not go into some of them in detail because, happily, he has already done so.

I agree with my right hon. Friend that, on Second Reading, the Home Secretary and the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), displayed an openness of mind on the issue. They seemed to be looking to the House to come up with an alternative solution that would meet our objections. We have racked our brains; so has the Neill committee, and so, no doubt, have the Government. No one has an alternative solution except to remove limits on spending. That is the position that we have reached, and I think that it is correct, which means voting against clause 111.

As is well known to those who follow these matters, on the Neill committee I held a minority position on spending on general elections. I took the view that the Neill committee's recommendation to have a spending limit was wrong, and I briefly set out my reasons in the report. Two of those reasons are relevant to this debate. First, I believe that to have spending limits in these crucial areas of national importance is an unwarranted restriction on freedom of speech. Secondly, I believe that the practical difficulties of evasion and enforcement that apply to the general election will apply even more to referendums.

A retired party official, in giving evidence to the Neill committee, said, "Show me a limit and I'll show you how to get round it." Illustrations were given on Second Reading and again tonight on how it is possible to get round a limit. If that is true of general elections—as I think it is—it is true in spades when it comes to putting limits on referendum campaign spending. The Neill committee was unanimously against the idea.

I found it fascinating to go through all the arguments to reach a conclusion. Wryly, I sometimes thought that the arguments justified my desire not to have spending limits on the general election campaign. Leaving aside the point of principle, we all believed that the practical difficulties were such that there was no case for recommending spending limits.

Let me list some of my objections. The first is an objection of principle. Without taking sides in the euro debate, I refer to the issue of the referendum on the single currency. Clearly, that is a crucial national decision, which is, in theory, irreversible. Because of the key importance of that national debate, is it right to set a limit that is less than a company's yearly spending on

marketing detergents? It is astonishing that we cannot even spend as much as is spent on the marketing of one domestic product on that critical national decision.

The nation, not Parliament, is making the decision. In theory, it will be a permanent commitment—unlike a general election, when the nation can change its mind after four or five years. The measure is an unwarranted restriction on, and interference with, freedom of speech and debate on that crucial issue. That is the point of principle.

The practical issues point in the same direction. By and large, a general election is fought by political parties with well-established machines and structures, and expertise in matters such as electoral law. Parties have professional management and staff, who are skilled in dealing with issues such as the control of expenditure, the management of limits and related accounting problems.

That will not happen in a referendum campaign. It may happen for the political parties, but other organisations—whether official ones to which Government funding will be attached or those others listed in the Bill—will be rapidly put together. They will be united by only one thing—the side for which they are fighting in the campaign.

Those units, parties or organisations will hold different points of view. At best, they will have only six months to sort out all the complications of controlling expenditure and managing the limits. In practice, it will not be possible for them to do that. There could be many unintended, innocent breaches—especially in the early stages of the campaign.

The Neill committee dealt with that matter in paragraph 12.46 of our report, which was quoted by my right hon. Friend the Member for North-West Hampshire. The committee's case was based on a long argument, but it is succinctly put in the report. We pointed out that a referendum campaign is not like a general election; it is

"more like a free-for-all. Anyone can participate. Many do. The political parties may, or may not, be the principal contestants"—

or may be only in part.

The report continued:

"It is often not known long in advance whether a referendum will take place."

The six-month period that will apply will come upon one suddenly. As I pointed out, those on both sides of the campaign may never have worked together before and would not have the structures to control the machine. Sometimes they might be unwilling to co-operate on expenditure. It would be impractical to undertake such a commitment. The committee summed up the point by stating:

"Adequate accounting procedures would often be impossible to put in place. The administrative apparatus required would resemble one of Heath Robinson's most outlandish contraptions—and would almost certainly not work."

It is not right to introduce an unworkable proposition, which has criminal penalties attached.

When we discussed clause 110, I raised the issue of criminal penalties. I do not refer to the difficulty of recruiting treasurers for political parties. My point is that it will be difficult to recruit someone to take on that key role in an organisation that has been hastily brought together for one particular purpose, for only a short time. If that person does not have the machinery to control the organisation, he will be liable for criminal penalties.

Third-party groups are difficult enough to control in a general election, although that is crucial when there are expenditure limits. It will be much more difficult to control them in a referendum. There will be many little ad hoc groups. The amoeba principle has been referred to in other debates—there will be many ways to breach the limits by setting up different organisations with different names. In effect, the limit will not be properly adhered to in any case.

My colleagues have already referred to unfairness, which is another crucial element. Of course, it is true that there is no way that we can achieve total fairness on expenditure either in a general election or in a referendum. We all agree on that, and my right hon. Friend the Member for North–West Hampshire made that point clearly in his speech. It is important that there is fairness in terms of Government expenditure, and that point has been agreed. It was clear to us on the Neill committee that that point was so important that it should have been applied in earlier referendums. For example, if there had been Government funding for both sides in the Welsh referendum, I suspect that the Government would have been spared a great deal of their current embarrassment because we would not have a Welsh Assembly.

Another aspect of unfairness is the undue emphasis given to political parties in a referendum, which is the point that my hon. Friend the Member for West Worcestershire (Sir M. Spicer) has just made. I do not understand why the funding should be based on political parties.

Mr. Brady: Did my right hon. Friend and his colleagues on the Neill committee consider the situation that appertained at the last general election? A political party attracted quite a large number of votes, but it had no position on the European issue. I refer to the Referendum party, which wished to have a referendum but did not take a stance as to whether one should vote yes or no in it. The people who voted for the Referendum party would properly accrue a share of the expenditure limit in the same way as others, but that party did not adopt a position on the issue.

Mr. MacGregor: We did not consider that issue, but my hon. Friend makes a point. I am sure that there are many other issues that we did not consider which point in the same direction.

I acknowledge that the formula has been improved since the original proposal to which Lord Neill objected and about which he wrote to the Home Secretary. However, it is still far from satisfactory. It could lead to a manifestly unfair outcome with four of the political parties perhaps being on one side in the referendum, with only one on the other. I do not see why we should set up a formula that is weighted in that way, but that will happen because the formula is weighted towards the political parties.

There are many reasons why we should reject the clause. It will clearly give the Government an advantage in whatever position they wish to take. Let us assume that there is a six-month period for the referendum campaign. The Government will still be allowed to campaign with substantial funding for five of those six months, whereas all the others will be constrained during the six months by the limits that apply to them. That is another element of complete unfairness.

[Mr. MacGregor]

I return to the position that my right hon. Friend the Member for North-West Hampshire and the Neill committee have held about expenditure limits generally. The proposal is wrong in principle and unworkable and there is not another solution available. The right thing to do is to reject the clause.

Mr. Stunell: The Conservatives' arguments on the clause and schedule 13 are misconceived. I shall illustrate why I think that is so and I invite them to consider what would happen if they were successful in rejecting the clause.

What the clause proposes and the schedule puts in place is not an absolute limit on the spending that will be available to any particular side in any particular referendum campaign. They limit the amount that individual participants can contribute to that campaign. A campaign that attracts funds from many participants—political parties, manufacturing industry and trade unions—can receive as many contributions from those bodies as it can accumulate. The Bill places a ceiling on the contributions of each of those bodies, but as far as I can see, there is no provision for a global ceiling for any campaign seeking a particular outcome in a referendum.

Mr. MacGregor: Does that not make a nonsense of having a ceiling at all?

9.15 pm

Mr. Stunell: I shall perhaps illustrate that it does not, although I do not know whether that will be to the right hon. Gentleman's satisfaction, but I shall first develop my argument a little further.

The debate so far suggests that the Bill provides not so much for a limit as for a grant, so that money will be given which can be spent to the set limits. That is not the case.

If we adopt the scheme in the Bill and Conservative Members' assumptions are correct, the Conservative side—let us call it that for the sake of argument—in a euro debate would be able to attract a ceiling of £10 million. That would consist of £5 million for the umbrella body and £5 million for the Conservative party, being one that scored more than 30 per cent. of the vote in the previous general election.

Conversely, the other side of the debate would attract a ceiling of £5 million for its umbrella organisation. It would also attract £5 million for the Labour party, as one that got over 30 per cent. of the vote at the previous election, and £3 million for the Liberal Democrats. If Conservative Members' assumptions about other parties in the House are right, seven other parties would be able to attract ceilings of £500,000 each. The total ceiling for that side of the debate would be £16.5 million, compared with the total ceiling of £10 million for the Conservative side.

It has been said that that is where the unfairness lies, but that is not the case. What other options are there for a no campaign that wants to spend over £10 million? It can recruit any individual, company and unincorporated association prepared to contribute up to £500,000.

Mr. Swayne: It is of course possible for a handicapped horse to win a race, but it nevertheless begins with a handicap. That is the position that the hon. Gentleman seems to be espousing. It might be possible for a political party to overcome a handicap, but it is still unfair that it should start with one.

Mr. Stunell: That is where the Conservatives have got the whole argument fundamentally upside down. It is not a question of whether a political party is handicapped, because as the hon. Gentleman rightly pointed out earlier, the various parties have different views within them, and it might well be that a party was committing to the argument a sum that fell a long way short of the amount allowed by the expenditure ceiling. If there were serious internal divisions, the party's fund-raising attempts and the determination of its executive to apply the funds to a particular cause might be inhibited.

Sir Michael Spicer: The point is not that political parties would be handicapped—we have been arguing that the emphasis should not be on political parties—but that a particular side of the argument would be handicapped, as the hon. Gentleman has rather brilliantly explained.

Mr. Stunell: Let me develop my point a little further. There is such a fundamental disconnection between the arguments being put by the Conservatives and real life that it will take a while to explain it. We have not yet considered the situation of the Democracy movement, which is not part of the calculation at present, the UK Independence party, or any other extraparliamentary party which is now represented in the European Parliament and possibly elsewhere. There will be other participants in the campaign and each will have a limit on its spending. That is what the Bill proposes.

I ask Conservative Members to address themselves to the unfairness that would be generated if we accepted their scheme instead. The view that the Conservatives have presented to the Committee is that there should be no limit on the spending of any political party in any referendum. There would therefore be no limit on the expenditure of every one of the nine non-Conservative parties represented in this House. Let us suppose that every one chose to spend as much on a referendum campaign as the Conservatives spent on the general election campaign—£28 million. Under the Bill, the anti-Conservative forces would be restricted to spending £16.5 million, but under Conservative proposals, £250 million would be the barrier.

The Conservatives will say that the Liberal Democrats would never spend £28 million. That is precisely my point. The legal limits in the Bill cap the expenditure of any participant in a referendum campaign but would not limit expenditure of one side of the argument as a whole. That seems fairer and less unequal than Conservative proposals.

The right hon. Member for South Norfolk (Mr. McGregor) said clearly that he was opposed to any financial limits for general elections or referendums. We really must decide whether we prefer to use the word "referendums" or "referenda". *[Interruption.]* Typically, the Government have one view and the Opposition another.

Sir Patrick Cormack: Stick to the Latin.

Mr. Stunell: If I recall Standing Orders correctly, I believe that I am required to speak English in the Chamber.

I take a different view from the right hon. Member for South Norfolk. We must create a more level playing field; we need more balanced legislative requirements. That is why the Liberal Democrats have throughout supported the principle of a limit on national expenditure in general election campaigns, and why we certainly support introducing limits on expenditure in referendum campaigns.

Let us be clear: the Bill—I am not sure whether it is the Government's intention—prevents one participant on one side of the argument distorting the value and impact of a campaign by jacking in £28 million, or whatever the sum might be. A large amount of money can be spent, but only if a wide range of bodies and organisations are committed to one cause. That is an appropriate way forward.

It has been argued that one poor, impoverished, unsupported political party, isolated and marooned, carrying the flag for a point of view in a referendum, could be overwhelmed by Scottish and Welsh nationalists and Liberal Democrats, all of whom will have pumped large sums of money into the campaign. What world do people who present such arguments inhabit, for goodness sake? It is not like that at all.

Mr. David Rendel (Newbury): I wish it were.

Mr. Stunell: We certainly do. I would love to regale Members with some of the stories that have come out of our proceedings upstairs. My local party does not have a budget of £250,000 a year, although I know one or two local Conservative parties that do—and good luck to them.

Let us please keep in touch with the real world and understand what the Bill does and does not allow. It does not put the Conservatives at a disadvantage. It introduces sensible limits, which the public are expecting this House to set. Indeed, they would be disgusted with us if we failed to do so. The limits will protect democracy in future and, in due course, benefit the Conservative party just as much as they will any other political force inside or outside this House.

Mr. Swayne: I shall try to reconnect the hon. Member for Hazel Grove (Mr. Stunell) with reality. I noticed that during his powerful speech, he did not address himself to any of the arguments made by the Neill committee, which set out the reasons for not having such limits.

It is nonsense that the amount spent by a political party in a referendum campaign should be linked, as it is in schedule 13, to the proportion of votes cast in a preceding general election. A general election is a referendum, so to speak, on any number of issues. People do not have the single-issue focus that determines their vote in a subsequent referendum. Indeed, they may well support a political party in a general election for a particular reason, while being wholly opposed to that political party's stance on the issue that is the subject of a subsequent referendum.

Political parties recognise that and play it for all it is worth, as we see from the spin being put out for the next general election. The governing party is determined that the next general election should not be a sterling election, because it recognises that at present 69 per cent. in the opinion polls are deeply anxious about the prospect of sterling being abolished. The Government therefore want to make it clear that the next general election is not about that. It is about any number of other issues, and that topic can be addressed subsequently in a single-issue referendum.

Of course, that is entirely disingenuous to the voter, whose vote at the general election will determine the expenditure of a political party at the subsequent referendum. The logic of that is monstrous—that someone who is wholly opposed to a political party's stance on the referendum issue should, by casting his vote for that political party quite properly on other issues at a general election, nevertheless play a part in determining the expenditure permitted to that party at the subsequent referendum.

Mr. Stunell: I am not sure whether the hon. Gentleman is following his own logic. Is he saying that he would be happier for that party to have no limit on how much it pumped into a campaign with which that voter disagreed, or that he would prefer to have a limit? He seems to be arguing in favour of a worse evil than the one about which he is complaining.

Mr. Swayne: No. I believe that the logic of the clause is monstrous, and I do not want the clause or the schedule in the Bill at all. I shall vote against them.

Mr. Mike O'Brien: Argue that.

Mr. Swayne: I am arguing it now.

The Minister is aware that there is an issue with respect to parties being split. It has been drawn to our attention by the Neill committee. I suggest that one of the reasons for calling referendums is the fact that parties are split on the issue.

Mr. Stunell *rose—*

Mr. Swayne: Let me answer the hon. Gentleman's last point, before he makes his next one.

It may be more logical than the position set out in the clause to argue that political parties have no right to spend any money on a referendum campaign, because the purpose of a representative democracy is that political parties, on the strength of their votes, should determine the issues on the basis of arguments presented in the Chamber.

It seems to me more logical that the political parties, having handed that decision to the people in direct democracy rather than representative democracy, should stand back and spend nothing as political parties, but allow everything to be carried forward under the umbrella campaign. That is not what the clause states, which is a powerful reason for voting against it.

Mr. Stunell: I thank the hon. Gentleman for giving way. He seems to be moving round to my position that there should be a limit; he just thinks that it should be set at zero, not £5 million. How can he be happy for the Labour party, for instance, under the strict control of the Prime Minister, to be committed to spending, say, £26 million, as it did in the general election, in order to support a yes vote? Would

[Mr. Stunell]

he not prefer the Labour party to be limited to spending only £5 million in support of a yes vote, or zero, as he now seems to be offering the House?

9.30 pm

Mr. Swayne: The hon. Member for Hazel Grove illustrates effectively the problem of setting any spending limit in a referendum campaign. The Neill report makes that point. As the hon. Gentleman showed in his critique of my arguments, there are many different ways of reaching a position. The clause should not remain in the Bill. One could use any number of different logical arguments to support that view.

Mr. Brady: If the Labour party were prepared to be honest, and to campaign vigorously in a general election for a yes vote on the euro, there would be some merit in the clause because its vote in the general election would be so greatly reduced that its expenditure in the referendum campaign would be much less.

Mr. Swayne: On fairness, I shall develop the point that I mentioned earlier about the necessity of political parties standing back from the fray. A useful example would be the referendum that we never had and should not have been denied on Maastricht. All the political parties were in favour of the treaty and they would all have spent up to their limit on promoting a yes vote. That is outrageous.

Mr. Mike O'Brien: I am following the hon. Gentleman's arguments with care, in so far as I am able; sometimes they turn in on themselves. It is interesting that one of the reasons for the hon. Gentleman's objection to the clause is that it does not prevent political parties from engaging in the debate. He suggests that it would perhaps be better to allow only umbrella organisations to fight a campaign, and that both sides should be equally funded.

We considered the hon. Gentleman's view, but the difficulty is that political parties may take a stand for or against a proposition for reasons different from other organisations'. They might not therefore agree with the arguments of an umbrella organisation. For example, the British National party might have different arguments from the Conservative party's about sterling.

Mr. Swayne: I accept that, but it applies to anyone in an umbrella organisation, not only political parties. I can accept the logic of different limits for different political parties, but it is monstrous for them to be determined by the number of votes that a political party receives in a general election, which is held on a range of issues.

There has been much talk about a European referendum. That is quite proper because it focuses the mind. However, let us consider other possible referendums. It is conceivable that we may have a referendum on independence for Scotland or Wales. After all, the governing party recently came fourth in a by-election in the Principality. At the election for the National Assembly for Wales, the governing party lost Islwyn, the former parliamentary seat of Commissioner Neil Kinnock.

The governing party may want to lance the boil of nationalism at some stage and reveal it for what it is by holding a single-issue referendum on independence. Under the proportions set out in schedule 13, £30 million would be spent on the side of keeping Wales in the Union, while the Welsh National party would spend only £500,000 against the proposition. That is monstrous. The same would apply in a Scottish referendum. The clause is manifest nonsense and should not stand part of the Bill.

Mr. Brady: I am grateful for the opportunity to contribute to this interesting debate and I am pleased to follow my hon. Friend the Member for New Forest, West (Mr. Swayne), who made some important points. At one point, I was tempted to change my stance because linking the sums of money that can be spent in a referendum campaign to a general election result might affect the way in which people vote in a general election. That might have some benefits. I wavered for a moment and the hon. Member for Hazel Grove (Mr. Stunell) nearly swayed me—I think unintentionally—but it is important to note that although the clause is ostensibly about fairness and striking a balance on expenditure and the conduct of a referendum, the detail does precisely the opposite in so many ways. As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) pointed out, there would be no restriction on the Government's expenditure for five months of a six-month campaign.

One can take that even further by thinking back to the admission made in the House yesterday by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leicester, East (Mr. Vaz), that considerable Government expenditure is already going into the beginnings of a campaign for British membership of the euro. The "Your Britain, Your Europe" campaign has already started, a campaign bus is going about the country and Ministers are addressing public meetings. That is all part of the softening-up exercise for a euro referendum. The Government are taking advantage of their freedom to spend public money on matters that may, over the medium term, influence the outcome of a referendum on the euro in the next few years. The failure to control Government expenditure makes the clause laughable as, apart from very close to the date of the referendum, it ultimately would not control what could be the most outrageous abuse in the whole referendum process.

Mr. Mike O'Brien: I hear what the hon. Gentleman says, but I would not want him to mislead the Committee. Is he sure that the Bill does not also deal with Government expenditure and the use of the civil service during the course of a referendum campaign?

Mr. Brady: During the immediate course of the campaign. We do not know whether the referendum will take place in two or three years or when the Government will press the British people to give up the pound, but at this distance we can already see public expenditure on a softening-up exercise on the wider issues related to the euro. The clause does not prevent that.

The detail of the clause is even more remarkable because the total lack of logic in the formulae that have been employed beggars belief, and I cannot see why the share of the vote at a general election should be the relevant measure for these purposes. My hon. Friend the Member for New Forest, West (Mr. Swayne) pointed out that there are good reasons why that may be anything but an adequate indicator of people's views or sympathies on a referendum on a particular issue such as the euro or,

as he said, independence for Scotland or Wales. All those issues can divide all parties in the House and the people of this country, but not in ways that are easily categorised according to voting behaviour at a general election.

There are other ways of arriving at a suitable split of the expenditure and we might refer to opinion poll ratings on a particular issue. On the euro, 70 per cent. of the British public would favour keeping the pound. I do not say that opinion polls would be the perfect measure for such an exercise, but they would at least be immediately germane to the specific issue in the referendum, whereas the previous general election may have no relevance whatever. Hon. Members have frequently chosen the euro as a good example, and a better measure for deciding the expenditure permissible in a referendum on the euro might be the share of the vote at the previous European election. That would give a different outcome.

In the north-west, where Labour has the large majority of parliamentary seats, it had only a minority of the vote in the European election. I strongly contend that that was a far better indication of the views of people in my region on whether we should give up the pound than was the vote at the last general election when, inevitably, many other issues were at stake.

I referred to the Referendum party in an intervention, so I shall not deal with it at length now. It shows that there is a fundamental flaw in the Government's approach of taking a share of the general election vote as the relevant measure for these purposes. How can that possibly be the appropriate measure, if a political party expressly does not take a view on an issue that may be tested in a referendum? How can it be right that the votes of those people who voted for such a party do not count in the distribution of funds for these purposes?

Mr. Stephen O'Brien: In addition to sharing a surname with the Minister, we are on opposite sides on the Committee considering the Freedom of Information Bill. Although that is a great pleasure, it is about as far as we go, as we do not share the same views on this clause.

Clause 111 goes to the heart of fairness in referendums. The provisions cover referendums for the United Kingdom as a whole and for parts of it. When considering the clause, it is useful to have in mind the forthcoming—sooner or later, we do not know—referendum on whether the United Kingdom should join the European single currency. That helps to highlight some of the issues. I hope that the Minister will be able to give the clarification and assurances that are required.

Under clause 98, permitted participants are either registered parties, individuals or entities duly declared and notified under clause 99. As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) said when we debated clause 110, the nominated person is the treasurer or deputy treasurer under clause 111(2)(a)(i), who can be guilty of an offence if spending is in excess of the authorised limit.

At the time a general election is called, the party association—or however else it is organised—is suspended, and the agent and candidate become legally responsible during the campaign. Under electoral law they have the authority to control expenditure, and they can insist that no further expenditure is incurred by the party for fear of it being counted as an electoral expense. It is not clear whether, under the Bill, that would apply to a referendum.

I understand why there has to be a difference. By definition, a referendum is a process apart from the broad general election, when a party and candidates are seeking a mandate. A referendum is necessarily a hived-off process. I realise that the thinking behind the Bill is an attempt to find an alternative to the well-established practice, which has much precedent, of the agent and the candidate becoming legally responsible for expenditure during a general election. If a referendum is called when the House of Commons is sitting, there must be a different process.

9.45 pm

As has been said, there is a lack of clarity. Many of the arguments and the expenditures—although not all—will be made by political parties in any referendum campaign. What controls are provided? This is the clause in which they need to be identified. What authority is given to treasurers to establish that a political party's expenditure to support its fund raising does not constitute part of its expenditure in support of the referendum campaign, and should not therefore count in terms of the limit?

The hiring of halls and catering facilities for fund-raising purposes might be considered to be de minimis, but we should bear in mind that most parties would seek—in general, and if they could do it—to spend to the limit in any referendum campaign. They would have the opportunity and, no doubt, the sense of duty to use all the resources at their disposal to put their case to the electorate. The Bill does not make it clear whether those expenditures would count.

This goes to the heart of what was said by my right hon. Friend the Member for South Norfolk. It is a worrying aspect of the attempt to attract and, in this instance, retain treasurers or deputy treasurers; and, given the criminal sanctions involved, it is particularly serious. The Bill does not seem to address the problem.

There seems to be a confusion between the duties of the Executive at the time of a referendum campaign, or when it is known that one is to take place, and the case being made in respect of the issue involved. The most graphic way of illustrating that is to imagine that a referendum is to take place on the same day as a general election. Indeed, we were given some indication that the Government had had that in mind. I hope that the Minister will explain how the clause in particular, and the Bill in general, would operate in such circumstances. I tried to read the Bill with that scenario in mind, and the result was very confusing. I hope that that does not merely reflect my own shortcomings; I genuinely believe that there are serious problems.

Paragraph 3 of schedule 13, which is linked to clause 111, provides for circumstances in which a referendum does not apply to the whole United Kingdom. My hon. Friend the Member for New Forest, West (Mr. Swayne) alluded to such circumstances. In the case of a referendum on electoral reform, there might well be dispute over whether Northern Ireland should be embraced. Under the Bill, however, the Secretary of State has total power to make provisions by order. That carries a grave danger, given that the Government would no doubt have an interest.

We need reassurance about the Secretary of State's powers to make an order in relation to that type of referendum procedure, given that it would relate to only

[Mr. Stephen O'Brien]

part of the United Kingdom, according to paragraph 3, which empowers the Secretary of State to make an order when that is the case. We need to know whether the Secretary of State's powers might carry some favourable prejudice on the part of the Government, who, no doubt, would have a view in regard to the referendum.

Listening to my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), I was reminded that the time limits prompt certain questions in relation to, for instance, a referendum on our entry into the single currency. At what point would the Government's national changeover plan expenditure qualify to be counted within the limits, or would the might of the Government's machine and of the parties that might support entry be in aggregate a built-in prejudice in favour of the argument versus those who take a different view?

I am trying to keep my comments brief in the interests of all Members who might want to add to the debate, but those issues go to the heart of democratic legitimacy. A referendum is intended, above all other things, to confer democratic legitimacy on an issue, particularly one in relation to constitutional arrangements. My concern is that with spending limits, particularly as highlighted by Neill, and with the Government's policy as stated both in the debate on Neill and today—they will try to insist on Government neutrality—we will not end up with a fair fight.

The clause does nothing to ensure a fair fight. It does not dispel the anxiety—irrespective of which side of the argument people are on—that the Government machine, coupled with parties in support of the Government's stated position, will invariably be able financially to outgun the opposing view. Therefore, I support the position of my party's Front-Bench team.

Mr. Mike O'Brien: It is the first time that I have had to follow the hon. Member for Eddisbury (Mr. O'Brien) in a debate on the Floor of the House, although we are in Committee. It is a pleasure to welcome another member of the O'Brien family to the Chamber. The O'Briens are still voting 2:1 for Labour, so the other side of the family—the black sheep of the family—will perhaps have to work a bit harder. He made a very good speech and raised some forensic points, which deserve much consideration. I should like to consider at greater length some of the finer aspects of the issues that he raised and perhaps write to him on some of them.

The hon. Gentleman asked about the responsibilities of treasurers. He pointed out that, in a general election, the agent in the constituency and the treasurer nationally would have responsibility, so what happens when we have umbrella organisations and what happens to the parties? The treasurer would still have responsibility for the expenditure of the parties, but the umbrella organisation would have to construct its own financial set-up, including a treasurer. Then we would have to ensure that some responsibilities attach to that treasurer.

I should like to consider further some of the hon. Gentleman's points, which may deserve some closer thought. He asked what would happen if a general election and a referendum happened on the same day. In that unlikely event, parts V and VII would operate. A registered party would need to submit separate returns for the campaign expenditure in part V and the campaign expenditure in part VII; but, again, the hon. Gentleman raised a number of issues. They suggest that he is right: if that happens, perhaps we will need further legislation to clarify some of the issues. I congratulate him on what was a very good, pertinent and, in many ways, most difficult speech; that is why I thought that I would get rid of his points at the start and then turn to the others.

Interestingly, one of the most complex issues was whether we should refer to these things as referendums or referenda. I am interested that it is the Labour party that has decided to use the English version and that the Conservatives seem to be using referenda, the European version—perhaps that says something about the debate.

For the benefit of those who may be watching us, it is likely that we may be in for a longer night than we had anticipated. Whether we will be able to vote at 10 o'clock is probably doubtful, but that will be a matter for you, Mr. Martin, and for the Committee.

Subsection (1) of clause 111 introduces schedule 13, which provides the expenditure limits on referendum campaigns. Therefore, that short subsection constitutes the outcome that the preceding provisions of part VI are designed to support.

The issue in this debate is whether such controls should be in place at all. I argue that the Government's position is based on principle and is not aimed at gaining any particular result from any particular referendum. We believe that if, as we have agreed, it is right and practical to control spending at major general elections, it is right and practical to control spending in referendum campaigns. As we have seen in previous clauses, it is no greater matter to establish a regime to fit a relatively brief referendum campaign than it is to activate the Representation of the People Act 1983 regime in relation to, for example, a Westminster by-election.

Although the need to avoid an arms race perhaps does not arise so acutely in referendum campaigns as in general election campaigns, nevertheless we believe that it is desirable to ensure that the outcome of a referendum is not unduly influenced by the often substantial sums that individuals or organisations may have at their disposal. Schedule 13, which we have attached to clause 111 and are considering in the context of this debate, provides the various limits that each organisation would be expected to observe in a referendum.

We believe that the Opposition's new clause 4 would send the wrong message to those who are considering the issues that we are debating. We think that the new clause is unnecessary and, in many ways, designed simply to give the Opposition a chance to have the Electoral Commission publish a report seeking to change the way in which referendum financing is organised.

The new clause, in addition to the Bill's provisions, would send to the Electoral Commission the message that Parliament was so uncertain about the controls that it had established that it wanted the Electoral Commission to re-examine those controls, perhaps even before they were put into operation. The Government, of course, believe that that would be a false signal.

The Bill gives the commission ample opportunity to comment on anything that it feels is not going well. It does not need the new clause to do that, and we do not want to send it the wrong signal. The Opposition may also feel that, as they do not like the provision in the Bill, they

could get a better deal from the Electoral Commission. We do not want them to abuse the Electoral Commission in that way.

We believe that it is simply undesirable to have referendums bought by those who are able to pay the largest sums. We have to seek to have some constraints. A referendum should, after all, be a decision by the people of Britain. They should decide what to do on the specific issue. However, if one side is able liberally to put its case, whereas the other side is restrained by the finances at its disposal—or if, as Conservative Members propose, there are no spending limits—we could end up with one side being able to drown out the views of the other side, deluging the public with their views and vast amounts of literature, to the exclusion of the other side of the argument.

If we are putting a question to the British people, we have to give them a choice, a balanced debate and a demonstration of fair play in which both sides are able to put their case.

The Opposition spokesman, the right hon. Member for North-West Hampshire (Sir G. Young), made three propositions. He said that we could have equal limits, no limits or some limits. I have already dealt with the proposition of equal expenditure in reply to the hon. Member for New Forest, West (Mr. Swayne).

We could have specified that there shall be equal expenditure by both umbrella organisations. The problem with doing so is that the umbrella organisations may seek to express their arguments in a specific way that is not supported by some of the major political parties supporting a no or a yes campaign. The parties may wish to express their own point of view, and we think that it would be wrong to seek to prevent them from doing so. As the Neill committee argued, it would be impractical to set an equal limit on both sides, but that does not mean that we should have no limits, because that would merely enable those who can spend the most to outshout—

It being Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Political Parties, Elections and Referendums Bill may be proceeded with, though opposed, until any hour.—*[Mr. Kevin Hughes.]*

Question agreed to.

Question again proposed, That the clause stand part of the Bill.

Mr. Mike O'Brien: I was saying that it would be wrong to enable one side to outshout, outspend or out-propagandise the other, because the people of this country, who might be being asked to make a judgment on an important issue, would not have a balanced argument put to them.

Having some limits would enable the debate to be balanced. Both sides would have an opportunity to put their case. The parties need not have identical limits imposed on both sides. We do not have a closed mind about the exact make-up of the limits, but our proposal would provide balance in the basic funding for the umbrella organisations and put limits on the other participants in the debate to ensure that everyone could participate.

Mr. Brady *rose—*

Mr. O'Brien: The hon. Gentleman has made his points and I shall try to deal with them. We are pressed for time and there are others who want to contribute on other clauses and amendments, so I shall make progress if he will allow me.

People want to be informed but they do not want to be deluged with propaganda by the richer side, or by both sides getting involved in an arms race to see who can put the most junk mail into people's letter boxes. They want a sensible debate in which both sides have sufficient funding to ensure that they can put their arguments forward.

We heard an important speech from the right hon. Member for South Norfolk (Mr. MacGregor), a member of the Neill committee. I shall deal with some of the points that he raised. In response to the White Paper, the Neill committee said:

"As a matter of principle we do not oppose the imposition of a cap on such expenditure. Our conclusion to the contrary was largely founded on practical considerations."

If it is practical, as the Opposition accept, to impose limits at a general election, it is practical to impose them on a referendum campaign. There are no new issues of principle.

The intention behind part VII is to ensure fair play in a referendum. There cannot be fair play if the campaign is skewed by wealthy individuals spending millions of pounds on one side. Provided that they do not attempt too much expenditure, the best way of creating as level a playing field as we can is by imposing limits on the umbrella organisations and the various other participants.

Conservative Members have pointed out that in the 1975 referendum campaign, Britain in Europe outspent the national referendum campaign by 20:1. The limits in the Bill restrict each umbrella group to £5 million. That is a significant improvement on the situation 25 years ago.

The right hon. Member for South Norfolk complained about foreign intervention in a UK referendum. If all spending controls are removed, foreign nations will have free rein to spend as much as they want. The scheme set out in the Bill imposes some constraints on that. The Conservatives should bear that in mind. They want to restrict the EU and the various umbrella organisations; they want to restrict everyone except the Conservative party. Labour and the Liberal Democrats are willing to accept limits. The only people who are arguing for unlimited funding are the Conservatives.

The right hon. Gentleman opposes limits in principle, but that was not the view taken by the Neill committee. He referred to the practical difficulties for campaigning bodies that may not be familiar with the rules, but the Neill committee recommended expenditure controls on third parties and elections. Neill acknowledged that there

[Mr. O'Brien]

needed to be appropriate restrictions. If such restrictions are workable for third parties at elections, they are workable for referendum campaigns.

Mr. MacGregor: I am sure that the Minister would acknowledge that that was not the position of the Neill committee in relation to referendums.

Mr. O'Brien: I said that it was the position of the Neill committee in relation to elections. The Neill committee opposed controls in respect of referendums because it did not believe that they would be practical. I repeat Neill's conclusion:

"As a matter of principle we do not oppose the imposition of a cap on such expenditure. Our conclusion to the contrary was largely founded on practical considerations."

If the practical difficulties can be addressed—we believe that they can—that argument falls.

The Conservatives are opposed to limits which ensure a balanced debate in any referendum campaign. They want to be free to buy their way to influencing the outcome of a referendum; they do not believe that there should be fair play, or that it is necessary. Our position is that limits are practical and enforceable; they enable free speech, the British tradition of fair play and both sides to have their say in a reasonably balanced way. The Tories may well defend the prerogative of the monied interest to buy the result that they favour. We want the British people to hear fully the arguments on both sides, and we trust them to make a judgment.

Sir George Young: We have had a good debate. If I may say so, that was not the most assured and confident performance that we have seen from the Minister.

The Committee has made good progress this afternoon. We had the emollient presence of the Parliamentary Secretary, Privy Council Office. Had he been replying to this debate, I am sure we would have made even more progress. It is like being questioned by two detectives: one shines a very strong light into one's eyes and the other offers a cigarette. Sadly, the one with the cigarette disappeared during this debate, and we were left with the hard man with the bright torch.

It is not the case, as the Minister asserted, that we want a debate in which one side can outgun the other. The Bill is likely to provide exactly the scenario that he said he did not want, for the reasons explained by my hon. Friend the Member for West Worcestershire (Sir M. Spicer), with the spending power outlined in the schedule.

Let me pick up on one or two points made by my right hon. Friend the Member for South Norfolk (Mr. MacGregor)—the voice of Neill. They are not Conservative proposals, as the hon. Member for Hazel Grove (Mr. Stunell) and the Minister keep saying. They are proposals from the unanimous report of the Neill committee. Ten people reached the conclusion that the Government's proposals are wrong and ours are right. It is misleading of the Minister to try to put them in a party political context when we are seeking to implement the recommendations of an impartial, neutral committee.

As my right hon. Friend the Member for South Norfolk said, some of the limits in the Bill will restrict spending on a decision of enormous importance to less than a company's marketing budget. That raises the issue of liberty. As my right hon. Friend said, we shall impose criminal penalties on a system that the Neill committee believes to be unworkable. A number of my hon. Friends pointed out that the formula in schedule 13 is unfair.

The hon. Member for Hazel Grove, who is against the proposals, described them as Conservative proposals. They are not just Conservative proposals; some Labour Members supported them on Second Reading. The hon. Gentleman sawed off the branch on which he was sitting. He was in favour of limits because it is possible to get round them. That was the nub of his argument. He wanted an overall limit on all expenditure, but that is not what the Bill delivers.

Mr. Stunell: I appreciate the right hon. Gentleman's critique, but he misquotes me. I did not say that I was against the proposals because they were Conservative proposals: I am against them because they are wrong.

Sir George Young: The hon. Gentleman described them as Conservative proposals, but they are not. They are the recommendations of the Neill committee and of the Nairne committee before that. The proposals as they now stand will cause the Government enormous difficulties. We believe that they are indefensible in theory and undeliverable in practice, and we urge the Committee to vote against them.

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 334, Noes 137.

Division No. 80] **[10.10 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burgon, Colin
Burnett, John
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom

Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela

Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londy)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and Mr. Peter Luff.

Question accordingly agreed to.
Clause 111 ordered to stand part of the Bill.
Schedule 13 agreed to.

Clause 112

CONTROL OF DONATIONS TO PERMITTED PARTICIPANTS

Question proposed, That the clause stand part of the Bill.

Mr. Walter: Clause 112 is incredibly short; it immediately refers to schedule 14, which is the next item on the selection list. It is impossible to consider clause 112 without a fairly detailed reference to schedule 14, so I apologise in advance if I stray into what might be a debate on the next schedule.

Schedule 14 states that it

"has effect for controlling donations to permitted participants other than registered parties."

When we read further into the schedule, it feels as though we are going around in a circle. Clause 112, taken with schedule 14, makes nonsense of this part of the Bill.

Part II of the schedule is headed "Controls on Donations". It states:

"A relevant donation received by a permitted participant must not be accepted by the permitted participant if . . . the person by whom the donation would be made is not, at the time of its receipt by the permitted participant, a permissible donor falling within section 48(2)."

We have referred to clause 48(2) at length in our deliberations. It states that a permissible donor is

"an individual registered in an electoral register; a company . . . registered under the Companies Act 1985 or the Companies (Northern Ireland) Order 1986, and . . . incorporated within the European Union; a registered party; a trade union . . . a friendly society . . . any other unincorporated association of two or more persons which carries on . . . activities wholly or mainly in the United Kingdom and whose main office is there".

Earlier provisions in the measure create a procedure whereby a permitted participant would not be eligible to be a permissible donor. It is okay for a foreigner, a foreign company or a foreign association to be a permitted participant in a referendum campaign, but heaven forbid that any of them should make a contribution to any other permitted participant because that would be an impermissible donation.

The Government need to reconsider clause 112 and schedule 14, because they make nonsense of this part of the Bill. They would create the ridiculous situation whereby foreigners could participate in referendum campaigns for whatever reason—earlier the Parliamentary Secretary, Privy Council Office told us that it is because of the European convention on human rights—but could not write out a cheque to other permitted participants, even if those permitted participants were themselves foreigners. We are in a tangle. I suggest to the Ministers that clause 112, and schedule 14 which hangs on it, should be reconsidered and even withdrawn.

Mr. Mike O'Brien: I have considered the points made by the hon. Member for North Dorset (Mr. Walter). The purpose of clause 112—like that of clause 111, but more so—is simply to introduce the schedule. The schedule controls donations to referendum campaign groups in much the same way that part IV of the Bill controls donations to registered parties. Those controls are important for the way in which campaigns are to be undertaken. They operate reasonably in general election campaigns and it is possible to apply them in referendum campaigns.

There is a difference between a foreign national spending money in his name and making a donation to a political party or to another player in a referendum. As my hon. Friend the Parliamentary Secretary, Privy Council Office explained, article 10 of the European convention on human rights would preclude undue restrictions on the amount that a person may spend to put forward his views. Such considerations do not apply to donations.

We want to apply regulation and a fair degree of control where we can. Where that is not possible because of article 10, we have chosen not to do so. That seems straightforward and reasonable. We do not need to withdraw the clause or the schedule.

10.30 pm

The hon. Gentleman makes essentially a technical point about the drafting. I shall consider it further, but I do not see any other way that we could have drafted the clause. He makes a not unreasonable point, and I shall reflect on it.

Question put and agreed to.

Clause 112 ordered to stand part of the Bill.

Schedule 14 agreed to.

Clauses 113 to 117 ordered to stand part of the Bill.

Clause 118

RESTRICTION ON PUBLICATION ETC. OF PROMOTIONAL MATERIAL BY CENTRAL AND LOCAL GOVERNMENT ETC.

Mr. Grieve: I beg to move amendment No. 54, in page 72, line 41, leave out "relevant" and insert "referendum".

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this it will be convenient to discuss the following amendments: No. 56, in page 73, line 10, leave out from "poll" to end of line 11.

No. 55, in page 73, leave out lines 19 and 20.

No. 57, in page 73, line 20, at end add—

'(5)(a) no civil servant or agency appointed by Government acting in an official capacity shall advocate any argument for or against any particular answer to any question in a referendum.

(b) in this subsection the term "civil servant" includes any person employed as a special adviser.'.

Mr. Grieve: We now come to an important clause that concerns the control of publications during a referendum. As it is drafted, it does not appear to reflect what Lord Neill said on the subject in his report.

Our amendments seek to rectify an omission and the Government's failure properly to reflect Lord Neill's recommendations. The starting point must be what the Neill committee said. As the Minister will be aware, it was concerned about the role of Government in the course of a referendum campaign. To put it bluntly, its view of the role that the Government played in the Welsh referendum was not complimentary. Given the comments about the referendum in Northern Ireland, I remind the Minister that it had equal anxieties about how the Good Friday agreement referendum was conducted.

I draw attention to the salient points on this subject in the Neill report. It says:

"Another important question concerns the role of the government of the day during a referendum campaign, especially when it will itself have called the referendum and will almost certainly have publicly declared a preference regarding the outcome. Our view is straightforward. We believe it is perfectly appropriate for the government of the day to state its view and for members of the Government to campaign vigorously during referendum campaigns, just as they do during general election campaigns. But we also believe that, just as in general election campaigns, neither taxpayers' money nor the permanent government machine—civil servants, official cars, the Government Information Service, and so forth—should be used to promote the interests of the Government side of the argument. In other words, referendum campaigns should be treated for these purposes in every way as though they were general election campaigns."

Mr. Tipping: It would help if the hon. Gentleman gave the reference.

Mr. Grieve: I apologise to the Minister. I should have thought that by now he would be very familiar with Lord Neill's report, but I accept that other members of the Committee may not be. I refer the Minister to paragraph 12.41.

As I pointed out, the report then discourses on past referendums with a critique that is not complimentary to Government roles. In particular, paragraph 12.43 criticises the conduct of the referendum on the Good Friday agreement in Northern Ireland, and contains quotations from those who felt that they were being emotionally blackmailed by the way in which the Government involved themselves and the government machine in it.

Lord Neill concludes in paragraph 12.44:

"We believe that it is extraordinarily difficult, if not impossible, for the government of the day to offer purely objective and factual information in the course of a referendum campaign, especially when, as will usually be the case, itself it is a party to the campaign. We believe governments should not participate in referendum campaigns in this manner, just as it would be thought to be wholly inappropriate during a general election campaign for the government to print and distribute, at the taxpayer's expense, literature setting out government policy."

Recommendation 89 says:

"The government of the day in future referendums should, as a government, remain neutral and should not distribute at public expense literature, even purportedly 'factual' literature, setting out or otherwise promoting its case."

With that in mind we turn to clause 118. It certainly makes a few concessions towards Lord Neill's recommendations, but the single most important and glaring omission is the identification of the relevant period of a referendum as merely the last 28 days of the campaign. That is not in the spirit of what Lord Neill intended.

As the Minister himself pointed out, there will be a minimum of 10 weeks—the period may be longer in certain circumstances—between the beginning of the referendum period and the date when the referendum takes place. It seems to us that that is the entire referendum period. It is wrong to say that the last 28 days of that period can somehow be separated from the rest.

The Government may have a role in initiating the referendum and putting into statute the necessary order or Bill for it to take place. Once that has been done, there should be an end to Government propaganda seeking a particular outcome. As I said earlier, one of the difficulties, which I do not necessarily attribute to this Government, is that there is ample evidence that referendums have in the past been used as instruments of tyranny, often by semi-tyrannical Governments of a populist bent.

Sir Patrick Cormack: Or really tyrannical Governments.

Mr. Grieve: I agree with my hon. Friend. I remember studying Napoleon III at university. I sometimes think that

[Mr. Grieve]

the Government, above all the Prime Minister, resemble Napoleon III more every day. His reign ended in disaster, but he maintained a populist Government by a series of referendum fixes that covered what was, in effect, his poor government. There have to be rules to make sure that there is proper, adequate debate when referendums occur.

Amendment No. 54 would change the "relevant" period to the "referendum" period, being the entire period within which the referendum will be taking place. I will be interested to hear from the Minister why the Government feel that only the last 28 days should be counted.

Mr. Bercow: That is when the browbeating will be done.

Mr. Grieve: Indeed it will, and I find it extraordinary that it will take place during the period in which the commission will be examining whether an organisation is favoured.

The party that is opposing the Government will always be at a disadvantage because only in the last 28 days can it be up and running as a separate umbrella organisation of equal status to those that are arguing the Government's case. In those circumstances, it is particularly important that the entire referendum period should be covered.

Mr. Hayes: My hon. Friend will be as familiar as I am with the debate on 10 April 1975, in which my hon. Friend the Member for South Staffordshire (Sir P. Cormack) raised precisely the same point in debating the timetable of the 1975 referendum and the opportunities that hon. Members who were active in that campaign would have to participate in that debate. We are witnessing a repetition of the concerns expressed so sagely on that occasion.

Mr. Grieve: I agree entirely with my hon. Friend. The situation is a little bizarre. We are setting up a framework that is designed to iron out problems that have caused public disquiet, yet on this critical issue we are failing to implement Lord Neill's recommendations fully. It is difficult to escape the conclusion—the Minister knows that in Committee we sought to take a non-partisan view of the matter—that the Government are introducing the provision only because they see some advantage from it. It is difficult to envisage why Lord Neill's proposals would not be implemented in full if the Government were neutral in their approach.

I shall not comment on amendment No. 16. Suffice it to say that it again addresses the funding problem concerning European Union institutions and foreign Governments. I shall be interested in the Minister's comments because my understanding is—[HON. MEMBERS: "It has not been selected for debate."] I apologise. The amendment is relevant, although I accept that the subject was dealt with. I shall move on.

Amendment No. 56 relates to a most curious state of affairs. Certain activities are prohibited during the relevant period, whether it be the relevant period as the Minister identifies it or the referendum period, as I would prefer it. One activity that is not prohibited is the issue of press notices by Government. How long is a piece of string? What is intended? Once one accepts that press notices that are relevant to the referendum may be issued, it is difficult to see how one is not preventing the possibility of Governments issuing propaganda on the question of the referendum result.

Before I am prepared to accept this provision, I shall need much reassurance from the Minister that the Government do not intend to create a loophole to enable them to put their view across. In those circumstances, I hope that he will give a positive response to its proposed deletion. I do not understand why the provision is included, unless there is some ulterior motive.

10.45 pm

Mr. Bercow: Can my hon. Friend confirm that line 11 on page 73 directly contradicts line 39 on page 72? Is it not extraordinary that in the space of only 16 lines, the Government have contradicted themselves? Does he agree that the purpose of the press releases that the Government will be entitled to issue is to influence the result? Clearly, they are not supposed to be about the merits of basket weaving or about the weather forecast.

Mr. Grieve: I try to be fair to the Government—

Sir Patrick Cormack: Do not try too hard.

Mr. Grieve: I shall not try too hard, but I have always tried to be fair to the Government in Committee, and I intend to continue.

I accept that a press notice covering, for instance, the formalities of the referendum may be perfectly in order. The times at which the polls will open and close are suitable, neutral matters for the Government to deal with. After all, they must implement and run the referendum, subject to the input of the Electoral Commission. However, as my hon. Friend the Member for Buckingham (Mr. Bercow) said, I do not see why press notices would be specified at all, except to provide a loophole. A press notice designed to encourage voting at a referendum would clearly be prohibited. I want to identify, with the Minister, what is intended in the clause.

Mr. Stunell: The hon. Gentleman is a lawyer of sound repute. Can he offer the Committee a legal definition of a press notice? Does he agree that interpretation of the provision is open-ended?

Mr. Grieve: I agree. That is precisely why I want to press the Minister. If he can satisfy me, I shall be reassured, but, having read the Bill, I am not happy with it, or I should not have tabled the amendment.

Mr. Nicholas Winterton (Macclesfield): May I try to help my hon. Friend? Is he not, like all Opposition Members, deeply suspicious of press notices? We seem to have a Government who govern by press briefings, formal or informal, and press notices. Is not that the real loophole?

Mr. Grieve: I agree. As matters stand, we might describe it as the Alastair Campbell loophole. I do not want such a loophole in the Bill, and I want it plugged now, rather than having serious disagreements with the Government later. As the Minister rightly says, this is a framework Bill designed to command widespread public acceptance.

Amendment No. 55 would delete "the relevant period", which is defined as 28 days. As I explained, we want Government propaganda to be prohibited during the entire referendum period.

Amendment No. 57 deals with the role of the civil service in the course of a referendum campaign and prohibits civil servants providing arguments for or against any answer to a referendum question. I accept that subsection (2) provides that

"any Minister of the Crown, government department or local authority"

shall not publish, display or distribute information, but that does not go far enough.

We are particularly concerned about the role of special advisers, who have always been a hybrid entity and whose activities in government are bringing them into increasing disrepute for receiving the taxpayers' money, but doing their political masters' bidding.

Mr. Mike Hall (Weaver Vale): What about your lot?

Mr. Grieve: The hon. Gentleman makes a reference to political advisers under previous Governments. He cannot escape the fact that the number of political advisers has increased exponentially under this Government. They are present in all Departments and their role, activities and failure to follow civil service rules have been questioned time and again by the press. I therefore recommend him not to pursue that argument from a sedentary or any other position.

Mr. Bercow: I endorse the thrust of my hon. Friend's comments. Does he agree that it is important that our amendment is not only intellectually robust—it is—but capable of being monitored and enforced? Does he accept that to enforce the restriction on special advisers, it will be necessary to put them all on a slow boat to China during any referendum campaign under a Labour Government?

Mr. Grieve: I am not sure whether exile to China is necessary; the amendments would do the job adequately.

I hope that the Bill will be a monument to the Government and that it will endure well beyond the time when the electorate throw out the Labour Government. After that, when I confidently believe that a Conservative Government will be in office, the rules that the amendment proposes would fetter that Government as effectively as today's Labour Government. That is the principal justification for ensuring that the Bill is neutral and fair, and protects the liberty of the people.

Mr. Owen Paterson (North Shropshire): My hon. Friend the Member for Buckingham (Mr. Bercow) referred to special advisers' travel plans. Does my hon. Friend the Member for Beaconsfield (Mr. Grieve) know that the travel bill for special advisers has increased by £500,000 in the past year?

The First Deputy Chairman: Order. We are straying from the amendment.

Mr. Grieve: I want to ensure that the referendum will be regarded as having taken place in a fair environment. The controls on publications under clause 118 are inadequate and do not reflect Lord Neill's report. I hope that, in the spirit of co-operation that has prevailed in our proceedings, the Minister will give the amendments special consideration. If he believes that I have made valid points, I hope that he will provide some reassurance, as he has done so often in the past, that they will be properly considered.

Sir Michael Spicer: The amendments and short debate are significant because the Government are not neutral in any referendum. That is crucial. A referendum on the single currency would never take place if the Government did not decide that they wanted to join it and therefore wished to put their view to the test. The Government are perhaps the major participant in such circumstances. It is therefore of paramount importance that they are on one side in a campaign.

Many of us have constantly stressed that the Bill is inadequate because it gives the Secretary of State too many powers and the commission too few. We have therefore been especially pleased to hear Ministers' constant assurances, especially those of the Parliamentary Secretary, Privy Council Office, who was described as the man who gives away the cigarettes. He has been especially good at saying that he will consider several of our suggestions to place the Government at one remove from managing the campaigns or the events that lead up to them.

The amendment is crucial, because if the Secretary of State is to be responsible for ensuring neutrality, setting the questions and all matters that significantly affect the campaign—even some funding matters—it is appalling that the Government should simultaneously be allowed to campaign until 28 days before the referendum. The amendment is a bit generous and 10 weeks is an extremely brief period in which to limit the Government's campaigning abilities, although it is certainly better than 28 days.

I am concerned even about a 10-week period, because, as my hon. Friend the Member for Macclesfield (Mr. Winterton) said, this Government above all have been shameless in the way that they use propaganda to further their particular cause. A recent example is the changeover plan, which they are already using as an instrument for anticipating the referendum on the single currency. They are pumping money into blatant propaganda that often appears in schools and places where they hope to influence people who will vote in a referendum in a few years' time.

We have only to read the pure party political propaganda that appears throughout the intergovernmental conference White Paper, which was published this week, to emphasise our concern that this Government above all cannot be allowed to manage the conduct of the referendum campaign in a so-called neutral way through the Secretary of State when they are also allowed to campaign right up to the last minute.

Mr. Nicholas Winterton: Does my hon. Friend agree that the propaganda in our schools to which he referred comes not only from Government circles, but direct from the European Union, albeit that it is paid for in part by our contribution to the EU? It comes from two different sources.

Sir Michael Spicer: I agree with my hon. Friend, which is why it would be nice to prevent the European

[Sir Michael Spicer]

Union from campaigning or influencing the campaign directly. We tried to introduce an amendment to that effect, but the nice guy who gives out the cigarettes assured us that that would be counterproductive. I think he meant that no one believes or trusts the EU so its intervention would be counter-productive, but I do not take that view. The money would be pumped in surreptitiously through third parties—we know that that is already being done. The Government should accept an amendment if they want to be fair and clear cut. Even at this late stage, I hope that they will see the force of our argument.

The amendment is related to the Government's involvement and I fully support my Front Benchers, although I would prefer an even wider restriction, as 10 weeks is a bit close to the event. However, it is better than 28 days, which is scandalously close given that the Government will manage large chunks of the referendum.

Mr. Stunell: It is a pity that a comparatively good case has been spoiled by some of the arguments. There are good reasons for challenging part of the clause and I want to do that, but we should not get too precious about the European referendum. I understand how important it is to Conservative Members, but whatever limits we introduce, those who want to promote a particular view will still do so in government or in opposition. If there are complaints that the European Union is sending literature to schools, there might equally be complaints that the Democracy Movement is sending literature to schools as well.

Dr. Julian Lewis: It is not.

Mr. Stunell: If the Democracy Movement is not sending literature to schools, it should start doing so and stop sending post cards to me. We cannot make Britain a politics-free zone in which one is not allowed to debate issues or attempt to influence views.

Dr. Lewis: The only snag is that a provision in the Education Acts prohibits the indoctrination of children in schools with partisan politics on politically controversial issues. If such literature is being sent to schools, it is breaking the existing law.

11 pm

Mr. Stunell: I rest my case. There is scope for educational material for and against a particular point of view being sent to schools. What use they make of it is another matter.

Given some of the comments that have been made, some hon. Members would obviously not like the subject of Europe to be discussed in any pub, school or workplace in the land, and believe that anyone who tries to do so should be stopped. They may want that, but this is not the Bill to achieve it.

I want to focus more precisely on what the clause does and does not do. I can make common cause with the hon. Member for Beaconsfield (Mr. Grieve) in some respects. When considering the impact of amendment No. 56 and its deletion of press notices from exempt materials that public bodies can distribute, what does the Minister believe a court would consider to be a press notice? Is it any piece of literature with the words "press notice" at the top? Is it a self-defining document? If so, is he happy with that? If there is some other definition of a press notice, will he put it on the record so that we know what it is? It is unsatisfactory to leave that loophole, especially in its present form. I am not a lawyer, but I do not think that there is a legal definition of a press notice. If there is one that does not arise from case law, it should be clearly stated on the record.

The general issue of when the moratorium on public bodies' advocacy of a particular course of action should start is complex. I would not be averse to an extension of the 28 days. The amendment does not do that with enough accuracy and certainty. There needs to be a date beyond which it is not proper for public bodies to disseminate such material. Four weeks is a short time, but it may not be too short. It could be from the date at which the umbrella organisations were approved by the Electoral Commission or some other prior date that was clear and gave certainty. I would be interested to hear from the Minister what could be achieved.

I come part way with the hon. Member for Beaconsfield on bringing forward the 28-day deadline. I am sympathetic to that view, but I do not think that his amendment quite achieves it. However, I am not with him on the political restrictions on civil servants. It is wrong for us to impose political restrictions on civil servants during referendums additional to those that are already in force. For better or for worse, Parliament has provided for the role of political advisers and their ability to operate under substantially more relaxed guidelines than those for civil servants in general in relation to political activity.

Mr. Grieve: I accept that the guidelines are more relaxed, but how are they to be exercised? Does the hon. Gentleman contemplate that special advisers should be allowed to make use of the civil service machinery for the dissemination of their views—which is what they are currently able to do—during a referendum?

Mr. Stunell: I am not entirely sure that the case has been made that that is different from civil servants exercising their views prior to a vote in the House on, say, a reduction in disability benefits, when quite clearly they are operating on behalf of the Government to develop public opinion and opinion in the House. I am not clear that there is a sufficient distinction that would necessitate those guidelines being varied, in particular for referendum campaigns.

Mr. Nicholas Winterton: Does the hon. Gentleman not differentiate between a vote in the House by Members of Parliament who have been elected to decide issues, and an election—a referendum—outside? Surely it is wrong for taxpayers' money to be used to influence people in the country. I understand its being used for that purpose in the House, but surely it should not be used for that purpose in the country, in a referendum.

Mr. Stunell: Some interesting points are emerging. Perhaps they should feature in a slightly different debate about what range of relaxations should be available to political advisers. There is nothing to stop a political adviser in any Department making comments in the four, or eight, weeks leading up to a local election campaign.

or a Scottish Parliament campaign, or a Welsh Assembly campaign—or, even more to the point, a London mayoral campaign.

At present, there is no such restriction, although it might be argued that there should be. I am not convinced that this is such a special case that we should treat it as such at this stage. There may be something to be said for the argument that is being advanced, but I do not think that we should load the issue simply because we do not want a particular view to be advanced about Europe.

Mr. Bercow: I am trying intently to follow the logic of the hon. Gentleman's argument. Is he saying that Ministers should be restricted in terms of their use of Government facilities and resources during the 28-day period of a referendum campaign, but that their political advisers should not be so restricted? That is an extraordinary proposition.

Mr. Stunell: It would be extraordinary if it were advanced, but I am not advancing it. Nothing in the Bill, or in precedent, prevents Ministers, in their party political role, from advocating a particular outcome during a referendum campaign. I do not see what point the hon. Gentleman is making, but if he concentrates even more intently on my argument, I am sure that he will be with me in the end.

The Government have a case to answer on the issue of constraining the output of public bodies. Press notices are certainly a weak link. I also think that we should consider whether the 28-day moratorium should be extended, and I would like to hear the Minister's view.

Dr. Julian Lewis: I was fortunate enough to be on the Standing Committee that dealt with other parts of the Bill. I congratulate the Government on having reserved the most controversial parts for the Floor of the House.

Mr. Tipping: The hon. Gentleman should be praising his hon. Friends on the Opposition Front Bench.

Dr. Lewis: I am delighted. That accords far better with my thesis, which is that the Government's proposals are incredibly unfair—which is why I thought it strange that they were willing to give this part of the Bill a wider and more public airing. Now that I have been informed that my hon. Friends on the Opposition Front Bench are responsible, I am even happier to congratulate them on taking the opportunity to bring these abuses more clearly to the attention of the public.

I am astonished at the difference in the atmosphere—the difference between the relative consensus on uncontroversial matters in the Standing Committee, and what is being proposed here. I well remember when the Home Secretary himself, on July 1997 in the House, compared Neill's recommendations with the Government's proposed responses to them. The one issue on which I felt it incumbent on me to intervene at the time was this very question of the 28-day limit on Government propaganda in favour of one side of the argument on a future referendum issue.

Clearly, the Neill committee was recommending that the Government should keep their nose out of referendum campaigns. Equally clearly, the Government want to observe only the tiniest part of the letter of that recommendation, while wholly ignoring the spirit of it. In any future referendum, whatever the topic, while Labour are in government, they intend to be able to spend as much public money as they like for weeks and months leading up to the crucial vote and to stop doing so a mere 28 days before the votes are cast. If it is wrong that Governments should be able to spend a great deal of public money during the last 28 days, it is equally wrong that they should be able to spend great quantities of public money for significantly longer periods, up to that tiny window of abstention just before the vote is cast.

Equally, as my hon. Friend the Member for Beaconsfield (Mr. Grieve) points out, why should it be the case that, throughout even that 28-day period, when even the Government are prepared to be a little abstemious in the amount of propaganda that they pump out to try to skew the referendum result, they are still entitled to put the words "press notice" on any further propaganda that they wish to issue, exploiting the loophole in the clause to persist pumping out their message right up to polling day, as far as I can see?

The point has been made: just as the use of public money to pump out literature is wrong, so the use of public money to pay civil servants to do the Government's partisan campaigning is wrong. I am concerned about the way in which the Government are trying to turn what was meant to be the cleaning-up of partisan distortions of referendum campaigns into something that is of advantage to the Government of the day.

Mr. Hayes: Contrary to the suggestion from the hon. Member for Hazel Grove (Mr. Stunell), is not the debate a fine opportunity to tighten up and straighten out the business of special advisers, about whom there is growing concern in terms of their political involvement? That would apply to a Government of any political persuasion. Is not the debate an ideal opportunity to assuage those concerns and fears by defining more clearly their role and limiting their involvement in such a political process?

Dr. Lewis: It is not only that. The point has been well made by the Conservative Front-Bench team that the matter will affect any future Government. It is like the introduction of a new weapon into warfare, even if it is only political warfare: people should realise what it will be like when that weapon is turned on them and the roles are reversed.

One day, roles will be reversed. I hope still to be in this place when that happens. I will remember the current debate and how the Government have conducted themselves when we hear the squeals of outrage from Labour Members on the Opposition Benches as we seek in government to exploit the very loopholes that they are wrongly building into the Bill. Rather than have such tit-for-tat abuse of the system, such mutual rejection of the spirit of the Neill proposals, I appeal to the Minister to observe on the Floor of the House the same spirit of compromise, consensus and fairness that he has observed elsewhere and at least to promise that, if we do not divide the Committee tonight, he will revisit the matter on Report and introduce more satisfactory proposals.

Mr. Paterson: I am grateful to you, Mr. Martin, for calling me in what is an important debate.

[Mr. Paterson]

If the clause stands, we will have an intolerable situation, given the extraordinary increase in the number of special advisers, whose main role is to pump out Government propaganda.

Mr. Nicholas Winterton: Party propaganda.

Mr. Paterson: Exactly. They are pumping out party propaganda and Government propaganda—which, in a referendum, as my hon. Friend the Member for West Worcestershire (Sir M. Spicer) said, will be the same thing. The Government will not initiate a referendum campaign if they do not want to win it.

11.15 pm

Before Christmas, I tabled a parliamentary question on the number of special advisers, and was told that, since the Government came to power, an extra 68 have been hired. However, in a previous debate, my hon. Friend the Member for Chichester (Mr. Tyrie) corrected me on that figure, and said that the number of additional advisers had risen to 77, who are costing the taxpayer an extra £1.8 million annually. In total, Government special advisers are costing the taxpayer about £3.9 million. As I said in an earlier intervention, their travel alone costs £500,000.

Special advisers are there not for nothing, but to put across the Government point of view. How much are the Government spending on publicity? Perhaps we should examine the three Departments that would be affected in a referendum campaign. Since May 1997, total publicity spending by the Foreign and Commonwealth Office has been £5,933,637, of which £44,067.39 has been specifically dedicated to spending on press releases. What about websites? The Department spent £554,097 on them. The Department spent £4,818,211 on something called "extra publicity". What is that? Did it have something to do with press releases? A cool £464,628 was spent on media advertising.

The Minister will have to tell us how that money for publicity is being spent. He will also have to tell us how the clause will operate. It would be intolerable if the sums that I have described were spent legally in a referendum by the Government, whereas—as clause 118 currently provides—those who oppose the Government in that contest would not have access to such funds.

Last year, the Scotland Office conducted a referendum. Since May 1999, its total spending on publicity has been £3.4 million—of which £119,000 was spent on press releases—whereas it has spent £808,000 on websites and £2.5 million on media advertising. Those are enormous sums, and they are at the disposal of politically dedicated outsiders who were brought in by the Government with only one purpose: to propagate the Government's point of view. That is what they will be doing in a referendum if clause 118 is not amended.

Mr. Bercow: Does my hon. Friend agree that any Government reckless enough to want permanently to abandon the national currency of an independent nation is inevitably prepared to resort to virtually any and every technique to get the result that they want? Is not the important point that legislation should protect the rest of us from those certifiable tendencies?

Mr. Paterson: As usual, my hon. Friend makes the most pertinent observation. The Government already, before a referendum, have the material means in their hands—they have taken on the personnel and have extraordinarily large sums—to propagate their own point of view. When the campaign comes, they will have not only the motive, but the means to put forward their view. Those who are opposed to the Government's position in the referendum will not only be short of means, but will be prevented, by an unamended clause 118, from competing with the Government.

Mr. Hayes: The evidence is clear. Neill examined the matter quite carefully, particularly the conduct of the referendum on the Good Friday agreement in Northern Ireland. Regardless of what one thinks of the Good Friday agreement—I think that most hon. Members support it wholeheartedly—Neill specifically criticises the Government for sending out copies of the agreement to every household, but not providing

"comparable provision—by way of core funding or anything else—for the opposition side."

The evidence is such that Governments, when they are completely committed to a case—to which hon. Members on both sides of the House may be committed—will push that case to its limits and not play an entirely straight bat.

Mr. Paterson: That was my next point. Since May 1997, the Northern Ireland Office has spent £4.8 million on publicity. Of that, £966,000 was on direct mail publicity. Every house in Northern Ireland was mailed with the Government's point of view during the Good Friday agreement referendum campaign. Whatever the merits of that campaign—most of us endorsed the agreement—we are making no provision for the opposite point of view to be put. Direct mail publicity would be Government propaganda, but it would come under the heading of press releases. It must be possible for the opposite point of view to be put.

I strongly endorse the amendment and I should like a clear definition from the Minister of what counts as a press release.

Mr. Tipping: I shall do my best to be emollient and reassuring, but, having heard the comments of the hon. Members for North Shropshire (Mr. Paterson), for West Worcestershire (Sir M. Spicer), for New Forest, East (Dr. Lewis) and for South Holland and The Deepings (Mr. Hayes), I fear that it will be an uphill task.

As the hon. Member for Beaconsfield (Mr. Grieve) pointed out in his well-balanced and well-judged contribution, the clause implements the Neill committee's recommendation that, at a certain point before a referendum is held, the Government of the day should stand back and leave campaigning to political parties and other campaign organisations. So far there is no argument. The Neill committee was particularly sceptical about material that has been circulated to the electorate very close to the date of previous referendums, and questioned the distinction between factual and persuasive material.

The clause implements the committee's recommendations by providing for a 28-day embargo on the issuing to the public of Government publications. The

hon. Member for Beaconsfield will not mind my saying that he built the foundation of his speech on the Neill report and quoted extensively from it. In its comments on the draft Bill, the Neill committee welcomed these provisions. For the sake of completeness, let me tell the Committee what Neill said. Rather than criticising our proposals, he supported them:

"We welcome your proposals on the part which should be played by the Government in referendum campaigns and your recognition of the importance of ensuring that there is a period immediately prior to a referendum in which, as you say, the Government of the day stands aside and the campaigning is left to the political parties and other organisations."

We have had an opportunity this evening to hear the remarks of the right hon. Member for South Norfolk (Mr. MacGregor), who is a touchstone for fairness in the House. On Second Reading he said:

"I am glad that the Bill includes the 28-day moratorium, which meets our point".—[*Official Report*, 10 January 2000; Vol. 342, c. 67.]

Far from being critical of the Government, the right hon. Gentleman, who is the Opposition representative on the committee, has endorsed our proposals. The hon. Member for Beaconsfield based his argument on Neill, saying that what was right for a general election should be right for a referendum campaign. I have had some research done on the subject and the purdah period for a general election campaign is almost identical to the 28-day period that we are advocating.

Amendments Nos. 54 and 55 would affect the period during which the restrictions apply. They are based on the proposition that if it is right for political parties and other campaign organisations to be subject to controls on expenditure from a date earlier than 28 days before the date of the poll, any controls on the Government should also apply from that earlier date.

My advice to the Committee is to reject the amendments. I fear that not all right hon. and hon. Members will take that advice, so I have the task of trying to explain my case. First, as well as relying on the support of Neill and the right hon. Member for South Norfolk, I should point out that the prohibition in clause 118 is absolute. No material of the kind mentioned in the clause is allowed to be published. Controls on political parties and other organisations, on the other hand, are not of that kind. For 28 days, the Government can issue nothing, but political parties can continue to put out material, so long as their expenditure remains within certain limits during the referendum period. The accounting responsibility runs from the start of the referendum period, but there is nothing to prevent parties and other organisations from beginning to spend their money from the start of that period if they so wish.

Secondly, it is unrealistic to expect the Government to be unable to put out material for the entire referendum period. As has been acknowledged during our discussions this evening, the referendum period could start while the Bill for the referendum was going through the House. It would be a remarkable situation if the Government could not put out material and information while the Bill was passing through the House.

Mr. Grieve: In moving the amendment, I pointed out to the Minister that, although it applied to the entire referendum period, there were alternative options, one of which was the 14-day period that preceded the 28-day period—the time when the Electoral Commission is selecting the umbrella organisations. Is the Minister willing to consider whether that period should be similarly covered, as well as the 28 days?

Mr. Tipping: Of course I am willing to consider the points that the hon. Gentleman makes, but I have a firmer and stronger argument. It could often be the case that the referendum period started while the Bill was before the House. Even extending the limits as he proposes would create real difficulties.

In respect of amendments Nos. 54 and 55, first, reliance on Neill is unfair and unfounded. Indeed, the Neill committee supports the Government. Secondly, the 28-day period is similar to the purdah period during a general election campaign—another point acknowledged by Neill. Thirdly, during the 28-day period the Government can put out no material at all, unlike the other campaign groups. Fourthly, and perhaps most important, it would be a strange state of affairs if the Government were passing legislation around the referendum, but were not in a position to put out information or promote their views.

Dr. Julian Lewis: I thank the Minister for his courtesy in giving way yet again. Will he refer to the point about press notices? When he says that the Government can put out no material during the 28-day period, what is there to stop them putting out material that would normally be caught by the prohibition, but getting round it by putting the words "press notice" at the top of it?

Mr. Tipping: I shall come to that point when I address amendments Nos. 56 and 57. I have tried to reassure the Committee, to be emollient and to say that amendments Nos. 54 and 55 are unnecessary.

The Neill committee was concerned that the Government of the day might—at public expense—distribute material, even purportedly factual documents that put forward the Government's case, that had the effect of influencing the vote. Clause 118 is intended to prohibit the distribution of such unsolicited material addressed directly to the public as a whole. To address the point raised by the hon. Member for New Forest, East (Dr. Lewis) clause 118(3) provides for certain exemptions to the overall prohibition. Those exceptions are entirely consistent with the basic proposition that the Government of the day should not be able unfairly to influence the conduct of a referendum campaign.

11.30 pm

Amendment No. 56 deals with press notices. The hon. Member for Hazel Grove (Mr. Stunell) asked me to define a press notice—and the hon. Member for New Forest, East repeated that request. A press notice is a notice issued to the press. I know that the hon. Member for Hazel Grove is keen to pin those issues down and, since he spoke, we have been trying to identify a statutory definition of a press notice, but I am afraid that none exists. Under clause 118(3)(d), the Government of the day would continue to be able to issue press notices, but that does not represent an attempt to circumvent the basic principle behind the clause.

The point of the restrictions is to prevent the Government distributing directly to the public, but the press should continue to be able to demand information

[Mr. Tipping]

from the Government. Information contained in a press notice will be subject to the scrutiny and comment of the press before it reaches the public. During the purdah period, the press will approach the Government and it is appropriate that they should be able to respond. The press, as always, will make what they can of the press notice, and one of the issues the press will consider is whether the Government are attempting to engineer the situation during the purdah period.

Mr. Nicholas Winterton: The Minister is being emollient and is seeking to answer the genuine concerns felt by Opposition Members, but can he say whether the press notices—which, as he has stressed, are for the press—will be put on the website? If so, they will be available to everyone, and that could create much unfairness.

Mr. Tipping: The hon. Gentleman leads me into a difficult area, because one of the issues that the Committee has considered—to which there is no easy solution—is that, prior to the referendum, the Government and other parties will have put material on websites. When the referendum starts, everyone involved will have a backlog of material on their websites that cannot be withdrawn. That is a real problem which the Committee has discussed and the Government are considering.

Amendment No. 57 concerns the role of civil servants.

Dr. Julian Lewis: Let us suppose the Government were to issue a substantial publication and call it a press notice. As it had been issued as a press notice, what would stop the Government supplying a copy to anybody who wanted one or supplying many copies to organisations that wished to distribute them to others?

Mr. Tipping: The hon. Gentleman has the habit of shining a light into dark corners and discovering what is not really there. It would be faintly ludicrous deliberately to do what is outside the rules of a campaign that is being scrutinised by the press. Moreover, publishing the press notice in the way he described would be against the rules for civil servants.

Mr. Paterson: The Minister is trying to be emollient and has been generous in giving way, but he is being naive. The figures that I quoted show that press releases represent only a small portion of the budget. For example, the Foreign Office spent £44,000 on press releases, but £4.8 million is provided for what is called extra publicity. If the press were to pick up that extra publicity, that would be an enormous weapon in the Government's hands.

Mr. Tipping: The hon. Gentleman made a similar point earlier about special advisers. It is a bit rich for Conservative Members to criticise such advisers, when the Government—at Opposition Members' request—has increased by 270 per cent. the help available to Opposition parties. I have been called emollient, so I can tell the Committee that the Government will respond to another Neill report on special advisers in due course.

Amendment No. 57 has to do with the role of civil servants. The position is clear: if people ring the Government during a referendum campaign and ask questions, it would be appropriate for civil servants to send them material. That is the purpose of this part of the Bill. A strong code of practice exists for the civil service, and it has been sharpened over time.

The Government have done their best to balance this issue. They studied the Neill report for a long time and responded to it. Neill has praised the Government and has acted to ensure that the Government do not put out material. He has also acted to ensure that civil servants are not involved in the debate.

Mr. Nicholas Winterton: The Minister is trying hard to answer the concerns raised by Conservative Members. He mentioned the historical impartiality of the civil service, which is much appreciated. However, if a person asked questions about the single currency, would the civil service send both sides of the argument in answer to those questions? Or if the Government supported a single currency, would they send out only the Government's side of the argument?

Mr. Tipping: The civil servants would send the factual material produced by the Government. They would not take a partisan view, as that is proscribed by the sharpened code of practice. The Government are trying to do their best in what is a very difficult area, and I consider that the Bill already meets the questions raised by the amendments. I therefore hope that the amendments will be withdrawn.

Mr. Grieve: The Minister will appreciate the strong views among Opposition Members on this issue. If they want to continue in the spirit of consensus that obtained in Standing Committee, the Government would be well advised to examine the clause very carefully once more.

The Minister indicated that he was prepared to consider whether another period might be included within the period of purdah. I draw some slight comfort from that. He made the valid point that the extension from when debate starts in this House, for instance, might be excessive. However, we are worried that the 28-day period on its own will be insufficient. The particular mischief is that there will be a preliminary period, in which the campaign that will be set up in opposition to the view that the Government want to put forward, but which they will subsume into their own campaign organisation, is not up and running because it has not received validation from the commission. That is a particularly sensitive period and the Minister should consider it carefully. I hope that he will; if he does not, I think that the issue will be revisited, because we feel extremely strongly about it.

The Minister has provided some reassurance on civil service impartiality and the role of special advisers, but I have anxieties about the press notices. The hon. Gentleman admitted that they would be to the press, giving what can only be described as the Government view. I simply do not see how, once that has been done, the purdah period applies. The press will be reporting that the Government have said this, that or the other on the subject of the referendum, and will give their views on it. That is a dangerous area, and I urge the Minister to reconsider it as well, if only to qualify what the press notice should consist of.

The Minister quoted Lord Neill as saying approvingly, when he had seen the Bill, that he believed that it implemented what he had been hoping for. I appreciate

that these things are always difficult, but comparing the report with the clause, I see many deficiencies in the clause as drafted. However, Lord Neill may have been pleasantly surprised that the Government were prepared to implement even one iota of his recommendations, because he proposed some revolutionary changes in the way in which Governments approach referendums. The Bill will certainly do away with some of the worst excesses of what happened in the Wales referendum and, I regret, the referendum in Northern Ireland, even if I supported the Government on their aim in that matter.

Mr. Hayes: My hon. Friend is right that the Neill report seems to be at variance with what the Minister said, particularly on the issue of civil servants, although the hon. Gentleman was the personification of emollience. The report says that civil servants, official cars, the Government information service and so forth should not be used to promote the interests of the Government's side of the argument. The Minister talks about civil servants answering telephone calls and reacting to inquiries. Surely that is at variance with what the Neill report expressly recommended.

Mr. Grieve: I agree with my hon. Friend that it would undoubtedly be at variance if civil servants put over anything other than objective factual material on the progress of the referendum. I think that the Minister can cure the problem if he defines press notices properly. On its own, the provision is extremely ambiguous; it is open to misinterpretation and misunderstanding. I ask the Minister to look at that issue particularly carefully. He could provide considerable reassurance, while still allowing the Government to perform a neutral information role which it is certainly not our intention to prevent.

We are very concerned about the provision. We will not press the matter to a Division this evening—I do not wish to take up the time of the Committee unnecessarily. However, I assure the Minister that the issue will not go away. He has had an opportunity to hear something about the strength of view on this side of the Committee. Although we will continue to listen to his submissions in a spirit of co-operation and will try to understand the thrust of what he is saying, we are not yet satisfied nor, I think, are we likely to be satisfied as the matter stands. Subject to that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 118 ordered to stand part of the Bill.

Clause 119

OTHER PUBLICATIONS TO CONTAIN DETAILS OF PRINTER AND PUBLISHER.

11.45 pm

Question proposed, That the clause stand part of the Bill.

Mr. Stunell: I shall say only three sentences—perhaps two if hon. Members are lucky. I remind the Minister that subsection (4) includes a phrase relating to the last page of the document and its imprint that is similar to one that we discussed earlier. I would be grateful if the Minister gave the same consideration to that point as he did in our earlier debate.

Mr. Tipping: I gave an undertaking to consider a similar provision; we shall do so. If we make amendments to an earlier clause, there will be consequential changes to clause 119.

Question put and agreed to.

Clause 119 ordered to stand part of the Bill.

Clause 120

REFERENDUM CAMPAIGN BROADCASTS.

Question proposed, That the clause stand part of the Bill.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am sorry to rise on what is, in essence, a technical point, but such matters should be addressed in Committee.

I have no objection to the prohibition on the broadcasting in broadcasting services of contemporaneous referendum material. That is right and one cannot object to it.

What troubles me is that clause 120 seems to prohibit a broadcaster, who wanted to take an historical view of the way that referendum campaigns had been carried out over some time, from broadcasting long after the original broadcasting material had been published. That seems to be a serious restriction on free speech. It would prevent broadcasters from analysing the material several years after the original broadcast. It is possible that I have misread the clause, but I do not think so.

Mr. Mike O'Brien: I hope that the right hon. and learned Gentleman has misread the clause; it is not intended to do what he describes. I will consider the point that he raises and write to him about it. If it is necessary to amend the clause because it would have the effect that he claims, we shall consider doing so.

Question put and agreed to.

Clause 120 ordered to stand part of the Bill.

New Clause 1

CHIEF COUNTING OFFICERS, AND COUNTING OFFICERS, FOR REFERENDUMS

'CHAPTER IV

CONDUCT OF REFERENDUMS

.—(1) This section has effect in relation to any referendum to which this Part applies.

(2) There shall be a Chief Counting Officer for the referendum, who (subject to subsection (8)) shall be—

(a) the chairman of the Commission, or

(b) if the chairman of the Commission appoints some other person to act as Chief Counting Officer for the referendum, the person so appointed.

(3) The Chief Counting Officer for the referendum shall appoint a counting officer for each relevant area in Great Britain.

(4) The local authority in the case of each such area shall place the services of their officers at the disposal of the counting officer for the area for the purpose of assisting him in the discharge of his functions.

(5) Each counting officer shall, as respects the votes cast in the area for which he is appointed, certify—

(a) the number of ballot papers counted by him, and

(b) the number of votes cast in favour of each answer to a question asked in the referendum.

(6) The Chief Counting Officer shall certify—

(a) the total number of ballot papers counted, and

(b) the total number of votes cast in favour of each answer to a question asked in the referendum,

in the whole of the referendum area.

(7) Where two or more forms of ballot paper are used in the referendum, a separate number shall be certified under subsection (5)(a) or (6)(a) in relation to each form of ballot paper so used.

(8) Where the referendum is held in Northern Ireland, the Chief Electoral Officer for Northern Ireland—

(a) shall be the Chief Counting Officer for the referendum if it is held only in Northern Ireland, and

(b) in any other case shall be treated, for the purposes of subsection (5), as if he were a counting officer appointed under this section for the whole of Northern Ireland.

(9) In this section—

(a) "relevant area in Great Britain" means any of the following—

(i) a district in England or a London borough,

(ii) the City of London (including the Inner and Middle Temples), the Isle of Wight or the Isles of Scilly,

(iii) a local government area in Scotland, or

(iv) a county or county borough in Wales,

where it is comprised in the referendum area;

(b) "the local authority"—

(i) in the case of an area falling within paragraph (a)(i), (iii) or (iv), means the council for that area, and

(ii) in the case of an area falling within paragraph (a)(ii), means the Common Council of the City of London, the Council of the Isle of Wight or the Council of the Isles of Scilly, as the case may be;

(c) "the referendum area" means the parts or part of the United Kingdom, or (as the case may be) the region in England, throughout which the referendum is held as mentioned in section 95(1).'.—*[Mr. Mike O'Brien.]*

Brought up, and read the First time.

Mr. Mike O'Brien: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this it will be convenient to discuss the following: Government new clause 2—*Orders regulating conduct of referendums.*

Government amendment No. 9.

Mr. O'Brien: I understand that the hon. Member for South Staffordshire (Sir P. Cormack) wants to make some points on the new clauses and the amendment, so I shall introduce them briefly.

The two new clauses contain procedural provisions for the administration of a referendum. Provision for major referendums, such as those in Scotland and Wales in 1997, has customarily been made in separate Bills, but those Bills contained several administrative provisions that have, by now, become standard.

It is not the intention that the Bill should replace the need for specific legislation to authorise the holding of a referendum on a particular issue; we made that clear earlier in our proceedings. However, the consideration of such legislation should focus on the key issues: whether it is right to hold a referendum on the particular issue and, if so, when it should be held and what the question should be. By covering the nuts and bolts of a referendum in the Bill, we can ensure that future Parliaments can concentrate on the big picture.

New clause 1 designates the chairman of the Electoral Commission as the chief counting officer in any referendum to which part VII of the Bill applies. There is one exception to that rule: when a referendum is held only in Northern Ireland, the chief electoral officer is designated as the chief counting officer.

The clause also empowers the chief counting officer to appoint counting officers in each local government area where the referendum is being held. As a result, votes will be counted and declared at the level of a district council or a London borough in England, and by local authority area in Scotland and Wales. That follows the practice in referendums that have been held to date. There would be one count and one declaration in Northern Ireland.

I understand that the main concern of the hon. Member for South Staffordshire is new clause 2. The purpose of that clause is to enable the provisions of the Representation of the People Acts and regulations to be applied to any referendum. The clause mirrors similar order-making powers in section 4 of the Greater London Authority (Referendum) Act 1998—I have a copy of the Act before me.

Mr. Hogg *rose—*

Mr. O'Brien: I will give way to the right hon. and learned Gentleman in a moment.

Section 1 of the Referendum Act 1975, schedule 12 to the Wales Act 1978 and schedule 17 to the Scotland Act 1978 contain similar provisions. The clause is entirely benign, with no hidden agenda. I hope that the hon. Member for South Staffordshire will accept that that is our intention. The Secretary of State will have to consult the Electoral Commission before making any order under the provision, and the order will have to come before the House.

Mr. Hogg: The Minister will know that new clause 2 contains a power to create offences and to apply and disapply other enactments to the provision. Is the order-making power covered entirely by clause 142? As I understand it in this context, clause 142 uses the negative, not the affirmative, procedure. Will he, therefore, confirm that the affirmative procedure is not being applied to the creation of offences?

Mr. O'Brien: The creation of some offences will already be covered in the representation of the people legislation. In effect, all that we are doing is importing into a referendum campaign provisions that we all accept for general election campaigns. I do not think that there is any particular problem here. If we were seeking to go further, the Committee would become aware of that and I expect that it would be a matter of considerable controversy.

Although in practice the right hon. and learned Gentleman may have a point—I certainly undertake to consider it—in reality the provision will not cause any great difficulty. The matters about which he has expressed

concern are the sorts of provisions that we would deal with on a day-to-day basis in any local government election, never mind a national election or a referendum.

Sir Michael Spicer: Will the Minister give way?

Mr. O'Brien: I shall give way once more, and that will be it.

Sir Michael Spicer: Whether new clause 2 is benign in the way that the Minister described depends on how one interprets words such as

"regulating the conduct of referendums".

That phrase is all embracing, so will it cover how the question is set? What assurances can the Minister provide given that the words are in the new clause and are all-embracing?

Mr. O'Brien: The hon. Gentleman knows perfectly well—we dealt with this point earlier in the debate—that there will be specific legislation on any national referendum campaign. We deal with such issues on a daily basis in relation to any general election. New clause 2 is entirely benign.

Sir Patrick Cormack: The Minister is in his less emollient mood. A few moments ago, the Parliamentary Secretary, Privy Council Office, used his technique of gentle persuasion and sweet reason; now we have the staccato utterances of the Minister as he seeks to persuade us—without taking much trouble over doing so—that new clause 2 is benign. I direct my remarks to that new clause, because we have no quarrel with new clause 1.

New clause 2 has been called—and with some justification—a Henry VIII clause. Through it, unfettered powers can be taken by the Secretary of State. He can, by order, make certain provisions. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, the Secretary of State can dictate what offences have been created. The new clause gives him enormous power. There is not even much of a fig-leaf in subsection (4). It refers to the necessity to consult the commission, but the commission has no power of veto or real authority in this matter.

The Minister prayed in aid the Representation of the People Bill, but clause 11(4) of that Bill states:

"An order under subsection (1) shall be made by statutory instrument; and no such order shall be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament."

It would be nice for the Minister to listen to what I am saying. *[Interruption.]* The Government Whip should contain himself; he is getting terribly agitated and will only prolong the agony by so doing.

Where is the reference in new clause 2 to the power of the House? There is very real concern on this side of the Committee that, at the end of the Committee proceedings, the Secretary of State is taking to himself unfettered, unrestricted powers. Although I do not for a moment seek to impugn the Minister's good intention, his explanation did not go anywhere near far enough to convince us that the new clause is benign. Indeed, we consider it malign and we are very worried about it. Unless he can give us some powerful promises and assurances, we will certainly want to divide the Committee on it.

Mr. Swayne: I find new clause 2 absolutely outrageous. We are at the end of the Committee stage, having discussed the ins and outs of the Bill, and we discover that notwithstanding all that we have said, the Secretary of State can do as he pleases and make up the rules as he goes along. The Minister says that the new clause is benign. Has it occurred to him that the Secretaries of State who follow may not be benign?

We are dealing here with the conduct of referendums. Has the Minister studied the conduct of the referendums as used by dictators in the 1930s? Referendums are tools of tyranny in the wrong hands. What self-respecting Parliament hands such wide-ranging order-making powers to Ministers, however benign they might be—like a benign tumour perhaps?

Subsection (2)(a) says that the Secretary of State may make an order to

"make provision for the creation of offences".

Perhaps one of the most awe-inspiring things that we do in this place is to create offences that may result in the imprisonment of some of our constituents. A Parliament should think long and carefully about that, but we are not prepared to think about it at all; we are prepared to hand the powers to a Minister.

What sort of Parliament would pass this new clause? My hon. Friend the Member for South Staffordshire (Sir P. Cormack) said that it is a Henry VIII clause; it is in fact an Attila the Hun clause.

Mr. Hogg: I support the remarks of my hon. Friend the Member for New Forest, West (Mr. Swayne). New clause 2 is indeed far reaching. It does not matter much to me whether it is an Attila the Hun clause or a Henry VIII clause, but it is certainly not a clause that the House should support.

We need to analyse the new clause, bearing in mind the fact that it must be read in the context of clause 142. The new clause enables the Secretary of State to do at least three things. First, in the context of referendums, it enables him to create offences that, by definition, have a penalty attached, which will be either a fine, a term of imprisonment or a period of disqualification and may incur more than one of those penalties. The new clause enables the Secretary of State to create offences without seeking the consent of the House.

Dr. Julian Lewis: Is my right hon. and learned Friend suggesting that the Government are pretending not only to be tough on crime and tough on the causes of crime, but tough in the creation of new crimes?

Mr. Hogg: Indeed; the Government do not intend to consult the House.

Secondly, the new clause enables the Secretary of State not only to create new offences, but to apply to the referendum law any other enactment that he chooses. He can fish a provision from another statute and apply it to the law on referendums without coming to the House. That is a bizarre proposition.

Thirdly—this is even more bizarre, especially in a time of devolution—the new clause enables the Secretary of State by order to apply or disapply the law as it is contained in the Bill differentially as between the various parts of the United Kingdom. We can therefore have

[Mr. Hogg]

different systems of law applying to different parts of the UK that are promulgated by law at the behest of the Secretary of State. All that is done by order—and by the negative procedure, as clause 142 states. In other words, none of the things that I have described has to come before the House.

I used Henry VIII clauses as a Minister—of course I did—and the Government of whom I was a member used them over many years, but that does not mean that it is right to do so. We should be very chary about using such clauses. This one is so far reaching that it is best moved by the cardinal himself. I rather expect in another place the Lord Chancellor to move it. It is so far reaching that I hope that it is unacceptable to any democrat.

12 midnight

Mr. Stephen O'Brien: My hon. Friend the Member for South Staffordshire (Sir P. Cormack) mentioned Henry VIII, who famously said to his wives, "I shan't be keeping you long." I shall not be keeping you long, Mr. Lord.

The Minister was generous enough about my speech on clause 111 and schedule 13 to accept that, in certain respects, my arguments had validity and to say that he would be looking into them and would write to me. I hope that he will be equally open minded on this matter. He will recall that the basis of those arguments was ensuring the democratic legitimacy of provisions, particularly those on referendums. If referendums are for anything, they are to confer the democratic legitimacy of the populace on measures that affect the whole country. Therefore, new clause 2 must go to the very heart of democratic legitimacy, especially in relation to referendums.

Under new clause 2, the Secretary of State is allowed to reserve for himself the powers to set rules. As a Minister of the Crown, he is bound to have an interest in the outcome of a referendum. Therefore, he would be setting the rules for a game in which he had an interest whether he won or lost, and whatever side of the argument he took. That is why it was fair of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) to say that, although most Governments have habitually used Henry VIII clauses, there is a very real reason why it is not appropriate to do so in this case. The new clause should not be agreed.

Mr. Nicholas Winterton: The Minister described new clause 2 as benign. I rise to speak briefly because I want to know how he can describe it so. It has been said from the Opposition Benches that the new clause is a Henry VIII provision, and the one thing that one cannot say about Henry VIII is that he was benign.

Bearing in mind what my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and other hon. Friends have said, I am sure that, in seeking to give me his definition of "benign" in his winding-up speech, the Minister will accept that the new clause is draconian. It gives the Secretary of State very wide powers.

Mr. Hayes: Perhaps the Minister confuses benign with vague. It is probably true that the more specific the clauses, the more benign they are; the more vague they are, the less benign they are. Because the new clause is so wide ranging, it is anything but benign. Vagueness is no excuse for accuracy in defining what Ministers can and cannot do under this Bill or any other legislation.

Mr. Winterton: I am not sure that I can answer that point. I am hoping that the Minister will deal with my hon. Friend's intervention in his winding-up speech. I agree with the views expressed by my hon. Friend, as I do with those expressed by my fellow Cheshire Member of Parliament, my hon. Friend the Member for Eddisbury (Mr. O'Brien), who in a brief speech made some important points.

New clause 2 is surely a draconian, all-enveloping provision, which gives substantial powers to the Secretary of State. Can the Minister justify his remarks that the clause is not that important and is benign? This matter is important, and the House deserves a proper and full explanation.

The Second Deputy Chairman: The Question is, That the clause be read a Second time—

Sir Patrick Cormack: Are we to take it, Mr. Lord, that the Minister, having heard the strong objections from the Opposition—

The Second Deputy Chairman: Order. The Minister gave no indication that he wished to address the House.

Sir Patrick Cormack: In that case, Mr. Lord, I shall say a few words. That is contemptuous treatment of the House of Commons. Several extremely powerful points were made by the Opposition.

The new clause is utterly unacceptable. The Secretary of State would take to himself wide-ranging powers when, as we have heard, in a referendum all the dice are loaded in favour of the Government of the day.

In a genuine fit of repentance, my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) explained how wrong such Henry VIII clauses are. There is nothing worse than for the Government to take the powers of a Henry VIII clause when dealing with a referendum. We are utterly opposed to the new clause, and we are, frankly, disgusted that the Minister is not prepared to answer the debate. We want to press the motion to a Division.

Mr. Hogg: I support my hon. Friend. On any view of the matter, the new clause gives the Secretary of State the power to create new offences and to apply the law differentially throughout the United Kingdom. Whether that should be done by affirmative resolution or negative resolution or be written into the Bill is a matter for legitimate debate. The Opposition have urged a certain point of view. It is a disgrace that those on the Government Front Bench have not sought to respond to those points. It is a contempt of Parliament.

Mr. Mike O'Brien: It is inappropriate that I have failed to address the important point raised by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). I understand that the usual channels have had their discussions about the length of

the debate. Hon. Members in all parts of the House will understand that some hon. Members want to go home. One can understand that. *[Interruption.]*

However, let me address the point rightly raised by the right hon. and learned Gentleman, which is relevant. He suggested that the measure could be introduced under the negative resolution. The precedent is that it should be done by affirmative resolution. We need to consider the right hon. and learned Gentleman's point. It is my view that the affirmative resolution procedure should properly be used, but I will examine the matter.

The Second Deputy Chairman: We are dealing with new clause 1. The Question is—

Sir Michael Spicer *rose—*

The Second Deputy Chairman: I call Sir Michael Spicer.

Sir Michael Spicer: There is one point that I want to raise with the Minister. I pointed out in an intervention that the new clause gives overriding powers to the Secretary of State. The Minister said that the Bill contained safeguards against that. The issue has arisen late in the day, and overrides everything else in the Bill. It is all-inclusive and all-embracing. The Minister must answer the point. He cannot simply say that there are safeguards in the Bill. The new clause is crucial, which is probably why it was introduced so late.

Mr. O'Brien: The hon. Gentleman is wrong. That is nonsense.

Mr. Paterson: This must be one of the lowest points in this Parliament. *[Interruption.]* It is 12.10 am—

Mr. Joe Ashton (Bassetlaw): On a point of order, Mr. Lord. On at least two occasions, you have risen to your feet to put the Question, and then withdrawn because an Opposition Member stood up. The will of the House is to put the Question now.

The Second Deputy Chairman: Let me be clear: I have not completely put the Question. We are in Committee, and hon. Members can speak as often as they choose. It is important that we hear hon. Members who want to contribute.

Mr. Paterson: My hon. Friend the Member for South Staffordshire (Sir P. Cormack) and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) posed some pertinent questions. Notwithstanding clause 142, which gives the Home Secretary extraordinarily wide powers, we have not received a proper explanation of why, without consulting Parliament, the Home Secretary, who will not be impartial in a referendum campaign, should be given such wide powers in new clause 2.

Secondly, under new clause 2, the Home Secretary will be able to choose different provisions for different parts of the United Kingdom. That is extraordinary and unique. I have never seen such a provision before. It is a charter for gerrymandering the referendum and a power of which Mr. Mugabe could only dream.

I know that hon. Members want to go to beddy-byes, but we want straight answers to our pertinent questions. The provision is a constitutional outrage and the Minister should answer the questions before we vote.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 2

ORDERS REGULATING CONDUCT OF REFERENDUMS

'.—(1) The Secretary of State may by order make such provision as he considers expedient for or in connection with regulating the conduct of referendums to which this Part applies.

(2) An order under this section may, in particular—

(a) make provision for the creation of offences;

(b) apply (with or without modification) any provision of any enactment;

and different provision may be made under this section in relation to different parts of the United Kingdom.

(3) An order under this section shall not apply in relation to any referendum in relation to which specific provision is made by any other enactment for or in connection with regulating any matters relating to the conduct of the referendum, except to such extent (if any) as may be provided by that enactment.

(4) Before making an order under this section the Secretary of State shall consult the Commission.'.—[*Mr. Mike O'Brien.*]

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:— *The Committee divided:* Ayes 266, Noes 135.

Division No. 81] **[12.14 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David

Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Gerry Sutcliffe.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Randall, John
Redwood, Rt Hon John

Rendel, David
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londy)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. Peter Luff.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

Amendment made: No. 9, in title, line 4, after "campaigns", insert—

'and the conduct of referendums'.—*[Mr. Mike O'Brien.]*

Bill (Clauses 1 to 18 and 95 to 120, schedules 1, 2 and 11 to 14, and new clauses and new schedules relating to parts I and VII) reported, with amendments; to lie upon the Table. Bill, as amended in the Committee and in the Standing Committee, to be considered tomorrow, and to be printed. [Bill 34.]

Police Funding (Avon and Somerset)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

12.27 am

Mr. Steve Webb (Northavon): I am grateful for the opportunity at this late hour to raise the funding of Avon and Somerset police.

The funding of our police service is a matter of considerable concern to my constituents, but I want to set my speech in the context of my respect and admiration for the work done by the force. Its officers serve our community faithfully and with great dedication. One of my aims is to ensure that advantage is not taken of that work, and that the force receives the backing that it deserves. I am pleased to be joined by my hon. Friend the Member for Somerton and Frome (Mr. Heath), who was chairman of Avon and Somerset police authority for three years and brings great experience to the debate.

The dedication and professionalism of our force deserve from Members on both sides of the House not just warm words, but hard cash. That means cash for salaries and pensions, cash for officers on the ground, and cash for support services. My central contention is that the Avon and Somerset police force is stretched to the limit. I do not wish to be unnecessarily alarmist, but the force is clearly under pressure—pressure that is not entirely consistent with the language that the Government have used, and the way in which they have financed the force.

My normal custom in debate is to rely heavily on statistical evidence, and I shall shortly draw to some extent on facts and figures. First, however, I want to give some impressions of the current position from those involved in the police service. Let me start at the top, as I generally do.

The Bristol *Evening Post* recently ran a story quoting Avon and Somerset's chief constable, Steve Pilkington. He is not someone who rushes to the press lightly, or is regularly quoted as saying things that stir matters up. However, speaking of this year's budget settlement, he said:

"We have a very, very tight budget. We will have to reduce our support staff at HQ.

You take a risk when you do that. It does mean that when there is a major incident we won't be able to mobilise the support that we have done in the past."

That is the perspective of the chief constable. He was not being alarmist, but saying that a gamble was inherent in the settlement for the coming year.

I have done some research, and have spoken to officers at my local police station in Chipping Sodbury. They spoke of increasing pressure to take time away from front-line police duties. They talked about increasing pressure for training. I am sure that hon. Members on both sides of the House would welcome a well-trained police service, but if that means that a given number of officers have less time for front-line policing, the bare statistics about the number of officers will not reflect their ability to deliver on the ground. We want them to be trained in human rights, new legislation, and the use of equipment and technology. Those are all good things, but if they detract from front-line policing and, at the same time, there is pressure on police numbers, something somewhere will have to give.

[Mr. Steve Webb]

To give perhaps the most extreme example that I have come across in just the few days that I have been making inquiries, to coin a phrase, one constable, who for understandable reasons asked not to be named in the debate, told me that, on 25 days in the past year, he had been told not to use his police car because the budget would not wear it. The cost of the petrol would mean going over budget. On 25 occasions, he was told to stay at the station, do some paperwork and not get in the car. That was spontaneous. I did not ring up and say, "Tell me it is terrible." He simply said, "Those are the day-to-day pressures that budgets are under. That is the effect on the service on the ground." That is a sign of a force that is under stress and being pushed perhaps a little too far.

What are the hard facts about the settlement and the position for Avon and Somerset? The police authority has estimated that there was a shortfall of roughly £7 million between the funding that it was given by central Government, the assumed rise in council tax, or in the precept on the council tax, and what it needed to meet the demands. In a budget of roughly £180 million, £7 million is a substantial figure.

Why are there such pressures? Two substantial ones are well known to the Minister. The effect of pay awards and inflation eats up all the additional grant and additional assumed council tax rise. Over and above that, £2 million is needed for police pensions.

I was shocked to learn that, in the budget overall, £1 in every £6 of net police spending goes not on the police, but on pensions. That is an arbitrary way in which to fund those liabilities. That is the position not just in the police service, but in the fire service and other sectors of public service.

I recognise what the Minister said in the debate the other day—I think on 3 February. The Government recognise that it is a problem. The previous Government, the Conservatives, said that they recognised that there was a problem. We all recognise that there is a problem. We do not appear to be any nearer a solution. I hope that the Minister can reassure me that, year on year, the Government will not keep loading pension costs on to forces at the expense of police officers.

How is the authority having to respond to that pressure on the budget? Most obviously, it is having to cut police officers. Reluctantly, the police will cut 30 officers from the force in the coming year—not front-line officers, but police officers based mainly at Avon and Somerset headquarters.

The Government have talked about 5,000 extra officers—5,000 over three years, of course—through the crime fighting fund. Yes, Avon and Somerset will get some officers. It bid for more than 160. It has been awarded 101, spread over three years. Next year it will get 20 additional officers—so 30 down, 20 up: a net loss of 10.

I was in the House this afternoon when the Prime Minister boasted about the investment in extra police, but Avon and Somerset will not have extra police. Despite the figures that he quoted, it will have 10 fewer officers next year. Last year, between March and September, Avon and Somerset numbers fell by 11. It was 11 down in that period and another 10 down this year, yet the Government talk about being tough on crime. They do not back that up with money to make it a reality.

As well as cutting the number of officers, what else has the force been forced to do? It has had to cut not only back-room staff—back-room police officers—but support staff. Funding of support staff decreased by a further 1.5 per cent. to 95 per cent.

The force sat down and decided what a good police service should do. It thought that it would investigate financial crime more. That has been scrapped. No additional investment is planned because it cannot afford it. It planned to make some long-needed capital investment to make the force more efficient and to replace worn-out equipment. A £2 million contribution from revenue was going to go into capital. That was scrapped.

There is an allowance in the budget for 3.5 per cent. pay awards, but there is no general provision for price changes, so, as prices rise, the budget has to bear those costs. Petrol is the classic case. Petrol prices have been rising very rapidly and hitting police budgets, so that police officers cannot use their cars, which are costing too much money to operate. It is an absurd situation.

What has been the impact on service provision? The police authority report states:

"the loss of 30 officers from central staffs could impact on the level of support given to police districts"—

particularly if there were a major incident—

"and a further reduction in support staff will be felt in terms of internal service delivery".

That means the people who help police to do their job.

The report continues:

"it is only with an eye to the impact on precept that the Chief Constable has reluctantly proposed a reduction in authorised police strength."

In other words—even with a "measured" cut of 30 police officers—the precept is rising by 11 per cent. The chief constable, who is worried about the precept, after cutting 30 officers, was willing to allow it to rise to 11 per cent. That is the type of pressure that police are under. However, not only officers will be cut.

As the report states,

"a backlog of forensic samples may build up"

because planned additional investment in forensics has had to be cut. Moreover, equipment programmes have been pared, and other programmes have been deferred. The situation has the aura of make do and mend, not of a modern efficient police service.

I believe that the Avon and Somerset police force is efficient and that it has made efficiency savings and achieved a great deal. However, constantly asking year on year for greater efficiencies without granting capital and making investment to achieve them eventually runs only into a dead end.

There have, therefore, been cuts in officers and in back-room services, but an 11 per cent. council tax rise. What can be done? I reassure the Minister that I have read in full the transcript of the debate of 3 February, when he announced the new grant settlement, which was debated in the House. Some of the points that I shall make today were made also in that debate. I shall therefore not make the points at great length, but they are particularly germane to Avon and Somerset.

Avon and Somerset has in previous years particularly, and to a limited extent this year, had to dip into its balances, taking them dangerously low. The force's

balances are now below the level recommended by auditors. One can almost picture the police authority with its collective fingers crossed, hoping that nothing happens or goes wrong, because resources and reserves are low and the officers are stretched. We just hope that there will not be a major call on the force. But is that any way to have to run a police service?

The funding formula needs to be addressed. The arguments on that are well known to the Minister. He is aware of the impact of sparsity on areas such as Avon and Somerset, and the Home Office has accepted its impact on policing costs. The area cost adjustment—which may seem irrelevant in this context—and the damping effect of using six-year-old establishment factors contribute to making the funding formula unjust. I think that it is widely accepted that the formula is unjust. However, the Government's bizarre response is to do nothing about it for at least a year, to ensure stability.

Stability is a virtue, but it is not a virtue that counteracts injustice. This is perhaps an extreme analogy, but if someone were wrongfully arrested, we would not say that stability demands that we should leave them in jail—justice demands that we should get them out. Stability does not counteract injustice, which should be tackled at the earliest opportunity.

I have already addressed the pensions issues. It is agreed that it is a problem. However, there is no sign of a solution, and the problem will only get worse with every passing year.

As for the council tax benefit limitation scheme, the fact is that, when the precept rises by 11 per cent., councils will—according to the police authority—be penalised by half a million pounds, which is the equivalent of 20 officers. Therefore, although so-called crude and universal capping may have gone, back-door capping is alive and well and affecting the decisions of police authorities on policing.

I just wonder how the people of Avon and Somerset would feel if they appreciated that decisions on police numbers—decisions to cut police officers from the force—were being affected by the modern equivalent of council tax capping. If they knew, I think that they would be very concerned. When they receive their council tax bills and see the precept rise of 11 per cent., they will perhaps assume that a major improvement in the force has been made, such as the purchase of a second helicopter. They will be shocked when they learn that it is accompanied by cuts in officers, planned investment and services.

We cannot talk only about inputs; we have to talk about outputs. No one can deny that, in the past six years, the Avon and Somerset force has made important progress in cutting crime. I welcome that unreservedly and pay tribute to the force. I have two concerns. First, we should not allow ourselves to become complacent by focusing on a high base period of the early 1990s, when crime was at record levels. With the aid of the Library, I have looked at the record for the past 20 years. In the early 1980s, recorded crime in Avon and Somerset was at barely half its present level. Although things are moving in the right direction, crime levels are still unacceptably high. There is a feeling that some people do not bother to report minor crimes, because they think that the police are too stretched.

The trends on recorded crime are moving in the right direction, but I fear that that will not continue in the medium term if the force continues to be put under pressure. In its survey this year, the force asked a new question:

"Were you satisfied with the perceived level of foot patrol?"

Just 11 per cent. of the public were satisfied and the figure was only 27 per cent. for the mobile patrol. The headline figures may be coming down, but the public are not receiving the reassurance that they want from their police.

The Government are out of touch with the wishes of the people of Avon and Somerset. They talk a good game on police numbers, but they are not delivering. I know that the Minister accepts many of my points. I hope that this debate will emphasise to him that the people whom I represent want not just good words on policing, but action. I hope that tonight he can promise me some action.

12.42 am

The Minister of State, Home Office (Mr. Charles Clarke): I congratulate the hon. Member for Northavon (Mr. Webb) on securing this debate on the funding of the Avon and Somerset constabulary. I join in his opening tribute to the dedication and commitment of his force, particularly the chief constable, Mr. Pilkington. Early in my time as a Minister I had an opportunity to go to Bristol, where I met Mr. Pilkington and many of his colleagues in the crime reduction partnership. I was very impressed by the approach of the force and the partner authorities with whom they are seeking to fight to reduce crime levels.

In the polarity that the hon. Gentleman suggested, it would be more accurate to describe Avon and Somerset as a modern and efficient force than to call it a make do and mend force. It is well led and is seeking to address difficult issues creatively and effectively. I want to place on record my appreciation of that.

As the hon. Gentleman acknowledged, only a week ago I responded to an Adjournment debate from the hon. Member for Gainsborough (Mr. Leigh) about the funding of Lincolnshire police. Police funding and rural crime concerns have been raised in earlier debates. They are important and genuine issues. As the hon. Gentleman generously acknowledged, my response is bound to be similar to those that I have given in previous debates.

The House debated and approved the Government's proposals for police funding for 2000–01 on Thursday 3 February. The Liberal Democrats voted against the plans. Ironically, that would have cut the funding for all police authorities. We did not make much of that. I understand that the hon. Gentleman was not able to be in the Chamber for that debate, no doubt for a valid reason. His hon. Friend the Member for Somerton and Frome (Mr. Heath) raised important issues from his experience as chairman of a police authority.

It is important to set out the facts for Avon and Somerset constabulary. For 2000–01, its funding from the Government is £173.7 million—an increase of 3.2 per cent. on the previous year, compared with the national average of 2.8 per cent. It is important to put on record the fact that Avon and Somerset did better than the national average. I understand that the police authority unanimously set its budget on 10 February at a total of £181.2 million. The increase in its net revenue spending over 1999–2000 is 3.9 per cent., which is significant.

[Mr. Charles Clarke]

As the hon. Gentleman said, the authority was conscious of the need to set a precept that was reasonable and prudent. The increase in the police precept on the council tax is 11.5 per cent. for a band D property and I understand that the increase is expected to be below the average precept increase for the south-west. I know neither why that decision was taken nor what the position of the Liberal Democrats was on those issues—given their famous tax-raising commitment—when the matter was debated in the police authority. However, I understand the constraints on every police authority in deciding what judgment to make in respect of resources and I note that the police precept increase was expected to be below the average for the south-west.

The chief constable deserves great credit, as the hon. Gentleman said. When the police authority looked at its spending plans, it did so in a positive way that minimised the effect on delivery of front-line policing. The plans mean a reduction in police numbers by 30, but they protect the operational front line by ensuring that the cuts are made in central departments in the way suggested by the hon. Gentleman.

It may be of interest to the House to know that the total number of police officers in the Avon and Somerset constabulary was the same in September 1999 as it was in March 1997. There has been no decline during that period. The police authority deserves tribute for maintaining stability in the force.

Avon and Somerset's expenditure per head of population in 1999–2000 was estimated at £115.50, which is marginally better than the average for the shire counties of £114 per head of population. Avon and Somerset has done well in that significant respect. It has addressed the situation by taking hard decisions and directing them well.

In responding to the debate, I must refer to the hon. Gentleman's point about crime levels in the county. As he acknowledged, in the 12 months to September 1999, crime in Avon and Somerset fell by 5.2 per cent. or 8,162 crimes. That contrasted with an increase in crime in England and Wales, so Avon and Somerset did extremely well in that regard.

The hon. Gentleman said that citing that figure might suggest complacency. Let me reassure him that there is absolutely none. As the Government made plain this week, we have a clear drive towards reducing crime levels throughout the country, particularly in respect of vehicle crime, burglary and robbery. We have set a clear agenda and we are not complacent. However, it is right to congratulate the force on their success, in partnership with local authorities and others, in substantially reducing crime levels.

I understand the hon. Gentleman's concerns about resources and money. He makes a fair point and any hon. Member worth his salt would do so. However, I am sure that he would acknowledge that those concerns need to be set in the context of the genuine achievements of the force in addressing the issues and making progress.

Mr. Webb: May I return to the Minister's earlier comment about make do and mend as opposed to modern and efficient? As the record will show, I accepted that the service is efficient. My concern is that it must not become make do and mend, with police officers worried about getting in the car and spending money on petrol. I hope that the Minister realises that that is unacceptable.

Mr. Clarke: One of the joys of responding to an Adjournment debate is that one has a text to help one through these difficult discussions. The phrases "make do and mend" and "modern and efficient" were not in my text; they were in the hon. Gentleman's speech. He used that language. The record will sustain what I said—that it is important to pay tribute to the modern and efficient Avon and Somerset constabulary, rather than suggesting that it was moving towards make do and mend. I certainly did not make such a suggestion, although the hon. Gentleman may have done. Confidence in the force is both required and deserved, which is why I thought it important to respond to his suggestion that it was becoming a make do and mend force. I do not believe that the police authority, the chief constable or the senior officers believe that to be true, although they will all continue—rightly and fairly—to make the case for more resources as time passes. I am disappointed that the hon. Gentleman should try to spread gossip that the force was approaching a make do and mend situation, because that is not true. I know that he would not want to be accused of spreading gloom about the future of policing in the area that he represents, and I thought that it was important to get it on the record that the Government do not believe that that is an appropriate description of the situation.

The police authority stated in its policing plan for 1999-2000:

"Crime reduction and community safety must be at the forefront of all that we do. We aim to reduce the overall levels of crime and disorder through working in partnership with local authorities and local communities."

The Government can take credit for the work that they have done through the Crime and Disorder Act 1998 on building local partnerships, but the example of what has been done in the Avon and Somerset force, including the clear commitment by the whole force to working in partnership with local authorities—and, by the same token, the commitment by the local authorities to working with the police force—is exemplary and is the main reason why the force has succeeded in working with others to reduce crime. It is important to acknowledge that.

The hon. Gentleman raised several issues, as an aside to his discussion, that were addressed in the debate on 3 February, such as sparsity, the damping factor and security issues. I shall not repeat what I said in that debate and, indeed, the hon. Gentleman generously did not ask me to do so. He highlighted two issues—pensions and pay and conditions—on which I wish to confirm what I said in that debate.

We acknowledge that there is a serious problem with pensions. The hon. Member for Somerton and Frome raised it powerfully in his speech in the debate on 3 February, and it is a genuine issue across the country. This Government and previous Governments have not grasped the issue as it needs to be grasped. It raises fundamental issues about funding as a whole, the proportion of police spending that goes on pensions, and distribution—because different forces deal with the situation in different ways.

As I said in the earlier debate, we are addressing the issues as a matter of high priority, because the current situation is not fair. We are carefully considering what

should be done, but I do not have a white rabbit to pull out of the hat to solve the problem. The issues have not previously been addressed because they are difficult to address and even harder to get right. What is important is that a police authority such as Avon and Somerset should not have its flexibility to decide the allocation of its resources constrained unacceptably by the proportion of its funding that must be devoted to pensions. That is a legitimate issue for the hon. Member for Northavon to raise, and I take it very seriously. Any genuinely constructive suggestions that he has about how we should address that issue would be welcome—I do not say that in a sly spirit, because I mean it seriously. Many people have odd ideas, but actually cracking the problem will be difficult.

The hon. Gentleman was right to raise the issues he did on pay and conditions. We have a nationally agreed system of pay that offers constraint and is a significant factor, but those problems do not begin to approach the pensions problems in terms of the balance of issues that we must address.

In conclusion, I want to emphasise that the Avon and Somerset police constabulary will receive an extra 101 posts over the next three years under the crime fighting fund. That will be of significant help in addressing some of the issues that the hon. Gentleman has raised, but it is a step in the right direction, and not the complete process. The chairman of the Avon and Somerset police authority welcomed the decision. He was very positive about it, and I welcome that acknowledgement.

Being a Liberal Democrat, the hon. Member for Northavon is not a utopian. He will not expect me to pluck from the sky a solution that will solve every problem under the sun, and the realism of his party on tax and other matters is well known. However, I assure him in all seriousness that the Government are trying to move in the direction that he prefers.

We want more resources to reach areas such as Avon and Somerset, but we want to ensure that the economy remains stable. Police authorities and other public-sector organisations are finding that the steady year-on-year increases under our three-year spending programme—which may not be as large as people would like—provide better help than the regime that we inherited. Under the previous Government's arrangements, resources went up and down every year, and cuts were always a possibility.

The early years of this Government are being spent filling in some of the deep holes that developed under the previous Administration. However, the steady increases that we are achieving in resource allocation represent the way forward. In my experience, police authorities across the country welcome the balanced and steady way in which we approach such matters, as year-on-year fluctuations in resources make planning and budgeting extremely difficult.

I appreciate that the Avon and Somerset force has a backlog of capital maintenance works. The hon. Member for Somerton and Frome suggested that that backlog amounted to about £7 million and that it could be tackled if the force were allowed to unlock capital receipts. The House will understand that my Department is governed by Treasury rules, but my right hon. Friend the Deputy Prime Minister is considering the matter in his review of local authority funding.

I have tried to deal directly with the various points legitimately raised by the hon. Member for Northavon. However, his suggestion of a potential crisis is not correct, and the police force in Avon and Somerset deserves a clear statement of the Government's confidence in the way that it is dealing with matters. I am confident that it will continue its success of recent years in bringing down crime.

Question put and agreed to.

Adjourned accordingly at three minutes to One o'clock.

House of Commons

Thursday 17 February 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

KENT COUNTY COUNCIL BILL [*Lords*] *(By Order)*

MEDWAY COUNCIL BILL [*Lords*] *(By Order)*

MERSEY TUNNEL BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 2 March.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

The Secretary of State was asked—

Specialist Schools (Deprived Areas)

1. **Mr. Colin Pickthall** (West Lancashire): What measures he proposes to assist schools in deprived areas to secure the private sector funding required to achieve specialist status. [109128]

The Secretary of State for Education and Employment (Mr. David Blunkett): The sponsorship requirement for specialist schools has been reduced from £100,000 to £50,000. In addition, we provide grant in aid to the technology colleges trust and the youth sport trust in their work to help potential applicants raise sponsorship and to raise funds directly themselves. We have agreed with the trusts that emphasis will be placed on areas of deprivation and that they will assist nationally in encouraging sponsors to do that. So far, £45 million has been raised through that mechanism; £25 million since May 1997. I pay tribute to the technology colleges trust and the youth sport trust for the enormous effort that they have put in to make the partnership successful.

Mr. Pickthall: I thank my right hon. Friend for that helpful answer, but I am sure that he understands the immense difficulties faced by schools in towns such as Skelmersdale—deprived, low-wage towns, which do not have many or any large firms, and where those firms are heavily involved in other partnerships. Such schools do not get the attention that inner-city schools manage to achieve from time to time. Does my right hon. Friend realise that £50,000 is still a great deal of money for a school to find, and can result in the school leadership having to spend an inordinate amount of time trying to rustle up money from a large number of sources? Can he go even further with areas such as Skelmersdale?

Mr. Blunkett: We are aware of the enormity of the challenge of raising £50,000 for schools in some areas. That is why, with Sir Cyril Taylor and the technology colleges trust in particular, we have been working to get major companies to put up resources specifically targeted at areas such as Skelmersdale, in a way that assists schools to continue the task of linking up with those companies, raising the resources and acting as a mentor and boost to the school.

Mr. David Ruffley (Bury St. Edmunds): May I draw the Secretary of State's attention to the problems experienced by schools making bids in rural areas? Stowmarket high school in my constituency made a bid for specialist status this past year and was turned down. One reason was that it could not raise the full £50,000. In a rural area such as Stowmarket, there are simply not enough local private sector companies and bodies to make the necessary donations. Will the Secretary of State therefore consider making allowances when schools such as Stowmarket high, in rural areas such as mine in mid-Suffolk, make bids for specialist school status?

Mr. Blunkett: I do not think that it would be possible to change the regulations specifically for schools in areas such as mid-Suffolk, given the level of inherent wealth and employment in East Anglia. However, we would be prepared to look more closely, with the TCT, at ways in which we could link schools in areas of deprivation within areas of greater wealth and privilege, so that we can link companies that are prepared to reach out to them. *[Interruption.]* There are murmurings from the Opposition Front Bench, but East Anglia has virtually reached full employment. Encouraging companies to reach out to deprived areas in such regions is an important part of the trust's work.

Mr. Barry Sheerman (Huddersfield): Does my right hon. Friend agree that, although the specialist schools initiative has been widely welcomed, there is a problem with the amount of money available for co-operating with other local schools for community projects? During the Select Committee's visits, we found that there was often a lack of co-operation between schools. We want schools to open doors and co-operate, but perhaps too little money is available for that.

Mr. Blunkett: I am pleased to respond positively to my hon. Friend. We changed the regulations to ensure that co-operation is essential, first in developing the bids, then in implementing specialist status, so that the schools must reach out to feeder schools, other neighbouring schools and the wider community. We place considerable emphasis on that, because we want the near-500 specialist schools that now exist to cascade their resources and their work outwards. Part of the resources that they receive from the Government depends on the work that they do with the wider community.

Mr. Nick St. Aubyn (Guildford): Is the Secretary of State aware that, on a recent visit to Gateshead, the Select Committee on Education and Employment learned that

none of the local Labour Members of Parliament had ever, in 10 years, visited their highly successful city technology college? Does he agree that, if those Labour Members were to visit their local city technology college, they would learn about attracting private sector funds to schools in deprived areas?

Mr. Blunkett: I am delighted to tell the hon. Gentleman that I have visited several of the original technology colleges, and I am certain that, as those schools reach out, as they are doing, voluntarily coming into the programme that we have laid out and working closely with their neighbouring schools, Members of Parliament of all persuasions will be delighted to welcome that and to engage with their activities.

New Deal (Over-25s)

2. **Mr. David Lepper** (Brighton, Pavilion): If he will make a statement on his Department's plans for the development of the new deal for the over-25s. [109129]

The Minister for Employment, Welfare to Work and Equal Opportunities (Ms Tessa Jowell): The new deal for those aged 25 and over has already helped 33,000 long-term unemployed people into jobs, and we have set aside a further £100 million to strengthen the new deal from April this year. From April 2001, we will be introducing a substantially strengthened new deal for this group, building on the successful approach of the new deal for young people.

Mr. Lepper: I thank my right hon. Friend for that information. Will she note that, since the introduction of the new deal, the number of long-term unemployed over-25s in my constituency has fallen from about 1,500 to about 450? Will she join me in congratulating the Brighton Employment Service staff on the vital role that they have played in making the new deal work for my constituents after years of underfunding of training and employment services by the previous Government? However, will my right hon. Friend acknowledge that a real and continuing need for many people who left school in the late 1980s and the early 1990s, demoralised at the prospect of never having a job, is help with basic literacy and numeracy skills? How will her proposals help those people to overcome that barrier to employment?

Ms Jowell: I pay tribute to my hon. Friend's support for the new deal which is delivering large numbers of his constituents from unemployment into work. I also join him in praising the efforts of the Brighton Employment Service, which has enabled 325 people from Brighton to move through the new deal for the over-25s into work—a higher rate of achievement of jobs than the national average. It is to be congratulated on that.

My hon. Friend has identified a critical challenge for the new deal, which is tackling the high level of illiteracy and innumeracy. Estimates suggest that about 20 per cent. of all unemployed people have literacy skills below level 1, and about 50 per cent. have numeracy skills below level 1. The new deal is about making people employable, getting them into one job so that they can sustain their place in the labour market. Lack of basic skills is an obstacle to that and a pathway to social exclusion, which is why we will redouble our efforts to ensure that all those leaving the new deal, whether young people or older unemployed people, are liberated from illiteracy and innumeracy and have the skills to stay in work.

Mr. Owen Paterson (North Shropshire): How much does it cost for each person over 25 to obtain a full-time job through the new deal?

Ms Jowell: If we take all the starts on the new deal, the figure is approximately £500 per person—*[Interruption.]* I am answering the question. If we consider the number of people who have started work—33,000—the figure is £3,500.

Education Spending (Redbridge)

3. **Mr. Mike Gapes** (Ilford, South): When he next plans to visit Redbridge to discuss the level of education spending. [109130]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): My right hon. Friend has no plans to visit the London borough of Redbridge. However, I am pleased to announce that my right hon. Friend the Minister for School Standards was able to visit Glade primary school to see the two new classrooms provided through the Government's class size initiative.

Mr. Gapes: Despite the welcome increase in resources that the Government are making available for education in Redbridge and the good results in our borough, there is widespread local anxiety among teachers, parents and governors that all three political groups on the Conservative-led council do not propose to spend that money on education and that part of it is being spent on other matters. Will my hon. Friend ensure that the Department holds urgent discussions with the council and all three political groups to ascertain whether we can solve that problem?

Jacqui Smith: My hon. Friend makes an important point. He is a strong and powerful advocate of the schools, pupils and governors in his constituency. I join in his commendation of the high standards that schools in Redbridge achieve.

However, let me make it clear that unless the local authority is willing to ensure that this year's 6.6 per cent. increase in its education standard spending assessment is passported to education and delegated effectively to schools, it will let down the schools, pupils and governors in the constituency.

My right hon. Friend the Secretary of State has given a clear signal to local authorities that we expect our commitment to education to be replicated by local education authorities. We shall monitor LEAs to ensure that they make the same commitment to education as the Government, schools and parents.

Standard Spending Assessment

4. **Mr. David Heath** (Somerton and Frome): If he will make a statement on inequalities in education standard spending assessment per pupil between local education authorities. [109131]

The Minister for School Standards (Ms Estelle Morris): The Government are well aware of the widespread concern about the fairness of the current formula for funding local authorities. We announced in November 1998 a review in partnership with local government to look for a way of distributing revenue support grant that is simpler, more stable, more robust and fairer than the present arrangements for standard spending assessments. We will issue a Green Paper on options for change by the summer.

Mr. Heath: How can it be right for the Government to fund every child in every school in Somerset by £1,500 a year less than a child in a school in a leafy suburb of London? Does not the standard spending assessment contribute to that injustice? Local education authorities, which are struggling with that problem throughout the country, find it difficult to understand that stability means prolonging injustice.

Ms Morris: The hon. Gentleman is absolutely right. There is no justification for the figures that he cited. As soon as we took power, we started discussing a change in the formula with local authorities. In the first year, we were unable to reach agreement because not one local authority said that it had too generous an SSA. We have put in train consultation and work that will bring about change.

I am sure that the hon. Gentleman agrees that the problems of SSAs did not begin in 1997 and that the previous Government failed year after year to tackle them. We have acted quickly; we began the discussions in our first year in office, and we shall deliver shortly.

Mr. Mark Todd (South Derbyshire): May I draw the Minister's attention to a question that I asked in 1998 on the same subject? I spoke of the inequity of funding for Derbyshire and Derby City schools. Derby City schools receive 13 per cent. less per pupil than a school in Slough, and Derbyshire schools receive 12 per cent. less per pupil than a school in East Sussex. When I first asked the question, my right hon. Friend's predecessor, my right hon. Friend the Member for Tyneside, North (Mr. Byers), said that he could not justify the existing system and that he intended to change it. That was in July 1998. When can we expect action?

Ms Morris: As I said in response to the previous question, we will issue a consultation paper in the summer, we will have the chance to discuss those options and we will make the change once we have got it right. On such an important matter, rushing and getting it wrong would be the worst thing that could happen. We need a system that offers local authorities and schools a stable formula in the years to come and I am happy to defend taking a bit more time to get it right because that is in the interest of children, teachers and parents. I know that my hon. Friend would also acknowledge that the Government made significant funding available for Derbyshire as part of the school class size initiative. It was one of the local education authorities that received most funding, which means that children in Derbyshire, Derby and elsewhere are in smaller classes than they would have been, had the Government not come to power.

Mr. John Redwood (Wokingham): Does the Minister know that Wokingham is given grant to support spending of only £2,218 per primary pupil and only £2,873 per secondary pupil, whereas neighbouring Reading, which has similar costs and problems, is allowed £2,500 and £3,270? Many constituencies represented by Labour Members receive more than £5,000 of allowed expenditure. Does she agree that that is grossly unfair and that, because of that injustice, there is not enough money for places such as Wokingham? Does she agree that the Government do not put their money where their mouth is? They are all spin and no delivery.

Ms Morris: I suspect that the right hon. Gentleman has a bit more time on his hands now. Perhaps he might use it profitably by looking back at expenditure in his schools when he was a leading member of the Conservative Government. I cannot recall whether he ever held an education portfolio, but he cannot escape his responsibility for having let down children year after year. Under the Government, there has been a 5.6 per cent. overall increase in SSAs this year and money for books, class sizes and the national grid for learning on top of that. That is a record of which to be proud. We need to consider the funding formula for schools and that is exactly what we have done in our three years in power. The right hon. Gentleman's Government failed to do anything in their 18 years.

Mrs. Anne Campbell (Cambridge): I know that my right hon. Friend is aware of the unhappiness in Cambridgeshire caused by the differential between Cambridgeshire's SSA and that of some neighbouring authorities, but does she agree that there has been a real-terms SSA increase under the Government and that, in addition, the standards fund has brought £11.3 million into Cambridgeshire in the current year and is projected to bring in nearly £15 million next year? Does that not show where the Government's priorities lie? The Conservative Government developed the formula, but consistently failed to reform it.

Ms Morris: My hon. Friend is absolutely right. Many questions have rightly been asked about the formula for distributing money to local authorities, but it is timely to remind people that that does not represent the sum total of the money that the Government put into education. When the standards fund and the literacy and numeracy strategy, which are funded centrally, are added together, expenditure far exceeds the 5.6 per cent. that has gone to local authorities, as she acknowledged.

Mr. James Clappison (Hertsmere): Has not Ofsted's inspection of LEAs revealed that the biggest inequality is how well local authorities manage their resources? Are not 17 of the 23 LEAs in which it identified serious concerns Labour authorities, and has it not uncovered sorry stories of incompetence and political interference in LEAs under Labour up and down the country? For

example, notwithstanding the promise of the Under–Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), that Islington would provide education

"in a class of its own",

Ofsted found the authority to be "inadequate and ineffective". What about Sheffield under Labour control and the damning conclusions of Ofsted's report? There were

"financial difficulties and poor budget planning"

and school buildings were in an

"unacceptably poor state . . . frustration and demoralisation".

What message does the Minister have for Sheffield? If these Ministers have any time on their hands, would it not be better spent cleaning up their own back yard?

Ms Morris: I know that my right hon. Friend the Secretary of State would want me to correct the hon. Gentleman on one point: Sheffield is run by the Liberal Democrats, not Labour. *[Interruption.]* The hon. Member for Harrogate and Knaresborough (Mr. Willis) will be pleased to learn that the same applies to Islington.

The hon. Gentleman was able to ask his question only because this Government have decided to inspect local authorities, because this Government have taken powers to ensure that they can do something when they are shown to be failing, and because this Government have made certain that the amount spent by local authorities and passported to schools is available to the public. None of that happened when the hon. Gentleman's party was in government. The information is now available, and we have already shown by our actions and our words over the past year that where there is failure—whether it be in a local education authority or in a school, and whether an authority is run by the Tories, the Liberal Democrats or Labour—we will take action. What we are about is raising standards for individual children, and not playing politics, as the hon. Gentleman has done.

Mr. David Taylor (North–West Leicestershire): Further to the question from my hon. Friend and neighbour the Member for South Derbyshire (Mr. Todd), may I point out that there is an even worse case in terms of the county funding league? Leicestershire is used to heading the league in sporting terms, but in funding terms we do not, and the gap is becoming slightly larger: it is now £13 million a year. Does the Minister agree that that is a void into which many schools and students can plunge?

Ms Morris: The sum total of contributions from Members today simply enforces the Secretary of State's wish to change the formula and to ensure that it is fair and robust, so that, at future Question Times, Members can line up to congratulate us on the changes that we have made.

Mature Students

5. **Mr. Peter Brooke** (Cities of London and Westminster): What assessment he has made of the effect of Government policies on applications for higher education from mature students. [109132]

6. **Mr. John Heppell** (Nottingham, East): If he will make a statement on support for mature students in higher education. [109135]

The Parliamentary Under–Secretary of State for Education and Employment (Mr. Malcolm Wicks): The number of mature students entering higher education remains healthy, but we accept that mature students often have bigger financial commitments than others. We have therefore announced a package of measures, costing £68 million in a full year, which addresses their concerns. For the coming year, bursaries for mature students will be available, largely to support child care costs.

This week, my right hon. Friend the Secretary of State announced the development of new two-year foundation degrees, which will be particularly attractive to mature students. He also announced a new framework for vocational qualifications, both in institutions and in the workplace.

Mr. Brooke: Given the fall in the number of applications from mature students, who are one of the glories of our higher-education system, does the Government's concern about the trend extend to accelerating their promised review of tuition fees?

Mr. Wicks: The fall in the number of mature students is very slight—less than 1 per cent. More are now choosing to study part-time. The number of 20-year-olds is smaller than it was some years ago, and we also have a buoyant labour market, which is enabling many people to choose to work and to study—in other words, to enter the sector part-time. We are confident that the opportunities for mature students will be buoyant in the future, not least because of the additional support that we are giving them.

Mr. Heppell: The Minister says that many mature students now choose to study part time. In fact, many are forced to do that because of work or family commitments. Can the Minister assure us that part-time students who have had a bad deal in the past, especially under the last Government—people on low incomes, or those who have lost their jobs to study—will have their tuition fees waived? Will they also be given help with extra study costs, such as the cost of books?

Mr. Wicks: It is certainly true that more mature students are now choosing to study part time, for the reasons given by me and by my hon. Friend. The former system of student support gave little if any help to part-time students, but we have changed that. In the current academic year, part-time students on low incomes will have their fees waived, as will those who lose their jobs while studying. In the coming academic year, part-time students will have access to loans for the first time.

In addition, part-time students are eligible for the disabled students allowance. Many people with disabilities have no choice but to study part time. That will be a major step forward for that group in getting access to that education sector.

Dr. Evan Harris (Oxford, West and Abingdon): Is the Minister aware of his Department's research, which is now available in the Library, showing that mature students are deterred by tuition fees from accessing higher education and, indeed, that the Department knew that in advance? Does he not recognise that they and other disadvantaged students will be even more deterred by the threat of ever-increasing tuition fees, or, indeed, top-up fees?

The two universities in Oxford need to increase access to those groups, not just to restrict access to clever students who happen to be rich. At a time when Scotland is abolishing tuition fees as a discredited policy, should not the Minister explore that option, instead of considering new ways of imposing or increasing such fees?

Mr. Wicks: The proposals in Scotland do not involve the abolition of tuition fees—*[Interruption.]* I shall tell it to whoever wants to listen.

We are putting in place the £68 million package to help mature students, particularly those with children and child care costs. We are very sensitive to the family dimension—so much so that we have recognised, for example, an anomaly whereby school meals for children of mature students were not covered. We are putting that right. We are very sensitive to the issue. We want to enable more mature students to enter the system.

Mr. Bill Rammell (Harlow): I welcome the new package of financial support for mature students. Last week, I sat with a mature student in my constituency and went through the new proposals. That exercise demonstrated that they will be a real and significant help, but does my hon. Friend agree that the introduction of university top-up fees is one of the measures that could affect access to university by mature students? Will he therefore reaffirm the Government's opposition to differential top-up fees?

Mr. Wicks: I welcome my hon. Friend's comments. I know of his interest in the matter. On top-up fees, the Government policy has not changed. The current system of student support is working well. Student numbers are up and more money is going into colleges and universities. The Government have announced an 11 per cent. real-terms boost for higher education funding in the current Parliament, but they recognise that a debate is under way in the wider world, which should be conducted with intellectual rigour. However, we are confident that the system is working well—*[Interruption.]* Opposition Members may not want to hear it, but more students are entering our system and more of those students are doing well. We are funding the higher education sector in a way that the last Conservative Government could not even begin to understand.

Mr. Tim Boswell (Daventry): On this morning's form, Ministers are clearly collectively preparing vigorously for opposition. In his answers, the Minister has already had to concede that mature student applications are falling and that, despite the dirty deal done in Scotland, tuition fees remain a reality in Scotland, even if deferred. As a result of his clear embarrassment, he has had to concede an access package as well.

In the light of that tremendous mega-mess for student support, which differs between Scotland and England, with new anomalies introduced every day, can the Minister answer a specific question: will his proposed access fund bursary in England for mature students be available to Scottish students at English universities who do not benefit from the Scottish student support arrangements? If so, on which departmental vote will it be carried?

Mr. Wicks: One of us has to learn opposition and, as the Minister for lifelong learning, I have a good guess who it will be. It is difficult to keep up with the Conservative U-turns. The Conservatives used to be against Scottish devolution; now I think that they are in favour of it. What their current position is on tax expenditure I do not know. I raise that because we would not think it sensible to spend hundreds of millions of pounds implementing Scottish proposals.

We would not be prepared to take that money from nursery education, the school system or the national health service budget. I am not sure whether the Conservative Opposition are now proposing doing that.

Teachers' Pay

7. **Mr. Michael Clapham** (Barnsley, West and Penistone): What recent representations he has received about the new teachers' pay arrangements; and if he will make a statement. [109136]

11. **Mr. Eric Illsley** (Barnsley, Central): If he will make a statement on the introduction of performance-related pay for teachers. [109141]

The Secretary of State for Education and Employment (Mr. David Blunkett): On 1 February, the School Teachers Review Body published its report, recommending a pay increase of 3.3 per cent. for all classroom teachers; continuance of the existing incremental scales through to the new threshold level; a £2,000 uplift for all those who go through the performance threshold; and a new incremental scale for those who have passed that threshold requirement, so that they are able to access salary increases up to £30,000.

Mr. Clapham: I hear what my right hon. Friend says, but how does he answer teachers in my constituency in Barnsley, who believe that the progressive measures that he has introduced—such as the new college for head teachers, better teacher training, 2,000 classroom assistants, and the building of more and better schools—have added to the opportunity and the context of achieving high standards in education, but who also believe that the introduction of performance threshold

payments may well undermine morale, at a time when we are trying to achieve excellence in education? May I hasten to add that I have some sympathy for that view?

Mr. Blunkett: Let me say this to my very good colleagues from Barnsley—my hon. Friends the Members for Barnsley, West and Penistone (Mr. Clapham) and for Barnsley, Central (Mr. Illsley). I used to teach in Barnsley. If I had told the coalfield community representatives I used to teach that they would receive an above-inflation pay increase; that, if they did their job well, they would receive £2,000; that, once they received the £2,000 uplift, they would enter a new incremental scale that most of those who work in manual and craft trades have never had; and that—when they had entered that incremental scale—they could earn up to £30,000, I would think that their morale would have improved. I should think that they would also wholeheartedly have welcomed that enormous boost in pay for teachers.

Mr. Illsley: As my right hon. Friend is aware, Barnsley is a low-income area, where GDP is 66 per cent. of the European average and is lower than that of Poland and of poorer countries in the European Union such as Portugal. Consequently, we have less parental engagement in matters such as book purchasing, a lower incidence of computer ownership and internet access and hence lower educational achievement. Will not teachers in Barnsley, when judged on the basis of pupil progress and attainment, be at a disadvantage because of that lower educational achievement, which has been caused by low incomes? Might not assessing teachers on that basis also make it more difficult for Barnsley to attract quality teachers who could take advantage of the performance pay proposals?

Mr. Blunkett: The answer to the first question is a resounding no. We have built prior attainment into the threshold requirements as an absolutely key issue, so that the point at which a teacher inherits a child will be taken into account in assessing progress. Every teacher who has entered the profession has done so for one reason only—to enhance their pupils' performance and achievement levels. Therefore—wherever they are and at whatever position they start—they will be rewarded on the progress that has been made with their pupils.

With the objective 1 status that the Government have obtained for South Yorkshire, it will be possible to ensure that we uplift not only economic activity and employment levels, but our communities' aspirations and expectations, so that we are able not only to attract the best teachers but to ensure that pupils and parents are committed to ensuring that our area of South Yorkshire does not remain in that position for the foreseeable future.

Mr. Phil Willis (Harrogate and Knaresborough): It is a good day for Liberal Democrats: we have had an announcement that, as a result of our efforts in Scotland, tuition fees have been abolished; and in three of the most severely failing boroughs—Liverpool, Islington and Sheffield—the Liberal Democrats are sorting out the mess that has been made.

The Secretary of State will know that I have real reservations about performance-related pay. Does he agree that, if a performance-related pay scheme is to work effectively, money will have to be not only additional, but ring-fenced, and guaranteed to those who go through the threshold? We have guarantees in place for two years, but after that there are no more guarantees. Unless the Secretary of State is prepared to admit to the House today that the money will be ring-fenced, that every teacher will be guaranteed payments and that the payments will not come out of existing school budgets, the entire scheme will be a sham.

Mr. Blunkett: On the hon. Gentleman's first point, it is difficult to see how anyone in Scotland has gained, with 40 per cent. of students not paying fees in the first place and now having the non-fee deferred so that they have to pay after they have left university. That is a very interesting double somersault.

On the hon. Gentleman's second point, I can give an absolute guarantee that the programme that we have set up within the spending review for the additional £2,000 uplift will continue to be available on a ring-fenced basis. We will guarantee that any teacher going through the threshold will receive it.

Mrs. Theresa May (Maidenhead): One reason why many teachers are worried about the new teachers' pay arrangements is their concern about where the money will come from in the long term. It is little wonder that they are worried, given that yet again this year the Government have failed to fund the basic teachers' pay award, despite all the Secretary of State's complacent claims about extra funding for local education authorities. Does the Secretary of State not accept that the reality is very different from the spin—that some local education authorities have received only superficial increases this year, and that that may very well give rise to real misunderstandings about their position?

Mr. Blunkett: I am very pleased that it is Maths Year 2000. If we subtract a pay increase of 3.3 per cent. from the 5.4 per cent. average increase and then add the £50 million from the Department, the standards fund, the ring-fenced funding for 20,000 teaching assistants and all the investment in the literacy and numeracy programmes, it is clear that the pay increase is perfectly affordable so long as authorities passport on the money that is being provided for education to their schools and ring-fence the additional resources that are being provided for the £2,000 uplift and the future incremental scale payment. None of that was introduced by the previous Government and it is all guaranteed by the present Government.

Mrs. May: I am sorry that the Secretary of State did not accept what I said because I was quoting his own words. In his letter of 8 December to the schoolteachers review body, he wrote:

"I hope that the STRB will bear in mind the considerable demands on schools and LEAs. Some authorities have superficial increases which may give rise to a misunderstanding."

He went on to say that some authorities

"have increases which would make a pay award much greater than inflation very difficult to handle . . . There is real worry across the country".

Those are the Secretary of State's own words. Is not the fact that an authority such as Sheffield has to cut school budgets in order to access Government funds the mathematics of the madhouse? The Government have failed to deliver on their election manifesto promise to

increase the proportion of national income spent on education. They are failing to fund the teachers' pay award. It is just another demonstration that, on education funding, the Government are all mouth and no delivery.

Mr. Blunkett: I said in that letter that there could be a superficial misunderstanding and that is clearly the case. As I said a moment ago, we added in £50 million from my own Department, over and above the revenue support grant provided by the Department of the Environment, Transport and the Regions, to ensure that no authority would be unable to afford the teachers' pay increase. I lifted the match funding from the excellence in cities authorities, which happen to include Sheffield, and the £90 million that would otherwise have had to go into the teachers' pension fund requirement. All those measures have made the pay increase affordable.

Mr. Barry Jones (Alyn and Deeside): Can my right hon. Friend promise us more teachers? Can he be absolutely certain that the large-scale extra moneys that he is making available for our schools are not being misdirected by councils? Does he accept that parents want more teachers in the classroom, but that there is a suspicion that some councils are not using the money for schools?

Mr. Blunkett: That is why we have taken decisive steps to ensure that the authorities pass resources on to schools. We are monitoring that requirement—we will report on it in the summer—in terms of the administrative hold-back and the passporting to schools. By September, we will have an additional 6,000 teachers in our schools, largely through the ring-fenced funding—over and above the revenue support grant—to implement our class size pledge.

School Selection

8. **Mr. Stephen O'Brien** (Eddisbury): If he will make a statement on selection in schools. [109137]

The Minister for School Standards (Ms Estelle Morris): The Government set out their approach to selection in schools in the School Standards and Framework Act 1998. We want an education system that benefits the many, not the few, and we want all children in all schools to receive good-quality education.

Mr. O'Brien: Selection also relates, by definition, to special needs, and the Prime Minister said, during the 1997 election campaign:

"We will not close good schools just on financial grounds."

This is the first opportunity I have had to condemn outright the Secretary of State's decision to close Brook Farm school in my constituency—on financial grounds—causing real distress to the staff, pupils and parents of that very special school.

In relation to selection generally, on what basis did the Government decide that a mere 10 parents are sufficient to appeal to the schools adjudicator to rule against the admission policies and arrangements of a local education authority?

Ms Morris: On the first of those two supplementary questions, I was fortunate enough to meet some of the representatives from the school to which the hon. Gentleman referred, who put forward a powerful case, and I understood the strength of their feelings. Decisions about the planning of special needs places are never easy and my right hon. Friend the Secretary of State considered all the evidence that he had before him. There is bound to be a need to look at the provision of special needs places at certain times and, given the local authority reorganisation that has taken place in the hon. Gentleman's area, it was appropriate to make the difficult decisions that have to be made. My right hon. Friend is confident that the children will continue to receive good-quality education, and that must always be what guides us.

In answer to the hon. Gentleman's second supplementary question, I cannot see why he would argue against giving parents the right to have their concerns considered by a third party.

Mr. Paul Goggins (Wythenshawe and Sale, East): What conclusions does my right hon. Friend draw from the fact that in Trafford, where we have a wholly selective education system, one in three secondary-age pupils goes to a grammar school, whereas only one in 10 of those on free school meals does so and only one in 20 of those with special educational needs does so?

Ms Morris: I conclude that more children who receive free school meals do not go to grammar schools. The point that my hon. Friend makes is interesting, but—although the statistics are right—we need to keep focused on the real challenge, which is to have high expectations of every child and to have a school system that values them. To give children on free school meals, and all the others, the best possible start in life, we must ensure there are good-quality teachers in well-equipped classrooms in schools that are ready to face the new century. With respect, the issue is not the structure but what is happening in the classroom.

Mr. John Bercow (Buckingham): The Minister's reply to my hon. Friend the Member for Eddisbury (Mr. O'Brien) was grossly unsatisfactory. Why should unelected schools adjudicators, such as the Secretary of State's Sheffield socialist chum, the Rev. Dr. Alan Billings, be able to ride roughshod over the wishes of individual schools and elected education authorities simply because 10 local malcontents demand it? Given that a string of Labour Members of Parliament send their children to grammar schools but deny that other parents have the right to do the same, is it not now abundantly clear that Labour's message today is what it has always been—do as we say, not as we do?

Ms Morris: That was one of the most interesting policy announcements made this Question Time—that the new Tory word for parents is "malcontents". I think that those "malcontents" are some of the most important people in the education service. It is crucial that we seek every opportunity to give parents a role in expressing a view about their children's education. It is clear from the hon. Gentleman's question that, were he ever to come to government, he would act to remove that power from parents. This Government want to empower parents, in this and other matters.

Labour Market Access

10. **Mr. Ernie Ross** (Dundee, West): What role he plans for intermediary organisations in widening access to the labour market. [109140]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): The Employment Service works with a wide range of organisations to help unemployed people find jobs. Intermediary organisations can offer valuable opportunities to unemployed people through work experience and by matching the skills that people have to offer with those needed by employers.

Mr. Ross: Does my hon. Friend agree that intermediary organisations have a significant role to play, and that their detailed knowledge will help communities and employers to match people with jobs? Is not that help vital in assisting people to find work?

Ms Hodge: Intermediary organisations have a powerful role to play in matching job opportunities with the skills of individuals. The support for such organisations is evident in the work of the policy action team on jobs and of the new deal taskforce. The Tayside scheme which operates in my hon. Friend's constituency of Dundee, West is already successfully matching young jobseekers to job opportunities. Of the 28 people who started that scheme, 16 have found jobs.

Mr. Ian Bruce (South Dorset): Has the Minister had the chance to review the Government's three years' experience of running the new deal, under which new deal officials are the intermediaries who help people into work? The statistics show that, in the year before the new deal began, the Government were spectacularly successful in getting people back to work. However, since the new deal was introduced, the same success has not been achieved. Is it not the case that people find jobs more readily for themselves than they do through the new deal? Will the Minister take that into account, in order to save taxpayers' money and get more people back to work?

Ms Hodge: I disagree completely with the hon. Gentleman's contention. The new deal exists to support people who have been unemployed for six months and who therefore require help to get back to work. Our data so far show that, in areas where the new deal operates, we have achieved a return-to-work rate that is 18 per cent. higher than in the rest of the country, and that 6 per cent. more people are finding work. The new deal employment advisers are doing a spectacularly good job in improving peoples' employability. In addition, with the help of the intermediary organisations, we are finding new ways to match people with the growing job opportunities in the labour market.

Mr. Derek Foster (Bishop Auckland): Is my hon. Friend aware that the Government's supply-side measures on employment, which include the new deal and intermediary agencies, are probably among the best that I have witnessed in 30 years in politics? They are also producing the highest employment rates that we have had for 30 years. However, is my hon. Friend also aware that the employment rate in the south-east is 79 per cent., compared with only 67 per cent. in the north-east? If we are to achieve the one nation that the Government want—I share their ambition in that respect—do we not need a more even spread of prosperity?

Ms Hodge: I very much welcome my right hon. Friend's comments, especially about the interventions in the labour market that have resulted from the new deal. I accept that work remains to be done, especially in the north-east, to ensure that people have more job opportunities. However, may I draw my right hon. Friend's attention to the fact that, according to the statistics announced by my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities earlier this week, the north-east is one of the fastest-growing labour markets in the country,

Specialist Schools

12. **Mr. Gordon Prentice** (Pendle): What proportion of secondary schools he expects to have specialist school status by May 2002. [109142]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): Plans provide for more than 600 specialist schools to be operational by May 2002. That figure represents 19 per cent. of all maintained secondary schools.

Mr. Prentice: I congratulate the Government on their decision to award technology college status to West Craven high school in Barnoldswick, in my constituency. When that decision was made, I reflected on the schools which have applied for that status and have been turned down, or which will be turned down in future. Once we have set up the complex matrix of art, technology, language and sport colleges, how will the 80 per cent. of schools that do not fall into any of those categories feel? Is there not a danger that they will feel isolated, and that they are failures?

Jacqui Smith: I join my hon. Friend in congratulating West Craven high school, which set targets to raise standards in design and technology, science, mathematics and information communication technology. I share his concern that the good work of developing specialist schools should benefit other schools in the system. The Government have ensured that there is a link between the funding provided for the specialist facilities in the school and the support provided to neighbouring schools, as a fundamental part both of the process of planning to become a specialist school and of the evaluation of an establishment's progress once it is in the scheme.

Mr. Richard Allan (Sheffield, Hallam): Does the Minister accept that, if schools are to enhance educational opportunity, parents must feel comfortable about choosing between different specialist schools, according to the aptitudes and needs of their children? Does she share my concern that, in areas such as Sheffield, parents are

reluctant to exercise parental preference because schools are so full that parents are being offered their second or third choice rather than being able to fall back on catchment schools? Can the hon. Lady offer such parents any prospect of being able safely to express a preference between specialist and other schools, so that they can take advantage of the initiative?

Jacqui Smith: Although I understand the hon. Gentleman's concern about parents being able to express a preference and have it recognised, that is not a function of the specialist school programme. What is important is the fact that the Government have enabled parents to obtain clearer information about admission arrangements—which is what parents expect and what we have delivered.

Mr. Ian Pearson (Dudley, South): Does my hon. Friend agree that there is a world of difference between teaching in a secondary school in a comfortable suburb, with well-behaved middle-class kids, and teaching in an area where there is massive deprivation and frequently challenging classroom behaviour? I know that teachers are motivated by more than money, but should the Government not consider providing financial incentives to encourage more of our best teachers to work in some of our worst schools?

Jacqui Smith: I agree with my hon. Friend's contention that many teachers fill a challenging role in some difficult schools—and I congratulate them. Our proposals in the forthcoming Green Paper on reform in the teaching profession will address the need to recruit teachers and to ensure that those working in challenging circumstances and making a difference to their pupils' progress—which is what they are in the profession to do—will receive the recognition they deserve. Enhancing the status of teaching will also improve professionalism and recruitment to precisely the sort of schools to which my hon. Friend referred.

Adult and Continuing Education

14. **Mr. Andrew Love** (Edmonton): What steps he is taking to increase the provision of adult and continuing education. [109144]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): Adult and community learning is a vital part of the Government's plans to drive up achievement, widen participation and—most significantly—strengthen communities. With the establishment of learning and skills councils in 47 communities, we will aim at bringing about a step change in the scale and range of attractive and accessible opportunities available locally. We already plan to double our standards fund support for local authorities' adult and continuing learning, with £18 million from this coming April. That is just a small part of the money available from central and local government for adult education.

Mr. Love: I thank my hon. Friend for that reply. Does he agree that family learning initiatives can have a major impact on the educational achievements of children and parents? Will he commit himself to a major expansion of family learning initiatives in Edmonton and across the country?

Mr. Wicks: My hon. Friend has a long-standing interest in family learning. Next year, we shall spend £7 million on family literacy and numeracy schemes. We also include family learning in a wide range of educational programmes. I agree with my hon. Friend's emphasis on family learning. We must establish the idea that, when a child receives his or her first chance at education—in nursery or primary school—it can provide a second chance for the mother or father, not least in terms of basic skills. Educationally, what happens in the home may be at least as important as what happens in the school.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 21 FEBRUARY—Opposition day [5th Allotted Day]. Until about 7 o'clock, there will be a debate entitled "Excellence in Education: the Government's Failure to Deliver". Followed by a debate on the Millennium Dome. Both debates will arise on Opposition motions.

TUESDAY 22 FEBRUARY—Debate on the Defence White Paper on a Government motion (First Day).

The business for the week following the Adjournment will be:

MONDAY 28 FEBRUARY-Conclusion of debate on the Defence White Paper on a Government motion.

Third Reading of the Sexual Offences (Amendment) Bill.

TUESDAY 29 FEBRUARY—Remaining stages of the Government Resources and Accounts Bill.

WEDNESDAY 1 MARCH—Opposition Day [6th Allotted Day]. There will be a debate on a motion in the name of the Liberal Democrats. Subject to be announced.

THURSDAY 2 MARCH—Debate on Welsh affairs on a motion for the Adjournment of the House.

FRIDAY 3 MARCH—Private Members' Bills.

The business for Monday 6 March will be:

MONDAY 6 MARCH—Second Reading of the Regulation of Investigatory Powers Bill.

The House will also wish to be reminded that on Wednesday 1 March, there will be a debate on European Union humanitarian and development aid in European Standing Committee B.

I should like to give the House advance notice of business to be taken in Westminster Hall for the remainder of March.

THURSDAY 9 MARCH—Debate entitled 'Work/Life Balance'.

THURSDAY 16 MARCH—Debate on the Sixth Report from the Public Administration Committee Session 1998-1999 on Quangos.

THURSDAY 23 MARCH—Debate on Pensions Reform.

THURSDAY 30 MARCH—Debate on the Seventh Report from the International Development Committee, Session 1998-1999, on Women and Development.

The House may also wish to know that following discussions through the usual channels, it was thought to be for the general convenience that business on Tuesday 22 February should be taken on the pattern of sittings employed on Thursdays. Business will therefore commence at 11.30 am.

Sir George Young: The House is grateful for next week's business, and for that for the following week.

On Tuesday, the House heard two important statements, which require debate in Government time. The first was on the White Paper on the intergovernmental conference, and the second was on the Waterhouse report on child abuse. Can the right hon. Lady confirm that she will find time for those debates in the near future?

On Monday next, the Government face defeat in another place on free mailshots for candidates in the London mayoral election, an issue on which they have few friends. If they are defeated, can the House have a statement on their plans, as time is beginning to run out?

I welcome the two-day defence debate. Will the right hon. Lady confirm that we shall also have the traditional three separate debates on defence matters?

When can we expect an announcement on the BBC licence fee? The Government have had the Davies committee's report for more than seven months, but there is still no sign of a decision.

Finally, next Tuesday marks the anniversary of the Prime Minister's statement to the House on the national changeover plan. Will he come to the House then to tell us the Government's estimate of the costs of changeover, and how it compares with the £36 billion estimated in today's newspapers?

Mrs. Beckett: The right hon. Gentleman asked for debates on the IGC and the Waterhouse report. On the IGC, he knows that such matters do not move at break-neck speed, so I take heed of his observation. We shall look for an opportunity to find a slot in which those matters can be aired—although such an opportunity might not be exclusive to the IGC.

The Government realise that there is great interest in the Waterhouse report on both sides of the House. As the right hon. Gentleman knows, time for debate on the Floor is at a premium, but we may be able to find time for an initial debate in Westminster Hall—we could explore that.

The right hon. Gentleman raised the possibility of a Government defeat in another place. It is interesting that he makes that point. If the Government are defeated, we shall have to take account of that and consider whether to make a statement to the House. However, it is a bizarre proceeding when a House in which not one person is elected presumes to make a judgment as to how an election should be run.

It is even more bizarre because the cost of a free mailshot, in what is—with respect to this great metropolis—a local election, would be about £15 million. I understand that that would be the cost of employing another 500 or 600 police officers. The people of London would probably think that Opposition parties had strange priorities if they chose to spend public money in that way. Standing would be a good investment for any candidate—another factor that a responsible Opposition might take into account—because, for a few thousand pounds, that person would get a free mailshot to every home in London.

It is bizarre that, for the first time since 1968—when, by a remarkable coincidence, there was also a Labour Government—the House of Lords might choose to flex its muscles in that way. I hope that it will have more sense than to do so.

The right hon. Gentleman asked whether we would hold the three separate day defence debates. We have given an undertaking that those debates will be scheduled

in due course; we stand by that. I cannot tell him when an announcement on the licence fee will be made, although it will not be next week.

I have not read the stories about the national changeover plan to which he referred, so I am unable to assess their validity. I do not anticipate that my right hon. Friend the Prime Minister will rush to the House on Tuesday to discuss the matter.

Mr. Alan Simpson (Nottingham, South): May we have a debate on genetically modified foods and producer liabilities? I ask that for two reasons. First, I have received a letter from NFU Mutual Insurance to an east midlands farmer, Peter Lundgren, pointing out that he and other farmers are not insured for the loss of value of farm land on the open market resulting from the growing of GM crops; nor are organic farmers covered for the loss of GM status. No farmers will be covered for the potential loss of crops through cross-pollination.

Secondly, the matter needs to be debated urgently because I understand that Ministry of Agriculture, Fisheries and Food officials are advising the Government to accept the registration of GM crops on the European common register. That would invalidate all our constraints on field and farm trials and may saddle farming communities with liabilities and bankruptcies, which would be disastrous for everyone concerned.

Mrs. Beckett: I know of my hon. Friend's long interest in that matter. I am not aware of the advice given by MAFF officials to their Ministers—let alone the decisions that they may take. He raises a serious issue and although I cannot undertake to find time for an early debate, I will certainly draw his remarks to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Mr. Paul Tyler (North Cornwall): I endorse the request for an urgent statement on the digital licence supplementary fee. My hon. Friend the Member for Lewes (Mr. Baker) was promised a statement by the end of last year—we are now two months into this year.

I draw the right hon. Lady's attention to two important, topical Select Committee reports which were published this morning and on which we cannot wait for the usual long-delayed response from the Government. The first is from the Welsh Affairs Committee on European structural funds and strongly endorses the case put by the Opposition parties in Cardiff that a statement on matched funding must be made urgently by the Government. That is, of course, relevant to the situation in Cardiff. May we have that urgent statement?

May I also ask the Leader of the House—this is very topical—for an urgent statement on the future of National Air Traffic Services on which the Select Committee on the Environment, Transport and Regional Affairs has, this morning, published a damning report that is a complete indictment of the Government's policy? The Committee says:

"The current proposal for a public-private partnership for NATS is, in our view, the worst of all the possible options"

It also points out that

"we have noted the Government's paltry and, at times disingenuous, reasons for dismissing the alternative models."

I draw attention to the fact that there is an increasing view on both sides of the House that the way in which the Government deal with Select Committee reports is far from satisfactory. This case is a litmus test of the Government's attitude to Select Committees and, not least, to the Labour majority on this Committee.

Mrs. Beckett: I do not recall that the hon. Member for Lewes (Mr. Baker) had extracted the undertaking to which the hon. Gentleman referred. However, I shall draw the matter to the attention of my right hon. Friend the Secretary of State for Culture, Media and Sport. The hon. Gentleman will have noticed that I am always wary of promising anything. That is clearly a good rule to follow.

The hon. Gentleman mentioned the reports published by the Select Committee on Welsh Affairs and the Select Committee on the Environment, Transport and Regional Affairs. On the first, the Government, of course, recognise the importance of European Union structural funds. However, I do not share in any way the hon. Gentleman's view that the concern that led representatives of the Liberal Democrats and others to eject recently the First Secretary in Wales was well founded. If it had not been for the Government's efforts, there would not have been any objective 1 funds to match in the first place. It is ludicrous that that pretext was used to achieve, in my opinion, entirely other ends. There is no doubt about the Government's firm commitment—in Wales and elsewhere in the United Kingdom—on structural funds. We would not have worked so hard to negotiate them had that not been the case.

The hon. Gentleman also asked about the Select Committee report on the future of NATS. As he will appreciate, the report is based on evidence taken before the discussions that are under way in the Standing Committee on the Transport Bill. In due course, the Bill will be reported to the House and there will be many opportunities to pursue the issue then.

Ms Rosie Winterton (Doncaster, Central): Will my right hon. Friend find time for a debate on the Government's announcement this week for clear targets to reduce car crime and burglary? The targets have been very much welcomed in my constituency because the audit carried out by the local police and local authority has identified those two problems as being of particular concern to my constituents. Would not such a debate provide an excellent opportunity to highlight the steps that the Government have taken to cut crime and to expose the record of the previous Tory Administration, under whom crime doubled and the number of criminals brought to book fell by a third?

Mrs. Beckett: My hon. Friend is correct and I recognise the temptation that would be offered by a debate that would expose the record of the previous Government, under whom crime doubled. That would enable us to point out the steps that the Government have taken to set targets for the reduction in the number of crimes that cause particular concern and make people feel insecure. In some ways, such insecurity is out of all proportion to the impact of an individual occurrence. The debate would also give us an opportunity to trumpet the increase in police numbers that will take place under this Government. I believe that it will be more than 100 in the area that my hon. Friend represents.

[Mrs. Beckett]

As my hon. Friend knows, the Government have to judge their priorities firmly. Much though it is attractive to use opportunities to expose the Conservative party's record, I fear that this is another one that we shall have to pass up.

Mr. Graham Brady (Altrincham and Sale, West): Given that the Prime Minister has participated in only 5 per cent. of the Divisions in the House in this Session, we would hardly expect him to rush here to make a statement on Tuesday or any other day. The Leader of the House will be aware that, when the Prime Minister published the national handover plan a year ago, he promised to update the House on its progress on its first anniversary. Was this a meaningful promise from the Prime Minister or was it, like his health service spending plans, merely an aspiration?

Madam Speaker: Is the hon. Gentleman asking for a debate?

Mrs. Beckett: I understand, Madam Speaker, that the hon. Gentleman is in fact asking for a statement. As for his introductory remarks, I think that he has forgotten, or does not want to know, that the Prime Minister has spent more time in the House at Prime Minister's Question Time and answered more questions than did his predecessor. *[Interruption.]* I know that Conservative Members hate it, but those are the facts. My right hon. Friend has also given more statements on matters such as Northern Ireland, Iraq and international meetings than did his predecessor. There is no truth whatever in the continual allegations of Conservative Members that the Prime Minister is reluctant to come here. Indeed, I see every sign that he enjoys Prime Minister's Question Time, and he has good reason to do so.

I do not recall a specific commitment to come to the House on the anniversary of that statement, and if that fell, as anniversaries sometimes do, on a non-sitting day, no one would be able to assume such a commitment. I shall certainly draw my right hon. Friend's attention to the fact that the Opposition are taking such an interest in the changeover plan; I thought that they were spending all their time resisting the notion of a changeover.

Mr. Tam Dalyell (Linlithgow): May we have a statement on the resignation on matters of principle and policy, particularly towards the children of Iraq, by the distinguished international civil servant, Mrs. Jutta Burghardt? She is the third international civil servant who has been in Baghdad, seen the situation at first hand and then decided to resign, following the Irishman, Denis Halliday, and another German, Hans von Sponeck. When such people, who are close to the problem, resign on matters of principle, ought there not to be some explanation from the Government and the feeling that policy should be reconsidered?

Mrs. Beckett: The whole House knows of my hon. Friend's deep interest and concern in these matters and his sympathy for those who are affected by the problems that have arisen in Iraq as a result, of course, of the actions of the Iraqi Government.

As to whether we should seek a statement in the House, the lady is, as my hon. Friend rightly says, an international civil servant. She is an employee not of the Government, but of the United Nations, and the policy to which she objects says that Iraq must face sanctions unless it complies with international demands to disarms. That is an international policy supported by many Governments.

There is, mapped out in resolution 1284, a clear path out of sanctions for Iraq and its people, if only the Iraqi Government would take it. Although I understand and sympathise with my hon. Friend's concern, which I presume also lies behind the resignation, the answer is in the hands of the Iraqi Government.

Mr. Roger Gale (North Thanet): It is now some four months since the Chancellor of the Exchequer told the House that he would give those over 75 a television licence at the expense of the taxpayer. We were lead to believe initially that it was to be the responsibility of the Department for Culture, Media and Sport. It then became apparent that the Department of Social Security was having problems with the computer programme, and for that reason details of the scheme have not been announced.

I was astonished to learn by letter from a Minister in the Department for Culture, Media and Sport this week that this is now a matter for TV licensing and the BBC and that, incredibly, the Department of Social Security is now deciding whether to make its computer information available to the BBC, so that it can work out the programme. The previous system was bad, but this is a shambles. Can we have a full debate on the concessionary television licence so that my elderly constituents, who are distressed and concerned, can find out who is responsible and when they will get the licence that they have been promised?

Mrs. Beckett: If the hon. Gentleman casts his mind back he will recall that the Government undertook to seek to make such licences available from the autumn, and that remains our intention. With deep respect to him and without any disrespect to his constituents, frankly I doubt whether they will have the slightest interest in the mechanism by which the policy is delivered, as long as it is delivered, and that remains the Government's intention. He said that the policy is "at the expense of taxpayers", so I presume from that phrase that he opposes the idea of free TV licences.

Mr. Vernon Coaker (Gedling): Will my right hon. Friend find time for a debate on education funding, covering the passporting of money by local education authorities to schools and the inequity in education funding between different parts of the country? Schools in Nottinghamshire receive considerably less per pupil than schools in other parts of the country.

Mrs. Beckett: I fear that I cannot undertake to find time for another debate on the matter. As my hon. Friend knows, we have just had Education questions, and I am sure that he will take every opportunity to raise the concerns that affect his constituents. I believe that Nottinghamshire will benefit from receiving about £15 million from the extra money that the Government are making available. I understand his concern, which is felt by Members on both sides of the House, if he

believes that that is not as fair a share as it should be. However, I offer him the consolation that this is extra money, which Nottinghamshire would not have received under a Conservative Government.

Mr. William Ross (East Londonderry): Given the way in which matters have developed in Northern Ireland over the past week, can we have a statement from the Secretary of State for Northern Ireland so that we can at least question him on what is going on there, or else can we have a debate?

Mrs. Beckett: The hon. Gentleman knows that my right hon. Friend is, and always has been, very willing and prepared to come to the House when he has something of substance to report, particularly when he believes that it would be helpful to keep the House informed. Equally, I am positive that the hon. Gentleman, like all hon. Members, would not wish to press for a statement at a time when the position may be less than clear and when it might not be wholly helpful to the peace process for my right hon. Friend to be making statements about a moving position. However, I assure the hon. Gentleman that my right hon. Friend will of course keep the House informed as and when he can.

Ms Debra Shipley (Stourbridge): Will my right hon. Friend find time for a debate on rogue companies? The operations of such companies have been brought to my attention by good and decent businesses in my Stourbridge constituency, which includes the manufacturing areas of Quarry Bank, Cradley and Lye. I refer to businesses that operate for a while, go into liquidation—leaving huge unpaid bills all over the place—and start up again a matter of days later, often in the same premises, sometimes with the same staff, the same furniture and even the same telephone number. When I asked the companies that approached me how many examples they had, they said, "It happens all over the country. How many do you want?" We are talking about hundreds and hundreds of rogue companies, and it is a very important issue.

Mrs. Beckett: I know, even from before the general election, of the close relationship that my hon. Friend enjoys with the business community in her area, and how well respected she is by it. Having met her in such company, I understand that she has strong links with its members in that the information that they have given her represents the position as they find it. She describes a problem that is very difficult to handle—successive Governments have grappled with it. Equally, I accept that it causes real problems for people who are genuinely enterprising and are trying to make a success of business on fair and reasonable terms. I fear that I cannot undertake to find time for a debate on this in the House, but I draw to her attention the opportunities that the extra sittings in Westminster Hall present. That is something that many hon. Members in all parties might wish to pursue.

Mr. Christopher Chope (Christchurch): Can we have an early debate about the way in which the Government are undermining the independent role of regulators? The appalling instance yesterday, when the Chancellor of the Exchequer intervened and overrode the Director General of Oftel by making a premature announcement in relation to new regulatory roles affecting the internet, wiped billions of pounds off the value of British Telecom shares and undermined the role of the independent regulator. That followed quickly upon the action of the Secretary of State for Trade and Industry in undermining the Director General of Fair Trading by suggesting that we were all suffering from rip-off Britain and having to pay very much higher supermarket prices than was reasonable. We now find that that was totally untrue and served only to undermine the value of the shares of leading supermarkets and make them more vulnerable to takeover. Is that not an appalling way to interfere with British business?

Mrs. Beckett: I understand the hon. Gentleman's point, but he should come to business questions more often. If he did, he would find that for a happy three quarters of an hour or so, we have a succession of requests from his right hon. and hon. Friends for Ministers to make statements and pronouncements on a range of matters. It would go down badly with most of them if I said repeatedly that in each case, it was a matter for the regulator. "I want the Minister to come to the Dispatch Box and answer" is what they would say. I suggest that the Opposition get their act together and decide what they want.

Mr. Gordon Prentice (Pendle): I hear whispers that the countryside Bill will not be published this month. Is that true? If it is not to be published, who is holding it back?

Mrs. Beckett: I cannot answer my hon. Friend off the cuff. It is possible that publication has slipped by a day or two, but if that proves to be the case, I advise him not to read anything deeply sinister into it.

Mr. John Hayes (South Holland and The Deepings): The Leader of the House will be familiar with the concerns expressed by the British Medical Association about the Government's habit of announcing funds for the NHS, then re-announcing the same funds several times. The BMA stated in a letter to the Prime Minister—which, I must tell the right hon. Lady, has remained unanswered—that that makes it very difficult to deliver a stable service. Will she therefore give a commitment that in any announcements of funding that are made in the next week, real extra funding will be marked with an asterisk, and additional funding with a "B" for bogus, or even an "L" for something unparliamentary? That would allow hon. Members to determine whether it was real extra money or simply smoke and mirrors.

Mrs. Beckett: I am not aware of what the BMA wrote to the Prime Minister. Of course the BMA is an effective, experienced and rightly respected group, which is expert, rightly, at lobbying for extra funds for the health service. I take with a pinch of salt the notion that it disrupts the stability of planning when announcements are made. Those who run the health service are well aware of what funds are being made available, the time scale and so on, and I doubt whether they pay much attention to the timing of press notices.

As to real extra funding, a great deal of hypocritical nonsense is spoken about that. There is real extra money—substantial extra money—for the health service, and every single penny that my right hon. Friend the

[Mrs. Beckett]

Secretary of State for Health announces as extra is extra, over and above the plans that were in place when the party that the hon. Gentleman supported was in office.

Mr. Dale Campbell-Savours (Workington): May I join the hon. Member for Christchurch (Mr. Chope) in asking for a debate on matters relating to the internet? What the Chancellor said yesterday is supported by most of my constituents and most of Britain, who believe that British Telecom is effectively running a racket on the internet, denying millions of people access and should be stopped in its tracks.

Mrs. Beckett: I know that there is enormous interest in how we can best make use of the opportunities presented by the internet, in e-commerce, in modernising government and in various other areas. I am pleased to hear that, as I had hoped, the Chancellor's announcement has gained a widespread welcome.

Mr. Mike Hancock (Portsmouth, South): May I draw the attention of the Leader of the House to the Audit Commission report on the appalling tragedy of the large number of people who are dying in our hospitals through diseases contracted in hospital? That is illustrated by the sad experience of my constituent, the late Mr. Ken Lynch. He died tragically after going into hospital suffering from an asthma attack, and subsequently being attacked by a psychiatric patient in the hospital, which resulted in him remaining in hospital for several weeks, during which time he contracted pseudomonas, from which he died, sadly, two weeks ago.

In reply to a question on the matter, it was stated that pseudomonas was not a notifiable disease, so deaths from that hospital-contracted illness are never reported as such. There must be a debate on this tragedy, of which the whole country should be ashamed. The sooner we have it, the better.

Mrs. Beckett: The House will understand and share the hon. Gentleman's concern and will want to extend its sympathy to his constituent's family. As I believe the heath service's chief executive said this morning, this is a growing problem throughout the world, which is increasingly being recognised and tackled. Sadly, not all infections are preventable, but the hon. Gentleman will know that the Government have issued new standards on infection control against which NHS trusts must monitor their performance. I recognise that he is concerned about the monitoring of a specific disease, but I am sure that he will accept that it is the overall picture that is important. Compliance will be monitored against those standards by the Audit Commission and the Commission for Health Improvement, so we are putting in place structures that we hope will enable the problem to be tackled. All will recognise that it is a problem that we must do our utmost to overcome.

Mr. Jonathan Shaw (Chatham and Aylesford): Has my right hon. Friend seen this morning's press reports suggesting that a police report will recommend to the Government the reclassification of the killer drug ecstasy—effectively, a downgrading of that drug? Will not that send all the wrong messages to susceptible young people when we should be doing everything possible to discourage them from taking this drug, no matter how widely used it is reported to be? I am thinking of young people, such as my constituent, John Hoskins, a former British soldier, who tragically received poisonous ecstasy in a nightclub in the Medway towns last year. Will my right hon. Friend arrange for a Home Office Minister to make an early statement declaring our position to be unchanged and stating clearly that we will fight the war on drugs without any softening of our approach?

Mrs. Beckett: I have not seen the report to which my hon. Friend refers, nor am I aware whether such observations will be made to my right hon. Friend the Home Secretary. My hon. Friend is right to express concern, and I shall draw my right hon. Friend's attention to his remarks. My hon. Friend will know that the Prime Minister takes a close personal interest in this area of policy and met Keith Hellawell earlier this week. I hope that he will also know that figures show that the number of young people experimenting with drugs has fallen recently, which all will find encouraging, although there will inevitably from time to time be tragedies. Again, the House will sympathise with the family of the young man to whom my hon. Friend referred. I cannot promise an early debate on the matter, but I assure him that the Government take the matter seriously, and I will draw his remarks to my right hon. Friend's attention.

Mr. Christopher Gill (Ludlow): May we have an early debate on the difference between the rhetoric and the reality of the Government's health care provisions, particularly as it affects my constituents in south Shropshire and people living in north Worcestershire? The Leader of the House may recall that last year the Prime Minister said that all accident and emergency units throughout Britain would be upgraded, but my constituents' experience is that the accident and emergency unit at Kidderminster general hospital will be downgraded. The Leader of the House may not know that my constituents were also promised that various services would continue at Kidderminster general hospital until a new district general hospital was completed at Kidderminster, and that no services would be withdrawn from Kidderminster until 2003. It now appears that some will start to leave Kidderminster general hospital in June this year. The Leader of the House will recognise the huge disparity between what the Government continually tell my constituents and what is happening on the ground, and they are angry about that.

Mrs. Beckett: The hon. Gentleman, I am sure inadvertently, has misrepresented what the Prime Minister said. The Prime Minister has always been careful to be accurate in his phraseology. He has repeatedly said that all accident and emergency departments that had a considerable need for work to be done would be upgraded, and they have been. I have seen many of them in different parts of the country. But I understand and accept the hon. Gentleman's concern for the service that his constituents receive and their anxiety about changes. Changes in the pattern of hospital provision always cause anxiety. I cannot undertake to find time for a special debate on the matter, although he knows that he can pursue the matter

in Westminster Hall, but I undertake to draw his remarks to the attention of my right hon. Friend the Secretary of State.

Dan Norris (Wansdyke): The right hon. Member for Kensington and Chelsea (Mr. Portillo) said this week on Radio 4 that the national minimum wage had not been effective in dealing with poverty. In the same week, the Low Pay Commission said that more than 1.5 million people had been taken out of poverty. On average, that is more than 2,200 people in every constituency in the country. Can we have an early debate on the national minimum wage to ascertain whether the Opposition's rhetoric is genuine, or whether it has more to do with the next general election, which is approximately a year away?

Mrs. Beckett: The right hon. Member for Kensington and Chelsea (Mr. Portillo) has moved from his former view that the minimum wage was an immoral policy to claiming that it is not an effective method of relieving poverty. Although that view is more tempered, it is no more accurate. My hon. Friend is right to draw attention to the tremendous beneficial impact of the minimum wage. Attractive though it is to continue to expose the Conservative party's deficiencies and difficulties, we must unfortunately deny ourselves that opportunity because the Government have more important things to do.

Mr. Desmond Swayne (New Forest, West): The right hon. Lady has alluded to the fact that business questions make for a pleasant three quarters of an hour. However, many hon. Members are indifferent to it. Has the right hon. Lady seen the Library's research paper, which is entitled "MPs' Participation in Commons Divisions"? Is not she alarmed by the disproportionate number of Labour Members who appear not to attend at all? Some of her colleagues on the Treasury Bench do not do much better. Even the Prime Minister has only a 5 per cent. record. Should not we have a debate about that? There is no point in the right hon. Lady announcing the business when so many Labour Members do not attend our proceedings.

Mrs. Beckett: The hon. Gentleman is a very regular attender, but he knows that, mercifully, only a tiny portion of the work of the House or the Government is done in the Division Lobby. He is also aware of the enormous amount of time that all hon. Members, including most Labour Members, spend in the House.

Mr. Geraint Davies (Croydon, Central): When will we have the opportunity for an important debate on the powers of the police and local authorities to tackle graffiti artists and their promoters? We should especially consider granting the police the same rights to stop and search people who carry sprays that the police believe are linked to crimes as those that apply to people who carry knives. Local authorities should have the same powers to tackle those who promote graffiti products as those that apply to promoting fly-posting. I have an advertisement from a Croydon-based company, which sadly advertises sprays on the internet and through mailing. It directly incites people to produce graffiti.

Mrs. Beckett: I appreciate that graffiti can cause great offence and do great harm to buildings, which must be protected. I understand my hon. Friend's anxiety and the role that he seeks for his local authority and the police. However, I fear that, although the matter is important and causes anxiety, I cannot undertake to find time for special discussion of the matter. Perhaps he will be able to air the issue with Home Office Ministers and get a debate in Westminster Hall.

Mr. Owen Paterson (North Shropshire): Many Back Benchers are increasingly exasperated by Ministers' determined refusal to answer questions. The problem plumbed new depths yesterday. I am not referring to Prime Minister's Question Time, but to last night's debate on the Political Parties, Elections and Referendums Bill when new clause 2 was introduced. The new clause grants the Home Secretary powers that would make Attila the Hun blush. The Under–Secretary of State for the Home Department introduced the provision before midnight. Several Conservative Members, including such senior Members as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) asked pertinent questions in a non-partisan way about that devastating clause. The midnight hour passed, and the Under–Secretary of State for the Home Department refused to answer. He said:

"Members want to go home. One can understand that."—[*Official Report*, 16 February 1999; Vol. 344, c. 1071.]

I could not understand it, and said so. May we please have a debate on ministerial responsibilities to answer questions in the House under "Erskine May" so that we can flush out the Cinderella Ministers who turn into silent pumpkins after midnight?

Mrs. Beckett: I have been a Member of the House for many years and I have never observed anybody at their best after midnight, although I have frequently observed Members who nurture the illusion that they are at their best, which is often unfortunate. Ministers always do their utmost to answer questions and deal with debates. I understand that the new clause dealt with order-making powers and they are frequently discussed by the House in a variety of contexts. My hon. Friend replied to the debate. If he did not do so to the hon. Gentleman's satisfaction, I am sure that he deeply regrets it.

Dr. George Turner (North–West Norfolk): When will we receive the performance and innovation unit report on post office access? My right hon. Friend will understand that, although the Government are going ahead with a modernisation programme for the Post Office and trying to secure the future of village post offices, sub-postmasters and the public are worried by the uncertainty before the fleshing out of the detail. My local press is campaigning for the retention of the rural post office and I support that campaign. When the unit reports, can we have an early debate in the House to get the view of hon. Members on appropriate access to rural post offices? That would end a dreadful period of uncertainty.

Mrs. Beckett: Members across the House acknowledge that sub-post offices do tremendously valuable work and that is particularly true in rural areas. I had no doubts, but I am glad that my hon. Friend supports the campaign in his locality. I also share the view, which lies behind his remarks, that it is wrong and unfair to those who shoulder that responsibility to raise ill-founded anxieties unnecessarily and wrongly, but he is right to say that it is

[Mrs. Beckett]

important for post offices to modernise the way in which they provide services and to look for fresh business and fresh opportunities that could revitalise the whole organisation, including smaller and rural post offices. The Government hope that they will take that course. I fear that I cannot undertake to find time for another special debate, but he knows that the Postal Services Bill is going through the House and I am confident that he and other hon. Members will find opportunities to raise those matters.

Mr. David Heath (Somerton and Frome): May I return the right hon. Lady to genetically modified crops, as that matter is rather more urgent than was suggested in the earlier exchange? Is she aware of the written answer given by the Ministry of Agriculture, Fisheries and Food yesterday to my hon. Friend the Member for Northavon (Mr. Webb)? It made it clear that GM maize is about to be added not to the European register, but to the United Kingdom national seed register. Can she confirm that an announcement is likely to be made on Wednesday—conveniently, the House will not be sitting—and does she appreciate that a coach and horses is being driven through the policy on GM crops enunciated by the Minister for the Environment? Will she promise an early debate on this important subject?

Mrs. Beckett: I cannot confirm the timing to which the hon. Gentleman refers, but I have undertaken to draw the remarks of my hon. Friend the Member for Nottingham, South (Mr. Simpson) to the attention of my right hon. Friend the Secretary of State and I shall certainly add the hon. Gentleman's remarks to them. I am not aware of either the decision that he suggests is due or whether it is likely to be made on Wednesday. However, I am sure that my right hon. Friend will communicate with him.

Mr. Huw Edwards (Monmouth): I thank my right hon. Friend for agreeing to hold the Welsh affairs debate on 2 March. That is greatly valued by Welsh Members, but does she agree that the Secretary of State's report on the Waterhouse inquiry into child abuse in north Wales merits its own debate, to which all Members of the House would want to contribute?

Mrs. Beckett: I am grateful for my hon. Friend's welcome for what we tend to call the St. David's day debate. I understand his feeling that hon. Members should have an opportunity to air the issues arising immediately from the Waterhouse report, and also his feeling that that important matter should not completely obscure the focus on Welsh events that normally feature in that traditional debate.

As I think I told the right hon. Member for North–West Hampshire (Sir G. Young), as we are to engage in a Welsh affairs debate in the near future, a debate in Westminster Hall may well be the most fruitful way of pursuing the other matter, at least initially. Obviously, hon. Members will want to consider the overall issues raised by the Waterhouse report in depth.

Mr. Stephen O'Brien (Eddisbury): In connection with the devastating and stinging report of the Transport Sub-Committee, the Leader of the House gave a disappointing and fly-swatting reply to the hon. Member for North Cornwall (Mr. Tyler). May we have a full day's debate on the devastating effect that the report has had? It has undermined the whole of the Government's policy and approach, in relation not just to National Air Traffic Services and public-private partnerships but to infrastructure programmes and funding.

Mrs. Beckett: As I reminded the right hon. Member for North–West Hampshire (Sir G. Young), there will be time to discuss those matters. Indeed, they are being discussed in the Standing Committee on the Transport Bill even as we speak, and no doubt they will continue to be discussed. I fear that the hon. Gentleman will not find that any Leader of the House is keen to provide extra time for discussion of a matter that is already being discussed.

Mr. Nigel Evans (Ribble Valley): After business questions, will the Leader of the House and, perhaps, a few of her colleagues take a short stroll with me across the road to Parliament square to meet a number of pigmeat producers, and to see a pig in a makeshift sty? I fear that that is the closest that some of her colleagues will get to visiting a farm this year. The producers will be able to tell her about the deep crisis that the industry is experiencing, and about the number of producers who are going out of business in the current year. Perhaps that will encourage her to arrange a debate on the crisis.

Mrs. Beckett: I am aware of the demonstration across the road; indeed, one could hardly miss it. My hon. Friend the Parliamentary Secretary, Privy Council Office was good enough to visit it on my behalf.

The Government well understand the difficulties experienced by the pig industry, and have taken steps to give what assistance they can. The Government do not rule out consideration of further problems that may arise, but I fear that I cannot undertake to find extra time for yet another debate on a matter that—I say this without criticism—has, rightly, been thoroughly aired in the House.

Mr. John Bercow (Buckingham): May we have an urgent debate on the estimate by Chantrey Vellacott, a leading firm of chartered accountants in the City, that it would cost more than £36 billion for Britain to abolish the pound and join the euro? Does the right hon. Lady not agree that such a debate would afford the Chancellor of the Exchequer a fine opportunity to explain to the House and the country his own eccentric view that it is sensible to spend such a phenomenal sum of public money permanently to hand over the running of the British economy to the governing council of the European central bank, which comprises three Germans, two Dutchmen, two Finns, two Frenchmen, two Italians, two Spaniards, a Belgian, an Irishman, a Luxembourger and a Portuguese?

Mrs. Beckett: It can hardly contain any Britons, as we are not part of economic and monetary union—something that I would expect to have occurred to the hon. Gentleman.

I have not seen the estimate to which the hon. Gentleman referred, but I am aware that various estimates are made from time to time. The Chancellor has made clear from the beginning his view that it is not right to rule out membership of the euro for ever in principle, but

that it is right to make a preliminary decision on whether or not Britain should join when the economic tests that he has set are met, and that that decision will of course be in the hands of the British people.

Whatever costs are identified in regard to any changeover plan, a large part of those costs will have to be incurred in any event, as, whatever we do in this country, the euro exists, although the Conservative party said that it never would. It is coming into circulation, and businesses here will have to prepare to handle it. That in itself will carry a cost.

Point of order

1.20 pm

Mr. Nigel Evans (Ribble Valley): On a point of order, Madam Speaker. As you will know, the Representation of the People Bill is before Parliament. The Local Government Association has issued a press release listing the number of areas that will be piloting some of the experiments at the May elections. The Home Office has not issued a statement; nor has a Minister come to the House to make a statement. Indeed, there has been no written answer to any parliamentary question on the list of pilot studies that will take place in May. Is it not appropriate that Parliament be told before newspapers, the Press Association and a number of other bodies about which pilots will take place in May?

Madam Speaker: The point that the hon. Gentleman makes is that a statement might have been made in the House. I hope that those on the Treasury Bench will have heard his comments.

Orders of the Day

Armed Forces Discipline Bill *[Lords]*

[Relevant document: The Fourth Report from the Defence Committee of Session 1999–2000, on the Armed Forces Discipline Bill (HC 253).]

Order for Second Reading read.

Madam Speaker: I must inform the House that I have selected the amendment in the name of the Leader of the Opposition.

1.21 pm

The Minister for the Armed Forces (Mr. John Spellar): I beg to move, That the Bill be now read a Second time.

Before dealing with the substance of the Bill, I should like to thank the Select Committee on Defence for finding the time to consider the Bill and for publishing its report in such a timely fashion. I shall address some of the issues concerning the Bill that have been raised in the report. However, I should first like to address a couple of more general points on which the report comments.

The Committee recommends that the consolidation of service legislation should proceed with more urgency. I appreciate its concern—the project has been gestating for some time. However, as we told the Committee last week, we need to review the best approach to consolidation in the light of the circumstances in which we find ourselves. Those are that we are making quite significant though necessary changes to the legislation in the present Bill. It seems likely that we shall make further changes in the quinquennial armed forces Bill in the next Session. In the strategic defence review, the Government indicated their wish to move from three single service Acts to a single Act covering the three services. That will be an important project.

Taking all the elements of current and prospective legislation into account, we need to take stock of the best way forward. We hope to make an announcement shortly. In the meantime, I assure the House that coherent texts of the individual discipline Acts are available to commanding officers and others who need them, and that they are kept updated as the law changes, for example, with this Bill. We accept it as a legitimate concern that that should be the case.

The Committee mentioned the desirability of early progress in the development of the tri-service Act. I fully agree, but we should not underestimate the scale of the task if the end result is to be greater than the sum of the present parts. It is a matter not just of rolling the three existing Acts into one, but of seeing how we can develop legislation that best meets the needs of the services in the 21st century.

We agree with the Committee about the benefits of pre-legislative scrutiny. As it points out, it is Government policy to publish as much legislation as is practicable in draft. For future legislation that is sponsored by the Ministry of Defence, we shall consider means of making our intentions known to the Committee in advance.

The Bill has already been subjected to substantial debate and scrutiny in another place. I put it in its broader context. We in the United Kingdom are rightly proud of our armed forces. As Minister for the Armed Forces, I am proud of the enormous esteem in which they are held here, everywhere they serve and even beyond those immediate areas.

We place great demands on our armed forces. That is a function of our leading role on the international stage and of the Government's view that defence is about making the world a safer place for us all. We invariably have great expectations that the services will fulfil those demands. The House will know that we are never disappointed. We in turn have a responsibility to ensure that our service men and women are properly looked after. The Government do not shirk that responsibility.

We all recognise that the nature of the demands that we place on the services has altered with the changing world order in the last decade or so. There is a measure of continuity in some of the places where we have standing commitments; elsewhere—for example, the Balkans, East Timor and the Gulf—the commitments have been less predictable. That we have been able to deploy forces to those places is evidence of the flexibility and adaptability of our defence capability. We are committed to developing that flexibility by modernising our forces to give them the means to deal with tomorrow's threats as effectively as they have dealt with those of the recent past. That is what our strategic defence review, which is now being implemented, was all about.

As ever, however, much rests on the quality of our people, on their training, and on the sense of discipline that is instilled into them as an essential part of that training. As the Bill's title makes clear, the Bill is about the system of discipline in the armed forces. As we debate the Bill, the House will keep in mind the vital importance of maintaining an effective service discipline system which, as we all recognise, is essential to the cohesion and effectiveness of the services.

There is a fundamental difference between discipline in the armed forces and discipline in other working environments. Good order and discipline is of course important in any organisation, but, in the services, it is backed by a code, the effect of which is that an individual who commits a disciplinary offence may be liable to receive a penal sanction.

Dr. Norman A. Godman (Greenock and Inverclyde): I warmly endorse my hon. Friend's fine tribute to the men and women in our armed services. I believe that they are among the finest of the United Nations peacekeeping and peacemaking forces. However, the discipline Acts apply not only to members of the armed forces, but to civilians. What guidelines are given to commanding officers on, for example, detention of a civilian who is accused of an offence? Would such a person be placed in military detention?

Mr. Spellar: The outcome will, obviously, depend on immediate events and the circumstances prevailing in the place where the offence was committed and the individual is located. The Bill will make amendments, which I shall deal with later in my speech, that have been designed to make necessary changes, including to the overall scope of the legislation. Some of the issues that my hon. Friend has just raised will be addressed when we discuss the quinquennial review of the overall legislation. This Bill is about making amendments made necessary by legal decisions, which form the backdrop to the type of decision that he mentioned.

We recognise the unique demands of service life. We are talking about men and women who work long hours, under often difficult, dangerous and uncomfortable conditions. We are talking about asking men and women frequently to undertake tasks that may involve the risk of injury or death, in the cause of achieving the common objective. We are talking about asking them to subordinate their interests to the collective interest.

In the United Kingdom, the links between the armed forces and the rest of society are close and valued on both sides. Indeed, our services make a great contribution not only to their local communities, but more generally. We are committed to services that properly reflect the values of the society from which they are drawn and which they exist to serve. However, the extreme demands that we can place on the members of the armed forces necessarily differentiate them from workers in other parts of society. In the armed forces, the effective enforcement of discipline can, as we know, mean the difference between life and death.

The services need to be able to ensure compliance with lawful orders, potentially in the most demanding and dangerous operational circumstances, and that habit of obedience has to be instilled in peacetime. Therefore, there has to be legal authority for the chain of command to give such orders, and that authority has to apply in operational and non-operational circumstances alike. That is the fundamental purpose of the three service discipline Acts—the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957.

It is also helpful to understand that the system for administering discipline is not simply about providing a means of dealing with those who disobey orders or who turn up late for parade. Such a system provides the legal structure for the services to deal with a wide range of offences both here and overseas, some of which would otherwise be dealt with by civilian courts. The procedures for courts martial and the like are therefore very properly subject to constraints similar to those applicable to the civilian courts.

Accordingly, just as procedures for dealing with offences in the civilian courts are adapted in accordance with the needs of the time, so the discipline system in the services is kept under review, not least to reflect relevant changes in the civilian system and in the legal framework.

The key here is to maintain the balance between keeping in step with the broader legal framework and wider society and preserving those aspects of the procedures that are key to operational effectiveness. That is why the service chiefs and their staffs were fully involved in drawing up the proposals in the Bill and recommending them to Ministers.

There is, of course, a regular parliamentary process for reviewing the discipline system, with the five-yearly armed forces Bills. The House will be aware that we require a Bill on this regular basis in order to continue the existence of the service discipline Acts. This procedure is in turn subject to the annual continuation orders. The five-yearly Bills also provide the main opportunity to update the service discipline Acts.

Traditionally, Parliament has approached the continuation and review of service discipline legislation on a consensual basis. I believe that this is an appropriate acknowledgement of its importance to us all.

Accordingly, in opposition, we were pleased to support the important reforms to the system of service discipline included in the last quinquennial Armed Forces Act in 1996. As the House will recall, the more important of these arose in response to the European convention on human rights.

As I have mentioned, there will be a quinquennial armed forces Bill in the next session, but the present Bill introduces some changes in procedure that we do not believe can wait until then. The proposals in the Bill are intended to ensure compliance with the European convention on human rights.

Mr. Peter Viggers (Gosport): Is not the true reason for the Bill's being introduced at this point the fact that the Human Rights Act 1998 stipulated that its provisions should take effect from 2 October 2000, so the Bill had to be introduced before the quinquennial review next year? Does the Minister agree that it would have been far better to wait a year before introducing the Bill and that the fact that the Human Rights Act was ill-drafted has caused it to be brought forward precipitately?

Mr. Spellar: I do not accept the hon. Gentleman's latter premise. A legal judgment—the Hood case—at the European Court of Human Rights would have left the position unsatisfactory from the point of view of service discipline. Another year's delay would have been quite unsatisfactory for commanding officers and could have undermined the effective system of service discipline. Having considered not only the judgment but subsequent legal advice, we thought it right and prudent to introduce the legislation in order to make the necessary changes that would mean that our discipline system was compliant with the ECHR and that there was therefore a robust defence for the position of commanding officers within that discipline system. That is why we are introducing the legislation now, ahead of the quinquennial review.

Mr. Julian Brazier (Canterbury): Can the Minister specify which portion of the Hood judgment led him and his advisers to believe that we needed to introduce the appeal system for those dealt with summarily by their commanding officers? He will be aware that that issue is causing the greatest concern in the armed forces.

Mr. Spellar: As I said to the hon. Member for Gosport (Mr. Viggers), the Hood judgment and subsequent legal advice on the implications of that judgment—

Mr. Iain Duncan Smith (Chingford and Woodford Green): For whom?

Mr. Spellar: If the hon. Gentleman wishes to raise a point, I am happy for him to do so. We considered both the Hood judgment, with its implications for whether the current procedures were compliant with the European convention on human rights, and the subsequent legal advice. I recall that when the previous Administration introduced the 1996 legislation, Findlay was the appropriate case. We also considered legal advice on the direction in which the European Court was moving in the Hood judgment. I shall come to the details subsequently.

Mr. Mike Hancock (Portsmouth, South): The Minister knows that I support the main thrust of what he is saying,

[Mr. Mike Hancock]

especially the human rights element, but the Minister for Defence Procurement wrote to Lord Burnham to confirm that commanding officers would be given effective manuals to cover the period between this Bill and the armed forces Bill next year. Is the Minister convinced that that will be sufficient for commanding officers, or does the Ministry plan to give them some specific training to update them on matters relating to the European convention so that they are better able to stop cases ending up in the European Court in the intervening period?

Mr. Spellar: It is not the decisions of commanding officers but the actual legislation that we are advised is potentially not in compliance. The manuals are a standard part of our custom and practice. As the legislation has been updated—the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957—it has formed the basic framework for commanding officers. As a result of the Bill, further training will be needed for existing commanding officers and others who will be involved in the process, and those modules will be incorporated into the normal training programme. That is the normal and sensible response to any change in legislation.

Mr. Crispin Blunt (Reigate): What effect does the Bill have on the remarks by the Lord Chancellor during the passage of the Human Rights Act 1998? He said:

"I urge your Lordships to be of the view that the convention is a flexible instrument. It poses no threat to the effectiveness of the Armed Forces. I have given an indication about willingness to consider designating military courts as the appropriate forum for the consideration of complaints on convention grounds by Armed Forces personnel. On that basis I invite the noble Lord to withdraw his amendment".—[*Official Report, House of Lords*, 5 February 1998; Vol. 585, c. 768.]

Therefore, in a sense, the Bill makes a monkey out of the Lord Chancellor. The undertakings that he gave in 1998 have been shown to be worthless.

Mr. Spellar: The Human Rights Act 1998 has no impact in that respect, contrary to the assertion of the hon. Member for Gosport. The Bill is a result of decisions taken under the European convention on human rights and, therefore, the need for us to ensure that our procedures were compliant with that convention. As I pointed out to the hon. Member for Reigate (Mr. Blunt) in the Defence Committee hearings, without the Bill, commanding officers could have been placed in the invidious position of operating under a framework that we already knew had been deemed to be non-compliant and, therefore, their decisions could be challenged in court. We thought that it would have been remiss to allow them to remain in that situation when we were fully aware of the court's decision and the legal advice. That is the straightforward reason behind the Bill.

Mr. Duncan Smith: The hon. Member for Portsmouth, South (Mr. Hancock) invoked correspondence between Lord Burnham and the Minister for Defence Procurement. The Defence Committee's report says that the Army estimates that about 20 per cent. of cases will be taken to the summary appeal court and that the Army intends to continue to review that process to ensure that the judgments of the appeal court are in line with the judgments of the commanding officers. Does not that make the important point that in the rush to produce the legislation so early, we are left with a sapping process whereby commanding officers will, almost de facto, have to look over their shoulders in concern about their own judgments and worry about the review process? That will undermine their assured concept of their own authority in front of the accused.

Mr. Spellar: The situation that I described earlier would have had commanding officers looking over their shoulders at a judgment that had been made when they were operating a procedure that both they and the accused knew was non-compliant. That is precisely why we are taking action to deal with problems such as the hon. Gentleman described, in which commanding officers might be uncertain of their area of authority. As I recall, the Army spokesman told the Select Committee that dramatically wide variations in levels of sentence between units could create anomalies in the appeal process. Interestingly, the Navy spokesman said that for about 40 years the manual issued by the Navy had prescribed a range of options rather than precise penalties. He said that the aim had been to overcome any perceived unfairness in that regard.

Mr. Duncan Smith: It has always been slightly inappropriate to use the Navy as an example, as it has a completely different culture. The Army is made up of regiments and smaller units, and has a very different approach. The Minister says that the Government will hold a review, in which judgments by commanding officers will be compared with those achieved through the appeal process. However, the problem is that the commanding officers will be the ones asked to change their opinions and positions, so the Minister's earlier statement that the aim is to achieve conformity rather than uniformity must be incorrect.

Mr. Spellar: The evidence to the Select Committee made it clear that the goal was not uniformity but the establishment of a range within which decisions will be made. The Navy said that it did not employ a uniform table of sentencing and penalties, but that the range of options available to officers gave them considerable discretion. I also recall from the evidence to the Select Committee that the Army had been examining that possibility in any case. I think that the hon. Gentleman is tilting at windmills in this regard. He is right to say that the matter was raised in the Select Committee hearings, but the response from the services was quite robust.

Mr. Mike Gapes (Ilford, South): I can confirm that the word "consistency" was used in the Select Committee's discussions. Does my hon. Friend agree that the danger that might arise if any great inconsistencies were allowed to persist would be that future legal challenges would render us unable to deal with the problem? Does he agree that the Government would not have had to introduce this Bill if the previous Conservative Government had got their legislation right in 1996?

Mr. Spellar: My hon. Friend invites me to go down a tempting path, but I fear that to do so would tempt providence in respect of possible future legal decisions. No Minister would be wise to claim that he had achieved the final, definitive version of legislation on this matter.

Mr. Gerald Howarth (Aldershot): Given that the European Court of Human Rights is constantly inclined

to introduce more and more restrictions on what we in this country may do, will the Minister say whether there are any limits on the Government's willingness to accept its impositions? Is he aware of any other matters that the court is likely to bring forward in the lifetime of this Parliament?

Mr. Spellar: The hon. Gentleman responds to the mere mention of Europe as if he were the hon. Member for Pavlov, East. I remind him—as I reminded the Select Committee—that the 1996 legislation was passed in response to decisions made by the European Court of Human Rights. This Government, like all their predecessors since 1951, have taken account of such decisions and have shaped legislation to ensure that it is compliant. If the hon. Gentleman wants to take that matter further, he should do so with the people who were Conservative Ministers in 1996, or even much further back in time.

We believe that our proposals reinforce the fairness that is at the heart of the services discipline system. They do not imply any criticism of the way the present procedures are operated or of those who have responsibility for operating them.

The proposed changes, like those in the Armed Forces Act 1996, are concerned with establishing checks and balances, in a way proportionate to the need, in two areas not fully addressed in 1996. The first area covers arrangements for the pre-trial custody of persons being investigated or awaiting trial for alleged offences under the service discipline Acts. The second area is summary disciplinary proceedings—cases that are heard by the accused's commanding officer.

Some uncertainty about the need for the Bill was expressed in the other place. As was said in response to interventions, the measure is concerned with modifying certain procedures where there are concerns about compatibility with the European convention on human rights, as described in the explanatory notes. However, the House should be in no doubt that the European Court of Human Rights has already found—in the Hood case in 1998—against the United Kingdom in relation to the present arrangements for pre-trial custody. It did so on the basis that the commanding officer did not have the requisite degree of perceived independence to decide questions of extended custody. The convention article in play on this issue is article 5—the right to liberty and security.

There is no scope for arguing that summary proceedings are, on their own, compatible with article 6 of the convention—which provides the right to a fair trial. Again, that is largely because of the lack of independence of the commanding officer who hears such cases. Given that summary proceedings on their own do not provide a fair trial in convention terms, the question arises of what other procedures we should put around summary dealings to make them compliant. The firm advice is that the combination of the right of election to be tried by court martial and the right to appeal from summary hearings provide a set of procedures that are, in the round, compatible with the convention.

The Select Committee report suggested that providing a right of appeal in addition to a right to elect trial by court martial from the outset may be a form of over-insurance against future court rulings. That is not the case. Without a right of appeal, anyone choosing to be dealt with summarily would be denied the possibility of eventual recourse to a compliant court. Although it may be argued that that is the individual's choice, the advice is that procedures should not rely too heavily on the individual creating conditions that are compatible with the convention. In any event, the new right of appeal will remove a disincentive to choosing to be dealt with summarily. Removing that disincentive will help to preserve the effectiveness of summary discipline.

We are anxious not to add unreasonably to the already extensive burden of responsibilities shouldered by commanding officers—who are the key figures in maintaining and administering discipline in the armed forces. The Bill is designed with that in mind and provides the flexibility that commanding officers will need.

The substance of the Bill is in four parts. The first deals with pre-trial custody, the other three with summary proceedings. Clauses 1 to 10 contain our proposals relating to pre-trial custody. At present, the commanding officer has the main responsibility for deciding whether a suspect or the accused should be held in custody pending charge or trial. There are already safeguards to ensure that responsibility is exercised appropriately and that no one is held in custody unnecessarily—but they are all internal, involving the chain of command within the services.

The Bill strengthens these internal checks and formalises them in primary legislation. It requires the commanding officer to review the need for continuing custody no later than 12 and 36 hours after the time of arrest, applying Police and Criminal Evidence Act 1984 criteria. The Bill introduces external and independent checks in those relatively few instances where there may be a case for detaining an individual longer. In most cases, there will be sufficient information to determine whether there is a basis to prefer a charge before 48 hours have elapsed. However, if a commanding officer considers that continuing custody in excess of 48 hours is necessary while investigations continue, it is proposed that that should be subject to the approval of a judicial officer—on the basis of a custody hearing with the individual concerned present.

The judicial officer will reach his decision on criteria similar to those used by magistrates in the civil courts. PACE criteria relate to the need to demonstrate that inquiries are being conducted diligently and expeditiously and that more time is genuinely required to obtain and preserve evidence. If the judicial officer is not satisfied that those conditions are fulfilled, the individual must be released. In any event, the judicial officer may not approve custody beyond 96 hours.

Mr. John Wilkinson (Ruislip–Northwood): Would the Minister keep it in mind that the armed forces exist to fight? These matters need to be considered in the light of operational circumstances and the turmoil and heat of battle. At times, a period in excess of 48 hours may be wholly appropriate, but there will be no possibility of a legal officer getting to the scene or conducting a hearing. Ministers must bear in mind the reality that service men face in the conduct of their operational responsibilities.

Mr. Spellar: The hon. Gentleman might be surprised by the availability of video conferencing links between our many theatres of operation and the United Kingdom.

CHADWYCK-HEALEY

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[Mr. Spellar]

[Interruption.] If he would wait a moment, I could cover the areas that he raised. Many theatres of operation are in daily, broadband transmission contact with the UK. There have been dramatic changes in that area.

Secondly, it is easy to describe the circumstances of battle in general terms, as the hon. Gentleman did. However, specific cases might make it a little harder to sustain the hon. Gentleman's argument. For example, questions were raised in the Defence Committee about personnel in the middle of a conflict, and a service representative pointed out that holding someone in custody would not necessarily be desirable. In a battle for survival, every individual would be wanted, armed and ready, to fight the enemy.

In other circumstances, it might be possible to move someone in custody away from the front and to a more secure position in the rear. That is quite traditional behaviour. We have to consider individual cases, and once the hon. Gentleman's arguments are considered in detail the requirements that we are placing will not seem as onerous as he thinks.

Our procedures provide that a judicial office may come not only from the individual's own service, but from the others. In addition, the officer may come from a jurisdiction in which the legal system is similar to ours. In many cases, joint operations take place with other forces. We have discussed this point with the services, and the provisions have been examined by them. They believe that our proposals are compliant with operations, as well as being compliant with the convention.

If the individual has not been charged after 96 hours, he must be released. Investigations into the alleged offence would continue, if necessary, after the 96-hour point. Neither the 48 nor 96-hour periods will be regarded as norms. The aim will remain either to charge or to release an individual as soon as possible.

We recognise that in a very few cases it will not be possible for the suspect and the judicial officer to be brought together for a custody hearing within 48 hours. The flexibility rightly built into the Bill will allow these hearings to be conducted by live television links or similar means. We envisage that these will, in some cases, be the most convenient method of conducting custody hearings, and developments in technology have convinced us of their feasibility. However, where it is genuinely not possible to meet the 48-hour requirement, the Bill provides leeway for the judicial officer to hear an application for extended custody after the 48-hour point.

Mr. Michael Fabricant (Lichfield): I fully understand the advantages of video links and so forth. However, the Minister is surely not suggesting that a video link—even broadband, or at different times of day, or when a ship is moving—is any substitute for a face-to-face hearing at which body language may be transmitted. Negotiations cannot be held over video links; they might as well be done by phone.

Mr. Spellar: Given some of the hon. Gentleman's other contributions to debates in the House, I am surprised that he is so dismissive of technology. However, we take the point—not just about body language, but about other potential influences in the room. Part of the modus operandi for video linkage would be to get as wide a picture as possible, so as to obviate any suggestion of undue influence. Much of the work between theatre and joint headquarters is now undertaken by video linkage. Much of the world operates in that way and the services are increasingly doing so. Those facilities are more and more available in theatre.

Dr. Godman: May I remind my hon. Friend that, for some years, the video linking of evidence—especially for the cross-examination of child witnesses—has been an established procedure in civilian courts?

Mr. Spellar: I very much take that point. The procedure is also used in further remand hearings. There may be some scope for its extension in this country, instead of transporting individuals to courts.

If an individual is charged, the need for continued custody pending trial must be assessed anew. As before, it will be for the commanding officer to take the initial view on that, but now applying criteria similar to those laid down in the Bail Act 1976. These include such issues as an assessment of the likelihood of an offence being committed or the possibility of witnesses being interfered with if the individual is not held in custody.

If the commanding officer considers that there is a case for continued custody, the issue must be referred as soon as practicable to the judicial officer, who will also apply criteria similar to those laid down in the Bail Act. As I said, the Bill provides that that must happen "as soon as practicable". That gives the services the flexibility they need if, for operational reasons, it is not possible to arrange an immediate hearing.

If the judicial officer decides that the accused should be held in custody, he may order custody only for a maximum of eight days, or for 28 days if the accused has consented to that longer period. The question must thereafter be readdressed by a judicial officer at intervals of no more than eight or 28 days as appropriate. However, after the first review, a hearing, as such, need be arranged only if the accused has new arguments to advance; otherwise, the judicial officer will conduct a paper review.

In any event, arranging such subsequent hearings, where required, will pose few problems because an accused being held in extended custody prior to trial would, as now, invariably be returned to the United Kingdom, were he overseas in the first place. If, for any reason, that had not occurred, the option of using a video link would be available.

Understandably, the Select Committee probed those procedures at some length and, in their report, suggested that the Committee stage will be an opportunity to confirm that the Bill covers all reasonable eventualities. My hon. Friend the Under–Secretary of State for Defence and I look forward to that.

Clearly, the judicial officer is a key player in all the procedures that I have just described. Clause 7 describes who may be appointed as a judicial officer for that purpose, normally a judge advocate or a naval judge advocate—in other words, one of the figures who exercise independent judicial functions at courts martial. Judge advocates also have a role in other aspects of the Bill's proposals.

The remainder of the Bill concerns the changes that we want to make to summary discipline procedures. For most purposes, as I said, an individual's commanding officer

deals with the alleged offence. As we know, there are certain differences between the procedures in the Army and the RAF on the one hand and the Royal Navy on the other. Today, it may be easier if I refer mainly to Army and RAF procedures, referring to differences in the Royal Navy only where necessary.

The House needs to understand that summary discipline is an effective means of dealing with minor problems quickly. The overwhelming majority of disciplinary cases are heard in that way. The three services need to be able to continue to deal with the present range of day-to-day disciplinary issues summarily.

At present, those facing summary proceedings in the Army and RAF have the invariable right to elect to be tried by court martial instead. That right is slightly qualified in the Royal Navy because of the need to be able to deal quickly with minor disciplinary problems at sea, and because of the problems of convening a court martial on board ship.

The increased right to choose to be tried by court martial was introduced in the Armed Forces Act 1996 because of concerns that summary proceedings, on their own, may not be compatible with the European convention on human rights. In the Army and the RAF, the right for an accused to choose to be tried by a court that complies with the convention can be exercised only after the commanding officer has found the charge proved. At present, if the case is heard summarily, the accused has no right of appeal to a higher court. Instead, he may ask for the matter to be reviewed by a higher service authority than his commanding officer. That is a safeguard, but it is not a judicial process.

We believe that the procedures now need to be changed in two main ways. We intend to introduce a right of appeal from summary hearings to an independent and impartial court. That will provide an assured right of access to a court that complies with the convention. The Bill therefore proposes the establishment of a new summary appeal court for this purpose. That is covered in clauses 14 to 25. The new court will consist of a judge advocate and two independent officers, generally from the appellant's service but from outside his chain of command. There will, of course, be safeguards to ensure that no one hearing the appeal has been involved in the case previously.

The procedure at appeal hearings in the summary appeal court will, as far as possible, mirror that of the Crown court hearing an appeal from a magistrates court. The summary appeal court will not be able to award a sentence more severe than that imposed by the commanding officer, so as not to provide a disincentive to accused wishing to exercise the right to have their cases heard by a court that complies with the convention.

We wish to avoid any confusion that may arise from the introduction of this right of appeal. As I explained earlier, at present an accused in the Army being dealt with summarily is given the option of trial by court martial after his commanding officer has determined that the charge has been proved, but before sentence is passed. That procedure can easily be confused with an appeal, in that the accused has some idea of what his fate may be when he decides whether to involve a higher court. However, it is not an appeal because, for the subsequent court martial to be a proper appeal, the accused would also need to know what sentence he had been given by his commanding officer.

We acknowledge that, within that procedure, there is room for confusion. We therefore consider it more sensible to alter the arrangements so that an accused will make the choice between being dealt with summarily or by court martial before the summary hearing. Indeed, that is already the position in the Royal Navy, and it seems to work there.

I might touch here on another observation in the Select Committee's report. It suggested that the changes in the Armed Forces Act 1996 have led to a doubling of the percentage of Army discipline cases being dealt with by court martial. The Select Committee drew attention to the figures for 1996 and 1999. In those two years, the number of cases dealt with by court martial was more or less constant, approaching 400 in both years. In the same two years, the recorded number of cases dealt with summarily reduced from some 3,500 in 1996 to about 2,100 in 1999.

However, as we told the Select Committee, the centrally recorded information about Army discipline cases is incomplete because it includes data only about cases that have to be recorded on a soldier's regimental conduct sheet. Most cases have not needed to be recorded centrally but, as we also told the Select Committee, a survey for 1998-99 showed that, in that year, 24,000 cases in all were dealt with summarily in the Army. If nothing else, that demonstrates that we need to be very careful about drawing conclusions from the partial figures that were understandably highlighted by the Select Committee. We certainly would not conclude that they demonstrate that an extended right to elect trial by court martial has led to a higher proportion of courts martial.

We concluded that our statistics in relation to discipline need to be more comprehensive in future. We recognise that there have been problems in the past and we intend to do better in the future. That point will help me greatly in answering questions from the hon. Member for Salisbury (Mr. Key).

The Select Committee also registered concern that delays arising from individuals electing for trial by court martial might lead to rough justice being meted out by aggrieved colleagues of the accused. We do not accept the premise that the changes will create additional delays, any more than the 1996 changes did. However, it hardly needs saying that neither the services nor the Government would tolerate matters being dealt with in that way. Indeed, I am not aware of any evidence that that has happened in the wake of the 1996 changes.

Mr. Robert Key (Salisbury): I acknowledge that great progress has been made—for example, by providing more courts in which courts martial are held. Is it envisaged that the new summary appeal courts will sit in the same courts around the country and use the same facilities? If it is, that will surely have great resource implications. Will the Minister also reassure us that he has visited the courts and seen a court martial in session?

Mr. Spellar: No, I cannot reassure the hon. Gentleman on that point. However, we have taken extremely good advice from those who are deeply involved in the system of service discipline at all levels. I take his point that we need to examine the work undertaken in the courts to ensure that justice is not only fair, but speedy and effective. As he graciously acknowledged, we have been making progress—not sufficient, but considerable—in

[Mr. Spellar]

that regard, but we certainly need to take similar measures for the appeals system, because if those procedures are dragged out it is bad not only for the individuals, but for the service.

The change concerning the point of election for court martial is covered in clauses 11 and 12. I appreciate that I have departed from the sequence of the Bill, but those particular proposals are more readily understood in the context of the introduction of a right of appeal. Should the accused decide to be tried by court martial, the sentencing powers of the court will be limited to the maximum that the commanding officer could have awarded had he dealt with the case. That is to ensure that there is no disadvantage, real or perceived, for the accused in choosing to be tried by a court that is independent of his commanding officer and the chain of command.

That limitation is not a formula for the accused to get off with an inappropriately light sentence. If the commanding officer is of the view that the offence is serious, he will still be able to recommend court martial in the first place. However, the decision on whether a case should be tried by court martial ultimately rests not with the commanding officer, but with each service's prosecuting authority, which broadly fulfils functions akin to those of the Crown Prosecution Service.

Clause 13 and schedule 2 make the necessary procedural adjustments to the powers of the prosecuting authority under the new arrangements for electing trial by court martial. Once a case is referred to it, the prosecuting authority may consider that the original charge is inappropriate. Those provisions describe the procedures to be followed if the authority proposes to alter the charge.

If the proposed new charge is of greater seriousness than the original, it may not be appropriate to give the accused the option of summary proceedings or trial by court martial. It will be clear that the matter should be dealt with by court martial. In other cases, however, there will be provisions to allow the altered charge to be dealt with as if new, with the accused being given the opportunity to be dealt with summarily or by court martial, or for the commanding officer to decide to dismiss the charge.

For the convenience of the House, I have described the procedural changes in the Bill in some detail, but we should not let the detail obscure the reason for the Bill. Faced with the Strasbourg Court's decision on pre-trial custody and the unequivocal advice that summary dealings, on their own, cannot be argued to be compatible with the convention, no responsible Government could have failed to act. The Government are acting responsibly with the Bill, and the House would not have expected otherwise.

There are no unnecessary frills in the Bill. Our aim has been to preserve the ability to deal with discipline cases summarily. The Bill achieves that. Where it provides alternative means of trial, these remain within the service system. That is a good outcome for service discipline.

The detailed procedures in the Bill are the result of many months of detailed work with the services to ensure not only that the arrangements are compatible with the convention, but that they work. The services are confident that they will work without impeding operational effectiveness. The Government are confident that they will work and determined that they will not impede operational effectiveness.

The Bill also delivers rights to the men and women who serve in the armed forces. It strikes the right balance between establishing those rights and preserving the vital system of discipline in the services. I commend the Bill to the House.

2.8 pm

Mr. Robert Key (Salisbury): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Armed Forces Discipline Bill *[Lords]* because it adds unnecessary administrative burdens and costs to Her Majesty's Forces, proposes hasty and impractical solutions to the administration of military law for forces on active service, transfers to civilians powers which rightly lie with the chain of military command, and, furthermore, because it fails to address urgent issues affecting the fundamental human rights of military personnel and their dependants, including deficiencies in the provision of legal aid and delays in the processes of military law, such as redress of grievance procedures, and because it has the effect of postponing yet again both consolidation of the Army, Navy and Air Force Discipline Acts and consideration of a single tri-service Discipline Act."

I start by recording my great admiration for the world-beating standards of discipline and personal behaviour which continue to be the hallmark of Her Majesty's forces. As we embark on consideration of the Bill, we should remember that only a few go astray.

Almost exactly two years ago, on 16 February 1998, I visited Trenchard Lines at Upavon, the headquarters of the Adjutant-General, for a briefing by the director of personnel services for the Army and others on the Army disciplinary system and the challenges that it was facing. Those challenges included personal behaviour and issues such as homosexuality, mixed-sex postings on increasingly purple operational tours and the consequences of changes to the service discipline Acts as a result of the Armed Forces Act 1996. They included also the anticipated changes that would be forced on the services as a result of European Court judgments and the proposals to incorporate the European convention on human rights into domestic law.

I was reminded of that last month, when I was visiting NATO headquarters in Brussels, when we drove past the site of the battle of Waterloo. The connection is that, in his briefing to me—which was clearly exceptional, because I can still remember it—the director of personnel services, then Brigadier Peter Curry, opened the day by reminding me that the Army exists to engage in war. He pointed out that Napoleon said "The moral is to the physical as three is to one." It is a good soundbite, and I am glad that he said it. He also learned the truth of it the hard way when he lost the battle of Waterloo. There are many reasons for that defeat, including Wellington's superior knowledge of the lack of undergrowth in the woods thereabouts, which was pointed out by my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith). Above all, Napoleon underestimated the moral strength of the British and their allies.

Morale arises from conviction in what we are doing and confidence in our leaders. Anything that undermines that conviction and confidence leads to a breakdown of trust. As Brigadier Curry put it, conviction and confidence are held together with the glue of discipline.

The first priority must be confidence in the chain of command. That is particularly important in the Army. Land operations are very different from naval and air operations: there is more friction, operations take longer, every soldier carries a weapon and must use it.

During the course of that briefing, I was struck by the open-mindedness of those tasked with the challenges facing the Army. There was a great deal of new thinking in the military community. There was also a recognition of the tri-service differences. That was manifest in the tri-service working group, which had discovered that it had to rely on logic rather than prejudice when it ran into inevitable differences of ethos and working practices between the three services. The very small number of dedicated men and women of all three services who have squared up to those intractable problems deserve our congratulations and thanks. A great deal has been achieved.

Two years ago, the Army had promised a new standards of discipline paper. Ministers, service chiefs and lawyers were wringing their hands, and who can blame them? That is why it is a triumph that, two years on, the chiefs of the defence staff have been able to introduce a code of social conduct in the armed forces which sets out a revised policy for all three services on personal relationships involving service personnel. The ultimate test is the service test which, quite rightly, focuses not on political correctness but on the operational effectiveness of the services. The test is short and straightforward: have the actions or behaviour of an individual adversely impacted, or are they likely to impact, on the efficiency or operational effectiveness of the service? As my hon. Friend said when the Secretary of State announced that change, we cannot be sure whether the test will work, nor of the effect that it will have on operational effectiveness, and we will therefore ask the chiefs of staff to review the effects of the introduction of the service test.

It was clear to us that the Government were reluctantly pushed into making this change. What else could explain the change in tone of the Labour party from Opposition to Government? Many of us were present at the Report stage of the Armed Forces Bill on 9 May 1996, when the then hon. Member for Motherwell, North (Dr. Reid)—now Secretary of State for Scotland—who was leading for the Labour Opposition, said of the Currie amendment to lift the ban on homosexuals in the forces:

"There are logical, objective grounds for qualifying what is a very valuable civil right to preserve effectiveness. However, it is honourable and legitimate to say that the weight of the civil liberties argument is sufficiently great to overcome both the operational reduction in effectiveness and the case for privacy for heterosexuals. There is nothing dishonourable in making that balance and in arriving at a judgment that is different from mine, but the Labour Members of the Select Committee were not persuaded that that change was necessary."

He said later:

"Whatever happens, the people who will then be asked by us to remain the ultimate defender of both those liberties and those lives will be the men and women of our British armed forces."—[*Official Report*, 9 May 1996; Vol. 277, c. 503-05.]

That was fighting talk, and it clearly convinced the hon. Member for Warley (Mr. Spellar), who voted with the then hon. Member for Motherwell, North and myself in the same Lobby.

Mr. Bruce George (Walsall, South): And me.

Mr. Key: And the hon. Member for Walsall, South (Mr. George), of course, along with many others.

I only wish that such focus and clarity were identifiable in the Government's attempt to incorporate into the three service Acts the consequences of putting the European convention on human rights into domestic law. It is because they have not made a sufficiently compelling case, either today or in another place, that I shall invite the House to vote for our reasoned amendment.

In another place, one by one, the noble and gallant Lords expressed their dismay. Field Marshal Lord Carver said on 16 December 1999:

"I contend that the present system under the Army and Air Force Acts is perfectly fair and can be defended in the courts as consistent with the convention."

Mr. Spellar: Did not a number of the past service chiefs, on examining the legislation, and also the Army Act 1955, decide that, in fact, their concerns had been covered in the legislation? Did they not say that on Third Reading?

Mr. Key: On Third Reading, as the Minister will recall, most of the noble and gallant Lords who had spoken in the debate, having had a jolly good Christmas, stayed away. Nevertheless, I shall come to that.

Field Marshal Lord Bramall said:

"More is being put into this Bill than is strictly necessary for compliance."

Indeed, even the Minister, the Baroness Symons of Vernham Dean, said when, discussing the right of appeal against a summary sentence, that to continue with the present arrangements might not be "compatible with the Convention". I am sure that her words were carefully considered. She continued that the provisions would allow the possibility—not the probability—of a challenge to the powers of the commanding officer. Then the distinguished Scottish lawyer, Lord Campbell of Alloway said:

"The noble and gallant Lord, Lord Bramall, put the matter very clearly; there is much provision in the Bill which is unnecessary. To put the proposition round the other way . . . which precise articles of the convention does the existing regime—the discipline Acts—breach?"

The best the Minister could do for an answer was to say:

"We need to consider what would happen if we did not make these changes. Failure to do so would render the system for service discipline vulnerable to challenge in our domestic courts. The risk of frequent and successful challenges to the system would create an untenable position. That would undermine service discipline and the authority of the commanding officer."

She went on to say:

"At that point, the disciplinary system would certainly lose credibility, as would commanding officers."

We contend that the Bill will make a difficult position worse. It seems we are agreed that there is a risk that the chain of command will be undermined, one way or another.

[Mr. Key]

The arguments did not convince the noble and gallant Lords. Field Marshal Lord Carver went on to say:

"I am sorry to say that the Minister used somewhat extravagant language: that the CO's judgment would be open to constant challenge by the courts. I do not believe that it would. The existing Army and Royal Air Force legislation is perfectly fair. The man has his choice when he knows the decision of the commanding officer. To force the individual to make up his mind prior to that is less fair and less just.

I hope that the Minister will think again on the issue. There is talk that the chiefs think that the provision is marvellous; I know that they do not. They seek to make the best of a bad job."—[*Official Report, House of Lords*, 16 December 1999; Vol. 608, c.366-72.]

Lord Bramall continued the charge on Report, saying:

"As has been said many times, the Bill will slow and confuse the administration of justice; it will undermine the authority of the commanding officer; it will be extremely difficult to administer, particularly on active service; and it will greatly add to the workload of the commanding officer and the various staffs involved at a time when they are already extremely stretched."

Also on Report, Lord Campbell of Alloway said:

"However, as yet no specific breach of any article of the convention has been identified which requires this massive amendment to the service discipline Acts."—[*Official Report, House of Lords*, 18 January 2000; Vol.608, c. 989-95.]

On Third Reading, there was no Division. My noble Friend, Lord Burnham, who leads on defence matters for us in the House of Lords, said:

"My hon. Friends in another place, who have yet to have the opportunity to debate the Bill, recognise the timing problem, but are far from happy about the way in which the Bill has been framed. Irrespective of what is resolved today in this House, they are likely to argue against it in principle."—[*Official Report, House of Lords*, 24 January 2000; Vol.608, c.1340.]

Quite so.

Mr. Spellar: Could the hon. Gentleman tell us why his noble Friend did not divide the House?

Mr. Key: Yes, absolutely—because of the traditions of another place. There are still some traditions in the other place, despite the Labour Government's attempt to change them. Unlike the Labour party, the Conservative party does not interfere in the workings of the other place. That is why the decision was taken by the Front Bench in the other place.

Mr. Michael Colvin (Romsey): Even if the chiefs of the services will have to make do with the Bill if it is enacted, does my hon. Friend agree that the opportunity to consolidate the three single service discipline Acts has been missed?

Mr. Key: My hon. Friend is right. He will recall the many years spent on the Select Committee trying to move that process forward. I shall deal with that in detail later.

A substantial part of the Armed Forces Bill 1996 was taken up with amendments to the Army, Navy and Air Force discipline Acts in order to make them compliant with the European convention. In taking evidence from the Ministry of Defence on 27 February 1996, the Armed Forces Bill Committee interrogated a distinguished list, including civil servants, the judge advocate general, the chief naval judge advocate, the deputy director of legal services, RAF, and others, including the legal adviser to the Ministry of Defence.

The hon. Member for Walsall, South, now Chairman of the Select Committee on Defence, asked the legal adviser:

"Are you satisfied that these proposed reforms will go far enough to satisfy the European Court of Human Rights particularly given the views expressed by the European Commission on Human Rights?"

He went on to ask:

"Can you give me something rather more than a belief or perception? Upon which evidence is your perception based?"

The legal adviser replied:

"None of the criticisms made in the Commission's Report made any suggestion that the military system of justice should be dismantled so I do not think we have got any fears on that score. We do believe it is appropriate to have a military tribunal and we have had no indication that there is anything wrong with that."

What has happened between 1996 and now? Not a lot of preparation for this rushed Bill, for sure. If the Government are to make fundamental changes to the system of military discipline—no one seriously believes that this is just a little tidying-up matter—Parliament might expect that a great deal of preparation had been undertaken, and that there could be no doubt about the facts of the matters that would be reformed. Some hope!

Over recent weeks, as the Minister suggested, I have asked a number of straightforward factual questions. I am still waiting for some of the answers—I make no complaint about that. However, many of the answers give us no grounds to suspect that Ministers have the facts at their fingertips. If it is proposed to change the system in favour of the client, I should have thought it not unreasonable that basic information about the client base should be available.

It was truly astonishing that the Minister for Defence Procurement told my noble Friend Lord Attlee that, over the past six years, no records have been kept that show how many soldiers elected trial by court martial. I am relieved to hear that work is in hand to assure that better records will be kept in future.

Back to the Trenchard lines: morale arises from conviction in what one is doing and confidence in one's leaders. Conviction and confidence are held together with the glue of discipline. Where is the real conviction on the part of the Government that the Bill is necessary?

It has been illuminating to hear the Minister today, and some weeks ago the Minister for Defence Procurement in another place, setting out the reasons why the Bill is being introduced, but not a single example has been given of service men and women's rights being abused through the current system of military discipline. In truth, the Bill has little to do with the fairness of military discipline. The system works. The argument that the Bill protects against abuses is weak.

We are considering a Bill that will not improve our military discipline system. We contend that it will only make matters worse. It is, perhaps, a little ironic that, at the same time as the Government are introducing legislation to gold-plate our armed forces discipline system against a possible action in the European Court of Human Rights, they are seeking to curb a defendant's automatic right to trial by jury in the Criminal Justice (Modes of Trial) Bill.

We hold the view that serious questions remain about the need for the Bill. During the passage of the Human Rights Bill in February 1998, assurances were given by the Lord Chancellor about its provisions applying to the armed forces. He said that

"the convention is a flexible instrument. It poses no threat to the effectiveness of the Armed Forces. I have given an indication about willingness to consider designating military courts as the appropriate forum for the consideration of complaints of convention grounds by Armed Forces personnel."—[*Official Report, House of Lords*, 5 February 1998; Vol. 585, c. 768.]

It was, as the hon. Member for Greenock and Inverclyde (Dr. Godman) said, in 1951 that the United Kingdom acceded to the European convention. The noble Lord Renton told the other place on 29 November 1999:

"I am one of the few people still living who attended the European Council when the European Convention on Human Rights was being considered. Indeed, I was closeted with M. Rolin, the Belgian lawyer, who represented Dr Mossadek at The Hague in order to agree with him—and eventually it was agreed by all concerned—the powers of the European Court of Human Rights.

I feel obliged to mention that at that time—it was just a few years after the war—I do not believe that members of any party in this country gave a moment's thought to the effect of the convention on military discipline. But now we must consider it. I believe that the Government must review the convention and our acceptance of it in order to ensure that military discipline is maintained."—[*Official Report, House of Lords*, 29 November 1999; Vol. 607, c. 691.]

Last week, in answer to a question from my hon. Friend the Member for Reigate (Mr. Blunt), the Minister for the Armed Forces told the Defence Committee that it was "a theoretical possibility" that the Government might withdraw from the convention and immediately re-apply, asking for a derogation to protect our vital defence interests. When the Minister winds up the debate, will he tell us whether at any time the Government have considered that course of action?

Mr. Fabricant: Does my hon. Friend agree that at no time has any hon. Member accused the French of not being communautaire? Have not the French always supported the European convention on human rights, yet do they not have a derogation for the application of military discipline? Should we not be equally communautaire?

Mr. Key: I fear that, in 1951, we missed a trick but, as I was only six at the time, I am not prepared to accept responsibility. My hon. Friend is right. The French do not have such problems, because they have a derogation. Member states that have joined the convention in recent years have decided to opt out and to have that derogation in place.

There are others, as distinguished as Lord Renton, who believe that the Bill is not necessary. The noble Lord Alloway, a senior lawyer, told the other place on 18 January:

"This convention does not require any signatory state to enact legislation, such as proposed by this Bill, which would inhibit the maintenance of good order and discipline in its armed forces."

He went on to state his opinion that

"assuredly the convention does not require amendment to the service discipline Acts or the setting up of a summary appeal court, as proposed by the Bill. It is wholly implicit that convention rights and obligations imposed on civilians should suffer substantial erosion and limitation. The extent of such limitation has not, as yet, been examined by the Commission or the Court. The Court would not strike down the service discipline acts as such."—[*Official Report, House of Lords*, 18 January 2000; Vol. 608, c. 981.]

The central problem with the Bill is that in it, the Government are bending over backwards to comply with the provisions of the European convention on human rights. They are doing the maximum necessary to comply, and they seem hell bent on doing so.

We do not consider that the current system is non-compliant with the convention. Indeed, it was argued convincingly in the other place that amendments made to the discipline system as a result of the Armed Forces Act 1996 made our courts martial convention compliant. The changes were made in response to a ruling by the European Court of Human Rights that a court martial convened and presided over by a higher military authority was not "independent and impartial".

In the other place, Lord Bramall, a former chief of the defence staff, reasoned that if

"a soldier can have free and direct access to a European Convention on Human Rights compliant court—that is, a court martial, with its own right of appeal—the right of appeal against the commanding officer's summary sentence to a special court would seem to be superfluous."—[*Official Report, House of Lords*, 16 December 1999; Vol. 608, c. 366.]

We are minded to agree with that view.

Irrespective of whether the Government consider the Bill to be absolutely necessary, we believe that it has fundamental flaws. Our main concern is that it undermines the integrity of those who command. It is an invitation to the barrack-room lawyer. The disciplinary system that we have at present clearly demonstrates that unit morale is supported and bolstered by the application of quick and firm justice.

The procedures set out in the Bill remove part of the control of a commanding officer, and the timing leads to delays in getting a problem dealt with and finished. It is also damaging to put in place a disciplinary process which allows soldiers to complain about their commanding officers, thereby reducing their authority.

No one can doubt that the upholding of a commanding officer's authority and trust is vital to the efficiency and morale of a unit. That is especially so in active and combat operations. The Bill, a so-called technical measure, strikes at the heart of operational effectiveness. Our fears were echoed by yesterday's Defence Committee report.

Dr. Godman: I am grateful to the hon. Gentleman. I confess that it is a long, long time since I was involved with summary charges and courts martial, but I recall my unit being inspected by a very young Brigadier Carver.

With reference to the redress of grievance procedure, is it not the case that any person coming in front of his or her commanding officer has the right to challenge a decision taken in a grievance case? If so—some Conservative Members have much more military experience than I do—surely the right of appeal in the grievance procedure does not damage the standing of a commanding officer.

Mr. Key: The hon. Gentleman is right for the second time this afternoon. I shall come to the redress of grievance. That is an important point, but the problem is one of a sin of omission. The Bill should tackle the redress of grievance. It is deficient. It could be much more efficient.

[Mr. Key]

The Bill provides for summary appeal courts to be established, but the accused will already have been given the choice of deciding whether to be tried by his commanding officer or by court martial. The accused will now be allowed to say that he or she does not agree with the commanding officer's decision, and can cause either the finding or the sentence, or both, to be referred to the summary appeal court. That will obviously undermine the commanding officer's authority, draw out disciplinary proceedings and undoubtedly incur further expense. The burden of work on all those involved will also increase.

The Bill also introduces changes to the procedure for election for court martial trial, and that will encourage elections for trial by court martial rather than by commanding officers, which will also impact adversely on the commanding officer's authority.

Several hon. Members have talked about the practicality of the enforcement of discipline in the field. The armed forces are deployed all over the world in a variety of different operations and security circumstances. That was the reason for a body of military law in the first place. The Bill may be workable in the UK's garrison towns and bases, but it would often be unworkable when our forces are operating in the most basic and possibly dangerous conditions in the field, perhaps thousands of miles away from Britain and its military legal apparatus.

Under the Bill, detention must be authorised by a judicial officer after a certain time. How would such authorisation be given if, for example, a unit were cut off under siege conditions? That is not fanciful. Such conditions can exist in modern peacekeeping operations. One has only to think of the situation of the Dutch army in Srebrenica to envisage how disciplinary problems in the field can put matters in a new and dangerous light.

The Government have argued that there is flexibility in the Bill to allow for such situations, and that, in such cases, an individual would be brought before a judicial officer "as soon as practicable". However, on 18 January, Baroness Symons, speaking in the other place, said that the Bill will not be set aside even in the "most extreme operational circumstances". Therefore, the Government are saying that, in most cases, that flexibility is worthless. Either that or they are telling us that they have engineered by stealth an effective derogation from the ECHR.

Ministers have put much faith in modern communications to circumvent those logistical difficulties. In particular, Ministers have said that video links will be used to enable hearings with judicial officers. The Defence Committee was intrigued to be told last Thursday about video conferencing. The director of personnel services for the Army explained that video conferences happen already, and such conferences take place daily with Pristina. He said that he had himself spoken to a judge advocate on a video conference facility as part of a trial. The judge advocate will have a portable system at home so that he can be dialled up literally at any time. That is probably just as well if one considers the time differences between East Timor and Belize.

There will be static video conferencing suites. Portable systems can be taken home so that a duty judicial officer can be wired up to pretty well anywhere in the world because, as we were told,

"IT-wise now, wherever our soldiers go, we have the IT systems."

One or two people might not agree. That is not quite so convincing if the home football team cannot be viewed in real time or if "EastEnders" or "Brookside" cannot be watched live. We are unconvinced about the potential of video conferencing.

The Government have decided that it is in the interests of justice, and compliant with human rights legislation, that video links should be used to enable hearings with judicial officers. We challenge that on two counts. The Bill does not say how that will work. Clause 8(2) says that the Secretary of State may make rules about that, but I think that he will have to do much more. First, he must address the technical challenges involved. There is no tried and tested system operating over long, even intercontinental, distances, and the Lord Chancellor's Department, which is ultimately responsible for such courts, has said in reply to parliamentary questions that it has no links with any commercial companies in that area.

However, there are people who work with the military on satellite links. Has the Minister talked to the company that does the satellite transmission for the British forces broadcasting system, whose programming is generated from the company's studio production facilities near London? That company produces broadcast quality results based on a transmitted data rate of 8 Mb a second. If Her Majesty's forces rely on Inmarsat, the maximum data rate available is a mere 128 Kb a second. That may support low-quality video conferencing, which is, of course, bidirectional, but to achieve broadcast quality links a second path would have to be booked if bi-directional pictures were required. The lower power gives a poor and jerky image with feeds costing several pounds a minute.

For broadcast quality live pictures, the existing technology requires that a portable satellite news-gathering terminal is sent to the source of the feed—a military unit somewhere in the world. Such units cost about £350,000 each. An SNG terminal costs approximately £1,500 a day to rent. That includes an engineer, but a second engineer will probably be needed at £250 a day, excluding travel and accommodation expenses. The space segment cost is dependent upon region and varies from around £350 to £400 an hour for Europe and the middle east to £500 an hour in remote regions of the world, such as East Timor. How will the defence budget bear those costs?

Mr. Fabricant: My hon. Friend simplifies the situation. Is he aware that, at certain times of the year and on occasions such as the world cup, it might be impossible or very expensive to hire a satellite? Can the Government guarantee that a satellite link will always be available during the Olympic games, the world cup, the European cup, or any other such occasion?

Mr. Key: My hon. Friend raises an important issue. I should not like to be on the lower deck of an aircraft carrier when the choice is between watching the world cup and the holding of a judicial review on the satellite uplift.

Mr. Gerald Howarth: My hon. Friend has read out a catalogue of costs that are attributable to the Bill. I understand that the Government have estimated a total

cost of £6.5 million a year. Are the costs that my hon. Friend has just invited the House to consider additional to, or included in, that figure?

Mr. Key: I do not think that the Government know, and I certainly do not know. So far, there has been no suggestion of any of the costs associated with video links, which we have been told happen already as a matter of everyday business in the services. My hon. Friend raises an important point, which we will have to probe in Committee.

Mr. Colvin: There is a mystery surrounding the £6.5 million of costs. That was the Government's original estimate of the cost of dealing with between 850 and 900 appeals to the summary appeals court each year, being in part the cost of the 50 Royal Military Police investigators that would be required. Now they have increased their estimate of the number of likely appeals to 1,500, without any change in the cost. That was a mystery to the Select Committee and it is a mystery to me too. Perhaps when the Minister replies he will give us the answer.

Mr. Key: My hon. Friend is right. It has been suggested that this is a double bluff as part of the Treasury round whereby the Ministry of Defence will say that it cannot implement the Act without a substantial increase in the defence budget. The problem is that no one knows about the costs.

Let us leave costs for a moment, because our second concern goes deeper. We are talking here about justice. In the UK under civilian conditions and in parallel circumstances, a solicitor would be sitting in court with his client. That proximity is essential if proper advice is to be given. That could not be achieved in a remote interview over a video link.

I have read the transcript of the Select Committee's proceedings last Thursday. I know that we were told that advice had been taken and that wide-angled lenses will be used so that the sergeant major cannot stand behind the camera and threaten that the right answers must be given, or else. However, many judges and lawyers argue that the interests of justice cannot be served by a poor-quality, jerky video link, which could not give a judicial officer thousands of miles away a proper grasp of the circumstances and demeanour of an accused man or woman.

If the Government were serious about improving the human rights of members of Her Majesty's forces, they should have turned their attention to the substantial delays in the military legal process compared with the civilian process. For many years, legal aid claims for existing members of the armed forces, some of their dependants and service police abroad have been met by the English Legal Aid Board. The hon. Member for Greenock and Inverclyde was right to raise that matter earlier. It is almost unbelievable that the Legal Aid Board secretariat published new guidance in December, which stated that the board proposed to end that practice. It is astonishing that the Government are bent on incorporating improved human rights provision in the service discipline Acts while cutting the availability of professional legal advice to members of the armed forces. Civilian solicitors will no longer be able to give advice to, for example, soldiers in Germany. There has been no sign of any reciprocal increase in the number of service legal advisers. Indeed, the Government have said that there is no plan to increase them.

The Bill also fails to tackle the discrepancies in the judicial processes between the civilian and military systems. It is not too late to do that. We were heartened when the Minister for the Armed Forces told the Select Committee on Defence last Thursday that the Department would examine discrepancies in punishment systems and tariffs between the regiments of the British Army. We welcome that. The Government need to go much further. Redress of grievance procedures leave much to be desired. There are countless examples of justice being delayed literally for years. Apart from the injustice, there is the lack of common courtesy to one's employees, and standards of employment practice in the services that would be unacceptable in civilian life. It is good news that the Army intends to sharpen up its procedures. However, the problem is wider than that.

Two weeks ago, I had the privilege of spending a day at sea on HMS Sandown. Have you ever wondered, Mr. Deputy Speaker, what people on Her Majesty's ships do all day? They were just as curious about what Members of Parliament do all day. From the moment that I left the naval base at 8 am until the moment that we returned at 4 pm, there was a ceaseless round of sometimes intense activity. There was a fire drill, a man overboard exercise, a great deal of intense routine work, which involved highly skilled electronic observation and full use—for real—of much of the ship's capability.

Dr. Godman: Was the hon. Gentleman sick?

Mr. Key: No. I am delighted to assure the hon. Gentleman that I was not sick. Indeed, I enjoyed the delightful sight of the hon. Gentleman's constituency from HMS Sandown for a wonderful part of the day.

A great deal of hard work was done. However, I was able to spend time with ratings, senior ratings and officers to listen to what was on their minds as well as trying to answer questions about everything from NATO and the role of HMS Sandown in the wider strategic picture to the real mysteries of parliamentary procedure. I wanted to know how on earth the chef fed the ship's complement on less than £2 per head a day.

The senior ratings wanted to talk about military discipline. There will always be a big difference between the standards of discipline expected in the military, especially on one of Her Majesty's ships, and the more laid-back approach—as some perceive it—to life ashore. That is taken as read. HMS Sandown is a fine ship with a fine crew; no doubt part of that quality is achieved by the maintenance of tight discipline. However, those with no experience of the military should realise that the consequences of comparatively minor misdemeanours in the military are altogether more serious than those for an equivalent misdemeanour in civilian life.

It is right to argue that a minor misdemeanour in the course of high intensity warfare puts at risk the life of the perpetrator and the crew. However, as was pointed out to me, oversleeping by 10 minutes on board ship leads to a serious financial penalty on a fixed tariff with the possibility, if matters do not improve, of derating and future career consequences.

[Mr. Key]

Matters are different in the Army. Any hon. Member whose constituency includes a garrison town knows that Friday and Saturday nights can be lively. I have been out with a Wiltshire constabulary night shift and observed off-duty soldiers in, we shall say, high spirits. If the civil police arrested them, they would spend the night in the cells. If they subsequently appeared before a magistrate, they would receive a verbal rap over the knuckles and a conditional discharge. However, that does not happen. The Wiltshire police inform the soldiers that they will radio for the Royal Military Police, whereupon the soldiers miraculously evolve into Olympic athletes. They know that if the RMP haul them back to their garrison and march them in front of the commanding officer in the morning, there will be a standard tariff fine of £750.

When the Minister replies to the debate, will he tell us more about the anticipated timetable for consolidating the three service discipline Acts and introducing a single, tri-service Act?

Mr. Gerald Howarth: I am not entirely clear about the line that my hon. Friend is pursuing. Is he suggesting that magistrates courts could benefit from the example set by commanding officers?

Mr. Key: That is an intriguing and tempting possibility. The answer might be yes. However, as my hon. Friend knows, if a Member of Parliament dares to suggest to magistrates that they are not tough enough, consequences ensue.

I hope that we can receive more guidance on the reforms and the introduction of a tri-service Act. The Ministry of Defence has a duty of care but the fact remains that those brave men and women who join the forces are ultimately prepared to lay down their lives for their country.

Civilian life will never be the same as military life. This Government—and, indeed, the previous Government—expressed an intention to enact changes. However, there is a growing credibility gap. The Government managed to make major constitutional changes swiftly. They destroyed the House of Lords as we knew it, and established a devolved Parliament in Scotland and an Assembly in Wales. However, there seems no serious intention to make progress on consolidating the service discipline Acts. All we have are aspirations. That will not do.

The Secretary of State for Defence is a distinguished lawyer. He understands the relevant issues very well. We look to him to tackle the matter on behalf of all those who serve in Her Majesty's forces. We are considering more than a sin of omission. Failure to consolidate symbolises much of what is wrong with the Bill.

The Government believe that the Bill is simply a technical measure, which tidies up bits and pieces to keep them out of trouble. If only that were so. The Bill represents the most fundamental challenge to military discipline and military effectiveness for many years. Hidden in the undergrowth of guesswork lie some good intentions. However, I remind the Government that the road to hell is paved with good intentions.

There is a fundamental difference between the Opposition and the Government. Conservative Members believe that the Bill could damage the authority of a commanding officer and therefore fighting effectiveness. The prime responsibility of the armed forces is defence of the realm and the human rights of the people of these islands. It is vital that they should be able to discharge that duty above all else. When judges are called upon to interpret relevant articles of the convention, they must use common sense by recognising the fundamental difference between military and civil institutions.

The problem is that the Government, as Baroness Symons said, have made the Bill part of their human rights agenda. In doing that, they have chosen to risk the capability of the armed forces against the possibility of an adverse judgment after some possible future legal challenge.

The system of armed forces discipline works. The Bill does nothing to improve that system and has the potential to harm it significantly. In the words of Lord Craig of Radley, former Chief of the Defence Staff during the Gulf war:

> "We should be bending over backwards to protect the Armed Forces from any derogation of their strength and quality rather than bending over backwards, as the Bill seems to do, to knock the armed forces into line with every detail of the convention at any cost."—[*Official Report, House of Lords*, 29 November 1999; Vol. 607, c. 680.]

Many people share those views.

I remind the House of articles 2 and 5 of the convention, which cover the rights to life, liberty and security. Without effective and efficient armed forces, the nation's ability to uphold those rights will be compromised. The Bill is not good enough. I urge hon. Members to vote for our reasoned amendment in the Lobby tonight.

2.49 pm

Mr. Bruce George (Walsall, South): It is a pleasure to follow the hon. Member for Salisbury (Mr. Key), who was a distinguished member of the Defence Committee, and I note that six other ex-members have been present this afternoon. However, I am a little sad that he has moved from his positive role to this backwater, which he endures with a smile and fine rhetorical flourishes. He performs gracefully, although his role is negative compared with his previous activity, and I am pleased that he remembers one of my rare incisive questions. However, he did not recall other remarks that he and I made and noted in the delightful series of Armed Forces Bill Committee meetings and I shall remind him of them in a moment.

I am sad that the Bill is a party political issue. I do not think that it should be. The word "Europe" appears somewhere in the documentation, if one looks hard enough, and to display their anti-Europeanism the Opposition have to continue their tradition of receiving large sums from wealthy donors.

Mr. Duncan Smith: Where are they?

Mr. George: I admit that the donations are drying up. I have driven behind one of Eddie Stobart's vehicles many times and believe that he still contributes to a dying cause.

The hon. Member for Salisbury was a little unfair and I am sad that he led Conservative opposition to the Bill. There is no fundamental difference between us, but a difference of interpretation and I cannot believe that his

Government would have acted differently. They supported the European convention on human rights and had a reasonable human rights record so the idea that they would have withstood the inevitable had they remained in office is fanciful and erroneous.

Reading the Conservatives' amendment, I am touched by their apparent affection and support for leadership, particularly in the light of the fact that they collectively disposed of virtually every leader they had in the 20th century. At this very moment, the knives for the right hon. Member for Richmond, Yorks (Mr. Hague), whose name is first on the list of those who tabled the amendment, are probably being sharpened. The Conservative party supports discipline, of which it has little, and the principle of command.

Mr. Duncan Smith: Will the hon. Gentleman give way?

Mr. George: Having made those political and uncharacteristically provocative comments, I am delighted to give way.

Mr. Duncan Smith: The leaders that the Conservative party got rid of first proved themselves to be first-rate successes and changed the country for the better, but I want to pick the hon. Gentleman up on the reasons for our opposition, which were so well put by my hon. Friend the Member for Salisbury (Mr. Key). We have to judge whether the authority of commanding officers will be enhanced or reduced by the Bill. We judge that it will be reduced so surely it is our job to say that the Bill should not go any further until that criticism is met.

Mr. George: I am not trying to evade the question and I promise the hon. Gentleman that I shall return to it, but there is a higher goal. Although the Opposition might not want to empathise with the Government, they should—in the light of their activities during recent events in Kosovo—show people outside that there are no basic differences between us on defence and security policy. Objections could have been made in Committee, as they were by Conservatives in the other place. The Opposition should not give the impression that there is a schism between them and the Government. That is unfortunate.

The amendment's criticism of Government prevarication over the consolidation of the single service Acts amuses me enormously. The hon. Member for Salisbury kindly reminded me of the question that I asked during the Armed Forces Bill Committee proceedings, which were chaired by the hon. Member for Gosport (Mr. Viggers)—a former member of the Defence Committee who I hope will return to it. We had a little bet on how long it would take before the Ministry of Defence went on the back foot and I think that I won with two minutes and 10 seconds or three minutes. It was put on the defensive when I asked what happened to the recommendations on consolidation in the 1996 Select Committee report. After all, they followed from the recommendations of the 1991 report. We are talking about prevarication and the previous Government prevaricated over consolidation so, "Physician heal thyself." However, I shall not go too far and rub it in by discussing Army medical services. I recall the questioning vividly and we asked why there was prevarication. The explanation was that a parliamentary counsel who had been loaned to the MOD spent two years working hard on consolidation, but went back to his previous job. The process fell apart. Those who appeared before us in 1996 said, "Sorry, we have not taken it any further."

The Defence Committee does not always support the Government, but the problems of delay in consolidation have been exacerbated by the Strasbourg ruling. I hope that the leader of the team that deals with armed forces law will be given sufficient staff to create some rationality in service discipline by the time that the Armed Forces Bill Committee meets in 2001. Consolidation is part of that process. I thank the Minister for his kind remarks about the Defence Committee and the speed with which the evidence session was printed. He recognises that MOD legislation is rare. When it is introduced, I hope that there will be pre-legislative scrutiny and that that task will fall to the Defence Committee.

I agree with a number of the remarks made by the hon. Member for Salisbury. There are fat manuals of service law and Parliament spends a lot of time on the subject. It is considered by a Select Committee of the House of Lords and the Armed Forces Bill Committee meets quinquennially. The other place dealt with the Bill competently a few months ago, we are considering it now and it may return to the other place, so the outsider would say, "Isn't the situation in the armed forces sufficiently grave, because of criminal behaviour and misbehaviour, to merit so much time?" Many people think that the armed forces are Leicester City, Manchester United and Chelsea writ large, but we all know that they are not like that. When we consider the misbehaviour and the crimes that are committed and dealt with, we should bear in mind the number of service personnel—they are equivalent to a small city—and the fact that they are subject to service discipline. When I became a Member of the House the number of people in the armed forces was the same as the population of a large city, but I shall not criticise the Opposition in great detail at this juncture. I am trying to be bipartisan.

We should pay tribute to the members of our armed forces—and their dependants—because despite the fact that they enter a career in which one assumes that they are encouraged to show a great deal of physical aggression, in most cases that is canalised in the right direction. There is no correlation between the time that we and civil servants devote to armed forces law and the purpose of that law, which, in fact, is fairly limited because our personnel are so well-behaved.

The hon. Member for Salisbury may have gone to Colchester at the same time as me. When I went there, we were taken around by a very articulate young man. We were gobsmacked to discover later that he was not one of the instructors, but one of those undergoing temporary incarceration. He went AWOL—not after we met him, of course—and set up a successful business. Only when the business took off did he feel that it was better to go back and receive the punishment that he admitted that he deserved. His progress towards millionaire status—and, if I remember rightly, an appearance on "Gladiators"—was deferred, if only temporarily.

Meeting people who are in the glasshouse is not like visiting Strangeways prison in Manchester. These are not your criminal classes; they are people who committed acts that would have gone unnoticed in a place like this. We are talking about the misbehaviour of soldiers in garrison

[Mr. George]

towns. I do not visit the Strangers' Bar often, but anyone who goes there—I issue an invitation now—will see rather noisy colleagues of mine letting off steam. If they were subject to service discipline, their conduct would no doubt lead to an inflation of the criminal behaviour statistics.

The Bill, which has been rather disparaged by certain Members of the House of Lords, has had an eventful genesis. We should look abroad, to the European Court of Human Rights in Strasbourg—although I should not mention that name, because it is European. The court upholds a tradition of human rights that is decades old; moreover, it confronts another tradition going back hundreds of years—the tradition of preserving human rights while also achieving the objectives set by Government, which involve the use of military force.

There is clearly a clash. Justices coming, in some instances, from countries with a less than strong martial tradition are imbued with a set of legal principles that clearly cause difficulties for the Ministry of Defence and the armed forces. In recent years, history has shown that when there is a clash between Strasbourg and the Ministry of Defence in court, the Ministry—as I have said in the Select Committee—has the same success as the district attorney in "Perry Mason", Hamilton Burger, who, on Sunday nights, lost every case on which he embarked. *[Interruption.]* I will tell the hon. Member for Hereford (Mr. Keetch) about that later, but I think that he is older than he looks. Indeed, there are probably repeats of "Perry Mason", in colour.

As I have said before, problems are involved. Some would argue that the main purpose of the military is to fight and win wars, rather than to constitute an active microcosm of society. However, in 1951 a Government—I am not sure whether they were Labour or Conservative—signed a treaty by which we are bound. I have not heard Opposition Members or their predecessors urge us to extricate ourselves, in full or in part, from a convention that whoever it was willingly signed.

Mr. Gerald Howarth: I think that a Labour Government signed it, but I know that, whichever Government did so, Ministers at the time were determined to be convinced before signing that our existing legislation was wholly compatible with the convention. Since then, there has been so much reinterpretation of the original convention that we are experiencing an endless stream of invitations to adjust our laws accordingly.

Mr. George: I think that, in this respect, the French were either wiser or stupider than us—probably the former rather than the latter—in not signing until 1974. As the hon. Gentleman knows, once a country has signed, it is difficult for it to extricate itself from what binds signatories, and we were a signatory in 1951.

I appreciate the Government's dilemma, which would have been a dilemma for the last Government. Whatever brave face the Government may put on it, the Bill may affect a commanding officer's ability to maintain respect. In my view, however, there was no alternative. We kept losing cases. Conservative Members, given their interest in business efficiency and their desire to reduce expenditure, would surely ask, "Why should we continue to lose cases? Why should we spend money on expensive lawyers, before losing cases and running up bills for the taxpayer?" I suspect that the Government had no real choice, and I would have expected some sympathy, if not support, from Conservative Members.

Our lawyers have regularly been beaten around the head by their European counterparts. Even if the Bill becomes law, as it should and presumably will, there are no guarantees for those who have lost cases as often as my local football club has lost matches this season—although I still have faith in it. The Bill has been described as gold-plating, over-insurance and over the top, but even if compensatory measures that may not appear entirely necessary now are introduced, a Government who have lost so many cases in Strasbourg would surely be prudent to say much more than "We lost in the past; our new legislation will ensure that we do not lose in the future".

Mr. Duncan Smith *rose—*

Mr. George: As a military man, the hon. Gentleman can respond to that when he makes his own speech.

The trouble with the military, it is said, is that they are too keen on fighting battles that they have won and lost. The trick is to anticipate the next battle, and it strikes me as prudent to gold-plate. We have been given examples of the next bunch of cases that are being dealt with, or are about to be dealt with, in Strasbourg. I think that the Bill is an instance of commendable efficiency and far-sightedness, a quality for which the Ministry of Defence is rarely known and to which the Opposition have never succumbed.

Mr. Duncan Smith: The hon. Gentleman is much respected on both sides of the House, not just for his position but for his interest in military matters over the years. He spoke of the genuine and serious difficulties caused by the inter-operation of the convention and the concept of command of the military by an elected Government. Let us put aside either party's concerns about Europe—or, perhaps, lack of concerns. Does he not believe that a serious issue is involved, which needs to be addressed in a larger forum in conjunction with other Governments: how far the operation of the convention can be allowed to interrupt a Government's obligations to those who elected them, in terms of the defence of the realm? Is that not a bigger issue?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It probably is a bigger issue, but today we are debating the Bill. *[Interruption.]* The hon. Gentleman should not argue with me from a sedentary position when I am on my feet. I am merely reminding the House that this is principally a debate about the Bill. Allusion to the convention is in order, but this is not a debate about the convention.

Mr. George: I was about to reply, but I shall now leave it until the end of my speech.

By the end of the year, the Select Committee will have undertaken a wide-ranging inquiry into personnel matters in the armed forces, including discipline and grievance procedures. Paragraph 29 of the report, which was published yesterday, states:

> "We anticipate examining the ways in which Service personnel have access to rights which are considered appropriate and necessary for civilians in the UK, and the extent to which differences are necessary for the special circumstances of military life."

We hope to report before the next quinquennial review is undertaken. I assure hon. Members that I have concerns, but I sympathise with the Government, who simply had no option. I would have hoped that Opposition Members appreciated that.

The Bill went through the Lords and I read the speeches with some interest. In the Defence Committee, I asked my hon. Friend the Minister for the Armed Forces to congratulate Baroness Symons, a civilian, on withstanding the charges of the Third Shock Army of the Warsaw treaty organisation—virtually every living retired chief of defence staff. I said that, despite the pressure, the "thin fur line held". Not only did it hold, but by the end of the debate the assailants were in rapid retreat and did not vote. That was not because of a tradition of not voting against the House of Commons—that is a fairly recent tradition from my reading of the Lords *Hansard*. The reason why they flew in the opposite direction was that someone had pointed out existing legislation to them. They realised that the wind had been taken out of their sails. As good military men, they realised that, when on a loser, it is wise to get out of the way before there is a rout. That was why they hauled up the white flag: they had lost the argument. Opposition Members should use different advisers this time, otherwise, they will have the same bump on the nose in front of the House of Commons Committee as their colleagues in the House of Lords in December.

Dr. Godman: Is not the heart of the matter the legitimacy of proceedings that are undertaken against someone who is alleged to have committed an offence? Much concern has been voiced by Opposition Members about the need to protect the integrity of commanding officers, but I remind my hon. Friend of the observations of the Director of Personal Services (Army) when giving evidence to the Committee; they appear on page x of the report:

"Genuinely, I believe, and I think this is the experience of most commanding officers, good soldiers will entirely accept that they have done wrong, they will be in front of the commanding officer and they will take their punishment".

That was my experience all those years ago. I talk to young soldiers now. As long as they have trust and respect for their commanding officers, it will be fine.

Mr. George: I agree and respect what my hon. Friend says. He has a background in the Royal Military Police, understands service discipline and what a little pressure from good men such as him can have on recalcitrant soldiers.

Mr. Viggers: Will the hon. Gentleman give way?

Mr. George: Yes. I was about to criticise the Minister and shadow spokesman for their verbosity and now I am subject to the same criticism from anyone who follows.

Mr. Viggers: It is not in any sense a party political point, but may I say, representing as I do a garrison town, that, although the hon. Member for Greenock and Inverclyde (Dr. Godman) rightly pointed out that young service men will accept summary punishment, when they get home, their wives may be pretty upset and say, "If there is an appeal procedure, why not follow it through?"? I suspect that there may be such pressure.

Mr. George: In giving evidence, the MOD discussed the extent to which it thought that that appeal system would be activated. It was fairly reassuring. We formed a coalition to maintain the hon. Gentleman's town as a garrison town, at least with regard to the hospital there. We share many views, but people talk about a licence for barrack-room lawyers. For God's sake, it is institutionalised barrack-room lawyering.

If people cannot have easy recourse to professional lawyers, they may seek advice from fellow soldiers, sailors or airmen, which might put an additional burden on the system that is being created, or re-created. I can see that being a problem, but, as a devotee of Kipling, who wrote much on barrack-room lawyers, perhaps I do not perceive it with the repugnance that other people might.

Mr. Hancock: Does not the hon. Gentleman agree that Brigadier Ritchie, speaking for the Army, was questioned at length about the right of appeal, the way in which sentencing would be handled and the keeping of regimental traditions on how punishment was dished out, but said that the key thing was that, under the Bill, for the first time, there would be some consistency, which would be recognised and understood throughout the armed forces? That was the crucial change, which was essential to make the system work.

Mr. George: I am glad to be reminded of the content of our questioning of MOD witnesses.

Looking at the Committee report, I hope that, when the next legislation is introduced, the Government will avoid sending it to the House of Lords first—thereby providing justification for the four-star generals who were ennobled to prove that they still exist—and send it to the House of Commons first. I hope that they will activate the advice of the Leader of the House and the Select Committee on Modernisation that legislation be issued in draft, especially if it is basically uncontentious. I cannot believe, despite the rhetoric of Opposition Members, that it is a truly contentious Bill. When the next legislation is introduced, I hope that it will conform to that advice.

The House of Lords Select Committee on Delegated Powers and Deregulation warned the House of Lords that certain rules and regulations in the Bill could be modified without parliamentary scrutiny. It referred to clauses 8 and 22. It said:

"the time may come when Parliament will wish to consider whether the more important provisions should be subject to Parliamentary control."

The powers of the Defence Council to make, in essence, statutory or subordinate legislation should come before the House properly. The Defence Committee will watch for anything that comes out of the MOD that takes the form, in essence, of subordinate legislation and then seek the MOD's views, even though perhaps the House as a whole will have abandoned the principle of scrutiny.

Hon. Members will be pleased to know that I am almost at the end of my speech. Some Opposition Members to whom I have spoken thought foolishly that the European Court of Human Rights was part of the European Union and were going to vote against the measure on principle. I remind them that it is not part of the EU.

[Mr. George]

When people talk about anything European, their eyes glaze over. It is just like what happens with a full moon. A similar metamorphosis is contained in Lon Chaney's "Wolfman", where it was said:

"Even a man who is pure of heart and says his prayers by night may become a wolf when the wolf bane blooms and the moon is shining bright."

When the moon shines bright and Europe is mentioned, people descend to a plain of rationality that is almost certifiable. The fact that the court is in France and almost in Germany should not lead to its condemnation out of hand.

It is important to accept—the Minister and Mr. Woodhead explained it in some detail—the distinction between a reservation and a derogation. The horse has bolted. There is nothing we can do about it. As I have said, the French came into it late. To alter what we signed would require an immense effort.

I hope that the Minister will do some legal research and explain the position to the Committee. I am sure Opposition Members will be interested, although hardly any of them are here. I will not be on it; absolutely not. I have done my bit for military justice until the 2001 Bill is introduced. As I said, I hope that the Minister will do that research, and explain to the wolfmen on the Opposition Benches what difficulties there would be in trying to secure a renegotiation of the convention.

The wheels of the Ministry of Defence, like those of the millennium wheel, turn slowly. As I said, I do not think that the Ministry should be blamed completely for its rather retarded process of consolidation—which is something that it will have to do.

Video-conferencing is one of the detailed matters dealt with in the Bill. Since we got out from east of Suez, British troops have not served in a vast number of places with jungles. Although I accept that there might be some difficulty in inserting a plug into a socket in some parts of the world, I should have thought—the Committee was given an explanation that should satisfy any rational person—that if there is any difficulty in charging someone immediately, it should not happen immediately. The person should be charged when the unit returns home.

There was some nonsense on that point in the House of Lords. The fact is that, if someone aboard a Trident is suspected of an offence, the submarine will not surface so that the person can be taken ashore by Ministry of Defence police. It will not happen like that. If there is a crisis, the person will be charged later. I cannot see the problem with that.

When the Defence Committee visited the Walter Reed hospital, in Washington, we saw an operation being performed in which a surgeon, in Washington, was advising a medic who was 8,000 miles away. Although I would not like to be a recipient of that type of operation, if it is possible to perform major medical operations in that manner, it should not be beyond the wit of even the Ministry of Defence to devise a similar technical system. The Committee considered such technical issues.

I reiterate that I very much hope that, by the time that the Select Committee on the Armed Forces Bill is constituted, we shall have a better idea of whether Opposition Members' rather fearful prognostications are justified. Perhaps there will be an opportunity in that Committee to do any necessary fine tuning.

I have one request, which may not be popular, and on which I have not approached the Defence Committee, so I have no authority to make it, although the Committee has made it previously. Will the Minister give some consideration—in which he will certainly have to consult the Opposition—to constituting the Committee that eventually examines the Armed Forces Bill so that it includes not only the Defence Committee, but is augmented by a Minister, a shadow Minister and, if necessary, one or two other hon. Members? There is logic in that arrangement, and I hope that the Minister will consider agreeing to it.

The Select Committee will examine in detail many of the issues that have been raised by Opposition Members, and we shall have far more time to deal with them than we had in our cursory analysis of the Armed Forces Discipline Bill. However, I assure the House that we shall examine them in considerable detail. I hope that we—if we on the Defence Committee are burdened with the task, which I am pretty confident that we would be more than prepared to accept—will then be able to formulate some recommendations on them.

Mr. Colvin: I am most grateful to my successor as Chairman of the Defence Committee for giving way. Will he give an undertaking that, when the Select Committee considers the Armed Forces Bill, it will seriously examine consolidating the three service discipline Acts into one Act? Not only the current Select Committee, but the previous Select Committee and the one before that have recommended that the Acts be consolidated. The recommendation was made also in the strategic defence review.

I have read the evidence available to us today, but have seen no reference to the detailed reasons why the Government have not accepted the recommendation. The excuse has been given that there was simply not sufficient time to consolidate the Acts, but that is not good enough. Ministers will have to identify the stumbling blocks, and I hope that the Select Committee will consider the issue.

Mr. George: If the Ministry of Defence is short of lawyers, I heard a very good programme last week on what citizens advice bureaux are doing to provide legal assistance. The Ministry of Defence might contemplate taking that course. However, the Select Committee will certainly consider the matter. As I am sure that the hon. Gentleman realises, he made a grave mistake in leaving the Defence Committee. If there is an opening, perhaps he will decide to return.

3.25 pm

Sir Peter Lloyd (Fareham): I am very glad to follow the hon. Member for Walsall, South (Mr. George), who speaks from vast knowledge and a real sympathy and concern for the armed services. I do not follow him in his almost complete happiness with the Bill as it is currently constructed, but I do welcome his comment that the next armed forces Bill should be examined very carefully in advance by an expanded Select Committee. I hope that his idea finds favour with the Minister to whom it was directed.

It is a pity that this debate is not about what disciplinary procedures best ensure the armed forces' high morale, sense of fairness and military effectiveness. In the past, those responsible for the armed services have not always been the first to realise what change, and when, is needed to the punishments that can be meted out to service men, or to the procedures by which they are imposed. I should be very surprised if there were not desirable improvements that are no part of this Bill and have not as yet been properly discussed. Times change, and the services increasingly need intelligent, educated and resourceful people who can take responsibility in very stressful situations, in which restraint is needed as much as aggression.

Those people require an appropriate disciplinary environment of which reason, justice and open procedures are the hallmark. The need is magnified now by the fact that so much of their current duty involves defending the lives and rights of civilians who are being denied their rights, even the right to life.

Despite what I said earlier, I believe that service officers are usually far ahead of leaders in other parts of national life in grasping the totality of what is involved in maintaining group morale and imposing constructive discipline whereby those who are punished for its infringement feel that they have been dealt with fairly and promptly—promptness being a very large part of fairness.

It is no surprise to me that the chief inspector of prisons—a former general—and the recently retired prisons ombudsman—a former admiral—had a far greater and more imaginative and complete idea of what relationships between prisoners and prison staff should be than did those who looked to them to provide support for simple punitive solutions to the endemic and complex problems of the Prison Service.

Alas, we are discussing not the optimum disciplinary procedures for the services, but something considerably more restricted—how to put the armed services disciplinary and judicial processes on all fours with the procedures required by the European convention on human rights, and how to do it with the least damage to the effectiveness of the three services.

Therefore, unless we are saying—here I agree with the hon. Member for Walsall, South—that the United Kingdom should withdraw from the convention permanently, which we are not, or that we should withdraw temporarily in order to rejoin with a suitable reservation—like the French did when they first joined in 1974, but which would be a very hard exercise to pull off—it is clear that matters cannot simply be left as they are if, indeed, we really are out of line with the convention.

As the hon. Member for Walsall, South animadverted, the MOD lost a series of sex discrimination cases after a European Court ruling, to the embarrassment of the MOD, at great cost to the taxpayer and with considerable damage to morale in the services. As the hon. Gentleman said, we do not want to go through that again, so I am sure that the Government are right to want to make certain that there are no effective grounds for challenge under the convention.

I suspect, however, that the Government, mildly traumatised by what happened to their predecessors over sex equality, are determined to follow the more usual British tradition exemplified by the way in which we zealously apply an unnecessarily demanding interpretation of the requirement of EU directives. So I wonder whether the Government have not done exactly that and proposed changes which exceed what is necessary to bring us into line with the ECHR.

Do the Government really have to give a service man charged with a summary offence the choice of a court martial before proceedings start; then, if he decides to submit to the judgment of the commanding officer, does he really have to have a second right of appeal to a court martial if he does not like the CO's conclusion or, as my hon. Friend the Member for Gosport (Mr. Viggers) said, if his wife does not like it? That is certainly a more cumbersome procedure than the current one, but I would have thought that most service men on a charge would have preferred the current procedure—to see what evidence there was and what the CO made of it before deciding whether to opt for the full court martial.

I would have thought that, in practice, the rights and convenience of everyone, not least the offending service man, would be at least as well served by retaining the present arrangements. However, I take it that it is the MOD's legal advice—the advice that has been given to the Minister—that, despite the manifest fairness and utility of those arrangements, the European Court of Human Rights would never be persuaded to endorse them. Perhaps in his reply to the debate, the Minister will explain more fully why not. It is an absolutely crucial point that lies at the heart of the Bill and it requires a full explanation. We also need answers to the excellent questions asked by my hon. Friend the Member for Salisbury (Mr. Key) at the start of the debate.

Mr. Wilkinson: I am most grateful to my right hon. Friend who is making some extremely wise observations. The Government really have to decide which is more important: adherence to the principles set out in the European convention on human rights as adumbrated by those who are charged with its implementation, or the prime responsibility—I would say the overriding one—of Her Majesty's armed forces to maintain such good order and military discipline as to ensure morale and ultimate victory.

Sir Peter Lloyd: In the last analysis, my hon. Friend is absolutely right, but I do not think that we have reached that point. I am not yet convinced that the current arrangements are not on all fours with the convention and I am trying to tease that out of the Minister. It is a central point. I do not expect him to intervene on me now, but I hope that he will give it a great deal of attention when he replies to the debate.

At the same time, I would be grateful if the Minister would explain why, under the new procedures, if a summarily convicted service man appeals, the court martial will not be able to impose a heavier sentence than his CO has available to him. I know that the sentence of a court might well be heavier than the CO actually gave if that sentence was below the maximum, but why should the services not follow the civilian practice whereby, if the defendant elects for trial in a higher court, he runs the risk of a higher penalty than the lower court can impose? Why is the practice in civilian courts not at risk from the convention if it is judged to be unacceptable in the military process, or is it just a matter of belt and braces

[Sir Peter Lloyd]

copper-bottoming of the military procedures—a course on which I suggested the Government had embarked? Perhaps the Minister will be able to tell us.

The matter is important because so much services opinion is concerned. I have to take that second hand as the extent of my military career was serving in my school combined cadet force, and I am not sure that all my right hon. and hon. Friends who have been career officers or have been in the services in some other capacity will be convinced that that provides me with a fundamental knowledge. However, I have spoken to a great many people in the services, I have listened to what some of my right hon. and hon. Friends have said, and I have read the debates in the House of Lords.

It is clear that much service opinion is concerned that the new procedures will undermine the authority of commanding officers. We should not take that risk lightly. Anything that diminishes the commanding officer—in particular his ability to settle less serious disciplinary matters appropriately, firmly, without delay and in-house—will diminish a unit's morale and cohesion. It is on those qualities that much of a unit's effectiveness and the safety of all its members rely.

Dr. Godman: I am grateful to the right hon. Gentleman for his characteristic courtesy in giving way. As I said earlier, my experience is very dated, but there is a substantial difference between the prospect of an offending soldier facing his commanding officer and the ordeal of appearing in front of a court martial. In my view, which is based on terribly dated experience, the vast majority of soldiers would rather face their commanding officer than appear before a court martial.

Sir Peter Lloyd: That was the point that I was seeking to make. It is much more satisfactory all round, and it is now the law, that the service man should have the option. Why do we need to complicate that option and make it rather more difficult for the service man to know how best to use it in his own interest?

Mr. Nick Hawkins (Surrey Heath): I have been listening carefully. Having heard what my right hon. Friend said about his own experience in the CCF, let me reassure him that many of us have had that happy experience. I was a member of what was originally the very first school combined cadet force in the country, and benefited hugely from that experience—I come from a services family—so I do not think that my right hon. Friend should be at all reticent in expressing his views. Does he agree that the crucial question that we are addressing is whether the officers themselves feel that their place in the chain of command and the effectiveness with which they carry out their functions will be adversely affected? If, as my right hon. Friend believes, as I believe and as the officers to whom we have spoken believe, that is the case, there is a problem.

Sir Peter Lloyd: That proposition sounds convincing. I am looking for the Government to say either that it is not so and reassuring us, or, as I was arguing earlier, that it is not necessary to make these changes to put the law as it affects military discipline on all fours with the convention. It is a crucial point because the only reason for introducing the Bill at this time is to make it convention-proof. We need to ensure that the Government have got it right, but I fear that, in trying to make it convention-proof, they have gone much further than they needed and risk the adverse consequences to which my hon. Friend refers.

Another concern is the role of the proposed judicial officer who must endorse the detention of a service man if he is to be held for longer than 48 hours. That is an example of bureaucracy being added to the system, and it could further undermine the commanding officer. However, unlike some of my hon. Friends, I do not believe that it need do so. If tactfully and sensibly handled by the judicial officer and the CO, such oversight could be a useful resource for the CO, and it could also enhance the sense of fairness with which the summary proceedings are conducted from the point of view of the service man.

I cannot see that there will necessarily be problems with the procedure in Aldershot or Gutersloh, but they may arise when units are engaged in active operations overseas or in demanding peacekeeping roles. That is the point that my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) made well in his intervention. The Minister claimed in reply to my hon. Friend that modern means of communication could resolve the problem, and I am sure that it will be theoretically possible in most situations to maintain the necessary contact and secure the necessary approvals via electronic links. However, I should not like to have to rely on them on all occasions. I am more concerned that a senior officer, who should be devoting all his attention to the mission in hand could, and would on occasion, be distracted by the demanding procedures in the Bill. That should not be allowed to happen.

It is not practical to have two sets of rules—one for home and one for abroad.

Mr. Hancock: We went over that point at great length in the Defence Committee. It was very hard for any member to pinpoint an incident that would correspond to the problem you foresee of a commanding officer in the field being unable to follow the procedures to deal with a difficult problem. If a soldier had done something so bad, he would have been out of the unit and gone. There is no conceivable scenario in which someone would be left in that situation. The commanding officer would get on and do what he was paid to do and justice would take its course in the normal way. No one can present a single example that supports your argument.

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman must try to use the correct parliamentary language.

Sir Peter Lloyd: I always understood that war and active operations produced the most unexpected circumstances. The hon. Gentleman may be right—he was on the Defence Committee and heard the evidence given. I am willing to concede that it may be rare that such problems occur, but I hope that the hon. Gentleman will accept that he cannot speak ex cathedra and say that they will never happen.

Mr. Blunt: I wish to draw to the attention of the hon. Member for Portsmouth, South (Mr. Hancock), who is my colleague on the Defence Committee, the conclusion that we reached on the custody issue:

"We remain concerned that the legislation should cover all eventualities, and look forward to the government clarifying this issue during the Committee stage of the Bill."

Sir Peter Lloyd: That is right; I invite the Minister to comment when he winds up the debate. I have given him a lot to do, but the Bill raises several important points and I hope that he will be able to respond to them. It is much better that the rules are sufficiently flexible for the relevant officer to be able to take action appropriate to the exigencies that he and his men may face. The legislation needs to be flexible so that the circumstances can be taken into account, whether they are common, rare or will never happen at all, as the hon. Member for Portsmouth, South (Mr. Hancock) suggests. I hope that the Minister can reassure us in detail that that flexibility is in the Bill and, if it is not and if the Bill receives its Second Reading, it will be added in Committee.

3.45 pm

Mr. Paul Keetch (Hereford): I, for one, will be brief. As has been said on both sides of the House, we are proud of our armed forces. They have gained a worldwide reputation for being among the best—and, in some cases, the best in the world. They uphold values of democracy, liberty and justice—the very values that form the core of British society. When tested in difficult operational circumstances in the Gulf, the Balkans and, most recently, East Timor, our armed forces carried out their duties in a manner that has consistently upheld such democratic values.

The importance in the armed forces of a unique discipline system and a chain of command cannot be underestimated. It instils in our armed forces an overriding sense of duty, loyalty and discipline that builds both co-operation and professionalism, enabling them to maintain their effectiveness in peacetime and in conflict. In short, it means that, when they fight, they win.

Our armed forces have to be prepared to move with a world that is changing at a lightning pace. They have to be able to respond to situations quickly, in a post-cold war situation that is characterised by globalisation and increasing interdependence between countries and regions, as well as the resurgence of nationalism, ethnic violence and regional instability. We need, therefore, to ensure that our armed forces operate in the most modern and effective way possible. We expect our forces to represent and uphold British values, and if they are to continue to do so, we must adapt to changing times. I believe that the Bill seeks to do that.

The publication yesterday of the Defence Committee's report raises important issues relating to the passage of the Bill which need to be debated in more detail in Committee—I am sure that the Government will do that—although I have felt at times this afternoon that we might already be in Committee. Discipline in the armed forces must be kept under constant review. We all know that we return every four or five years to the Armed Forces Act, but discipline should not just be examined and then returned to the cupboard; it should be constantly refreshed and changed.

The Conservatives argue that the Bill fails to address issues of fundamental human rights, but it seeks to do just that, and does it well. The Bill will ensure that the personnel of the armed forces will be treated like citizens and entitled to the fundamental human rights encompassed in the Human Rights Act 1998.

The most recent review of discipline that we considered was the Armed Forces Act 1996, which my party supported as a positive step to bring discipline into line with the European convention on human rights. The reforms reinforced the independence of courts martial and extended the right to choose a court martial to establish checks and balances on the chain of command. The reforms in the Bill are a necessary extension of that Act and they are welcome because they create external as well as internal checks, which is a good thing.

Some reference has been made to the cost of the Bill and the figure of £6.5 million has already been mentioned. There is a cost in getting legal systems and services right, but there is also a cost to getting them wrong. Let us not forget that our armed forces budget has been severely tested in recent years by compensation paid out when successive Governments got things wrong—for example, compensation for women discharged because they were pregnant cost £60 million. I would rather get the system right than pay later if we get it wrong.

The main effect of clauses 1 to 10 are to make provision for a judicial officer to determine whether a suspect or accused should be held in custody. At present, the main responsibility for deciding whether the accused is kept in custody is in the hands of the commanding officer. Although the commanding officer has to review custody regularly, he cannot be seen as an independent figure when authorising the detention of a suspect. There are already checks on the commanding officer's powers, but the possibility of someone enduring up to eight days in custody without a review by an independent person is unacceptable.

The European Court of Human Rights concluded in the case of Hood *v.* the United Kingdom, which has been mentioned already, that both internal and external checks on decisions affect civil liberty. We believe that our armed forces are made up of citizens and that, as a basic human right, they should be able to expect the same rights as everyone else.

The new procedures will require a commanding officer to review custody every 12, 36 and 48 hours. After that, the commanding officer may apply to a judicial officer for continued detention. Applying that procedure in Britain's garrison towns is different from applying it in operational circumstances, but it will be possible to meet the requirement thanks to modern technology. The Bill also examines the practical difficulties involved, and I hope that the Government will return to that matter in Committee.

Conservative Members have argued that our forces might be out of touch with command for long periods, and that the Bill will therefore be impractical. My noble Friend Lord Wallace of Saltaire discussed that matter in another place, but he could find only one example—of a submarine under the polar ice cap—in which that might happen. Although there might be other circumstances in which that eventuality might come about, are we really saying that our entire system of armed forces discipline should be based on such exceptions? I do not believe so.

[Mr. Paul Keetch]

I returned late last night from three days in Kosovo, where I spent time with our armed forces. I know that the hon. Members for Salisbury (Mr. Key) and for Grantham and Stamford (Mr. Davies) also visited there recently, and made a favourable impression. I found that our commanders in the region see no problem with this Bill. There has been a real revolution in military matters over the past few years. The technology that enables instant, global communication now exists. Even in the jungles of East Timor, our forces will not be out of touch, so we see no problem with the proposals.

The Select Committee report expresses the concern that the Bill should cover operational eventualities, and it is important that the question be debated both here and in Committee. However, we consider that the Bill establishes a system that will cover the norm and that exceptions can be dealt with.

As I have pointed out already, the role of our volunteer and professional Army is to protect our democratic values. We expect our services to represent Britain and British values overseas. If we retain our leading role in defence diplomacy, and if we are to send our forces into eastern Europe and Africa to train military forces to accept the principle that the military is the servant of the state and not its master, we must ensure that our services continue to represent those values. We must ensure that we remain proud of our services and that our disciplinary procedures are an example to others.

The harsh disciplinary regime of 200 years ago, which was necessary to maintain order among troops who were largely illiterate and uneducated, no longer exists. In our highly skilled and professional armed forces, the changes proposed in the Bill will be successful. They represent the basis for a more highly trained and more professional armed forces. We on the Liberal Democrat Benches support the Bill.

3.53 pm

Mr. Peter Viggers (Gosport): The Government do not really care about defence, and their Defence Ministers have no experience in the armed forces. The result is this ill-considered, expensive and damaging Bill. I shall justify that accusation. There was a long delay before the Government introduced the strategic defence review, and there was a lack of urgency in its implementation. A number of important items identified in that review, such as the need to introduce heavy-lift capacity, were defined as high priority, but nothing has happened with them.

There is a shortfall in Army personnel of 5.3 per cent. and there is a crisis in the Defence Medical Services. For the first time, defence expenditure has fallen below 3 per cent. of gross domestic product, and the empty Labour Benches show how much the Government care about defence.

The Bill is untimely. The correct timing would have been to introduce it next year, in the Select Committee's quinquennial review of the Armed Forces Bills procedure. People outside the House may not know how that procedure works. Many years ago, it was proposed that a Bill that was essentially uncontroversial should go through a Select Committee stage. That meant that, after Second Reading, instead of going into the confrontational arena of a Standing Committee, it would go upstairs to a Select Committee. The members of that Select Committee—usually 11 of them—would consider the Bill and would have powers to take evidence

That has been the procedure since 1961, during which time there have been eight Armed Forces Bills. I chaired the Select Committee twice, in 1986 and 1996. We took our responsibilities very seriously: the Select Committee on the Armed Forces Bill in 1996, for example, met 11 times. We were anxious that the changes being made to military discipline should be correct and acceptable to the armed forces and to those civilians—such as those serving with the armed forces in Germany—who in some circumstances were affected by military law. We took evidence in this country and in Germany, and we heard from civilian representatives and from people, such as probation officers, who might be affected by the implementation of the Bill.

Such scrutiny is the best way to deal with Bills relating to armed forces discipline. It is a mistake for the Government to introduce this Bill now, in this manner, rather than waiting for 2001. It would have been so easy to delay its introduction for 11 months, as the Select Committee to consider the next Armed Forces Bill will be appointed in January 2001. That Committee would then have been able to scrutinise this Bill in as much detail as the 1996 Committee scrutinised the Armed Forces Act 1996.

Mr. Hancock: Does not the hon. Gentleman appreciate that the inevitable consequence of the delay that he has recommended to the House would be that more challenges to our military discipline would be mounted in the European courts? That would cause more expense to the Ministry of Defence and greater problems throughout the armed forces.

Mr. Viggers: That is a fair question. I shall deal with it when I come to the second paragraph of my notes, whose heading uses the phrase "ill-considered" in connection with the Bill.

Baroness Symons said:

"The main provisions of the Human Rights Act will come into force in October 2000. The proposals in this Bill are intended to address concerns about compliance with the European Convention on Human Rights before that date."—[*Official Report, House of Lords*, 29 November 1999; Vol. 607, c. 668.]

I have looked into the Human Rights Act 1998 to discover why it was decided to implement its provisions from 2 October 2000. I am convinced that the Ministers who took the 1998 Act through Parliament did not realise that it would have implications for the armed forces. They did not understand that the deadline that they gave the 1998 Act would require the Ministry of Defence to introduce provisions for changes in armed forces discipline before that date.

That was a major blunder. The Human Rights Act 1998 should not have specified that date; the deadline should have been left open, or delayed. Alternatively, provision should have been made to cover the armed forces. We are here today because the Home Office—I presume that was the Department responsible—failed to realise the implications for the Ministry of Defence of setting the 2 October 2000 deadline.

Other hon. Members have mentioned the matter of consolidation. The Select Committee considering the Armed Forces Act 1996 made much of that question, and

I think it appropriate to cover that point also in connection with this Bill. The 1996 special report stated at paragraph 36 on page xiv:

"It was undertaken by a senior draftsman from the Parliamentary Counsel Office on secondment to the Law Commission . . . This draftsman returned to the Parliamentary Counsel Office in summer 1993 when the consolidation was at 'an advanced stage'. Since then, he has not had the time needed to complete the work."

Clearly that is not a party political point because that was during a Conservative Administration. We concluded, at paragraph 37:

"This is unacceptable. To allow the two years' work by a highly skilled Parliamentary draftsman to be abandoned is a disturbing indictment of resource management in the Law Commission . . . We recommend that the Government ensures that the necessary resources and Parliamentary time are made available to allow for the consolidation of Service law before the passage of the next Armed Forces Bill."

That will be in 2001.

I will quote one section of the Bill at random, to show the mess without consolidation. Schedule 1(4)(1) states:

"Section 209(3) of each of the 1955 Acts (application of Act to civilians) is amended as follows.

(2) After paragraph (c) there is to be inserted—

'(ca) section 75J(2)(b) above shall have effect with the omission of the words from the beginning to "of this Act";

(cb) section 75K(6) above shall have effect with the omission of paragraph (a));'".

It is a jungle: for those who practise law to have referential law of that kind is extremely difficult. Earlier, it was said that commanding officers have been issued with the law drawn into one booklet, so that they will not have to make cross-references. We cannot allow the Bill to pass without another heartfelt plea or demand by right hon. and hon. Members in all parts of the House that armed forces disciplinary legislation be consolidated.

It has been said that the Bill is necessary because of various cases before the European Court of Human Rights, the leading case being Hood. The House may recall that Mr. Hood went absent without leave for the fourth time and maintained before the European Court that he did not, under article 6.1 of the convention, have

"a fair public trial before an independent impartial tribunal."

I am baffled by that claim. The word "impartial" does not appear in article 5—under which Mr. Hood brought his case. That article deals with liberty and security, whereas article 6 deals with the right to a fair trial. How can it conceivably be held that Mr. Hood did not have the right to a fair trial under article 5, when that deals not with trials but with custody and detention and does not contain the word "impartial"? That is beyond my comprehension and I cannot understand why that legal advice was given to Ministers.

Opening the debate, the Minister said that it was necessary to change the law and he was satisfied that the law would become compatible with the European convention. He did not use the word "compliant". Almost anything can be compatible. Is it fully compliant? We are changing the law to make it compatible when we should be sufficiently confident to say that it is compliant. In that sense, the legislation is ill-considered.

The measure will also be expensive. We enter a strange world, reminiscent of government accounting—full of smoke and mirrors. We were told that the cost would be £6.5 million a year. The Select Committee thought it curious that cost would remain consistent even though the original estimate of a modest number of appeals had greatly increased. The unconvincing reply from the Ministry of Defence spokesman was that the estimate had not increased because the original figure assumed that 50 additional Royal Military Police investigators would be needed to provide appropriate evidence to appeal courts. The revised view, said the spokesman, was that appeals would be more likely against sentences rather than the findings in summary proceedings, so significant additional investigative work would not be necessary.

That explanation is wholly and completely unpersuasive. Perhaps the Minister can provide a breakdown of that £6.5 million estimate and say how much is accounted for by salaries. The average industrial wage is £20,000 a year, and the accepted business criterion is that one doubles or trebles the wage to take account of the employee's full cost, including his accommodation and pension. The 80 individuals required to implement the measure would take up £3.2 million, assuming they receive only the average industrial wage. The former Attorney-General, my right hon. and learned Friend the Member for North–East Bedfordshire (Sir N. Lyell), is in his place and will know, as we all do, that it is most unusual to find even a modest lawyer such as myself on the average industrial wage. I suspect that many of those recruits will be paid several times that average wage. How will that budget be found within the figure of £6.5 million, with £1.75 million start-up costs? The Government may have been on a trip that I have seen before, during the two years when I was a Parliamentary Private Secretary at the Treasury—where the Government put forward an estimate that they think will be acceptable rather than one that completely and accurately reflects the costs.

My fourth charge was that the Bill would be damaging. Reference was made to undermining the morale and standing of commanding officers, who will be able to hold a person in custody for 12 hours—extending to 24 hours—after which a review by a judicial officer will be necessary. Only a judicial officer will allow an individual to be held in custody for longer.

I am reminded of a true story that illustrates the case. On their way by road between hospitals, two surgeons, a consultant anaesthetist and a senior nurse came across a road accident. They stopped their car and went to see if they could help the driver, who was seriously injured. While they were contemplating what to do, another driver stopped his car, rushed over and shouted, "Stand back! I am a blood donor."

My right hon. Friend the Member for Fareham (Sir P. Lloyd) asked about circumstances that might cause difficulties for the armed forces. Let us take the example of the fight at Mount Tumbledown, just above Port Stanley at the extreme western end of the Falklands—inaccessible except by yomping and, later, helicopter. One might have found it necessary to take a judicial officer to that location to see someone in custody, or to return the individual because it would not have been possible for the commanding officer to keep him in custody any longer.

British forces are deployed in places where the distance between the front and back lines are great. Travel may be inconvenient, with bad roads. In those circumstances, a commanding officer might find it quite difficult to have to ship a man from the front line, bring up a judicial

[Mr. Viggers]

officer, or implement video conferencing. Imagine the situation—"Stand back, we must bring up the judicial officer. We need space on the next helicopter up to the front for the judicial officer and the video conferencing kit."

Mr. Keetch: I am curious about the view taken by the hon. Gentleman and other Conservative Members that British soldiers are so terrible that they will, in the midst of battle—even at Port Stanley or Tumbledown—commit a crime for which they must be detained or sent back. It is total nonsense. Of how many occasions on which that has happened at the height of battle is the hon. Gentleman aware? He and his colleagues seem to be suggesting that it is a regular event. I think not.

Mr. Viggers: Of course it is not a regular occurrence. I have not yet paid tribute to our armed forces, who are absolutely superb. Having served for seven years in the Royal Air Force and the Army, I pay tribute to the standards of discipline and self-discipline that the forces maintain.

However, we are legislating to cover every eventuality. That is why the Bill should have been scrutinised by the Select Committee rather than coming before us. We have the Defence Committee's extremely valuable report, but the Committee met for only a day, not having the chance to go into the field to find out what circumstances might arise in which it would be inconvenient for the armed forces to apply the Bill's provisions. I urge further scrutiny.

Sir Nicholas Lyell (North–East Bedfordshire): My hon. Friend is making a serious point. These cases are extremely rare, and I agree with all that he has said about the armed forces, but my hon. Friend's point is not a fanciful one.

Mr. Viggers: Indeed it is not. I do not know how much service experience the hon. Member for Hereford (Mr. Keetch) has had, but the armed forces may face periods of intense strain. An out-of-context example is the number of individuals who deserted or committed crimes at the front during the first world war. Even individuals of the very highest quality, such as those in our own armed forces, may, when under extreme pressure of battle, behave as they would not normally behave. A further example is the case of Lance-Sergeant Findlay, a man of exemplary character who ran amok. It was necessary to change the law in 1996 to cover that situation. The example of Mount Tumbledown was not completely fanciful. Such a case could happen.

Mr. Hancock: May I draw the hon. Gentleman's attention to the evidence given to the Defence Committee by a highly decorated soldier, Brigadier Andrew Ritchie, who was wearing more medal ribbons than many senior service personnel whom we have questioned before? The brigadier had first-hand experience of commanding in the field, and, when questioned at length, he made it clear that he could not conceive of a situation in which a commanding officer would be required to act in the way that the hon. Gentleman suggests. The right hon. and learned Member for North–East Bedfordshire (Sir N. Lyell) suggests that the examples given are not fanciful, but the evidence to the Defence Committee made it clear that no senior service men could come up with a scenario to match the case that the hon. Gentleman is making.

Mr. Viggers: That is reassuring. However, I cannot prove a negative. The procedure that the Government are adopting means that hon. Members will not be able to cross-examine senior personnel in the Select Committee. As a member of the Defence Committee, the hon. Gentleman has had his opportunity to do so, albeit at only one sitting, but those of us who do not serve on the Select Committee have not had that opportunity. The Government's precipitate introduction of the Bill is what leaves me unreassured.

Mr. Gerald Howarth: It would be a brave brigadier who gainsaid the Minister sitting alongside him in a Select Committee.

Mr. Viggers: Indeed. One of the great advantages held by Select Committees is their development of expertise over years of talking to individual service men and their families. The hon. Member for Walsall, South (Mr. George), who chairs the Defence Committee, is a notable exponent of that. The Committee gains extended knowledge of how matters work on the ground. As a representative of a garrison town, I know that if senior officers—colonels, majors or admirals—go round asking, "Is everything all right?", the men will say yes. They are tasked to do so. The programme "Yes, Minister" was correctly titled because Ministers receive that answer when they ask if all is well. Our duty to probe legislation requires us to go further.

The new right to appeal is also damaging. An individual may be heard by his commanding officer or go to court martial. If he does not like his CO's decision, he has a right of appeal. The hon. Member for Greenock and Inverclyde (Dr. Godman), who is not in his place, made the valid point that, in his experience, most service men accept the judgment of their commanding officer. They stand up straight, are told their punishment, say, "Yes, sir," salute, walk out, and that is that. They accept that that is how the system works.

However, and I do not believe that this serious point is fanciful, my experience in constituency surgeries and from talking to members of the armed forces suggests that a service man may accept summary jurisdiction and justice, but his wife may think it unfair. He will go home and tell her that he was fined £100, and she will ask why that should be, feeling that it is terrible and that he should appeal. There will be marital disharmony, and the man will look strange if he does not appeal. If he does, it will cost more money.

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie) *indicated dissent.*

Mr. Viggers: The Minister's body language suggests that he does not really agree with me. However, I put it to him seriously that if the right of appeal is available and if the man does not want to appeal, the wife will quite often wish to do so.

Mr. Blunt: My hon. Friend's point touches on one of the many weaknesses of the Bill. He has mentioned the

wives of young soldiers, sailors and airmen, but he should remember that unmarried personnel may live in block accommodation or on a ship. There will be 14 days in which the barrack-room lawyers who live with them may ask whether they intend to accept the commanding officer's decision and lie down and take it when there is a chance to appeal. There will be a vast increase in the number of appeals—far more than Ministers expect—because of the influence of colleagues on soldiers, sailors and airmen during those 14 days.

Mr. Viggers: I am grateful to my hon. Friend, whose service experience enables him to make wise judgments on these matters. I am sure that he is absolutely right.

One might seek a derogation from the European convention on human rights under article 15, but it is specified that derogation may be sought only

"in time of war or other public emergency threatening the life of the nation."

When those words were written, it was thought that they took all eventualities into account. However, the writers did not realise that, increasingly, nations would not actually declare war. We did not declare war in the Falklands; we did not do so over Kuwait and Iraq; nor in Kosovo and in Bosnia. We are increasingly involved in military exercises in areas that are well away from the United Kingdom, which could not possibly be described as

"a public emergency threatening the life of the nation".

As we probably will not declare war in those cases either, we can envisage that our military forces increasingly will be used in circumstances that are not covered by the derogation of article 15; that is not available to us.

For all those reasons, the Bill is untimely, ill-considered, expensive and damaging. I shall vote against it with relish.

4.21 pm

Mr. Crispin Blunt (Reigate): Perhaps it is appropriate that I should follow my hon. Friend the Member for Gosport (Mr. Viggers) on the day that the Order Paper includes a motion that discharges me from the Defence Committee and appoints him in my place.

The Chairman of the Committee, the hon. Member for Walsall, South (Mr. George), has already spoken in the debate; we enjoyed a rumbustious relationship. One line of questioning that he cut off ruthlessly when we were under pressure was what would happen, under the measure, when one tried to put soldiers, sailors and airmen in custody. Many lines of questioning on that matter were robustly interrupted by the hon. Gentleman. I hope that a more pleasant fate awaits me on the Select Committee on the Environment, Transport and Regional Affairs, whither I am bound.

I declare an interest—indeed, experience—I was a regular soldier for 12 years. I served as assistant prosecuting officer and assistant defending officer on district and general courts martial. I administered the summary justice process as an officer commanding—squadron leader of A squadron, 13th/18th Hussars. I was also on the receiving end of the procedure as an officer cadet at Sandhurst. I have some experience to contribute to the debate.

We need to set the Bill in the context of the debate between individual rights and the rights of state and society. Historically, both the state and the Church have asked, encouraged or forced individuals to subordinate and surrender their individual rights for the greater good of the organisation. An example is offered by Government Members. The Government Benches are hardly packed at the moment; new Labour Members appear to have surrendered their individual interest to the corporate good. We do not hear a squeak of the individual views or beliefs of Labour Members who support the Government, if those views and beliefs dissent from the corporate, new Labour view. Individual rights have been surrendered to the rights of the party in government.

The armed services offer the ultimate example of individuals who surrender their rights to the organisation. In 1994, Captain Harry Shapland was killed in an American air force helicopter which was shot down by an American fixed-wing aircraft; it was a tragic accident. His commanding officer said:

"Every soldier signs a blank cheque on his life and he never knows when it will be cashed."

The most fundamental right of all is laid at the service of the armed forces. That is unique. I agree with the Minister for the Armed Forces, who made that clear when he opened the debate. The point was also made clear by Brigadier Ritchie in his evidence to the Defence Committee about the balance between the rights of the individual in the summary justice system administered in the armed forces and the interests of the armed forces as a whole. He said:

"the ability of a Commanding Officer to maintain good order and military discipline is fundamental to his ability to command his troops. Maintaining the system of summary discipline is our vital ground."

That brings us to the problem with the Bill. There is an irreconcilable clash between the rights of the individual and the rights of the state—in this case, expressed through the need to surrender those individual rights in order for the armed forces to be effective. Those rights are largely surrendered through the summary justice system. The administration of that process is what keeps the armed forces coherent.

The problem was made clear by the Minister. The whole summary justice system is not compliant with the European Court of Human Rights and with the European convention on human rights. Article 6 of the convention makes that clear. It states:

"In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."

The whole point of the summary justice system is that it is not independent. The commanding officer is likely to know extremely well the soldiers who come before him for punishment. The fact that they know him and that they know that the chain of command is administering justice in those circumstances is the "vital ground" of the armed forces to sustain their effectiveness.

We cannot take out of context the examination of individual rights by the European Court and the development of jurisprudence and the notion of individual rights in the minds of soldiers, sailors and airmen and in the society from which they come. In 1951, no one expected the armed forces to be affected by the UK's accession to the European convention.

[Mr. Crispin Blunt]

By 1974, the debate had moved on. When France acceded to the convention, it was clear that its armed forces would be affected, so France put down a reservation when its National Assembly ratified the treaty accession. France is not alone. Several other countries have made a reservation about their armed forces—including some of our NATO allies, such as Spain and the Czech Republic.

By 1998, with the incorporation of the convention in UK law, there had been developments in jurisprudence—especially through the Findlay and Hood cases. The convention produced a fundamental effect on human rights—developed under case law, as my hon. Friend the Member for Gosport pointed out. Judges with little military experience have wholly undermined the summary justice system. They have made explicit that it does not comply with the convention that is being operated by the European Court.

If we do not examine what is happening generally before we consider the Bill, we will not be able to understand how damaging it is. The measure must be set into that context as well as in the context of the Armed Forces Act 1996. That was the means by which the armed forces tried to address the judgment in the Findlay case and to make the summary justice system compliant.

We need now to pay careful attention to what has happened to the court martial system since the 1996 Act came into force in 1997. A fairly limited change was made to the rights of defendants to elect for trial by court martial but, since 1997, the number of cases going to court martial appears to have doubled. However, as the Minister for the Armed Forces pointed out, that number is related to cases in which the findings appear on a individual's regimental conduct sheet. That suggests that commanding officers are becoming less willing to impose serious punishments through the summary justice system. They are more likely to push a case up the line to a court martial. That is a sign that their confidence in using the summary justice system has been undermined.

Of the main elements of the Bill, the first is the change to the custody rules. As far as I can determine, it is the only element of the Bill that is driven by the latest judgment of the European convention on human rights in the Hood case. The Select Committee had a lengthy discussion about the circumstances in which custody rules would be impossible to enforce, and it must be admitted that trying to identify such circumstances is difficult. It is unlikely that we shall ever find ourselves in them. However, it is not good enough to base the argument on that point. The armed forces should expect this place to be able to introduce legislation that will cover all the eventualities that they face.

The Ministry of Defence will face extreme difficulty in drafting a satisfactory statutory instrument—it has yet to be published even in draft form—about the use of video links, which will be a key element in the procedure. None the less, the provision for custody forms the strongest part of the Government's case for introducing the Bill. If it were limited only to the rules of custody and procedure, it would be tiresome, expensive and bureaucratic, but it would arguably not make too much difference to the system of custody before and after charge that we have today. If a Conservative Government were reconsidering the matter, they would probably come to the same judgments that they came to when they introduced the 1996 Act to comply with the European convention on human rights.

The other elements of the Bill are more damaging. I do not understand—I hope that the Minister will explain this when he winds up or at a later stage—what it was in the Hood judgment that has forced the change to trial by court martial. Why do we have to change the point at which a defendant in the Army or the Royal Air Force can elect for court martial, so that he can elect for trial by court martial at a beginning of a case rather than after a commanding officer has deemed that the charge against him is proven? My right hon. Friend the Member for Fareham (Sir P. Lloyd) said that there does not seem to be any reason for the change, and I found his arguments convincing.

The Bill's provisions for the summary appeal court are thoroughly damaging. After a commanding officer has reached his finding, there will be a 14-day period in which a defendant can decide to appeal. In that time, all sorts of forces—his mates, his wife and his wider family—may get to work on him. They may tell him that he has been unfairly treated, should not take his medicine and should explore the appeal process. What would he have to lose, particularly if the commanding officer had decided to hand down the maximum sentence? Any commanding officer who hands down a maximum sentence will find that it is appealed against, because the defendant will have absolutely nothing to lose.

The burden of the Bill on the internal administration of the armed forces becomes really apparent in those circumstances. One of the justifications for the extra 55 royal military policemen that the Government have proposed is that they will improve the quality of evidence collection for commanding officers' orders, so that their decisions will be less open to appeal.

Sir Nicholas Lyell: I think that my hon. Friend has conceded a point that he need not have. Although he is on the Select Committee and I am not, it is my understanding that the Bill would mean that an appeal tribunal could not increase a sentence. To that extent, a defendant would have nothing to lose from appealing.

Mr. Blunt: That is indeed the case. The point that I failed to make clearly enough was that the appeal process cannot increase the sentence that a commanding officer has given; it can only reduce it.

One reason for the additional 55 royal military policemen is to make watertight a case on commanding officer's orders against the soldier, sailor or airman who is before him. At present, the justice system, as administered by commanding officers, is reasonably rough and ready, but it is seen as just. In the normal course of events, their decisions are not appealed against. If one adds to it the bureaucratic necessity that the case against individuals must be watertight when it is taken before a judge advocate at a summary appeal court, we shall find that the bureaucratic burden placed on the adjutant, the regimental sergeant major and the chief clerk in organising the paperwork for ordinary commanding officer's orders will have a seriously deleterious effect on the administration of discipline in a unit.

When the Select Committee tried to obtain information from the Ministry of Defence, we were told that the figures for the number of cases that go to summary court

martial related only to those that resulted in a report on a individual's regimental record. Those numbers have dropped to 2,000 in 1999, and, when I heard that figure, I thought, "Good Lord. My regiment must have taken a good proportion of all the summary justice cases in the armed services." However, the wider figure is much greater. There are 24,000 cases a year of the ordinary process of soldiers appearing in front of their squadron leaders, company commanders or, for more serious offences, their commanding officers.

In the evidence given by Brigadier Ritchie, we were told that 20 per cent. of those 24,000 cases would be appealed to the summary appeal court. Therefore, the number of cases handled by a summary appeal court is not 1,500, but nearer 5,000. That suggests that the Ministry of Defence has seriously miscalculated the amount of work that will be created for the court and the financial consequences that will flow from that.

Sir Nicholas Lyell: Will my hon. Friend consider another strange anomaly in the Government's approach? In the Bill, they propose to give those who are subject to service discipline an automatic right to go not to the commanding officer, which would be the equivalent of going to a magistrates court, but to court martial, which would be the equivalent of going to the Crown court. However, they want to take away the right of ordinary civilians to go to the Crown court and insist that they go the magistrates court. Is that not anomalous?

Mr. Blunt: Of course it seems anomalous, but one would have to wait a long time for consistency from the Government. This is the most important part of the Bill and the most destructive, particularly to the commanding officer's authority. It is not needed under the Hood judgment, and I beg the Minister to examine it.

We are not going to be in a position to test this thesis. If the Minister's legal advice is that a case will be brought that shows that a summary appeal court is required under the European convention on human rights, we should at least let that case happen. It is not as though the Government are not preparing enough opportunities to change armed forces legislation in the future. We shall be going round the buoy next year with the quinquennial Act. The Government tell us that there is not enough time, in the next 18 months, to put together a tri-service discipline Act, so we shall be going round the buoy again, presumably between 2001 and 2006, when the quinquennial Act will come round again.

We shall therefore have opportunities to put this right, but the damage that the Bill will do is far too great to be worth the risk of gold-plating the legislation on the legal advice that it might otherwise be liable to a finding against it in the European Court of Human Rights.

The point that flows from that is that, in his evidence to the Select Committee, the Minister told us—this was also made clear by Baroness Symons in another place—that he cannot guarantee that the Bill is bomb-proof against a future ruling of the European Court of Human Rights.

Suppose the European Court decides that the judicial officers who are now being appointed to look after the custody arrangements are not independent of the chain of command because they are being paid by the chain of command and they owe their duties to the chain of command. The court might then think that the summary appeals court is also staffed by officers who are not independent of the chain of command. That would simply require a definition of the chain of command that is wider than the officer who has direct command of the soldier, sailor or airman in question.

Mr. Brazier: In reinforcing my hon. Friend's excellent point, I put it to him that part of the problem is the huge influx of judges into the European Court of Human Rights from countries that regard the state in general and the military in particular as oppressors. There is something faintly ridiculous in the idea that the court is now able to affect our armed forces, when many of the judges come from countries from which many of the asylum seekers who are now before our domestic courts have come.

Mr. Blunt: I entirely agree with my hon. Friend.

The final and most absurd point about this wretched legislation is the cost to the armed forces. The Ministry of Defence estimates that it will cost some £6.5 million. I am not remotely confident that that is anything other than a grotesque underestimate, not least because the Ministry's figure for appeals from summary justice cases is only 20 per cent. What are we getting for that money? We are getting 55 more military policemen; 35 more civilians, most of whom are lawyers; and the benefit of regularly paying highly priced lawyers to deal with the Bill's custodial provisions and to advise the summary appeal courts in commanding officers' jurisdiction.

I am sure that those people will be a fine body of men and women, but, when one considers that the cost of that little lot—as a company, it would probably not give too clever an account of itself in action—is about the same as the salary bill for an infantry battalion, one wonders where the money is to come from. Will they be paid for out of the Lord Chancellor's budget or further taxation from the Treasury? No, it was made absolutely clear in the other place that the amount is coming out of the defence budget.

The cost of the measures is equivalent to that of the manpower of an infantry battalion. Will it add to, or subtract from, the effectiveness of our armed forces? It will undermine their operational effectiveness. Not only will a shocking arrangement be forced on the armed forces concerning appeals in the summary justice process and the process of choosing court martial without that being required under case law as it now stands, but the armed forces themselves will have to pick up the bill. Frankly, that is the last obscenity in the Bill.

I urge Ministers to consider the two particular measures that I have described, if they will not consider the course of action that I shall now recommend.

Several hon. Members *rose—*

Mr. Blunt: I shall take the intervention of the Chairman of the Select Committee, the hon. Member for Walsall, South (Mr. George).

Mr. Bruce George: I must say how sad I am that the hon. Gentleman is leaving the Defence Committee, even though his replacement will be a most capable addition to our team of 11. I want to correct a misapprehension. The hon. Gentleman implied that I had behaved in an authoritarian manner in cutting him off in his prime

[Mr. Bruce George]

during the questioning session a few days ago. I did extensive research, by counting, and I found that, of the 123 questions asked of my hon. Friend the Minister for the Armed Forces and his colleagues, 54 were asked by the hon. Gentleman. People will not criticise me for being too authoritarian; they will ask why I did not cut off the hon. Gentleman earlier.

Mr. Blunt: I have no idea why I was so stupid as to allow the hon. Gentleman to intervene when he has, as Chairman of the Defence Committee, been so mean as to interrupt me.

At the beginning of that session, the Chairman was, for the first time, extremely anxious not only that I should be there but that I should take a leading part in the questioning because he did not expect too much interest from his hon. Friends. I fear that he was right to do so. This afternoon, the only speech by a Labour Back Bencher was that of the hon. Gentleman himself. I suspect that, if the Select Committee had not considered the matter, even he might not have graced the debate with his presence. The fact that Labour's contribution to this debate has been so limited is a shocking indictment of its interest in defence.

I return to what the course of action should be. The Government should at least drop the two parts of the Bill that are not required under ECHR case law. That would be a satisfactory compromise, although it would leave the custodial provisions, which I hope will be sorted out in Committee, ludicrously flawed and difficult to implement. We should be saying that the French have got it right, and that the Bill is irreconcilable in terms of individual rights and the rights of the state, particularly given the way in which the European Court of Human Rights has developed.

Brigadier Ritchie told us that the summary justice system is the vital ground that has to be defended. The Armed Forces Act 1996 and the Bill both chip away significantly at the effectiveness of the summary justice system that sustains the armed forces discipline, cohesion and morale. Therefore, the time has come to face the fact that we will have to get that reservation to protect our armed forces. This is the vital ground of our armed forces and, by extension, a vital interest of the United Kingdom. I see no other solution but to withdraw from the European convention on human rights and immediately reapply, obtaining the necessary reservation to protect our armed forces, their vital ground and our vital interests.

4.49 pm

Mr. John Wilkinson (Ruislip–Northwood): The hon. Member for Walsall, South (Mr. George), the Chairman of the Select Committee on Defence, deplored the fact that, having tabled a reasoned amendment on the Order Paper, we were treating the Bill in a strictly non-bipartisan way. I argue that when these disciplinary provisions are manifestly damaging to service discipline, we are duty bound to do as we have done. The hon. Gentleman was a lone, siren voice—although, looking at him, I am not sure whether he has the physiognomy of a siren; nor is he, unlike the sirens, among a fair collectivity.

I have the problem of following three speeches of rare distinction. One was made by my hon. Friend the Member for Reigate (Mr. Blunt). How fortunate we are to have the benefit of his recent military experience. The speech of my right hon. Friend the Member for Fareham (Sir P. Lloyd) benefited from his ministerial outlook and fair-mindedness. He has the characteristic typical of Home Office training of trying to judge whether the measure will work in practice. My hon. Friend the Member for Gosport (Mr. Viggers), my predecessor and successor as Chairman of the Select Committee on the Armed Forces Bill, also spoke. Like him, I deplore the fact, as does Her Majesty's Opposition in general, that we have not had pre-legislative scrutiny of this measure. The pre-legislative Select Committee is an invaluable procedure, especially for service matters.

The House today has a paucity of expertise on service issues. It was not so when I first came to the House. We tried to remedy the deficiency with the armed forces parliamentary scheme but, in a sense, a little knowledge is a dangerous thing. The wartime experience of the generation that I met when I first came to the House would have been invaluable. Luckily, the other place has not been reformed root and branch. We still have the contributions of the former chiefs of staff and other people with long military experience.

In concept, the Bill is wrong. The very idea of human rights for the armed forces is, per se, a delusion. People joining the armed forces forswear their human rights. They do not have human rights. As my hon. Friend the Member for Reigate put it, they sign a blank cheque. They are then subject to discipline, and this is the overriding consideration for the rest of their life in uniform.

Mr. Hancock: Does not the hon. Gentleman have difficulty getting his head round the suggestion that people joining the United Kingdom armed forces forgo their human rights, yet are expected to travel the world defending other people's human rights? Many of our soldiers, men and women, are putting their lives on the line as he speaks, defending human rights. Surely the House has a responsibility to defend theirs.

Mr. Wilkinson: It is not so much a question of abstractions or what is written in conventions. Human rights are a function of individual example and behaviour. That is what has characterised our armed forces. The commanding officer sets the pattern and the example. He imposes the discipline because earlier in his career, he was subject to discipline. A good commanding officer will not ask his men to do anything that he cannot do himself. That is the groundwork of good discipline. It is not a question of conventions.

Sir Nicholas Lyell: I am listening most carefully to my hon. Friend, and I think that I know what he is getting at. Would he agree that perhaps it could be put like this? People joining the armed forces do not necessarily forswear all their human rights, but they expect to have a legal framework that takes account of the need for human rights legislation to adapt itself to the requirements of good order and military discipline necessary for the operation of any armed forces.

Mr. Wilkinson: Exactly so. I now understand why my right hon. and learned Friend is deemed learned in this place.

We must consider the matter in a contemporary context. That was an important factor in making the speech of my hon. Friend the Member for Reigate so telling. We must

judge the Bill in the context of the armed forces' lack of resources, the constant diminution of their regular and reserve manpower, and the growing technology gap vis-a-vis the Americans, which was plain to see in the Kosovo war.

Those deficiencies can be redressed to some degree by the very best discipline and training. The moral quality always transcends the material in warfare. It behoves us to pass measures that enhance our capability through an effective disciplinary system in the armed forces, rather than degrading it.

We should follow the example of the Spartans or the Prussians in placing discipline and training first. The Prime Minister had a phrase at the general election—"education, education, education". For the armed forces, it must be training, training, training and drill, drill, drill, so that the response is instinctive and the reaction to command is unquestioning.

Those are not attributes which flow naturally from the litigiousness inherent in the Bill. It encourages litigiousness and, in the armed forces, that can easily become insubordination. If a service man questions the judgment of his commanding officer in a summary case, or believes that his commanding officer is wrong in allocating a particular sentence to him, he demonstrates a fundamental lack of respect for his qualities as a leader, an individual and an officer.

Mr. Keetch: Does the hon. Gentleman believe that the commander of British land forces in Kosovo, General Sir Michael Jackson, was right to question the authority of his commanding officer, General Wesley Clark, in connection with the Russian takeover of the airport at Pristina?

Mr. Wilkinson: I am in no position to comment on the operational decisions of general officers commanding in the field. It would be ludicrous for me to do so, but I always have sympathy for senior officers who have Nelsonian flair.

The idea of summary appeal courts is wrong and I bitterly regret it. I also regret the idea that people can opt for a court martial before they even have a summary hearing. It is utterly wrong, too, that after a 48-hour period of detention, judicial officers should be able to overrule the judgment of a commanding officer.

My intervention early in the debate was belittled, but in the field, in operational circumstances, it may be absolutely necessary to keep someone in detention for 48 hours or more. There may be no alternative. It is wrong that in such circumstances the commanding officer should have to refer to a judicial officer.

The Bill is a thoroughly retrograde piece of legislation. I presume that it is intended to last, but thank God we have the opportunity to review it in the usual quinquennial process when the three armed service Acts are reviewed next year.

We should recognise, first, that the training periods for our personnel are now shorter than they have ever been. The time taken to go through Sandhurst and the training schools is far shorter than it used to be.

Secondly, more work is being put upon the Territorial Army. For example, formed units are to go out to Kosovo. That is good, but reserve soldiers, sailors and airmen do not have the training background of regulars.

Lastly, the Bill may well have to apply to conscripts. We cannot for ever assume that our troops will have only a peacekeeping role and be engaged in humanitarian operations.

The profession of arms is a wholly unnatural process. It makes wholly exceptional demands upon those who embrace it. Therefore, we must understand that we are legislating for war as well as for all the lower gradations of potential conflict, peacekeeping and so on. In so doing, we are diminishing the capability of our armed forces to operate as effective fighting formations. I regret the legislation and I shall vote against it.

5 pm

Mr. Mike Hancock (Portsmouth, South): I had not expected to speak today. My hon. Friend the Member for Hereford (Mr. Keetch) was due to speak on behalf of the Liberal Democrats and he did so in an exemplary way. He said that the legislation was needed to bring us into line with our allies and that we had to live up to our obligations; but as the debate progressed it became slightly surreal. Some hon. Members were unable to come up with the worst-case scenario for which they were suggesting we had to legislate. It is bizarre that hon. Members should criticise a Bill without being able readily to identify the issue that they are addressing.

I am proud to be a member of the Defence Committee. I enjoyed the speech of its Chairman, the hon. Member for Walsall, South (Mr. George), and that of the hon. Member for Reigate (Mr. Blunt). I did not much enjoy his contribution in the Select Committee because his 54 questions turned on virtually the same point and were repetitive. Had the Chairman been a little less generous, he might have shut him up. We were all becoming a little bored because the hon. Gentleman was hammering home the same point. He would have done justice to a Jack Russell terrier or the SAS on a difficult operation. However, today's debate proves conclusively that blood can be squeezed from a stone.

Mr. Gerald Howarth: That is why the hon. Gentleman is speaking.

Mr. Hancock: If we have to be here until 7 o'clock, we might as well join in.

I read the Bill with great interest, but I have strong reservations about it. I listened with great interest to at least two of the four debates in the other place on the Bill and the contributions of some of the distinguished former chiefs of staff. So far no one has come up with a reason why they backed off. They were sure that the Bill was wrong but, when push came to shove, they did not pursue the matter to a vote. At the end of the day, they did not clearly support the line being pursued by the current Chief of the Defence Staff who said that to attempt to embody in the Bill a distinction between normal and active service

[Mr. Hancock]

circumstances was unnecessary and would quite probably be counter-productive, and therefore would not be welcomed by the services themselves.

Mr. Howarth: Who said that?

Mr. Hancock: That was the current Chief of the Defence Staff.

Mr. Howarth: Who is that?

Mr. Deputy Speaker: Order. We cannot have questions from hon. Members in a sedentary position.

Mr. Hancock: I stand corrected, Mr. Deputy Speaker. The hon. Gentleman makes a fair point. Had I been in his position with nothing much good to say about the Bill, I would have tried to intervene with such a comment. I am sure that General Guthrie will be pleased that his name has been mentioned in the Chamber this afternoon due to the—for me, unwelcome—intervention by the hon. Gentleman.

It is clear from the comment that I quoted that the former chiefs of staff and many Members from all parties in the other place decided that it was not right to pursue the matter. The other place examined the Bill four times in meticulous detail. They went over the same examples that hon. Members have drawn to the House's attention today.

Mr. Blunt: The hon. Gentleman rests his case on the first part of the Bill, which covers custodial circumstances. He is right to point out that it is difficult to establish the exact circumstances in which various provisions will be found wanting. However, the comments of the Chief of the Defence Staff that Lady Symons quoted related to his anxiety that, according to advice he had received, the summary justice system would not comply with the European convention on human rights if the Bill was not passed. The current service chiefs therefore wanted the Bill to be passed on those grounds. However, the fact is—

Mr. Deputy Speaker: Order. Long interventions are almost as bad as sedentary interventions.

Mr. Hancock: I was grateful for that intervention because the hon. Member for Reigate made a fair point. Again, it establishes clearly that civilians, legal advisers and senior defence chiefs believed that it was important for our disciplinary procedures to comply with the European convention on human rights, that bringing them into line was necessary and that any intervention that forced a delay on that would be unwelcome and would lead to an escalation of cases before the European Court of Human Rights.

I agree that the Bill tries to achieve three objectives: it covers loss of liberty and custody—many hon. Members have discussed that; it provides that decisions of a judicial nature should not be made by persons who hold appointments that depend on the Executive or, in military terms, the chain of command; and it prevents the same person from acting as prosecutor and judge and provides for the right to choose between summary trial and small-scale judicial procedures.

It is interesting that many Members of the House of Lords also serve as judges. Many of them have served as appeal judges when cases have been brought against legislation, for or against which they voted. That is hardly fair. Our current Lord Chancellor is nervously considering the latest European Court of Human Rights decision on a case in Guernsey. The Bailiff of Guernsey has been ruled out of order for voting for legislation and subsequently sitting in judgment on an appeal by a Guernsey citizen against part of its enactment. That poses great problems for the Lord Chancellor and any judge who sits in the second Chamber.

Some hon. Members claim that our armed forces are second to none—I share that view. They say that the men and women who serve in them go about their business in a lawful and proper manner, yet they are worried that many of them will be guilty of some sort of offence—

Mr. Keetch: In the heat of battle.

Mr. Hancock: In the heat of battle, as my hon. Friend says. Some hon. Members seem to be worried that service men and women will suddenly disregard their training, esprit de corps and whatever else motivates people to do the right thing, and, in the heat of battle, commit wanton acts that are so serious that the perpetrators will have to be jailed, and other people will have to be taken out of the front line to serve as custody officers night and day. I simply do not believe that that will be the case.

My neighbour, the hon. Member for Gosport (Mr. Viggers), said that all service personnel play the game and stick to the line when they appear before officers, but I have made Defence Committee visits with Ministers and my experience is that the last thing members of our armed forces are is reluctant to speak their minds and tell us the truth—warts and all—about the problems that they face. I represent a huge number of service personnel and their families and come from a family with long service traditions, so I know only too well that the person who is subject to military justice is not always the main instigator of an appeal. That instigation comes from the family. I remember more than one family debate about whether justice had been served and whether the sentence fitted the crime.

Mr. Fabricant: I fully understand that the hon. Gentleman has a great interest in service matters and of course he is interested in service history. Does he recall the sad but nevertheless true cases of people who were involved in courts martial in the heat of battle? Does he not think that his recommendation would cause injustice because of unnecessary delays?

Mr. Hancock: I can only think that the hon. Gentleman is referring to situations in the first world war. Many hon. Members have recognised that injustice. There have not been many such situations since, and no one is suggesting that we have such a system today.

The Defence Committee heard a presentation by three senior officers—Brigadier Andrew Ritchie, Commodore David Humphrey and Air Commodore Rick Charles—two of whom had been in command and one of whom had

been in command in the circumstances that have been described today. All three stressed that the Bill is a step in the right direction and all sought one thing—consistency. All wanted the rights of the individual to be protected, the Army's regimental traditions to be kept up and the rights of the individual to be incorporated into the services. None raised serious objections to the Bill.

However, I had reservations. I asked a number of questions, like the hon. Member for Reigate, and would have run him a close second had the Chairman of the Committee done another count. The officials of the House have me down as tabling a lot of questions, but I am not down as being present when the Committee met. That anomaly is beyond me, but they achieved it. The evidence went more than half way to meeting the objections of those in the other place who had not been satisfied by the Minister for Defence Procurement, who speaks on these matters there, and the rest of the way to satisfy the rigorous and robust questioning of the Defence Committee.

My first reservation concerned the MOD's ability to recruit personnel of the required standard. The Defence Committee and the House are well aware of the problems of retention—the military's medical services, from which qualified staff are haemorrhaging, are a classic example. Despite our best efforts to retain people, we are losing pilots hand over fist and cannot hold on to technicians of any grade in any of the three services with any degree of surety. I doubted whether we could recruit, but the brigadier—speaking on behalf of the general with responsibility for legal services—once again assured us that more than half the necessary personnel had already been recruited. He believed that the quota would have been filled by the time the Bill came into operation.

My second reservation has been referred to by many hon. Members, who have mentioned my questions to officers and to the Minister of State in the Select Committee about cost. How on earth could they explain the sudden escalation from 850 persons who would seek to appeal to 1,500, nearly double the original figure? Like the hon. Member for Reigate, I am still worried about whether 1,500 is the right figure; I suspect that it should be higher. In any event, those who have actually had to deal with the matter made it clear that most appeals, as constituted, would concern sentencing rather than a guilty verdict, if such a verdict had been returned. Very few people challenge verdicts, but many challenge the length and severity of sentences. Those whom I consulted did not consider that major financial increases would be involved, over and above £6.5 million.

Like other hon. Members, I sense that £6.5 million is an optimistic figure. I was sad that, when asked, the Minister of State told the Select Committee that it would not be new money. For once, he attempted no elusion—that is, there was no elusion when the Government were talking about money—although he did suggest that the money was in last year's budget, which was earmarked for this year. He did not attempt to disguise the fact that the £6.5 million would have to be found within the existing resources of the Ministry of Defence. We can therefore only imagine that something or other will not happen—perhaps equipment or training will suffer as a result.

The answers to the Committee's questions were fairly robust, and I felt that they hit the targets at which they were aimed. I was prepared to give the Government the benefit of the doubt, and I wish the Bill a good passage through the House. Thankfully, I shall not be on the Standing Committee; I sense that those who are will experience some long sittings, arguing about the technicalities of the surreal. That is not easy to come to terms with.

I think that the Minister of State took on board the Committee's suggestions about how we could consider legislation in the future. He admitted under questioning that he would welcome the opportunity to subject any future legislation to pre-scrutiny. I hope that that constitutes a determined endeavour on the part of Government, not only in the context of this Bill but in the context of future Bills.

The Bill will not produce a perfect solution, but I cannot agree that men and women who join the United Kingdom armed forces should sign away their rights under European law, however elaborately the existing provision is reworded. That notion—which was dressed up in a slightly different way by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), a former Attorney-General—is one that most reasonable people, inside and outside the services, would consider wrong.

As I said in an intervention, it is not good enough to suggest that our service personnel should sign away their human rights while spending most of their time trying to win back or defend the human rights of others across the globe. That simply does not wash. Those who serve in our armed forces are entitled to justice.

The Bill is not perfect, because the system that we have had over the centuries is not perfect, but it gives us an opportunity to move the justice system in our armed forces a step further. I hope that in a year's time, when we have a chance to examine the matter again—in fact, we shall have to do so because the review will be due—we shall again refine the way in which the armed forces can be disciplined from within, and the way in which their members can protect their rights. It is as important to defend those rights as it is to defend any person whom the armed forces are sent to defend.

I hope that hon. Members will resist the temptation to vote for the amendment, because it would do nothing. We know that what we have now is not acceptable: it is inoperable and will be challenged time and again later in the year if we do nothing now. The Bill makes an attempt to introduce some justice to the discipline of our armed forces, and that should be welcomed.

5.20 pm

Mr. Gerald Howarth (Aldershot): We have had an extremely interesting debate, which has been dominated by Conservative and Liberal Democrat Members. I say that in an entirely non-partisan fashion and merely to point out a fact of life.

Mr. Hawkins: Will my hon. Friend give way?

Mr. Howarth: My hon. Friend is very forward, but, as he is my neighbour, I will on this occasion.

Mr. Hawkins: On a serious point, does my hon. Friend not find it extraordinary that it is Government business, which they say is important, yet we see acres and acres of empty green leather on the Government side? It is a

[Mr. Hawkins]

Government Bill on which, effectively, no Labour Members have been put up to speak. Does it not show again how little interest Labour Members take in defence issues?

Mr. Howarth: My hon. Friend makes the point forcefully. The debate's other distinguishing feature has been the fact that, despite the fact that many of us lack military experience, the contributions have been extremely well informed and serious. They bear testimony to the fact that the Defence Committee, rightly, commands respect throughout the country and throughout the military, whether it be the forces, or the industrial defence industries.

In what was an absolute tour de force, my hon. Friend the Member for Salisbury (Mr. Key) made a devastating case against the Bill. It is hardly surprising that so few Labour Members are present, given the vehemence and intellectual rigour with which he advanced his cause. I entirely support what he said.

I do not want to go over a number of the points that my hon. Friend and other Conservative Members have made, but I will say—I raised the point with my hon. Friend when he was drawing attention to the many significant costs that will be involved in implementing the Bill—that £9 million, or thereabouts, of additional public money will be needed to finance the Bill. That should ring alarm bells not just in the House, but throughout the country.

I and my hon. Friends the Members for Salisbury and for Surrey Heath (Mr. Hawkins) represent constituencies that have substantial military activity. The hon. Members for Portsmouth, South (Mr. Hancock) and for Hereford (Mr. Keetch) are in the same boat, as is one Member on the Labour Benches: the hon. Member for Plymouth, Devonport (Mr. Jamieson). We all know the substantial effect that overstretch is having on our forces. We have seen the problems with equipment, the lack of fuel and so on. The fact that the Government will take the money to fund the Bill from the defence budget seriously damages their claim to have their priorities right in defence matters.

The whole defence budget is under threat. There is a serious situation in our armed forces. The Government are requiring them to do more and more with less and less. The Chancellor of the Exchequer will not provide the necessary funding to do that. We are told that we must enact the Bill—with no support on the Labour Benches—and commit more public funds to it.

It is a question not just of the actual cost, but increased manpower. We must find not 80, but 90 people—55 service personnel, all of whom will have to be, in some respects, legally qualified, or qualified in forensic science, and 35 civilians—together with all the equipment on which my hon. Friend the Member for Salisbury elaborated in his convincing speech.

The House should establish disciplinary procedures for our armed forces. The House has long had a role in that matter, which has generally not occupied much of our time. It certainly did not occupy much of our time when I was an hon. Member between 1983 and 1992. Indeed, it was only when I absented myself from the House, from 1992 to 1997, that the House busied itself with the Armed Forces Act 1996, to which I was not party. Nevertheless, the cause of that legislation and the cause of this Bill are the same.

Military discipline should broadly follow the principles that apply to the civilian community, except that, as we have to recognise, the services not only are different, but need to be different. If we fail to recognise our services' need to be different, we shall be doing a disfavour not only to them, but to our country, as we shall not be providing the means by which this nation has been as effectively defended as everyone reckons it to be.

Laura Moffatt (Crawley): Although the hon. Gentleman is unquestionably right to say that the services should be treated slightly differently because of their different complexion, different treatment cannot apply in the matter of justice. Justice must be applied equally.

Mr. Howarth: Unfortunately, the hon. Lady has not been in the Chamber for the debate. I say that not to chastise her, but to point out to her that, had she been here, she would have understood the myriad reasons given by my right. hon. and hon. Friends why it is necessary to resist the Bill. It is not a question of whether the Bill will provide greater justice, but an assertion that the Bill will fundamentally damage service discipline. That is the case that Opposition Members are advancing. We believe that, as the Bill will undermine armed forces discipline, ultimately, it is likely to lead to less justice, and certainly to less efficient fighting forces—which, as we all should remember, is what our armed services are about.

The hon. Member for Crawley (Laura Moffatt) should bear in mind that, unlike any other group in society, our armed forces are required—as my hon. Friend the Member for Reigate (Mr. Blunt) made absolutely clear—to write a blank cheque with their lives. They never know when that cheque will be called in. It is a part of a contract that no other group or profession in society has to sign. Even police officers—who, of course, put themselves at risk in the line of duty—do not make their contract in the same way as members of our armed services do.

My hon. Friend the Member for Reigate made the point that service men and service women accept that different rules apply to them. If one talks to soldiers, male or female, as I do in Aldershot, one is often told that they have joined the services because the services are different from the rest of society. As I have said in the House before, in many ways, service men and service women reject some of the values prevailing in wider society. The values of the services—loyalty, commitment, duty and obligation to country—which are regarded as somewhat old-fashioned in other parts of society, are very much a part the reason why service people joined the services initially. We have to understand that men and women in the service are different people and do not accept the same obligations that apply to those who join Marks and Spencer.

As many hon. Members have said in the debate, soldiers are increasingly being persuaded by their wives or families that they should appeal against a summary judgment. Moreover, the trend is likely to continue in future as, increasingly, service men's wives are now working in the civilian community, where the idea of giving orders is not only much less fashionable, but distinctly unfashionable. Some wives question why their

husbands are accepting a legal arrangement that would never by countenanced by anyone in their own place of work. So if we enact the legislation, we shall be in danger of corroding the cohesion of our service life. That is an extremely damaging prospect.

I have covered the background but, when the Minister of State announced the Bill on 17 November 1999, he stated in a press release:

"This is essentially technical legislation. The reforms in the Armed Forces Discipline Bill will preserve the essential structure of the current system, while bringing it into line with the 1998 Human Rights Act."

That is the essence of the Bill. It is not being introduced because the Government suddenly felt that there was a lack of justice for our service men which had hitherto gone unnoticed or because it had suddenly hit upon the Government that service men were going to see their Members of Parliament and writing anonymous letters saying, "We don't get enough justice. We need to reform the system of discipline in the armed forces." The origin of the Bill, like that of the 1996 Act, was absolutely clear from the outset. It is before the House today not because the Government necessarily believe in it—of course they will say that they do—but because they feel that they have no option but to accept the ruling of the European Court of Human Rights.

I am sorry to bore the House again, but the public must understand that day in, day out, the powers of this place are haemorrhaging away, not least because of the way in which the European Court of Human Rights is seeking to exercise ever-greater powers over our lives. It is no good Labour Members shaking their heads; it is a fact of life that every week we find that the European Court of Human Rights has pronounced some other aspects of our law as being incompatible with the convention.

Our laws have stood the test of time and, as I said to the Chairman of the Select Committee, the hon. Member for Walsall, South (Mr. George), we signed up to the European convention on human rights in 1951 only after Ministers were absolutely crystal clear that the provisions of our law were unlikely to conflict with the convention. Our laws were compliant then, as was our military discipline, so what has changed? Our military discipline remains the same; what has changed is the desire of the European Court of Human Rights to interfere in the way in which we compose our armed forces and the way in which we organise our laws. The proper place to decide the balancing issues of the rights of individuals and groups of people vis-a-vis each other and the rights of individuals versus the state is here, in this building—in the House and in the other place. Ultimately, if we have not made the laws clear enough, they should be tested down the road by our courts, so that if we get it wrong we can put it right. People out there do not realise the extent to which this country is becoming powerless. Here we have the Government introducing a measure, not because they necessarily believe in it, but because they have been told to do so by the European Court of Human Rights.

Mr. Wilkinson: I am sorry to intervene on my hon. Friend when he is being so eloquent and making such a good case. I wish only to amplify it. Of course, the threat goes wider because the European Court could arrogate to itself the capability to interfere in British service affairs and the MOD might cave in, fearing that it might be invoked in respect of the equal opportunities directive. Retrospectively, the MOD paid out £60 million in compensation to service women who knew when they joined the armed forces that they would not be able to retain their position in the services if they had children. The European Court, as well as the European convention on human rights could be a threat.

Mr. Howarth: My hon. Friend makes an important point that is another facet of the way in which the power of the House is being diminished and asserted by other authorities. We accept that supinely, and I resent that. My right hon. Friend the Member for Fareham (Sir P. Lloyd), who is not in his place at the moment, is a most decent man, but I disagree with him. He was right to say that we have no option but to accept the Bill as things stand at the moment, but I stand with Lord Renton, who said on Second Reading in the other place:

"I believe that the Government must review the convention"—

the 1951 convention on human rights—

"and our acceptance of it in order to ensure that military discipline is maintained."—[*Official Report, House of Lords*, 29 November 1999; Vol. 607, c. 691.]

It has been made clear that we cannot enjoy the advantage that our friends in France enjoy because they delayed signing up to the convention until 1974. They saw which way the wind was blowing even then—they were more perceptive than some of us—and they ensured that they got a derogation. The Minister of State has said that we cannot now go back and get a derogation, but I cannot continue to accept that we must simply follow the rulings of the European Court and change the laws of these islands.

We are accountable to our constituents, not to the European Court of Human Rights. It is essential that at some time we stand up to it. How far is the Minister prepared to go? How many other cases are in the pipeline? That question was put by the Defence Committee and the Minister confirmed that no one could guarantee that no further amendments to the service discipline legislation would be necessary in the future to ensure compliance with the ECHR. No one can guarantee that the European Court will not come forward with further measures, and then the Minister will come back—having spent vast amounts of public money putting sound and appropriate arguments before the court in Strasbourg, but losing the case—and say that we have to implement them. What is this Parliament for? Will we just roll over and accept that happening for the foreseeable future? I think that the time has come to make a stand.

Mr. Hancock: Will the hon. Gentleman give way?

Mr. Howarth: I know that the hon. Gentleman will not take a stand, because he is a Liberal Democrat and he wants to go along with everything European. I am of a different hue, but I shall give way to him.

Mr. Hancock: I am grateful to the hon. Gentleman for giving way with such good humour. Is he saying that his bizarre stance on Europe is appreciated by those service personnel whom he represents, to whom he would deny the same opportunities under law that are available to civilians living next door? Few of those service personnel would understand or accept his argument.

Mr. Howarth: I am sorry that I gave way to the hon. Gentleman because it is clear that he did not hear what I

[Mr. Howarth]

said earlier when I said that people join the services because they are different and they subscribe to concepts that are not generally followed by the rest of society. Who else would accept being bawled at on a parade ground? It is essential for service discipline that people accept orders unquestioningly. The armed forces cannot be operated on any other basis. It is possible to organise Marks and Spencer or BP on an endless round of consultation, but that does not apply to the armed forces.

I feel that I am in tune with my constituents. Every opinion poll on Europe shows that I am more in tune with my constituents than the hon. Member for Portsmouth, South is with his, that I am getting more so as time goes by, and that he is getting less. The Conservative party has alerted people to what is going on, and people understand that only the Conservative party cares about preserving the integrity and independence of our country.

We have also asserted the independence of our Parliament, and have insisted that we should not roll over every time the European Court of Human Rights comes up with a fanciful new idea. Its ideas are produced by a bunch of judges whose home countries' record on human rights would not stand up to scrutiny by candlelight, let alone by searchlight. This Parliament has fought for nearly 1,000 years to get right the balance between the rights of individuals and those of the state.

Much has been made of the Bill's technicalities. I have explained why I believe that the Bill is wrong in principle. It has been introduced for the wrong reasons. Other Conservative Members have shown how it will be deeply damaging to service morale and discipline. I therefore hope that the House will fill up with hon. Members supporting my hon. Friends on the Front Bench in voting against a Bill whose damaging effects will be felt nowhere more deeply than in my constituency of Aldershot—the home of the British Army.

5.41 pm

Dr. Julian Lewis (New Forest, East): There is a memorable moment in the film "Casablanca" when Humphrey Bogart, the proprietor of Rick's Café, loses a friend with black market connections and finds that his ex-girlfriend—played by Ingrid Bergman—has replaced him in her affections. He says, "One out, one in." I congratulate the Under-Secretary of State for Defence, the hon. Member for Kirkcaldy (Dr. Moonie), on his appointment in replacement of the hon. Member for Liverpool, Walton (Mr. Kilfoyle). It is easy to see that the Government are determined that a substantial body of evidence will always be present in the discharge of the duties associated with that office.

At first glance, the case that I want to bring to the House's attention is reminiscent of the case involving the Admiralty and the Archer-Shee family, in which a young cadet at Osborne, George Archer-Shee, was alleged to have stolen a five-shilling postal order. The case was the subject of a memorable book by Rodney Bennett, and was later dramatised by Terence Rattigan as "The Winslow Boy". The young man was eventually cleared of the theft, but the charge almost certainly cost him his life. Having lost his naval career, the young Archer-Shee enlisted in the Army at the outbreak of the first world war and went to the western front, where he died leading his platoon against the enemy. Had he remained in the Navy, the chances are that he would have escaped with his life.

In reality, the case that I want to bring to the House's attention is perhaps closer to the plot of "Les Misérables". It arises from a report in *The Southern Daily Echo* on 29 January, which bore the headline "Army disgrace led to suicide". The report states:

"A devastated Hampshire soldier gassed himself in his car after he was kicked out of the Army for asking new recruits to pay for swimming lessons.

Father-of-two Corporal Gavin Henry, 33, of Kingsley Green, Havant"—

my hon. Friend the Member for Havant (Mr. Willetts) has given me his blessing in raising this case of his late constituent—

"kissed his children goodbye and drove to the remote Quagg Farm, near Stockbridge, where he committed suicide.

An inquest at Winchester heard he had been court-martialled and discharged after demanding money from new recruits when he took them to a local swimming pool, because the military baths were shut.

Recording a suicide verdict, coroner Graham Long said: 'Gavin obviously enjoyed life as a soldier a great deal. He must have been devastated when court martialled and discharged. As a result of his discharge from the Army his marriage came under strain and his wife divorced him.

The divorce was not the cause of his final act but may have been the final straw'."

As to the relevance of that incident to the Bill, I refer to the previous changes to military discipline law as a consequence of a European Court of Human Rights finding.

The Select Committee's report states at paragraph 16:

"At present, disciplinary cases may be heard in two ways: summarily or by court-martial. Cases dealt with summarily are heard by the accused's Commanding Officer. Courts-martial were previously reserved for more serious offences, but substantial changes were made by the Armed Forces Act 1996 to reflect the provisions of the ECHR."

Later, the report notes—in relation to the Army—possible concern that the 1996 Act appears to have led to the proportion of cases dealt with by court martial rising between 1996 and 1999, from 10 to 20 per cent.

Although my investigations are too recent to allow the full details, I suspect that Corporal Henry's case would in former times have been dealt with summarily. Superficially, the ECHR's ruling was applied to give greater rights to a person facing discipline in the armed forces, but this ended up as badly as possible for Corporal Henry.

I wrote to General Sir Roger Wheeler, Chief of the General Staff, expressing my concern. I wrote of my shock at reading the newspaper story about the suicide of Corporal Henry and explained that although he was not one of my constituents, anyone with a close interest in the services must feel deep concern about a person's career being ended because, according to the story, he ordered new recruits to pay for the use of a swimming pool when the military baths were shut—apparently culminating in a chain of events leading to the young man's self-destruction. I put it to the Chief of the General Staff that to be court martialled and discharged in those circumstances was grossly disproportionate to the offence.

I know from a previous occasion that General Wheeler is an admirably prompt correspondent. He replied by return, saying that the matter would be investigated. Just today, I had faxed to me a response dated 11 February

from M.A. Piper, deputy chief executive at Headquarters, Army Training and Recruiting Agency in Pewsey, Wiltshire. He states:

"As in many such instances the report in the newspaper falls well short of the full facts. Henry was found guilty in 1997 by District Court Martial of 14 counts of theft."

That sounds bad, but those counts all concern the same offence relating to the swimming baths incident—and, as I strongly suspect that they all relate to the same action taken in respect of 14 people, hon. Members will understand why I continue to be concerned. General Wheeler continued:

"In brief, he had asked the recruits in his charge to pay for entrance to the local swimming baths, used when the military facilities at the Army Training Regiment (ATR) at Lichfield were closed, and then fraudulently obtained repayment of the sums involved from the Unit. He pleaded guilty to all the charges."

That is, of course, he pleaded guilty 14 times to the same charge relating to each of the 14 cadets.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is giving us a detailed individual case, but the debate is on the Second Reading of a Bill. He may wish to come to the point. How does what he is saying relate to the Bill? I am aware that he is discussing the case of a man who was court martialled, but to go into such detail is, to put it no stronger, not usual.

Dr. Lewis: Thank you, Mr. Deputy Speaker.

My problem is that the Bill seems, on the face of it, to be a lawyer's measure, but its application to the armed forces will translate in reality into cases such as the one to which I have referred. Those who oppose the increasing intrusion of the European convention on human rights must show how something done with the best of intentions—the Bill—may translate into individual cases with fatal results. I shall bear your strictures in mind, Mr. Deputy Speaker, but I have almost finished the detail. I promise not to overburden the House.

The letter continues:

"The Assistant Judge Advocate General, who was asked to review the decision of the Court-Martial stated that although the sum of money involved was small (a total of £16)"—

less than £1.15 for each offence—

"there was not only a breach of trust involved, but also an abuse of a position of authority. He considered that the sentence reflected a proper balance between the mitigating and aggravating factors. He therefore declined to uphold Henry's petition against the sentence."

That is the end of the detail, Mr. Deputy Speaker. We know what the result was. That man lost his career and his marriage. Ultimately, he took his own life. The House may see that my comparison with the plot of Victor Hugo's "Les Misérables" was by no means fanciful.

My hon. Friend the Member for Aldershot (Mr. Howarth) talked of the right of the services to be different. I entirely agree with him, and with my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson), who pointed out the iniquities of the compensation culture that is creeping into society and transferring into the administration of discipline in the armed forces. When Labour Members ask why people in the armed forces should be denied the protection that others have at law in civil society, the answer must be that we must be concerned with how litigious a person is. There is no absolute principle; it is a question of how far litigiousness is allowed in our dealings.

We all know that what happens in America tends to be reflected in Britain a few months or years later. We have all heard of the case of the lady in America who drove into a takeaway McDonalds, purchased a mug of boiling coffee, placed it between her thighs as she drove away, scalded herself, and successfully sued the company for having served a beverage that was dangerously hot. Most people would say that that was something she was entitled to do at law, but that the law was an ass in upholding her claim.

We all know that it is possible to apply the law literally or with common sense; there are no absolutes. The danger of bringing the ECHR directly to bear on individual cases is that it will give perverse results. If I had time to go into the matter more fully, it would be seen that the application of the ECHR in 1996 led to a top-heavy procedure. If the soldier, whose sad circumstances I related, had received summary punishment from his CO—or had he chosen to do so rather than opting for a court martial—his case might have had a happier outcome. Although it seemed that the court martial presented a greater opportunity—an extra right—it turned out to be a fatal disadvantage.

One of the reasons for my absence from part of the debate was because I was discussing defence developments in the Royal Navy with a recently retired senior officer. I asked him for his views on the case that I have just outlined. He said that in the armed forces one had to allow for different levels of trial and punishment, according to different circumstances—war or peace, deployment on operations or in society back home. He pointed out that a court martial was the last thing that one should have considered in such an offence—or rather 14 offences of £1.14 multiplied.

I appeal to the Government not to regard the measure as purely technical. It is a mistake to discount tried and tested methods of discipline. They may seem to be less just than the whole panoply of law—national law and international law—but they can do more good, be more merciful and, in the long run, be more just for service men. They can be better than encouraging service men to go down the route of litigation and appeals—an endless process that can sometimes result in a fatal and unnecessary outcome.

5.57 pm

Sir Nicholas Lyell (North–East Bedfordshire): The Government introduced the Bill to satisfy their obligation to comply with the European convention on human rights. The debate has been interesting; I apologise for not having been able to attend for the opening speeches.

Among the points that struck me when I considered the Bill were the operational effects. They have caused real concern to senior officers, who have expressed their concern in another place. I have read the speeches of Lord Bramall, Lord Craig and Lord Carver. To some extent, their concerns have been satisfied, but not fully. They are right to point that out, as we are right to express our strong concern about the measure.

I want to analyse the causes of that concern. There are flaws in the 1951 ECHR. Britain played an enormous part in the introduction of that convention. It was drawn up to try to prevent the recurrence of the atrocities of the second world war. If we consider it as a broad-brushed document, produced with that objective, it is a fine piece of drafting. However, since countries have given right of individual petition—we gave that right as long ago as 1966—and as the court has been given increasingly wide powers, it has exercised those powers in an ever more detailed way, like any public body to which powers are given.

[Sir Nicholas Lyell]

The Government's duty is to comply with the convention. When we were in government, we had a treaty obligation to comply with it and we always fulfilled that obligation. This Government have decided to incorporate the convention into our own law and that makes the obligation no greater, but it makes it more immediate. It makes the opportunity to take advantage of the convention's provisions in our domestic courts much more available.

I declare an interest as a barrister who, among other things, advises on human rights matters. We know that chambers have been set up simply to concentrate on such matters. One of them is headed by no less a person than the Prime Minister's wife—I congratulate her on that. That is not wrong. They are matters for our law, and it is right that people should be able to obtain advice.

The Bill focuses our attention on the flaws in the convention and on this country's failure to adopt ourselves to its requirements. I wish to focus on two points. The first is the derogation and the other is the reservation, such as that expressed by France and Spain when they adopted the convention.

Mr. Gerald Bermingham (St. Helens, South): I also declare an interest along the same lines as the right hon. and learned Gentleman. Does he not agree that the interesting thing about European Court decisions is that they do not set precedent and that they involve the passage of time? We see that particularly in article 6, which is on the right to a fair trial. Therefore, there is not the danger that he and other Conservatives Members have suggested.

Sir Nicholas Lyell: I hope that the hon. Gentleman will forgive me but, if he listens for a moment, he will spot the genuine dangers that need to be addressed.

The primary reason for the Bill is to deal with the case of Hood *v.* UK. Hood was a young soldier who regrettably went repeatedly absent without leave. Eventually, he was arrested and, because it was the commanding officer's duty at that time to remand him in custody, he was remanded in custody. That fact was not a problem. When the matter came before the High Court under a habeas corpus application, it properly confirmed that point. The man had repeatedly absconded and the only way to bring him to trial was to lock him up. Otherwise, he would have absconded again. He was locked up and the European Court on Human Rights did not object to that aspect of the proceedings. It objected to the fact that he was originally locked up by the colonel and not an impartial tribunal and that he did not have a right of appeal.

The Bill will introduce not only a right of appeal against the order of a commanding officer, but, by way of belts and braces, a right for a member of the armed forces to go straight to court martial—bypassing the colonel—if he chooses to do so. We are doing that because a court martial, which has a legally qualified president, is regarded as more likely to be accepted as an independent judicial authority within the meaning of article 6 of the convention.

We need to worry about the proposal at two levels. The first is the non-operational level, and I note that the senior officers who have debated the point said that, in this respect, the provision might be all right, subject to questions of cost in places such as Colchester and Aldershot.

It is at the operational level that the flaws in the European convention become starkly evident. It does not provide adequately for the operational requirements of the armed forces among the convention's members. That matter relates not only to the United Kingdom, but to all 40 or so members. It does not cover what in modern terms are described as dangerous armed operations. I was going to use the word "war" but of course one does not declare war nowadays. I do not think that war was declared in the cases of the Falklands, Iraq, Bosnia or Kosovo. There are perfectly good technical legal reasons for not declaring war.

Article 15 of the convention, however, allows derogation only in circumstances of war or a public emergency affecting the safety of the nation. One could not say that Kosovo was a public emergency affecting the safety of the United Kingdom. We were sending armed forces, as were the United States and other countries who took part, to try to uphold the human rights of citizens in a sphere of influence where we thought it practical and possible to do so. We now find that the European convention on human rights causes a significant muddle for military discipline in those circumstances, and that is the point that I want to address.

Where does the Minister regard derogation possible? It is my understanding—I am pretty certain that I am correct—that we still have a derogation in relation to Northern Ireland. I personally argued before the European Court of Human Rights the Brogan case, which raised the question of how long somebody could be held in custody other than at the behest of a court. In that case, it was decided that the maximum was 96 hours.

On receiving that judgment, my noble Friend Lord Hurd of Westwell immediately decided to advise this country to derogate; we did so and our derogation was upheld in the Brannigan case. That is right because, as everybody would agree, the situation in Northern Ireland provides a public emergency that affects the safety of the nation. There is no doubt about that, but the derogation does not apply to other areas where we send our armed forces.

It has been suggested by some hon. Members that it is fanciful to think that one would ever have to arrest and lock up anybody in a military situation, but unfortunately it is not. I am happy to think that it is rare and to join with all hon. Members who express the highest regard for our armed forces, their courage and their exemplary discipline. None the less, that discipline sometimes breaks down and, as Ministers will certainly acknowledge, members of the armed forces sometimes behave in ways that require them to be arrested and put into custody.

We are tending to assume that it is terribly easy to do that and to find a military or naval lawyer who will confirm those practices in a way that will justify the convention. However, in many circumstances, it may be deeply impractical to justify the convention. How far does the Minister think that operational exigencies modify our obligations under the convention? I have read the debates in the other place and I have not yet found—I may have missed it—a satisfactory answer. The Government simply must tackle that question.

Mr. Duncan Smith: My right hon. and learned Friend's speech is very helpful in throwing light on the subject. I do

not know whether he is aware that, in the other place, the Government were asked time and time again, even by the tabling of an amendment, about active service. They failed point blank to answer the question that my right hon. and learned Friend is asking, but I agree that the point is extremely important because the Government assume too much from peacetime circumstances.

Sir Nicholas Lyell: Certainly my reading of the debate was that a proper answer had not been given, and I am most grateful for my hon. Friend's confirmation. I specifically ask the Minister to deal with the matter one way or the other. If the Government have no answer, let him say so. We will not say, "Yah-boo." We will say that this is a problem that points out genuine difficulties with the convention that we, along with our allies and other partners in convention states, must settle down to tackle. It would be possible, in theory, for us to renounce the convention and apply to rejoin, but it would be an enormous political step to take. It would cause huge upheaval and concern, and there should be better ways of dealing with the problem.

I have said before, when referring to the convention that, in so far as one seeks to use it as a constitution, it suffers huge flaws compared with the American constitution, for example. At least the American constitution can be amended by the American nation. The European convention can be amended only by common agreement of all its rising 40 different members, and that is extraordinarily difficult to obtain. In the context of the Bill, it is necessary for the Government to find a way whereby operational efficiency will not be seriously damaged by the legalisms—I use that expression advisedly—and the legal stratagems that this kind of amendment is, to some extent, making necessary.

As for the £9 million, or £6.5 million, or whatever it is, it is unfortunate that we should have to get rid of a battalion, or at least not to have an extra one, if that is what an extra battalion costs in pay. However, the problem goes much deeper than that, although I do not shrug off the extra cost. The problem focuses on how in practice commanding officers are to be expected to deal with the matter and how the armed forces will accept the discipline of a commanding officer.

I listened with great interest to the point made by my hon. Friend the Member for New Forest, East (Dr. Lewis) about the disadvantages of rushing off to court martial. My military service was very brief; I am just old enough to have been a national service man. I will not say that it is a dying breed, but it is an ageing one. I remember doing commanding officer's orders—I was assistant adjutant. The system was understood and respected, and it worked very well within those communities. However, it does not fulfil the requirements of the technicalities of the European convention. We can live with that in Aldershot or Colchester, at a certain cost. We must bend our mind to find practical solutions to the very real problems that will arise in times of active service. The Bill as drafted does not do that, and we should demonstrate our concern in the Lobby.

6.12 pm

Mr. Michael Fabricant (Lichfield): It is quite intimidating to speak in this debate on defence when so many eloquent people have spoken before me. I am following a former Attorney-General, my right hon. and learned Friend the Member for North–East Bedfordshire (Sir N. Lyell) and the quality of his speech indicated just that. The only speech from the Labour Back Benches came from the hon. Member for Walsall, South (Mr. George), the Chairman of the Select Committee on Defence. A number of members of that Committee have already spoken. I shall therefore confine myself to just one aspect of the Bill, about which I am greatly concerned.

Clause 8(2)(h) permits

"the proceedings of live television links or similar arrangements, including the use of such a link or other arrangement as a means of satisfying the requirement"

of various sections. When I intervened on the Minister in his opening speech, he said that he was a little surprised that I should be concerned. He kindly said that he had heard me speak in other debates or in other interventions in the House and thought that I supported the use of high technology. I do, but only when it is appropriate.

In the other place, the Minister, Baroness Symons said:

"It is important to remember that time moves on. The services are fully capable of exploiting successive advances in technology, which they already deploy with great success."

Of course I support the use of high technology in, for example, head-up displays in Royal Air Force aircraft or Milan wire-guided anti-tank missiles.

In what she went on to say, Baroness Symons displayed a certain naivety, as the Government often do. They think of a good marketing idea, but never quite think through the consequences. She said:

"Video technology is in day-to-day use. It was in constant use throughout the recent crisis in Kosovo"—

I shall say more of that in a moment.

Baroness Symons continued:

"The armed services see no reason why that technology should not be deployed equally successfully in other operational environments and for purposes such as those envisaged in the Bill."—[*Official Report, House of Lords*, 16 December 1999; Vol. 608, c. 351.]

I suspect that the armed forces could think of plenty of reasons, but chose, as they so often do, not to make their views public.

Let us consider some of the practical difficulties, which I believe will hinder the workings of justice. The Opposition Front-Bench spokesman, my hon. Friend the Member for Salisbury (Mr. Key) referred to the importance of the "circumstances and demeanour" of the case being transmitted to those in courts martial. I agree.

No matter how broad band a transmission may be, it is impossible to convey the body language that is so necessary when someone is giving evidence. It was suggested earlier in the debate that wide-angle lenses could be used, to ensure that there was no sergeant major gently prodding the witness not to say certain things, or perhaps to say certain things.

However, the use of a wide-angle lens, even with a broad band transmission on 625 lines, possibly with a 4.5 MHz band width—I throw that in merely to demonstrate that at least on this narrow topic, I know what I am talking about—will not allow the person's facial expressions to be seen, let alone body movements and all the other elements that are important when evidence is given.

Mr. Bermingham: Is the hon. Gentleman aware that we use video links every day in the criminal courts, in

[Mr. Bermingham]

children's cases and others? There is increasing use of visual evidence by television and visual links in civil cases. That is to be encouraged. Why should the armed services be any different?

Mr. Fabricant: As the hon. Gentleman knows, that is within the United Kingdom. It does not involve distance.

Mr. Bermingham *indicated dissent.*

Mr. Fabricant: The hon. Gentleman wonders about the relevance of that. I shall shortly explain. Even if he does not understand the difficulty of distance and satellites, I should have thought that the Government would. If they do not, they need not worry, as I shall elucidate.

Mr. Blunt: In his remarks, will my hon. Friend explain how video-conferencing will work under conditions of radio silence?

Mr. Fabricant: My hon. Friend tempts me to jump ahead in what I had planned to say. Of course, it would be impossible to have a satellite link, and impractical to have a fibre optic link, because even in conditions of radio silence, we all know that there are ways of tapping into fibre links. My hon. Friend, who is closely involved with the armed forces, raises a valuable point.

Where there is no radio silence order, will the person giving evidence be concerned about interception? When a broad band link is used, it is not easy to encrypt it in such a way that it cannot be decoded by others. We know that in Kosovo, to which Baroness Symons referred, the signals were intercepted. Those were not court cases, as the Bill had not been enacted at that stage, but have the Government, and more importantly, have the armed forces considered the consequences of broadcasting in an environment where the interview may be intercepted? I think possibly not. That would be particularly dangerous.

The hon. Member for St. Helens, South (Mr. Bermingham) asked why distance was relevant, but it is highly relevant. A court martial in Belize would require up to two satellite links. No matter how advanced we become, there is one absolute, which no scientist has yet been able to break, and that is the speed of light. With two satellite jumps, a signal from Belize would take in the order of 1.25 seconds to reach the United Kingdom, and the return signal a further 1.25 seconds—a 2.5 second delay.

The hon. Gentleman and Ministers are old enough to remember satellite telephone conversations. They were impossible. Nowadays, when one telephones the United States or even Australia, more often than not the connection is made by fibre optic narrow band cable. That travels at the speed of light. Light travels at about 186,000 miles a second, and the circumference of the earth is about 23,000 miles, so that takes a tiny fraction of a second. But when one uses satellite, which one has to do when using broad band television links, the distances are far greater.

Mr. Bermingham *rose—*

Mr. Fabricant: I shall not give way to the hon. Gentleman as others wish to speak.

Body language and face-to-face contact are important. They would be lost in a trial by satellite link with a 2.5 second delay. Would anyone suggest that we need not turn up in the Chamber? Perhaps we could all sit in our offices or go on fancy fact-finding visits around the world.

Dr. Julian Lewis: So that is where all the Labour Members are.

Mr. Fabricant: Perhaps Labour Members are doing just that. They may be sitting in their offices or on fact-finding visits to the United States and Australia.

Dr. Godman: They may be watching the debate.

Mr. Fabricant: They may be watching it, but could we have an effective debate—the stakes here are not so high as in a trial which might result in imprisonment—by satellite or by television? Of course we could not. After the Chamber was bombed in 1941, there was a discussion in 1945 or 1946 about how large the new Chamber should be, and whether it should be big enough for 650 hon. Members. It was decided to make it small—

Mr. Deputy Speaker: Order. The hon. Member is going wide of the debate.

Mr. Fabricant: Thank you, Mr. Deputy Speaker. My point is simply that we chose a small Chamber because face-to-face contact and body language are important. As I say, wide-angle lenses prevent the interpretation of body language. In addition, with a 2.5 second satellite delay it would be impossible to operate the camera remotely and to zoom in. *[Interruption.]* The hon. Member for Greenock and Inverclyde (Dr. Godman) is making a lot of noise. I will give way if he wishes to intervene.

There has been a debate on whether broad or narrow band communications should be used. The Minister said that broad band communications would be easy. The Government and the Ministry of Defence mainly use Inmarsat for their satellite communications. But that is not broad band; it is a narrow band communication medium. I hate to correct my hon. Friend the Member for Salisbury, who made that point, but when he talked about megabytes he meant megabits. However, he made the point eloquently. The practicality is that at certain times and from certain locations broad-band transmission would not be possible. Even broad-band transmission would not enable one to pick up the nuances, the circumstances and the demeanour of people giving evidence.

Mr. Key: It was a good soundbite.

Mr. Fabricant: It was a marvellous soundbite—

Mr. Duncan Smith: Sound bit.

Mr. Fabricant: Yes, a sound bit.

I shall not go on any longer because I know that at least one other Conservative Member wants to contribute.

Dr. Julian Lewis: There is no one on the other side.

Mr. Fabricant: Indeed, no Labour Members want to contribute to the debate.

Like so much other legislation, the Bill has not been thought through carefully. I suspect that reams of Government amendments will be tabled to it, as has happened to so many other Bills. The measure is not practical. More important, because the practicalities have not been thought through, the Bill is not just.

6.25 pm

Mr. Nick Hawkins (Surrey Heath): I am delighted to have the opportunity to make a brief contribution to the debate. Following the speech of my hon. Friend the Member for Lichfield (Mr. Fabricant), I am tempted to say that, for the Government, the debate is a case of the biter bit.

My interest in the Bill stems at least in part from the fact that I come from a services family. My grandfather was a career soldier, my father was a naval officer in submarines during and after the second world war and I was a Royal Navy cadet. I have a specific interest in armed forces discipline because when the previous quinquennial Armed Forces Act was passed, I was Parliamentary Private Secretary to the Ministers of State at the Ministry of Defence. All the service disciplinary issues that are tackled only in the quinquennial Act came before a special Select Committee. Some newer hon. Members may not realise that, uniquely, the quinquennial Armed Forces Bill is considered by such a Committee, not a Standing Committee. Some hon. Members, at least one of whom is on the Opposition Benches, were involved in that Committee.

It was apparent during the passage of the Bill when we were in government that the then Opposition did not dare trust the average group of Labour Members. They consulted only very senior people—the few with services experience. Many of them had been national service men. Only those Labour Members understood services discipline. Sadly, the Labour party has forgotten some of those lessons since being in government.

As many of my hon. Friends made clear, the Bill is unnecessary. Debates in another place made it clear that our current service discipline policies could happily co-exist with the European convention on human rights. Perhaps Labour Members realise that the Bill is unnecessary; few of them have bothered to turn up to support a Government measure.

I represent a military constituency, whose main town in Camberley, and many of my constituents are serving and retired officers and service men. My main anxiety about the Bill is the dangers that it poses for the chain of command. As my hon. Friend the Member for Aldershot (Mr. Howarth) said in an effective speech, and as other hon. Friends emphasised, the measure will undermine the chain of command. It is an invitation to the barrack-room lawyer.

I declare an interest. I am a barrister, and I have done some court martial work, although not for several years. Many of my friends in my former chambers still do court martial work, and one of my closest friends appears regularly in international war crimes cases. If I had longer to speak, I would refer to some of the experiences of my friends in chambers. They would share the anxieties that my hon. Friends, especially my right hon. and learned Friend the Member for North–East Bedfordshire (Sir N. Lyell), expressed. Perh ,s I shall have an opportunity to revert to some of those matters in a future debate. I shall not be able to serve on the Standing Committee that considers the Bill because of commitments to other Committees.

Important questions have been asked in another place and in our debate today about the practicality of implementing the Bill in the field. The judicial officers for which the Bill provides will be gold plated. Duty officers could happily undertake their role. Who will pay for those judicial officers? What will be the extra cost for the taxpayer? Where will they be located? My hon. Friend the Member for Lichfield referred to the practicality of video links. I have been interested in their use in normal court proceedings, particularly those involving children, but they will not work for the reasons that he set out.

There is so much that one could say, but unfortunately time is against us and I want to ensure that my hon. Friend the Member for Grantham and Stamford (Mr. Davies) has the chance to press the Minister. Although I know that he will not have an effective answer to our concerns I hope that they will be taken seriously—not only in the House, but well beyond.

6.30 pm

Mr. Quentin Davies (Grantham and Stamford): On behalf of my colleagues on the Front and Back Benches, I congratulate the Under–Secretary of State for Defence on his elevation to the Government. I hope that his luck improves because it is absolutely clear that he has lost the argument before saying even his first word in the Government's defence from the Front Bench. *[Interruption.]* It is no use the Minister for the Armed Forces laughing—that is not my judgment, but that of the House.

We have debated the Second Reading of the only Bill relating to defence matters that the Government are introducing this Session. Precisely one supportive contribution was made from those on the Labour Benches, even though there are about 400 Labour Members of the House. We can draw one of two logical conclusions from that: they are totally uninterested in defence and anything to do with the defence of the nation, or they have so little stomach for the Bill that they are not even prepared to sit mutely on their Benches to provide Ministers with some encouragement and support. Not even two of the governing party's MPs came to the House to defend the measure. The House of Commons can be as eloquent in silence as when it speaks explicitly. If that silence is not damning, I do not know what is.

The hon. Member for Walsall, South (Mr. George) was the only Back-Bench Labour Member to contribute. Although he spoke in his usual good-humoured and charming fashion and we all enjoyed listening to him, he did not have much enthusiasm for the Bill. I noted his remarks—he said that there was "no option", which was pretty grudging. Perhaps he meant that his Whips had given him no option. He agreed explicitly with Conservative Members that it was necessary to explore the possibility of a derogation from the European convention on human rights for armed forces discipline. That represents strong criticism of the Government's negligence in not pursuing that option.

[Mr. Quentin Davies]

Labour Members were not prepared to come to the House to defend their own Bill, so the Liberal auxiliaries were drafted in—two contributed, including the hon. Member for Hereford (Mr. Keetch). A fine military unit is associated with his constituency, but I imagine that it has few disciplinary problems. His argument was extraordinary. He accepted our view that there would be serious difficulties in enforcing the 48-hour rule under which detention could be continued only with the agreement of a military lawyer of some kind—for example, a Trident submarine might be at sea and under the surface for months on end and the rule could not apply in those military circumstances—but argued that such exceptions did not invalidate the Bill. However, we cannot legislate knowing that there are certain situations in which the law cannot be applied. The Liberal party's approach strikes me as extraordinary.

My hon. Friend the Member for Gosport (Mr. Viggers) made a fluent and interesting speech. He said that he thought the Bill was untimely, ill-considered, expensive and damaging. Dealing with those four points lucidly and persuasively, he demonstrated that those adjectives were, in fact, an understatement in the context of the judgment that the House should make.

My right hon. Friend the Member for Fareham (Sir P. Lloyd), who has considerable military experience, suggested that the human rights of service men might be served better by the existing system, under which the accused can opt for court martial only after the commanding officer has made his judgment. I hope that the Committee will pursue that interesting point, if the Bill is given a Committee Stage.

My hon. Friend the Member for Reigate (Mr. Blunt), who was a serving officer for 12 years, spoke frankly. He told us that he had not only delivered military justice but, on one occasion, been in receipt of it, so he must be considered an expert. He made a number of important points. He clearly felt that the Bill's main weakness lay in the proposal for an appeal court after the making of a summary judgment by a commanding officer. He said that every service man would appeal if the rules of the game were those in the Bill, which prevent the appeal court from imposing a harsher sentence than that originally imposed. Someone who had been accused and dealt with by his commanding officer would have nothing to lose—only something to gain—by lodging an appeal.

It is logical to assume that, in such circumstances, everyone will proceed to the appeal stage. As my hon. Friend pointed out, if only 20 per cent. of cases were subject to appeal, there would be 5,000 appeals per year. It occurs to me that if the number of cases were 100 per cent., although I do not think that anything will ever amount to 100 per cent. in this world, there would be 25,000 appeals per year. The Government's budgeting, however, has been based on the assumption that 800 cases a year would go to the appeal court, and they have managed to run up a prospective expenditure of £6 million on that alone.

Mr. Colvin: Will my hon. Friend give way?

Mr. Davies: I am afraid that I cannot. I hope that my hon. Friend will forgive me; there are time constraints.

My hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) has had a distinguished military career as an airman, an RAF officer and, I believe, an RAF flying instructor. He deplored the lack of pre-legislative scrutiny of the Bill, as did several hon. Members of other parties. I hope that the Government will take that, at least, on board.

My hon. Friend explained that the habit of questioning a commanding officer's decisions, and the culture in which it is taken for granted that those decisions will be questioned, can easily lead to insubordination, and undermine discipline.

The hon. Member for Portsmouth, South (Mr. Hancock) tried to dismiss reservations about the 48-hour rule. He suggested that it might be difficult to bring in a military lawyer within 48 hours in serious operational circumstances but that indiscipline would be extremely rare in practice, and would probably never happen. That shows an extraordinary degree of unreality in the Liberals' approach.

As has been made clear today, this country has the finest traditions of military discipline, but under the appalling strain of military action people may break, and behave irrationally. In extreme circumstances, as we have seen recently, people may run amok, causing danger to themselves or their comrades, and it may be necessary to lock them up rapidly. In such circumstances, the commanding officer must take immediate action. He cannot release a person after 48 hours simply because he has not been able to set up a video link when, at the same time, bombs are falling and his men are exposed to danger. To suggest that would be to adopt a ridiculous approach to the management of our armed forces.

My hon. Friend the Member for Aldershot (Mr. Howarth) rightly stressed the problem of overstretch and asked, very reasonably, whether, if the French had been able to obtain a derogation from the relevant provisions of the convention, we could not do the same.

My hon. Friend the Member for New Forest, East (Dr. Lewis) rightly and movingly raised the matter of Corporal Henry. I had not heard about the case. His lucid advocacy persuaded me strongly that an act of considerable injustice had been perpetrated. The whole tragedy should make us all think carefully about the provisions that are being introduced in the framework for military discipline.

My right hon. and learned Friend the Member for North–East Bedfordshire (Sir N. Lyell) gave a characteristically brilliant and lucid legal exegesis of the problem that confronts us with the European convention on human rights. He made it clear that there is a major anomaly: article 15 provides for derogation for war or public emergency affecting the safety of the nation, but the armed conflict in which we find ourselves these days cannot legally be regarded as a war because no war has formally been declared. As the conflict takes place away from our shores, it does not qualify as affecting the safety of the nation. Clearly, that anomaly must be rectified. I hope that his argument, which was overwhelming, will be taken on board by the Government and that they will finally do something about that matter.

My hon. Friend the Member for Lichfield (Mr. Fabricant) displayed considerable erudition, which I cannot pretend to match, about video technology. I have a terrible confession to make, which may cause my summary dismissal from the spokesman role that I

occupy: I do not know the difference between a megabyte and a megabit. Perhaps I shall have to join some private seminar where he will give a teach-in on the subject.

My hon. Friend the Member for Surrey Heath (Mr. Hawkins) said that the Bill, if it becomes an Act, will lead to the promotion of the barrack-room lawyer. That was a reasonable point. It was made credibly by my hon. Friend, who is a lawyer—not a barrack-room lawyer, but a professional lawyer.

Two points emerge clearly from our proceedings. One is that the Bill represents the increasing "legalisation" of our society—the extension of legalism to our armed services. There is no doubt that, throughout society, social ties that depended on tradition, loyalty, a sense of allegiance, personal understanding, or even those old-fashioned concepts of duty, and discipline in a common cause, are increasingly being replaced by a more atomised approach—contractual, legal, codified relationships. The Government want to introduce that culture to the armed forces where it is fundamentally inappropriate.

The second and blatant characteristic of the Government's approach to the Bill, which has been revealed in all its worrying horror, is that, when they look at military matters, they do not consider first what is in the interests of national defence. There has not been the slightest attempt to argue that the Bill is required in the interests of national defence. Even more amazing, there has not been the slightest attempt to argue that it is in the interests of justice for members of our armed services. No one on the Government Benches, including the Minister of State, has said that there was injustice at present because of the right of a commanding officer to arrest someone who had misbehaved, or to make a summary judgment.

We have an extraordinary situation. This country's armed services are in crisis. The Army is under strength, and training exercises are being abandoned. We hear from an admiral who writes in *The Times* that the Navy cannot carry out planned exercises because it cannot afford the fuel. The Army is running out of spares in Kosovo and perhaps elsewhere. Military procurement is in a mess. I understand—I have tabled a parliamentary question about the matter and am looking forward to an answer—that military suppliers are being asked not to invoice the Government until the new financial year because they are running out of money.

All that the Government can do against all that is to come forward with this particular form of bureaucratic, politically correct gibberish. That is the best response that we can get from them to the crisis that affects the armed services. That gibberish is the best that Ministers could come up with to deal with the deep concerns of the men and women in our armed services.

The shame of the Government's behaviour has been demonstrated graphically today by the fact that the great bulk of the parliamentary Labour party stayed away throughout this debate, and that only one of them could be borne upon to speak in favour of the Government's proposals.

6.45 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I congratulate my hon. Friends on their good sense in not attending the debate, as they have not had to listen to the drivel to which I have been subjected for the past five and a half hours. However, I reciprocate the congratulations of the hon. Member for Grantham and Stamford (Mr. Davies), and congratulate him on his first appearance as part of the Opposition defence team. I congratulate him also on the style—of which I have had some previous experience—if, alas, not on the content of his speech.

The Ministry of Defence does not introduce much primary legislation, other than the five-yearly Armed Forces Bills, which are needed to continue the life of the single services discipline Acts. The discipline Acts provide the statutory authority, subject to annual continuance orders, for the system of discipline in the armed forces, and, by extension, for the existence of the armed forces themselves. The quinquennial Bills are used not only to achieve most of what the services require in primary legislation, but, primarily, to update the service discipline Acts—for example, to reflect changes in the civilian criminal justice system. The next review is due in the 2000-01 Session.

The Armed Forces Discipline Bill covers precisely the type of territory that might be included in a quinquennial Bill, and hon. Members are right to ask why we are considering such a Bill in the current Session. The answer, of course, springs wholly from the Human Rights Act 1998, which incorporates in United Kingdom law the majority of the articles of the European convention on human rights. The main provisions of the 1998 Act are due to be commenced in October 2000. A principle is that all legislation should, as far as possible, be interpreted in accordance with the convention—*[Interruption.]*

I apologise to the House for having to go into the issues in some detail, but—having listened to the speeches by Opposition Members—it is clear that they really do not understand very much of what the Armed Forces Discipline Bill is about. It might have helped if they had read it a little more carefully, although I have much sympathy for the hon. Member—I apologise; I do not remember who it was—who described the great difficulty that he had in going through the Bill. I myself had the same problem when I first received the Bill. As I said, the Ministry of Defence does not introduce much legislation, and, therefore, I had a rude shock.

Sir Nicholas Lyell: Will the hon. Gentleman give way?

Dr. Moonie: I shall not give way; alas there is not enough time to do so. I apologise to the right hon. and learned Gentleman.

The Department does not deal with much legislation, and I sympathise with those who have described the sheer complexity of reading three discipline Acts simultaneously. I assure them that they have in me a wholehearted supporter for reform and consolidation of the Acts as soon as is practicable.

Mr. Colvin: When?

Dr. Moonie: It will not be in the next quinquennial review—it is just not possible to do it in time for

[Dr. Moonie]

that—but I certainly hope that it will be done in time for the subsequent review. I think that that is the best offer that right. hon. and hon. Members have had on that subject for the past 20 years, since we first started considering the issue. We shall certainly do our best to do that.

Opposition Members have suggested that the Bill is merely a matter for the Government. However, when we introduce this type of Bill, we act on advice. The current chiefs of staff, of all three services, and General Sir Charles Guthrie, the Chief of the Defence Staff, have agreed that aspects of the current disciplinary system are untenable. They are also clear that abandoning summary justice is equally untenable.

The proposals in the Bill are, therefore, necessary to ensure compliance with the European convention on human rights. That is the opinion of the services, of the Department and of our council.

Mr. Gerald Howarth: Will the hon. Gentleman give way?

Dr. Moonie: I shall not.

The chiefs have agreed that the alternatives to the Bill's provisions—to restrict commanding officers to dealing only with minor disciplinary offences, or to maintain the current system, in the widespread knowledge that it is incompatible with the European convention on human rights—would both destabilise the operation of summary jurisdiction and seriously undermine the authority of the chain of command.

The services, at all levels, wish to introduce compliant disciplinary procedures as soon as possible. Ideally, they would like revised procedures to be introduced during the current legislative session. That is the firm recommendation of the chiefs of staff.

The new procedures have been developed with considerable care over the past 12 months or so, with the close involvement of the services. We have sought to preserve the integrity of the system and the powers of the commanding officers to the greatest extent possible. The chiefs of staff are satisfied that those objectives have been achieved in a way that matches the needs of the services and the rights of the individual.

Due to the number of right hon. and hon. Members who spoke in the debate, I do not have long to reply, so I shall respond to as many points as I can in the time available. Alas, I shall not be able to take further interventions. If right hon. and hon. Members wish to contribute further they will have to join us in Committee or when we consider the Bill on Report. I am sure that they will do so at considerable length.

I shall start with the Hood case. One of the applicant's complaints was that his commanding officer could not be considered impartial in relation to authorising his pre-trial detention and that this was in violation of article 5 of the European convention on human rights—the right to liberty. The court concluded that the applicant's misgivings were objectively justified. That led us to introduce the changes in the Bill dealing with pre-trial custody. It also led us to review the implications for other measures where the independence of the commanding officer might be challenged. On the basis of legal advice, that resulted in the provisions in the Bill dealing with appeals.

Much has been made of the possibility of operational difficulties brought about by the provisions for pre-trial custody which relate to the situation before someone is charged. It is our general opinion that 96 hours should be the absolute maximum allowed. Of course, there might be circumstances in which pre-trial custody would not be practical, such as on a submarine. In those circumstances the provisions could not be applied. I should say that so far no service men have been subjected to custody in one of our submarines. I sincerely hope that that situation will not arise in future, but I cannot guarantee it.

My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) spoke about civilians. Civilians are subject to service law if they are attached to our forces overseas. Those affected could include teachers, dependants, NAAFI managers and others. If they are accused of an offence under service law, they may be tried either by a standing civilian court similar to a magistrates court or by court martial, depending on the gravity of the offence. If necessary, on serious charges, they will be held in pre-trial custody. In future that will be in accordance with the procedures in the Bill. If they receive a custodial sentence, it would be served in a Home Office prison in the United Kingdom.

A point was raised on flexibility, which is clearly a matter that we could debate at great length. I shall make just three points which are related, but not closely linked. First, a wide range of legally qualified individuals will be eligible to be appointed as judicial officers. The main criteria, which are outlined in clause 7, include five years qualified experience as a solicitor or barrister. Qualifications do not have to be British: Commonwealth qualifications count. Lawyers other than those of the accused's service will be eligible to act as judicial officers in joint operations and that will provide further options.

The Bill provides for the use of live television links. I do not intend to get into a nerds' debate with the hon. Member for Lichfield (Mr. Fabricant), because we can do that in the comfort and quiet of somewhere where other people do not have to listen to us. I shall say a few words on the technical aspect later, if I have time, but they are on another page of my notes and I am trying to give as accurate a response as I can.

On flexibility and timing—the main points at issue—the Bill provides that after charge anyone whom the commanding officer believes should be held in custody should be brought before the judicial officer as soon as practicable. That would mean that it would be reasonable in appropriate circumstances to postpone the hearing until operational imperatives permit.

The point about derogation was largely answered by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell). The French have a reservation rather than a derogation, and they did not ratify the convention until the 1970s whereas we ratified in 1951. When a state accedes—and at no other time—it is entitled to make a reservation. The French chose to use theirs in relation to articles 5 and 6—the rights to liberty and fair trial, which are the very ones we are addressing in the Bill—for their system of discipline in the armed forces. The only way for an existing member state to secure a new reservation is to denounce—which means

leave—the convention and then to re-accede. There are legal doubts about that, but the political implications would be even more significant, except to those such as the hon. Member for Aldershot (Mr. Howarth).

Mr. Blunt: Will the Minister give way?

Dr. Moonie: No, I shall not. I fear that there is not only an absence of sense on the Conservative Benches but an absence of hearing.

A state may invoke a derogation from the convention in circumstances of war or other public emergency threatening the life of the nation. The threatening of the life of the nation phrase is understood to apply to war as well as to other public emergencies.

On video links—I have come to the right piece of paper—we are currently trialling video equipment to ensure that the quality of the equipment is suitable for the purpose for which it will be used. The equipment currently used operates at 28 kilobytes. The equipment is capable of showing a wide-angle picture of an entire room or of zooming in on an accused in fine detail, just as it is used in court hearings, especially those involving children. Although we can use Inmarsat—the international maritime satellite—commercial links, there is no question that commercial television satellites would be used, because we have access to other means of communication. If the hon. Member for Lichfield looks over his notes, he will find that he is out by a factor of 10. It is an easy mistake to make and I have often made it myself.

Points were made about the change in the time at which the election may be made. The main reason for that change is because the procedure might appear to have some of the characteristics of an appeal. We wish to avoid any possible confusion in that respect now that we are introducing a right of appeal.

The hon. Member for Gosport (Mr. Viggers) raised the issue of the sentence level. Contrary to the civil procedure, we think that it should be guaranteed to a serving individual that the sentence would be no worse than he or she would be subjected to under the summary proceeding so as not to influence their decision on whether to choose a court martial. That may well be different to the civil proceeding but we start from a different premise and that is to guarantee that people are not deflected from making the proper choice.

The legal aid system is available to those subject to service law and broadly mirrors the criteria applied by the civilian court. I regret that I cannot cover in the time available any more of the points that were made, much as I would like to. Existing procedures have served the armed forces well, but we cannot safely persist with all aspects of them—hence the Bill, which I commend to the House.

Question put, That the amendment be made:—

The House divided: Ayes 134, Noes 298.

Division No. 82] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*

Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Betts, Clive
Blair, Rt Hon Tony
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Brand, Dr Peter
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Mrs Fiona *(Newark)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and Mr. Don Touhig.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 276, Noes 131.

Division No. 83] **[7.11 pm**

AYES

Abbott, Ms Diane
Alexander, Douglas
Allan, Richard
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Betts, Clive
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Brand, Dr Peter
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Mrs Fiona *(Newark)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marshe
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and Mr. Don Touhig.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

ARMED FORCES DISCIPLINE BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Armed Forces Discipline Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure incurred in consequence of the establishment by the Act of summary appeal courts; and

(b) any additional expenditure on the armed forces which is attributable to the Act.—*[Mr. McNulty.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LONDON GOVERNMENT

That the draft Greater London Authority (Disqualification) Order 2000, which was laid before this House on 3rd February, be approved.—*[Mr. McNulty.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

THE 1999 REVIEW OF TELECOMMUNICATIONS LEGISLATION AND RADIO SPECTRUM POLICY

That this House takes note of European Union Documents Nos. 12838/99, the Commission's Fifth Report on the implementation of the telecommunications regulatory package, 12839/99, Commission Communication: Towards a new framework for electronic communications infrastructure and associated services: the 1999 Communications Review, 14320/98, Commission Green Paper on radio spectrum policy in the context of European Community policies such as telecommunications, broadcasting, transport and research and development, and 12840/99, Commission Communication, The next steps in radio spectrum policy—Results of the public consultation on the Green Paper; welcomes these Communications; and supports the Government's proposed response to them.—*[Mr. McNulty.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That the Sessional Orders [25th October 1999] relating to Thursday sittings and Meetings of standing committees and the Sessional Order [24th May 1999] relating to sittings in Westminster Hall shall apply to times of sitting on Tuesday 22nd February as if that day were a Thursday.—*[Mr. McNulty.]*

Primary Care (Cancer)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

7.22 pm

Mr. David Taylor (North–West Leicestershire): I am grateful for the opportunity to draw to the attention of the Minister and other hon. Members the role of primary care in the treatment of cancer. I shall discuss present practice, current shortfalls and some potential improvements.

Cancer places a heavy burden of disease on the community. One in three people in the United Kingdom will contract cancer in his or her lifetime and one in four will die from it—compared with 5 per cent. of all deaths at the beginning of the last century. The factors driving the increase in cancer-related deaths include both better control of infectious illnesses and ageing of the population, because two thirds of all cancers occur in the over-60s.

The good news is that, as medical techniques and health services continue to improve, age-specific cancer mortality rates will fall. Even now, about a million British people diagnosed in previous years with cancer have effectively been cured of the condition or are living with it. Those numbers will rise, and that brings into sharp focus the role of primary care in the treatment of cancer, which I shall argue needs to be given a higher profile and greater resources.

As noted by Dr. Nick Summerton in his recent book on primary cancer care, the general practitioner's most fundamental role for many patients is being able to act appropriately when they attend with a symptom that concerns them. In a recent review of complaints about general practitioners received by the Medical Defence Union, failure or delay in diagnosis accounted for 28 per cent. of the notifications in 1998. The most frequent clinical condition associated with diagnostic failure or delay was missed malignancy.

Primary care clinicians are often in a very difficult position in relation to diagnosis of cancer, which frequently presents with common symptoms such as non-specific abdominal pain or a persistent cough. Of course, only a tiny number of people displaying such symptoms who are seen by a GP will prove to have cancer.

Dr. Summerton noted an acute dilemma for general practitioners. While on the one hand they are always aware of the importance of avoiding over-referral or over-investigation of their patients, on the other they continually strive not to miss important conditions in patients. That invidious position is complicated by the human trait of patients of delaying initial consultation with their doctor about potentially significant symptoms. Thus, GPs have to be trained and skilled in identifying, within a largely unselected population, which symptomatic patients are more likely to have malignant disease. A different approach to diagnosis may be needed in dealing with community-based patients, who are often less familiar with medical terminology than those who attend clinics.

The Government's initiative of a maximum two-week wait for cancer patients is a most welcome move to relieve patients' anxieties. It is both an opportunity and a challenge for general practitioners. It is an opportunity, in that family doctors can assume important new and overdue responsibilities for developing higher quality oncology services. Oncological research and development is driven by agencies, organisations and interests that are not always fully aware of the primary care and community dimension.

The capped waiting time is a challenge as the average GP sees just two patients a day with symptoms of cancer—fortunately, most do not have it—and might only diagnose lung cancer, the most common form of the disease, just once a year.

I said that a central task for GPs has traditionally been to avoid overreaction to low-risk situations, but we must treat GPs fairly. If, in future, we expect them to refer more low-risk patients to specialists in the hope of detecting a limited number of additional early cancers, the taxpayer must foot the bill. If, conversely, GPs are urged not to overload limited or expensive hospital facilities, we must not blame them too readily for the missed cancers that could be a consequence of more restricted diagnostic strategies.

To prevent hospitals being over-burdened with referrals and to reduce patient anxiety, two areas must be addressed. First, research is needed to find the evidence about which symptom clusters and findings put the patient at higher risk of having cancer and to define those cancer patients who can be safely and conveniently followed up in primary care, thereby relieving the burden on secondary care.

Mr. Andrew Reed (Loughborough): Does my hon. Friend agree that it is not only GPs who are important in that primary care group, but the whole spectrum of those who are involved in such care, particularly nurses in the community, and it is necessary to take a holistic approach and ensure that they are included in the strategies that he has mentioned?

Mr. Taylor: I thank my hon. Friend for that point, and I am coming to the importance of the whole team being involved in the support of cancer patients.

The second area that needs to be addressed is effective, evidence-based education for GPs and nurses, which is a prerequisite to allow them to implement existing knowledge in all practices. Dr. Arthur Hibble, who leads for the Royal College of General Practitioners on cancer, describes the role of primary care in the patient's cancer journey as aiming to highlight risk prevention, including issues such as diet, tobacco and occupation, and to diagnose cancer early, either in screening programmes or by recognition of disease. There must be prompt appropriate referral to recognised centres. Primary care must include continuing care of the person and their families and carers in all areas of their health. There must be recognition of recurrence, and finally palliative and terminal care at home.

Dr. Hibble flags up the issues for primary care cancer services. They must incorporate effective interpersonal communication skills, in order to diagnose and explain better to patient and carers; professional knowledge and information about cancer; high-quality interprofessional communications in every aspect of referral to specialist service and patient management; multi-professional team working; and, most important of all, a service provision of consistently high quality.

[Mr. Taylor]

I shall take a more detailed look at that last issue because there is an immense variability of service provision in our country. As a Back Bencher, I am proud of the various cancer initiatives that the Government health team have introduced. Indeed, just weeks ago, I congratulated the Under–Secretary, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), on the launch of the cancer services collaboratives with their nine pilot national networks, including one part based in north-west Leicestershire, which involves the local primary care group, the Measham medical unit and Glenfield hospital near Leicester.

I know, from talking to Dr. Orest Mulka and Dr. Pawan Randev at the Measham practice and from listening to patient and carer stories, that the way in which cancer sufferers throughout the country are cared for in the community is very variable, with excellent care in one area accompanying the unacceptable in another. The proportion of cancer patients being looked after at home nationwide varies from 13 per cent. to over 50 per cent.

Now, the diagnosis of cancer is, in most cases, suspected or confirmed in primary care. Most of a patient's cancer journey is spent in primary care. Yet, with recent changes in out-of-hours provision by general practitioners, most patients are looked after by doctors other than their own for most of the 24-hour period. That can lead to variable quality care, but need not if the issue of communication is adequately addressed. I shall return to this point shortly.

The primary health care team offers continuity for the patient. The average patient encounters around 25 doctors during hospital care, but usually has one GP and a named nurse in the practice. The all-important patient-doctor relationship is usually well established prior to a diagnosis of cancer.

The family is a vital part of the care team for most patients. The family can care for most patients at home, but doing so needs a high level of appropriate support from GPs, nurses and other members of the primary health care team who are only too willing to do so if they are properly resourced.

Primary care is responsible for the round-the-clock, everyday response to cancer patients' physical and psychological problems. Out-of-hours arrangements are implemented almost universally, but, with appropriate measures, they can be seamless for cancer patients dying at home. Quality improvement in primary care cancer is needed. Service improvements in primary care can, I believe, be achieved via a system of accreditation. Such a system for hospitals is a major outcome of the Calman-Hine report, and it has improved quality of care in the hospital sector.

Primary care has a greater quality variability than the hospitals had, but there has still been no significant move towards a national system of accreditation for primary care. Without such a quality system, patients can feel vulnerable and powerless. They feel that they are not being heard by professionals, and have inadequate information to make decisions on their treatment. They are worried about continuity of care—especially at nights and at weekends, when access to their notes is often difficult. Patients do not always have information about specific treatments and complications, and in the terminal stages of some cancers, their wish to die at home is not granted.

The whole medical profession supports the principles of the Calman-Hine report, whereby diagnosis and treatment of cancer takes place in specialised centres. However, there is at present no specific role for primary care in the clinical management of cancer patients. One should be developed, having at its heart cancer: accredited general practices whose approach is centred on patients, listening to their experiences and respecting their wishes for care at home. It should involve the whole primary health care team—as my hon. Friend the Member for Loughborough (Mr. Reed) pointed out—including nursing staff and others, use patient-held records to improve communication and collaboration, and incorporate a practice-based cancer registry of patient information with appropriate data collection systems. Finally, the approach should have access to appropriate equipment, reference material and support groups for patients and carers.

Two practices in Leicestershire—I have already referred to one—have been performing a pilot year of accreditation for cancer management in primary care. The practices were supported by the health authority up to this year, when the obligation fell to the primary care groups. The PCGs have, however, been unable to support the practices financially. Fourteen out of the 15 practices in the North-West Leicestershire PCG wish to be involved, but the project marks time while it awaits secure funding. Protecting resources for primary care development is thus necessary.

North-West Leicestershire PCG had earmarked a small sum—£120,000—out of a budget of £90 million for all primary care development, but that was deleted as a result of the unexpectedly steep rise in the cost of generic drugs. A slightly larger sum is earmarked for next year, but it is vulnerable to any crisis in the secondary care sector, such as bed pressures or flu outbreaks. A ring-fenced budget for primary care development would address the problem, which is unique neither to cancer care nor to Leicestershire.

Primary care is evolving from a history of isolated small practices. Each primary health care team should not have to reinvent the wheel of high-quality cancer management in the community. There is a need for a national framework that teams can pick off the shelf, with the appropriate financial back-up available. The framework would encompass a system of cancer accreditation, which I have outlined, audit modules to allow quality to be improved and educational modules for all members of the team.

Such a framework would clearly also use the expertise and experience of the Royal College of General Practitioners, the Royal College of Nursing, cancer charities and the national health service. It would respond to groups campaigning on these matters such as BACUP—the British Association of Cancer United Patients—CERT and the NHS confederation. It would look to Macmillan, which has much relevant training experience.

Patients want better-quality cancer treatment, as near to home as possible when that can be provided safely. This fits with current policy on the importance of primary care and it can be delivered, but it needs protected investment in primary care, as well as the current investments in secondary care.

I pose four questions to my hon. Friend the Minister and to the profession. How can patient wishes about place of care be best fulfilled? What proportion of cancer development funding should be earmarked for primary care? How can primary care development budgets be protected from unexpected overspends in other parts of a PCG's budget? Finally, are the Government prepared to offer a firm commitment to pump-prime key aspects of primary care oncological research and development, and to support and resource general primary care oncology? I would appreciate an early response to those key questions.

High-quality, generalisable primary care oncological diagnostic research is difficult. The types of large, prospective and methodologically rigorous cohort studies needed will require significant amounts of time, funding, collaboration and organisation, which are not in any plan of which I am aware. Furthermore, such research needs to be built on a robust foundation involving broad-ranging, systematic reviews combined with qualitative and quantitative re-examinations of patients' paths to diagnosis. Unfortunately, it is proving to be a Herculean effort to convince the major cancer charities and the Department of Health of the enormous practical value of such work and the need to alter their funding strategies to accommodate it.

I am delighted that, two weeks ago, the Department announced £23 million of funding for the Living with Cancer programme, which will enable more cancer patients to be treated at home, and will provide more support for those who are caring for them. Many thousands of cancer patients and their families will benefit from the programme. I hope that it will be extended into other areas, both geographical and professional.

The missing element in high-quality cancer care is a case manager, who would ensure proper co-ordination of care, appropriate support services, including counselling, and the existence of an advocate for the patient in the event of problems. I contend that the primary health care team is well placed to undertake that role under existing commissioning arrangements, but with the new accreditation system that I have outlined.

For too long, the role of primary care in the treatment of cancer patients has been undervalued and under-resourced. Active and aggressive treatments have obtained great investment and have been successful in many ways, but primary care, given certainty of research funds, a flexible education programme and imaginative development, can do much more, especially when allied to the magnificent services offered by Macmillan.

I hope that the Minister will agree that early diagnosis and quality continuing patient care deserve a higher priority in the exciting national cancer care programme on which our Labour Government have embarked. I urge her to persuade our right hon. Friends the Secretary of State and the Chancellor to invest in developing the role of primary care in the treatment of cancer.

7.37 pm

The Parliamentary Under-Secretary of State for Health (Yvette Cooper): I congratulate my hon. Friend the Member for North-West Leicestershire (Mr. Taylor) on choosing to debate the role of primary care in the treatment of cancer. It is a timely choice of topic, as the Government are developing cancer services across the spectrum. I know that Leicestershire is a national site for the cancer services collaborative programme, which my hon. Friend mentioned, and that the development of primary care services for patients with cancer and of palliative care services have been key issues for the Leicestershire cancer centre.

As my hon. Friend knows, at the heart of our health modernisation programme is a determination to reduce the impact of cancer on people's lives and to create the best cancer service in the world. We have set a challenging target to reduce the death rate from cancer by 20 per cent. by 2010, preventing 100,000 deaths. To succeed, we will need to deliver a tough programme of action spanning prevention, screening, early diagnosis and high-quality treatment and care. Primary care has a role to play at every stage in the treatment of cancer.

I shall cover some of the general issues raised by my hon. Friend, and then deal with some of the detailed questions that he raised. The advent of primary care groups last year, and the first primary care trusts this April, means that local clinicians are firmly in the driving seat in delivering the new NHS. Local general practitioners and primary care teams ensure continuity of care, informed advice, treatment and, when required, referral to secondary care. As my hon. Friend the Member for Loughborough (Mr. Reed) said, that means the entire primary care team, not simply the general practitioners who work in primary care. The primary care teams care for patients on their discharge and, in the case of terminally ill patients, until their death.

My hon. Friend the Member for North-West Leicestershire is right to say that we need to be confident that appropriate models of cancer care are in place to meet the significant changes expected in our society over the next few years—changes in the population's age structure, in inequalities, in the availability of informal care and in expectations.

Primary care has an important role to play in terms of prevention, particularly in regard to cancer. With an ageing population, the incidence of cancer is likely to rise, but preventive measures, including action on smoking, diet, alcohol, exercise, exposure to the sun, will affect the risk of developing cancer. There is good evidence of the effectiveness of brief interventions by primary care teams in reducing alcohol intake and in encouraging people who want to give up smoking.

Primary care also works with local authorities, in settings such as schools, workplaces and the community, to promote healthy life styles. Nor should we overlook the role of community pharmacists, dentists and optometrists, each of whom provides health services to a substantial proportion of the population each year, and often offers advice on prevention or identifies symptoms of disease.

[Yvette Cooper]

We continually look for innovative ways to improve health promotion and prevent ill health and cancer, putting additional resources into services for ethnic minorities and for people in low income areas, and, in particular, working with the public health development fund on matters such as smoking cessation.

The role of primary care is important in tackling health inequalities, particularly with regard to cancer. There is some evidence that patients from low-income areas are diagnosed with more advanced tumours than those from higher-income backgrounds. That may be one reason why people from low-income areas have worse survival rates. Health authorities and primary care groups have a key role in addressing such health inequalities. Their role is vital, especially through local health improvement programmes.

Primary care groups have an important role to play in tackling health inequalities through health action zones. The 26 zones are trailblazers, leading the way in tackling health inequalities, acting as test beds for innovation and recognising that the health service cannot do everything in terms of improving people's health.

Primary care also has a role to play in terms of screening for cervical and breast cancer by providing information and education, directly undertaking cervical smears, and by assisting with call and recall programmes for breast screening. We also know that uptake of screening programmes varies across the country from one group to another. Primary care, working with other agencies, can play a vital role in increasing uptake and encouraging health awareness.

My hon. Friend talked in particular about diagnosis and treatment referral. He is right to say that people need to have confidence in their health service, so that, if they have symptoms that could be caused by cancer, they can discuss them with their GP and be referred quickly and appropriately if necessary.

Although cancer is a common problem, with 220,000 new cases diagnosed each year in England and Wales, an individual GP is unlikely to see more than eight or nine cases a year. The task for GPs is to differentiate between patients whose symptoms may be cancer and the much larger group of patients with similar symptoms arising from other causes. My hon. Friend is right to say that that creates important challenges for primary care teams.

That is why we are working with primary and secondary care groups, the voluntary sector and patient groups to develop cancer guidelines for primary health care teams to help them identify those patients most likely to have cancer and to require urgent specialist investigation. Equally, the guidelines will help GPs identify those patients who are unlikely to have cancer or who may require alternative treatment or diagnosis. The guidelines have been issued for consultation. We received many comments on them and we are revising them in the light of those comments.

General practitioners are naturally concerned to ensure that we continue to undertake research to determine the symptoms or signs that indicate someone who has a higher risk of developing cancer and the patients who can be safely followed up through primary care.

Cancer and primary care constituted two of five topic working groups in the recent strategic review of the NHS research and development levy. That reflects their high priority in the Department's research and development activities. The sub-groups on cancer and primary care acted together closely and thus provided an integrated approach. That is important. They recommended a series of priorities for NHS research and development, which reflected gaps in the current evidence base for services and planned service developments. The Department is considering the best way of taking those recommendations forward.

We have also set up a cancer research funders forum to help improve the strategic co-ordination of research and to examine all categories of research including life style, prevention, screening, diagnosis and treatment.

My hon. Friend mentioned the two-week wait. He is right to say that, for patients who have suspected cancer, seeing a specialist quickly is extremely important. That is why, since April 1999, all patients with suspected breast cancer who are referred urgently by their GPs have been offered an appointment within two weeks. During the next year, we will roll out that high standard of care for all cases of suspected cancer that require an urgent specialist investigation.

My hon. Friend also mentioned the way in which primary care provides physical, psychological and emotional support, acts as link and advocate with the secondary and tertiary sectors, and deals with parallel non-cancer illnesses. It also gives the crucial continuity of care and support that nothing else can provide.

Primary care is vital to providing palliative care, which is a core responsibility for GPs and community nursing. The primary care team has, and will continue to have, a central role in providing and accessing palliative and terminal care for patients.

By introducing pooled budget arrangements with social care agencies, the funding for primary care allows primary care groups and primary care teams to develop innovative and flexible services to tackle their local communities' needs, thus making the best use of the resources that we can make available to them.

My hon. Friend raised several specific anxieties about resources. As he knows, we have already put significant additional investment into cancer services. In addition to the £23 million that he mentioned to support the living with cancer programme, another £93 million from the new opportunities fund is being used to buy new equipment for cancer screening, early diagnosis and treatment.

From April this year, £80 million over the next two years will support improved access to cancer care, and we are encouraging health authorities to engage with primary care to support educational arrangements to help implement national cancer referral guidelines and ensure that patients are speedily referred.

However, as my hon. Friend said, we also need to consider how we can minimise variation in cancer care delivery within primary care. Professor Mike Richards, the national cancer director, is already leading work to

develop a national quality improvement framework. That will concentrate initially on developing standards of care for secondary and tertiary cancer care.

I know of the excellent work in Leicester, and that the development of a GP practice cancer accreditation programme has recently been awarded primary care NHS beacon status. I have asked Professor Richards to explore with leading GPs and other interested groups whether we should consider rolling out the quality improvement framework to encompass primary care, and to develop a framework for ensuring consistency across the country through investment in cancer education and audit in primary care so that we can deliver a consistent, high-quality service.

We believe that there is considerable scope for developing the work of primary care in prevention, diagnosis, treatment, support and palliative care as well as in line with many of the points that my Friend made. I look forward to following developments in his area. I shall make sure that the experience in Leicestershire is fed into our developing national work.

The Government are determined to improve cancer services. The role of primary care in the prevention, early detection, treatment and care of cancer is vital to delivering the modern, seamless, comprehensive and high-quality service that we all want.

Question put and agreed to.

Adjourned accordingly at ten minutes to Eight o'clock.

House of Commons

Monday 21 February 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Royal Army Medical Corps

1. **Mr. Nick Hawkins** (Surrey Heath): What plans he has for the Royal Army Medical Corps to occupy the buildings of Staff College, Camberley; and if he will make a statement. [109394]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): We are examining a number of options for the future location of headquarters elements of the Army medical services, including the possible use of the Staff College building in Camberley. I hope to be in a position to make an announcement shortly.

Mr. Hawkins: I am grateful for that confirmation. The Under-Secretary's officials may have briefed him that the local press in my constituency has announced the decision as if it had been made. I hope that he will ensure that when his officials talk to officers, elected councillors and the press in my constituency, they provide accurate information at every stage.

The Under-Secretary knows that I asked his predecessor, the hon. Member for Liverpool, Walton (Mr. Kilfoyle), almost the last question of the last Defence Question Time. I do not know whether that question was the straw that broke the camel's back and led to his resignation in a blaze of publicity over the vacuum at the heart of Labour's policies. Perhaps the previous Under-Secretary felt some embarrassment about his officials' actions over the matter that we are considering.

Dr. Moonie: I assure the hon. Gentleman that his questions, which are always polite and well phrased, if over long, would have had no influence on my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle).

I have seen the report to which the hon. Gentleman referred. It did not emanate from the Department. No decision has yet been made; the hon. Gentleman will be informed when that happens.

Aircraft Carriers

2. **Mr. Barry Jones** (Alyn and Deeside): What progress has been made in the Government's plans to procure replacements for the current Invincible class of aircraft carriers. [109395]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Competitive contracts, each worth about £30 million, for the future aircraft carrier assessment phase were awarded on 23 November to BAe Land and Sea Systems, now BAe Systems, and Thomson-CSF Naval Combat Systems. The assessment phase will investigate options for carrier design and, by 2003, will deliver proposals for the demonstration and manufacture of the vessels. The carriers, which will be built in the United Kingdom at a likely cost of £2 billion, are scheduled to enter service in 2012 and 2015.

Mr. Jones: Will my right hon. Friend explain the strategic thinking behind the decision to build 40,000 and 50,000-tonners, and set out the consequences for naval planning? What are the employment and industrial consequences for our regional shipyards? Will my right hon. Friend explain the timing and say when the decision will be implemented? On a less serious note, will one of those great aircraft carriers take the A400M? We do not want the C-17; we want the A400M heavy lifter.

Mr. Hoon: I recall congratulating my right hon. Friend on his ingenuity on the last occasion we met for Defence questions. He managed then to introduce a relevant constituency element into his question and he has done so again. I am not likely to delay the specification of any aircraft carrier to take the A400M. My right hon. Friend will probably understand that.

Aircraft carriers will be a key component of a future United Kingdom force structure. It was concluded in the strategic defence review that aircraft carriers could contribute greatly to our commitment to creating modern, highly capable joint forces that are able to fulfil our current commitment and adapt to the evolving requirements of the strategic environment. Carriers have a key role in force projection; they contribute to peace support and, when necessary, to military action.

On employment implications, the construction and fitting out of the carriers will offer good opportunities for United Kingdom shipyards. The identification of build yards will form part of industry's bids for the demonstration and manufacture phase. It is clearly too early to speculate about the exact number of jobs that might be created or sustained.

Mr. Michael Colvin (Romsey): I, too, should like to know what sort of aircraft will be flown from the carriers. If they are to succeed the successful Harrier, with vertical or short take-off and landing—VSTOL—or short take-off and vertical landing—STOVL—capabilities, and perhaps be a variation on the joint strike fighter, surely a long vessel is not required. It might be more economic to refit our existing three aircraft carriers than to build two Goliaths.

Mr. Hoon: I was following the hon. Gentleman's thoughtful contribution until he made his last observation. We have committed ourselves to two new carriers,

which will have more capability than the existing vessels. It would be unfortunate if any Government went back on such an undertaking.

On the nature of the aircraft, some matters have to be carefully investigated when selecting the type of aircraft to fly from such vessels. They have implications for the size and specification of the carriers. Those matters remain under active consideration. No decision has yet been made on those precise matters.

Mr. Syd Rapson (Portsmouth, North): As you and I know, Madam Speaker, the people of Portsmouth are interested in the berthing of those two magnificent ships and their future victualling. They must be prepared for in advance and a lot of studies on quays and support facilities are usually carried out. As no research at all has been done in Portsmouth, may I take it that it has been written off as a home port for the two ships?

Mr. Hoon: Absolutely not. Portsmouth is a vital port for the Royal Navy and will continue to be so, but as my hon. Friend will have heard in my answer to the substantive question, those vessels do not come into service until 2012 and 2015. I assure him and the House that the investigation of berthing facilities at Portsmouth will continue as a matter of urgency in order to meet those two dates.

Mr. Quentin Davies (Grantham and Stamford): Will the right hon. Gentleman take this opportunity to deny clearly and unambiguously the serious report in *Warship World*—which he knows is generally a well-informed magazine—to the effect that the Government are considering withdrawing HMS Invincible from service rather than giving it the refit that it will need? Contrary to all their public assurances, they have a covert plan to reduce our carrier fleet to two—long before the new large carriers are even contracted for. I shall give him a copy of the report, and hope that today the House can be told authoritatively exactly what the Government's plans are.

Mr. Hoon: I begin by welcoming the hon. Gentleman to his new post on the Opposition Front Bench. I am sure that he will bring to the defence team a welcome enthusiasm for European matters. I only wish that it were possible to participate in the team meetings when he and his colleagues discuss them.

On the substantive matter, I assure the hon. Gentleman that the House will be the first to hear about any change in the Government's plans and, as no decision has been taken along the lines of the speculation that he described, he probably ought to remain cool, calm and collected, as he usually does.

British Forces Post Office, Mill Hill

3. **Mr. Andrew Dismore** (Hendon): If he will make a statement on the future of British Forces Post Office at Mill Hill. [109396]

The Minister for the Armed Forces (Mr. John Spellar): The future structure and location of the British Forces Post Office United Kingdom base is under review as part of my Department's strategic development plan for Greater London.

Mr. Dismore: The review has been under way for a considerable time and is causing uncertainty and disquiet among the staff—both civilian and uniformed personnel—at Mill Hill. When is it likely to be completed, and can my hon. Friend give me the assurance that it will take into account the excellent work done by BFPO at Mill Hill? It delivered millions of letters and parcels over Christmas well within the performance criteria and makes a major contribution to the morale of our service personnel overseas.

Mr. Spellar: I join my hon. Friend in paying tribute to the loyalty and dedication of the military and civilian staff at BFPO—they are vital to the agency's success—and he and I went to see it for ourselves. Following the study, we hope to be able to make a decision about BFPO's future in late summer.

Mr. John Bercow (Buckingham): Will the Minister accept from me that support for the safe and secure service provided by BFPO is widespread on both sides of the House? Is he aware in particular that it is a matter of the utmost importance to me for the simple reason that my mother lives in the Mill Hill area? Will he also accept from me that tolerating representation by the hon. Member for Hendon (Mr. Dismore) is sufficient burden for her to bear—she does so with dignity and stoicism? Does the Minister agree that it would be monstrous to deprive her of that admirable facility, of which she is a longstanding supporter?

Mr. Spellar: I see that Conservative Members are very sensitive in declaring interests these days. I welcome the hon. Gentleman's support for the excellent service and the staff at Mill Hill. As I said to my hon. Friend the Member for Hendon (Mr. Dismore), they are critical to the success of a much-appreciated agency. As part of the restructuring of our service estate in the London area, we are considering how best to provide that service. Key considerations in making that decision will be the maintenance of continuity of service and the enormous loyalty and dedication shown by those staff.

Nuclear Deterrent

4. **Dr. Julian Lewis** (New Forest, East): If it is the Government's policy that Britain should continue to possess a nuclear deterrent as long as other countries have nuclear weapons. [109397]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Britain's minimum nuclear deterrent is a necessary element of the security of this country, particularly while large nuclear arsenals and risks of proliferation remain. That was a key conclusion of the Government's strategic defence review. When we are satisfied that sufficient progress has been made to allow us to include British nuclear weapons in negotiations without endangering our security interests, we shall do so.

Dr. Lewis: That goes three quarters of the way towards answering the question, but not the whole way.

Does the Secretary of State not recall that, in July 1991, after two years of intense Conservative pressure, his right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) committed his party to keeping some

nuclear weapons, as long as other countries had them? Will he now reaffirm that commitment, and confirm that, no matter what sort of multilateral negotiations take place in the future, he will never agree to arrangements whereby we would get rid of all our nuclear weapons while other countries still possessed some with which we could be threatened?

Mr. Hoon: I have set out the Government's position. It is the position on which Labour Members were elected at the last general election, and it remains the position that the Government will adopt.

In his supplementary question, the hon. Gentleman overlooked the purpose of deterrence. The purpose of deterrence is to deter those who might be tempted to attack this country's security interests, and the retention of nuclear weapons is designed to deter any such aggression. That is the purpose of deterrence; that is why the United Kingdom has an independent nuclear deterrent; and that is why the Government, subject to what I set out earlier, will retain that deterrent.

Mr. Martin Salter (Reading, West): Speaking of this country's nuclear deterrent capability, my right hon. Friend will know of the letter sent by his colleague Baroness Symons to those of us who represent constituencies surrounding the atomic weapons establishment at Aldermaston. In the light of the decision to award a future 10-year management contract at AWE Aldermaston to a consortium including British Nuclear Fuels plc, and following revelations of the deliberate falsification of nuclear data, does my right hon. Friend agree that the decision to award the contract to that consortium is in urgent need of review? Many of my constituents would prefer Homer Simpson to run AWE Aldermaston rather than have BNFL.

Mr. Hoon: I am aware of the letter. As my hon. Friend will know, we have instructed the Chief of Defence Procurement to examine the terms and conditions of the contract to ensure the pre-eminence of public health and environmental safety as they affect the workers at the facility, and also the general public. We have also insisted that BNFL nominations to the new AWE top management team are free of any connection with the incidents noted in the report by the Department of Trade and Industry.

The Ministry of Defence is confident that the nuclear installations inspectorate is in a position to impose the highest possible safety standards before it will be prepared to grant the licence, which is a precondition of the new contract's taking effect. The reports on BNFL demonstrate the NII's independence and integrity.

Mr. David Rendel (Newbury): Does the Secretary of State realise that serious queries are arising about the safety consciousness of two of the three firms that make up the consortium to which he has just granted the new contract to run Aldermaston: Lockheed Martin and BNFL? Is the right hon. Gentleman aware that my constituents and those living close to the site will be appalled by the thought that, in future, their safety could be in the hands of those two companies?

Mr. Hoon: I have described the steps that we have taken, and I hope that the hon. Gentleman and his constituents will be satisfied with the concern that has already been expressed.

The NII has approved the draft management prospectus, but before it can grant a new nuclear licence to enable AWE sites to operate from 1 April, it must be satisfied that all parts of the approved safety regime are underwritten by the directors appointed to run them. It will be able to examine carefully the antecedents and, as I said earlier, any possible connections with the incidents that have caused so much concern. All the points raised by the hon. Gentleman will be considered, and I hope he will be able to reassure his constituents that every step will be taken to investigate the antecedents of those who might be involved in running the AWE.

Mr. Malcolm Savidge (Aberdeen, North): Surely the sophistical arguments of the hon. Member for New Forest, East (Dr. Lewis) about our possible ultimate negotiating stance in putative negotiations that have not even reached the planning stage yet are about as relevant as debating angels dancing on pinheads. Would it not be better to concentrate on encouraging the ratification of the START 2 treaty and to begin meaningful multilateral negotiations, lest we end up joining the angels?

Mr. Hoon: My hon. Friend raises the alarming prospect of the hon. Member for New Forest, East (Dr. Lewis) dancing on a pinhead. On his more serious point, he is right. What is important is that we encourage, disarmament, particularly nuclear disarmament, where we can. The Government are committed to that and will use their influence in the world to achieve it.

Mr. Menzies Campbell (North-East Fife): In considering the future of nuclear deterrence, is it not right to give some regard to the proposal from the United States that it should deploy some form of national missile defence? Is it not clear that the United States intends to deploy some form of national missile defence, even against the reservations of its European allies and even if it means breaching the anti-ballistic missile treaty of 1972?

What undertakings, if any, has the Secretary of State given on the possible use of such a system at Filingdales? What assessment has he made of the effectiveness of the British nuclear deterrent if an NMD were to come about in the United States and were the subject of a response—an increase in ballistic missiles by other countries?

Mr. Hoon: The right hon. and learned Gentleman should know that there is no specific proposal as yet from the United States. The Government have been in close touch with the United States Administration on the question. President Clinton will not decide on deployment before next summer.

As for the reservations—as the right hon. and learned Gentleman alleges—of the allies, the United States Administration have made it clear that one of the specific considerations that they will take into account is the reaction and attitude of the allies, as well as other international security considerations, so the matters that he raises have been fully taken into account.

Certainly, the matter will have to be looked at in the event of any specific request from the United States, although no specific request has been made. The right hon. and learned Gentleman will be aware that there is a long history of close co-operation between the UK and the United States in relation to United States basing. I anticipate that that co-operation will continue.

Dr. Norman A. Godman (Greenock and Inverclyde): If we are to continue with possession of the nuclear deterrent, it will be right and proper that the House ensures that the highest safety standards are followed on the maintenance and transportation of such weaponry, especially where submarines that carry nuclear weapons travel through traditional fishing grounds. Will my right hon. Friend confirm here and now that there was no nuclear submarine in the vicinity of the sinking of the Kirkcudbright scallop dredger, the Solway Harvester, because many people in Scotland believe that the vessel went down with the loss of its seven-man crew because it was in collision with another vessel, perhaps a nuclear submarine?

Mr. Hoon: I can assure my hon. Friend that no nuclear vessel was in the vicinity at the relevant time.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Further to the question from the right hon. and learned Member for North-East Fife (Mr. Campbell), are not the Government in a wobble over the whole position on ballistic missile defence? The Secretary of State's predecessor, Lord Robertson, said:

"We are not in favour of developing ballistic missile defence systems"—[*Official Report*, 10 May 1999; Vol. 331, c. 10.],

yet we find that the Government have already reached agreement with the United States through their receipt of information and the upgrade of Menwith Hill. We also know that the Secretary of State has had serious discussions with his counterparts in the United States on the upgrade of Filingdales. Is not the reality that they dare not say what their intention is because of their fear of their own Back Benchers, who do not like it?

Mr. Hoon: The specific answer to the hon. Gentleman's final question is no. Let me repeat what I have already told the House: as yet, we have had no specific request from the United States Government and they have not yet decided whether to go ahead with national missile defence. Our position is clear.

Mr. Duncan Smith: What about Menwith Hill?

Mr. Hoon: If the hon. Gentleman investigated the role and responsibilities of that establishment a little more closely, he would discover that it would go ahead regardless of whether national missile defence goes ahead. Menwith Hill will play an important role in detecting the launch of ballistic missiles anywhere in the world. It is an entirely sensible step in its own right.

Mr. Duncan Smith: The Secretary of State is all over the place on the issue. His predecessor, Lord Robertson, said that the ABM treaty was one of the pioneering forerunners of arms control legislation, yet as recently as the end of last year, Baroness Symons said:

"Interpretation of the Anti-Ballistic Missile Treaty is a matter for the parties to that treaty."—[*Official Report, House of Lords*, 25 October 1999; Vol. 606, c. WA6.]

She and the Secretary of State know that the US and the old Soviet Union are signatories. The Government are sliding on the issue. Previously, they said that they were utterly opposed, but now they are not quite as opposed as they were.

Mr. Hoon: The Soviet Union and its successor, Russia, are signatories to the ABM treaty. The hon. Gentleman will also be aware that there have been two significant amendments to the treaty, one of which was made in 1997, long after the collapse of the Soviet Union. The fact that the parties to the treaty might wish to enter into negotiations with a view to a further amendment can hardly be a surprise to him or to anyone else.

Mr. Duncan Smith: It is clear that the Government are scared not only of their Back Benchers but of their new co-habitees in the European security and defence identity, the French Government. President Chirac has said:

"We must avoid any questioning of the ABM Treaty that could lead to a disruption of the strategic equilibrium and a new nuclear arms race."

The Secretary of State has been to the United States and had a series of discussions on the issue. He has agreed to the use of information, not only from Menwith Hill, for that defence programme, and has undertaken the same for Filingdales. Is not the reality that, as on so many other issues, the Government are behaving ever more like a double agent, telling one thing to one group and another to another?

Mr. Hoon: The hon. Gentleman is getting ever more desperate as he tries to find some substance for his questions. Let us deal with Menwith Hill. It is the European relay ground system of the United States space-based infra-red system, designed to detect the launch of ballistic missiles. It is regarded by the United States as necessary, irrespective of any decision on a national missile defence programme. The hon. Gentleman would do well not to keep referring to Menwith Hill, because it does not make his case, whatever it is—although the more I listen to him, the harder it is to detect what his argument is about.

Madam Speaker: I call Mr. Eric Forth for question No. 5. [HON. MEMBERS: "He is not here."] In that case I call Mr. Tam Dalyell.

Depleted Uranium Munitions (Friendly Fire)

6. **Mr. Tam Dalyell** (Linlithgow): What scientific evaluation was made *(a)* in 1991 and *(b)* subsequently of the effects on UK troops of friendly fire involving depleted uranium munitions; and if he will make a statement. [109400]

The Minister for the Armed Forces (Mr. John Spellar): Obviously, the right hon. Member for Bromley and Chislehurst (Mr. Forth) is keener to turn up late at night to talk about irrelevancies than to come and deal with the real business of the House.

The Ministry of Defence is not aware of any friendly fire incidents during which British troops were injured or killed by depleted uranium-based ammunition during the Gulf conflict. The historical and technical evaluation of the records from the friendly fire incidents that occurred during the Gulf conflict has concluded that there is no evidence to show that DU munitions were involved. Therefore, there has been no scientific evaluation of the effects of exposure to depleted uranium on British troops involved in friendly fire incidents.

Mr. Dalyell: As a member of an incoming Administration, is my hon. Friend entitled to know all the facts of what was, or was not, asked on depleted uranium in 1991?

Mr. Spellar: I am not entirely sure of the context in which my hon. Friend asks that question. In answer to a previous question that he posed in this regard, I said:

"The US Department of Defense informs us that there is no 'US Army Depleted Uranium Assessment Unit'. The Ministry of Defence is not aware of any 'friendly fire' incidents during which British troops were injured or killed by depleted uranium-based ammunition during the Gulf conflict."—[*Official Report*, 10 January 2000; Vol. 342, c. 90W.]

It is of course open to an incoming Administration to be advised of information that would be pertinent to such a question. We have answered the question, and I am not exactly sure what my hon. Friend's difficulty is. If he cares to write to me pointing out further information that he thinks will be required and the basis on which he thinks it will, we will obviously be prepared to investigate further.

Armed Services (Family Friendly Working Practices)

7. **Mr. Paul Goggins** (Wythenshawe and Sale, East): If he will make a statement on the development of family-friendly working practices within the armed services. [109402]

The Minister for the Armed Forces (Mr. John Spellar): The key family-friendly policies for the services are to provide adequate time for family life and, during deployment, the ability for family members to communicate with each other. We have reduced the number deployed on operations, introduced post-operational tour leave and a bonus payment for those experiencing the greatest separation, and increased the welfare telephone allowance from three to 20 minutes per week. That is an impressive record of achievement.

Mr. Goggins: I want to acknowledge the tremendous sacrifices that our armed services staff and their families make on our behalf. What steps is my hon. Friend taking to encourage staff to take up their new entitlements to parental leave and to time off in family emergencies, both of which were recently introduced by the Government?

Mr. Spellar: Armed forces personnel are entitled to parental leave, as allowed for in the parental leave directive. It is service practice, operations permitting, to allow personnel to take paid annual leave to attend childbirth. On family emergencies, the armed forces have an excellent compassionate system in place that is specifically designed to deal with serious family emergencies; it can include both paid leave and free travel back home.

Mr. Julian Brazier (Canterbury): In that seemingly impressive list of measures to help families, where would the Minister put the £11 million cut in the budget for repairing married quarters, coming as it did just after a study had shown that the backlog of repairs is much worse than was previously thought?

Mr. Spellar: I am glad that the hon. Gentleman drew attention to the backlog of repairs, which was overlooked by the Conservative Government, who, in the rushed sale of property to Annington Homes, underestimated the amount required to bring the properties up to category 1 by £112 million. That has led to the stretching of the programme to 2005. We have been able to put some additional money back into the programme in the past few weeks. The hon. Gentleman should really look to the people who previously occupied the Government Benches. I regret to say that he backed out on that argument in the end.

Armed Services (Recruitment)

8. **Mr. Hilary Benn** (Leeds, Central): What account is taken of the previous convictions of applicants to the armed services in deciding whether to recruit them. [109403]

The Minister for the Armed Forces (Mr. John Spellar): Each service has slightly different regulations concerning such applicants. In general, the armed forces accept inquiries from young minor offenders who have completed the rehabilitation period in accordance with the Rehabilitation of Offenders Act 1974 after they have served their sentence. Each case is considered on its merits.

Mr. Benn: Does my hon. Friend agree that the armed services have a role to play in giving ex-offenders who want to go straight the opportunity of proving that they are capable of doing so?

Mr. Spellar: Yes, subject to the qualification that they have to be acceptable to the armed forces and that there must be evidence that they have genuinely changed their ways and will not be a bad influence. As I have said previously from the Dispatch Box, we believe that people have a right to repair the mistakes that they have made, subject to that being consistent with the interests of the armed forces. We believe that many such youngsters will make good soldiers, sailors and airmen, which will be good for the country and very good for them and their families.

Cadet Services

9. **Mr. Bob Russell** (Colchester): If he will provide extra funding for Army, Air and Sea Cadets and bring forward proposals to increase recruitment to the cadet services. [109404]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): My Department has provided more than £58 million in funding for the Army, Air and Sea Cadets in the current financial year, as well as over £6 million for the Combined Cadet Force. In 1998, we made an extra £3 million available over four years to pay for enhancements to training, equipment and infrastructure following the strategic defence review. The cadet forces undertake their own recruitment, with practical support from the services wherever possible. The total number of cadets has increased steadily each year, and we expect to see a continuation of that trend.

Mr. Russell: Will the Minister confirm that the numbers of service men and women are still under strength across all the armed forces? Bearing in mind the fact that the cadet movement is a good recruiting ground, does he not agree that it would be good sense and good value for money to invest more in our cadets for recruitment purposes, and—in the spirit of joined-up government—for purposes of social inclusion, dealing with the causes of crime and giving our young people things to do other than be in the classroom the whole time?

Dr. Moonie: I am tempted just to answer yes, Madam Speaker, because I know that you favour short questions and answers. Alas, I am sorry to disappoint you, although my answer will be short. Between March and September 1999, the number of Army Cadets rose to 42,114, the highest for 10 years, in the wake of the "Attitude" campaign. Numbers in other cadet forces are also at satisfactory levels and, generally speaking, the extra money that we have put in is bearing fruit.

Mr. Andrew Miller (Ellesmere Port and Neston): My hon. Friend may not have been in his post long enough to understand what a superb job the Navy cadets do in my constituency with Training Ship Forward. They contribute tremendously to the development of the service ethic among young people, as well as contributing to every civic occasion in the town. My hon. Friend will be aware that the funding arrangements for the Sea Cadets are not the same as for the other services, and that is presenting us with problems in finding a long-term base for them. Will he have discussions with his colleagues in other Departments to see if improvements can be made in the funding regime?

Dr. Moonie: We would be prepared to look at that. It has not been our practice in the past to provide direct support, for example, for accommodation. However, we give the Sea Cadets much non-cash support, for example through the loan of sailing craft and small powered craft.

Mr. John M. Taylor (Solihull): I wonder whether the Minister can tell me—or perhaps he could write to me—about the rehousing of the Army, Air and Sea Cadets in Shirley in my constituency, who have traditionally paraded at the Territorial Army Volunteer Reserve centre that his Department is closing.

Dr. Moonie: I will clearly have to write to the hon. Gentleman about the detail of the question, although I can say that when closures occur, we do our best to re-accommodate the cadet forces involved, as should be the case in Shirley.

Married Quarters

10. **Mr. Edward Leigh** (Gainsborough): When he last met the Army Families Federation to discuss married quarters. [109406]

The Minister for the Armed Forces (Mr. John Spellar): I last met the Army Families Federation on 16 November 1999 when I chaired the second families forum of the service families task force.

Mr. Leigh: I wish to ask the Minister about married quarters and I hope that he will not give the sort of party political reply that he gave to my hon. Friend the Member for Canterbury (Mr. Brazier), because there is much concern about the subject. Has the Minister read the Defence Committee's report on married quarters? Has he noticed that the last thing that service men want when they go abroad is to return to dilapidated married quarters? Has he noted the conclusions of the Committee's report—remembering that his party has a majority on the Committee—that

"We have been provided with insufficient evidence for us to be sure that this area is not subject to budgetary squeeze simply because it is an easy target."

Is it an easy target, or is he going to do something for service men and women and ensure that their homes are brought up to standard?

Mr. Spellar: As I said to the hon. Member for Canterbury (Mr. Brazier), we will spend some £112 million more than was budgeted for by the previous Government after their rapid sale to Annington in an attempt to balance the budget for the pre-election exercise. We are aware of the needs of married quarters and of single living accommodation, which is another area of considerable neglect that we inherited.

Mr. Robert Key (Salisbury): May I invite the Minister to stop blustering about what happened five years ago and get on with finding proper housing for our service men and women and their families? Regardless of the reasons for the slippage that has occurred, it is unacceptable to try to save £2 million a year by cutting back on new carpets and curtains. The lack of appropriate quarters is a major factor in our inability to retain armed forces personnel. I accept that recruitment is not doing badly, but if he continues with the present policy, the Minister will do nothing but harm in the matter of retaining personnel in our armed forces.

Mr. Spellar: I draw the hon. Gentleman's attention once again to the considerable shortfall that we inherited. In addition to refurbishing existing property, we are letting a number of private finance initiative contracts to build new housing. Those initiatives involve building 279 properties at Lossiemouth, 88 at Yeovilton, 145 at Cosford and Shawbury, and 164 in central Scotland. That high-quality housing is highly appreciated, and considerable work is also being done in other areas. I fully agree that some properties are unacceptable as married quarters for our service families. However, much of the

available housing is good, and the improvements that have been made are greatly appreciated. Considerable sums of money are being devoted to the problem—some £112 more than had been budgeted for after the previous Administration's fire sale to Annington Homes.

Ammunition Expenditure

11. **Mr. Graham Brady** (Altrincham and Sale, West): How much his Department spent in each of the last three years on ammunition for each of the armed services. [109407]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): In financial years 1996–97, 1997–98 and 1998–99, we spent some £173 million, £168 million and £152 million respectively procuring ammunition for the Army. Equivalent figures for the Royal Navy were £122 million, £115 million and £148 million, and for the Royal Air Force, £96 million, £157 million and £241 million. These figures cover the costs, at historic prices, associated with the procurement of lethal munitions, including small, medium, and large-calibre gun ammunition, grenades, mortar bombs, rockets, guided missiles, and torpedoes.

Mr. Brady: Is the amount of ammunition provided for training purposes larger or smaller than it was three years ago?

Dr. Moonie: As far as I know, the amount has remained roughly constant, but I shall certainly look into the matter and write to the hon. Gentleman.

Mr. Lindsay Hoyle (Chorley): Given the amount of money involved, will the Minister ensure that the Government continue to meet procurement needs in the UK, and that Britain does not become reliant on other countries in that regard?

Dr. Moonie: Clearly, I cannot give my hon. Friend any guarantees on that. Each case will be considered on its merits. Our main emphasis is on securing value for money and high quality. Within those constraints, we shall certainly endeavour, wherever possible, to source materials in this country.

Defence Attachés

12. **Mr. Gareth R. Thomas** (Harrow, West): What plans his Department has to improve its network of defence attachés. [109410]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): As part of the work following on from the strategic defence review, a comprehensive review of the distribution of defence attachés has been carried out. The outcome was agreed between the Ministry of Defence and the Foreign and Commonwealth Office at the end of last year, and the resultant new distribution of attachés is being implemented from 1 April 2000 over a two-year period.

I am pleased to inform the House that the number of countries with permanent British attachés in post will increase from 75 to 80. That is consistent with the strategic defence review, which gave a general assessment that increased priority should be given to support for defence diplomacy in central and eastern Europe and to the provision for operational military advice and assistance in sub-Saharan Africa. The increase in our attaché presence in central and eastern Europe will enhance the provision of support to the outreach programme in particular.

Mr. Thomas: Does my hon. Friend agree that defence diplomacy, especially with the aim of conflict prevention in central Europe and in Africa, is among the strategic defence review's crucial priorities, and that it has need of further attention? Does he share my view that greater civilian and democratic control of the armed forces in those countries should be a priority for the Department? Will he assure me that, unlike the Conservative Government, this Government will fund such work properly?

Dr. Moonie: I agree entirely with my hon. Friend. I confirm that extra funding to the tune of £2.5 million a year has been made available for that initiative.

Mr. Michael Fabricant (Lichfield): But where are the defence attachés going to live? There are still many parts of the world—especially in the former Soviet Union—where our representatives operate out of other embassies. Were it not for the help offered by the Germans and the Scandinavians, we would not have representatives in the former Soviet Union. Has the Minister spoken to the Foreign Secretary, who has announced that he is to reduce British representation overseas?

Dr. Moonie: That seems a cost-effective way of providing accommodation! Seriously, I assure the hon. Gentleman that we take the greatest care in ensuring that our employees are properly looked after when they are abroad.

Roll On/Roll Off Container Ships

13. **Mr. Desmond Browne** (Kilmarnock and Loudoun): If he will make a statement about his Department's plans to procure four roll on/roll off container ships. [109412]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The strategic defence review confirmed the requirement for an expanded sealift capability of six roll on/roll off ships—four in addition to the two currently on charter—to transport equipment for our joint rapid reaction forces. We are seeking to provide the capability under private finance initiative arrangements, and intend to announce a single preferred bidder later this year.

Mr. Browne: My right hon. Friend confirmed that the building of the roll on/roll off ships is an essential part of the full implementation of the strategic defence review. He will be aware that the River Clyde has a great history of shipbuilding, but that recently, shipbuilding on the Clyde has become vulnerable to uncompetitive pricing practices, particularly from elsewhere. Can my right hon. Friend assure the House that, in the selection of a

preferred bidder for the ships, a full and open competition will take place, and that full account will be taken of the bid by the Sealion consortium, led by the Govan yard?

Mr. Hoon: I can confirm the requirement for roll on/roll off ferries. As far as the Clyde is concerned, the Government are very pleased that the ownership of the Govan shipyard has been settled. Scottish shipyards such as Govan have historically made a vital contribution to shipbuilding in this country, and I hope that they will continue to play an important role. Certainly, there will be a full and open competition. Obviously, it is vital to the interests of the British taxpayer that we secure the best value-for-money order available.

Mr. Crispin Blunt (Reigate): I welcome the commitment that six roll on/roll off ferries will be available as part of our strategic lift capability. However, it would be rather odd if such measures were set alongside measures to reduce Fearless to the reserve; to place a further three frigates and destroyers into the reserve; to put four Hunt class MCMVs to reserve; to put three Sandown class MCMVs to reserve; to lay up three further Royal Fleet Auxiliaries; and to bring home Dumbarton Castle from the Falkland islands. I understand, on authoritative briefing from within the Ministry of Defence, that all those measures are being considered to deal with a bloodstained long-term costings process as a result of the fact that the Ministry does not have enough money to support the defence budget in a sensible fashion.

Mr. Hoon: I am sorry that the hon. Gentleman, who has considerable knowledge of the way in which the Ministry of Defence operates, should choose to highlight the most speculative source of information with which I have so far had to deal. The hon. Gentleman knows better than that: he knows that, necessarily, a whole series of options is canvassed and that against those options, real decisions are taken. I assure him that no real decision along the lines of his speculation has been taken. I also assure him, as I assure other hon. Members, that when decisions are taken the House will be the first to hear—and rather before spurious pieces are published in whatever publication.

Mr. Mohammad Sarwar (Glasgow, Govan): Is my right hon. Friend aware that when the Minister of State, Scotland Office replied to me in a recent Adjournment debate, he reaffirmed that Scotland offers support for Govan's Sealion bid? Is my right hon. Friend further aware that Govan shipyard is ready to work immediately on this order?

Mr. Hoon: I am grateful for that personal commitment. I anticipate that my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar) will be down there in the event of the contract being awarded to that particular shipyard. However, it is a competitive process, and it is necessary for the Government, in the interests of the taxpayers, to choose the best value-for-money offer.

Young Service People

14. **Fiona Mactaggart** (Slough): How many serving members of the armed forces are aged under 18 years; and if he will make a statement on their deployment. [109413]

The Minister for the Armed Forces (Mr. John Spellar): As at January 2000, 6,238 personnel under 18 were serving in the armed forces. The vast majority of personnel under 18 are situated in the UK. Of those overseas, there are 114 in Germany; 23 in the Former Republic of Yugoslavia; 15 in Cyprus; 12 in the Falkland islands; and seven on ships in the Gulf. I stress that they are all volunteers and have parental consent to join the armed forces.

Fiona Mactaggart: Have any of the 17-year-olds who are allowed to be deployed on active service in the armed forces in Britain been victims in armed conflict? Have any of them been killed or injured in conflict during the past 20 years?

Mr. Spellar: I fear that I should have required notice of my hon. Friend's question to reply to it today. I shall write to her.

Mr. Desmond Swayne (New Forest, West): Will the Minister confirm that many of those recruited at 16 are among the Army's most successful recruits? What discussions has he held with the German Foreign Minister on the matter?

Mr. Spellar: I must confess that I have had no discussions with the German Foreign Minister on that matter or any other—and who is he at the moment? *[Interruption.]* I know.

More to the point, the hon. Gentleman's question was relevant. Many of those recruited at 16 go on to have successful careers in the armed forces. We continue to recruit at 16 because we want to recruit among the best of our young people so that we can sustain our justified reputation for having the best armed forces in the world.

Manpower Requirements

15. **Sir Sydney Chapman** (Chipping Barnet): What plans he has to update the strategic defence review with regard to numbers of personnel [109414]

The Secretary of State for Defence (Mr. Geoffrey Hoon): There are no plans to change the manpower requirements for each of the three services identified during the strategic defence review.

Sir Sydney Chapman: Following the Ministry's recent recruiting initiatives, does the right hon. Gentleman agree that retention remains an increasingly serious problem? Will he confirm that a net figure of about 100 people a month leave the Army? How can he say that the Government are addressing and eliminating overstretch? Even at this late stage, will he not review the decision to cut the Territorial Army by 18,000, the reversal of which would be one of the most cost-effective measures he could take?

Mr. Hoon: It is no longer true that there is a net outflow from the Army. It was the case, but the situation

has been turned around, and there is now a net inflow of about 30 people a month. The Government's policy has been successful. Recruiting has reached record levels lately. For example, Royal Marines officer posts are over-subscribed and we cannot satisfy all those who wish to join. In addition, the general services in the Royal Marines are expected to meet their target for the first time since 1994. We are doing well on recruitment.

The hon. Gentleman is right to say that retention remains of concern. It is important that people should remain in the armed forces for as long as they had planned to when they joined, but the problem is being addressed, both in terms of significant changes in our commitments, which were leading to overstretch towards the end of last year, and in terms of enhanced allowances and improved pay, which are now available. The hon. Gentleman would, I think, be satisfied by the considerable turn-around in recent months.

Learning Forces Initiative

16. **Mr. Jeff Ennis** (Barnsley, East and Mexborough): If he will make a statement on the progress of the Government's learning forces initiative. [109415]

The Secretary of State for Defence (Mr. Geoffrey Hoon): We are making good progress with our learning forces initiative. It will encourage people to join the services, develop them once they have joined and equip them for the civilian employment market when they leave.

Mr. Ennis: Does my right hon. Friend agree that the scheme should be properly funded so that it may help service men make a more successful transition to civilian life? As more than £1 billion a year is spent by the armed forces on education and training, does my right hon. Friend agree that more of that pot of money should be allocated to enhancing the scheme?

Mr. Hoon: I am confident that appropriate sums are made available to the scheme, which is not just about assisting people to make the transfer to civilian life, but about improving basic key skills for the least able recruits, offering all personnel the opportunity to gain level 2 national vocational qualifications within three years of joining the services and introducing standard learning credits with awards of up to £175 a year to members of the armed forces to help them to advance personal development through academic or practical study. The initiative is not just about the transition to civilian life, although that is important. It seeks to improve the ability and qualifications of members of our armed services while they are in the services.

Shoeburyness

17. **Sir Teddy Taylor** (Rochford and Southend, East): If he will make a further statement on the future of the old and new ranges at Shoeburyness. [109416]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): As my predecessor informed the House on 28 January, the whole of the old ranges and Horseshoe barracks, Shoeburyness, were sold, subject to contract, on 20 January 2000. As for the new ranges, the Defence Evaluation and Research Agency is now working with SERCO Ltd. to rationalise the estate and to introduce new business to co-exist with the continuing range activities, which may require the release of a small amount of land. DERA plans to brief the local community on that subject in early March and then jointly to agree a way forward.

Sir Teddy Taylor: Is the Minister aware that members of the local community in Shoeburyness are a little disturbed because, although the site of the old ranges was sold in January, they have still not been told who bought it? Although we were given the strongest assurances from both DERA and SERCO that they would keep the local community advised about the new ranges, there have been no meetings so far. Will the hon. Gentleman take a personal interest in the issue; will he try to ensure that the local community is told what is happening; and, if need be, will he speak at a public meeting in Shoeburyness to tell the local community exactly what is happening with two delightful and very valuable sites?

Dr. Moonie: I am sure that the hon. Gentleman is aware that we cannot make an announcement until the contracts are signed and everything is properly closed. I have the greatest sympathy for his constituents in the present situation. I shall do everything in my power to expedite the appropriate development of the site.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend tell me how many contracts SERCO has in the Ministry of Defence?

Dr. Moonie: A very large, positive integer.

Food Purchasing

18. **Mr. Nigel Evans** (Ribble Valley): How much of the food purchased for the armed forces is sourced from abroad. [109418]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): The supply of food for our armed forces was contracted out by the previous Administration. The agreement does not specify the source from which our contractors should obtain products, but expects them to seek the best market price, consistent with meeting our quality standard, while giving full consideration to British products. Our main food supply contract is with 3663: it is sourcing a range of more than 1,300 different products for the armed forces, including fresh, chilled and frozen commodities. The company advises that about 26 per cent. of those are currently imported. Included in that figure are products which are not made or grown in this country.

Mr. Evans: Will the Minister explain why so much of our food is sourced from abroad? I accept that, in certain cases when the armed forces are abroad for a period, it is more appropriate to source the food locally. However, we have moved on: the Minister's party is in government.

Will he explain why, when the French will not eat our beef, we are forcing our armed forces to take £1 million-worth of French chickens? Does he agree that, when the French will not eat our beef, it is hard for us to swallow the fact that we are forcing our armed forces to eat their chickens?

Dr. Moonie: As the hon. Gentleman can tell from looking at me, it is plain that I have little difficulty in swallowing anything.

As for French chickens, I regret to say that, thanks to the provisions of the contract—which I am sure the hon. Gentleman enthusiastically supported when he was in government—we have no choice but to accept supply from the cheapest source. However, I can offer him one ray of light: on the matter of lamb, I have today agreed to meet Welsh hill farmers to discuss whether there is any possibility that they can satisfy some of our requirements for that product.

Training and Education

21. **Mr. David Kidney** (Stafford): What plans he has for increasing work-based training and education for young people in the armed forces. [109422]

The Minister for the Armed Forces (Mr. John Spellar): All three services are actively involved in a range of projects designed to improve access to training and education at the workplace, as follow-on work to our learning forces initiative. That involves considerable and widespread investment in interactive learning facilities and in computers with internet access. However, those measures are not targeted specifically at young people; they are aimed at all members of the armed forces.

Mr. Kidney: I thank my hon. Friend for that answer. Has he held any discussions with his ministerial colleagues at the Department for Education and Employment about the proposed new connection service? Will he ensure that the education and training benefits of a career in the armed forces will be fairly presented to those young people who avail themselves of that service?

Mr. Spellar: I am pleased to say that we are co-operating very well with the Department for Education and Employment, not only in this area but also very much in the area of craft apprenticeships within our establishment. We certainly believe that, as a result of this and other initiatives, the armed forces provide an excellent career for young people, and we hope that the Department for Education and Employment and education authorities throughout the country will help to get that message across.

BBC (Funding Review)

3.30 pm

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): With permission, Madam Speaker, I should like to make a statement setting out the Government's decisions on the future funding of the BBC.

I should say at the outset that, together with my right hon. Friend the Leader of the House, I gave the most careful consideration to the Opposition's formal request for a delay in the making of this statement until tomorrow. However, because of the intense speculation that there has been over the past few days and because of the commercially sensitive nature of some of the information that I have to give, I thought that it was important to come to the House at the very earliest opportunity.

The future funding of the BBC is a matter that has generated considerable interest, because the BBC is an institution which is central to the United Kingdom's view of itself and of the world.

I want to leave the House in no doubt about the Government's commitment to public service broadcasting and to retaining the BBC at its heart. The BBC is the UK's most important cultural institution, and we have a duty to ensure that it can continue to play a central role in the nation's life. Specifically, the BBC should provide a strong and distinctive schedule of benchmark quality programmes on all its services and should drive the take-up of new digital and online services. A strong BBC is crucial in ensuring that everyone can have access to information, news, education and current affairs, using efficient modern methods, so that we can build a society for the 21st century on the solid foundations set down for us in the 20th.

We welcome the fact that the BBC's main priorities for the next seven years are: improving established services; expanding education work; developing interactive services; and devolution in national and regional broadcasting. We particularly welcome the BBC's intention to re-establish BBC 1 as the corporation's flagship, its commitment to education—in particular learning support for schools and for lifelong learning—and the exploitation of new learning possibilities opened up by interactivity. We also welcome the BBC's plans for enhancing services in Scotland, Wales and Northern Ireland, together with a greater regional emphasis within England.

It is to enable the BBC to deliver these priorities that I am prepared to offer it more support. We shall be keeping the BBC's implementation of these plans closely under review, and ensuring that it meets the commitments that it makes in return for that additional support. The BBC must understand the basis of our decision and continue to satisfy Parliament that it can and will deliver.

I want to leave the House in no doubt that to achieve this vision and to improve its services, the BBC needs to raise its game; it must become even more cost-effective and quality-conscious. That is why we are not going to allow the BBC the massive injection of funds that it has sought from the licence fee—an increase reaching more than £700 million a year by 2006. We are setting it a number of challenges, in terms of sources of finance and in operations.

In our consideration of these issues, we have been enormously assisted by the work of the independent review panel into the future funding of the BBC chaired by Gavyn Davies, which reported last summer. We asked the panel to examine options for providing the BBC with additional funding, assuming that the licence fee remains the principal source of revenue during the current charter period. The panel was also requested to consider the arrangements under which the BBC achieves a proper balance between its public and commercial services, and the concessionary scheme for pensioners. Broadly speaking, I am today accepting the panel's analysis although not, in every respect, the detailed solutions that it proposed.

The report was published in July 1999 for public consultation, and more than 2,000 responses were received. In reaching our decisions, we have taken account of them. I shall shortly place a summary of responses in the Library of the House, and—provided respondents have given permission—the representations by organisations will shortly be made available by my Department's information centre. I have also paid close attention to the report of the Select Committee on Culture, Media and Sport and, now that I have taken the decisions on the way forward, I will publish the Government's response to it as quickly as possible.

I should also mention that the Chairman of the Select Committee, my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), has apologised to me for the fact that a hospital appointment prevents him from being with us this afternoon.

Today, I am also placing in the Library of the House the report of the independent consultants, Pannell Kerr Forster, entitled "Review of the BBC's Financial Projections", which provided a key input into my decisions on finance, together with my Department's chief economist's analysis and a copy of my letter to the chairman of the BBC, which will set out the detail of this settlement.

I shall now deal with the Government's decisions under four headings—finance, programming, transparency and licence fee concessions. They provide a balanced package of measures, which I hope can be widely welcomed.

We accept the judgment of the Davies panel that our vision for the BBC cannot be realised within the existing funding framework. We agree with the panel that, without the BBC's provision of high-quality free-to-air digital services, the penetration of digital television could end up being capped at around 50 to 60 per cent. of the population. The first place to look for new funding should be self-help by the BBC; new licence fee funding should be secondary. We are therefore providing for an increase in licence fee funding that will raise on average around £200 million per year between now and 2006. In addition, however, we are challenging the BBC to help itself by increased efficiency savings, and raising more revenue from its subsidiaries, to the tune of £490 million by 2006-07, over and above the £600 million which it itself estimated.

That figure presents the BBC with a higher target than that envisaged by the Davies panel and is in line with the conclusions of the independent analysis of BBC finances that I commissioned. It means that we are demanding, over the period of this settlement, that the BBC generates more than £1 billion from self-help. As envisaged by the Davies panel, a proportion of the proceeds should be reinvested in commercial businesses.

[Mr. Chris Smith]

We will leave it to the BBC how it meets the challenge, but we are leaving the BBC in no doubt that we expect it to achieve the figures set out here by efficiency savings, partnerships, joint ventures, reductions in bureaucracy and other means. We believe that the licence fee settlement, together with self-help, should yield enough to ensure that the BBC enhances established services and develops a significant foothold in the digital world.

There has been considerable debate on the method of raising additional funding for the BBC. The review panel put forward the alternatives of a digital licence fee set at £24, which would "fade away" as the normal licence fee rose to meet it, or an increase in the general licence fee payable by all. I have decided not to adopt the new mechanism of a digital supplement payable only by those households with digital television. Although I accept that there are good arguments for such a solution, on balance I believe that the benefits of the increased funding will be available to all through improvements in the BBC core services, and, in the case of educational programming, also through schools. Furthermore, it is my view that switch-over to digital will take place this decade, so the time has now come to recognise that digital television will soon be the norm.

Following my announcement in September, it is now clear that digital switch-over can happen sooner than was envisaged by the Davies panel. Against my belief that digital television brings benefits to all, it would be wrong to signal that it is something special and only for the few. I am therefore going for the general licence fee option, and an increase of 1.5 per cent. over the retail prices index in each year starting in April this year. That means an increase of 3p per week above inflation each year. On 1 April this year, the licence fee will therefore rise by £3. It also means that for each pound that the BBC receives from the licence fee, it is expected to generate almost the equivalent through self-help. I shall shortly be laying regulations before the House in relation to the licence fee from 1 April.

The Davies panel proposed a package of reforms in the areas of transparency, fair trading and accountability. We support the thrust of the panel's recommendations. In particular, we intend to open up the process by which I approve new BBC proposals, and we shall also make the BBC's commitment to fair trading more transparent.

We are making it clear that we do not expect the licence fee to fund strands of the market, such as dedicated film and sport channels, to which the distinctive role of public service broadcasting has little extra to offer. More generally, we shall institute new procedures for the introduction of new services. That will include an opportunity for public consultation before I reach decisions on proposed new services.

We also propose to carry out a programme of reviews of all the current BBC digital services—News 24, Choice, Knowledge and Parliament—to ensure that services are achieving what the BBC assured me they would achieve when I approved them. We propose that a priority for such scrutiny should be News 24.

We shall open the BBC to more external scrutiny. It has, hitherto, been too much the judge and jury in its own cause. I am requiring independent scrutinies of the BBC's fair trading policies and its financial reporting, and I shall publish both scrutiny reports. In addition, I shall expect the BBC to have its regular fair trading and financial audits carried out by different auditors in future. The fair trading auditor's full report on compliance and risk will in future be published by the BBC.

I shall also appoint independent consultants to carry out periodic examinations of the systems and controls in place to ensure fair trading, and of the nature and extent of financial systems in place. Those reports will also be published. All those scrutiny and audit reports will, of course, be available for consideration and questioning by the Select Committee. Finally, we shall also be reviewing the public service role and governance of the BBC in the forthcoming broadcasting and communications White Paper.

That means in essence: a review of the governance of the BBC in the forthcoming White Paper; clear separation of BBC fair trading and financial audits; regular measurement of the BBC's performance against its promises on all new services; independent scrutiny of the BBC's financial and fair trading systems and controls; and regular reviews of progress in achieving efficiency savings and commercial targets.

On concessions, we have already gone beyond the Davies panel's recommendation on assistance for pensioners with the announcement of free licences for the over-75s. I can now announce that we expect the scheme to start on 1 November, subject to parliamentary approval of the necessary legislation. From 1 April, those who will be over 75 on 1 November, or who will turn 75 after that date but before their licence would expire, will be able to buy a short-term licence, lasting till 1 November. From 1 November, refunds will be available in respect of licences already paid for. I have also asked that the BBC will take steps to ensure that all those reaching their 75th birthday know that they are entitled to a free licence, and how to apply.

We accept the Davies panel's other recommendations for achieving fairness, and we shall therefore ensure that there is a half-price television licence for blind people from April this year; that subtitling of programmes is further developed; and that the cash easy-entry easy-payment scheme is simplified and made more equitable.

There remains the issue of what to do about the accommodation for residential care concessionary scheme, which is the main focus of current concessions. Although the majority of the current beneficiaries are over 75 and will receive free licences, about 130,000 pensioners and mentally and physically disabled people will be left in the scheme. Notwithstanding the drop in the number of people benefiting from the scheme, we propose to keep the existing arrangements for concessionary licences. Therefore, on concessions, we are: introducing free television licences for the over-75s from 1 November; introducing half-price television licences for blind people from 1 April; setting new targets for subtitling for new BBC digital services; simplifying and making more equitable one of the key easy-payment schemes; and retaining the current accommodation for residential care concessionary scheme.

Our key aims throughout have been to ensure accountability, choice, quality, and value for money. I hope the House agrees that this package is one from which our constituents will benefit. In return for 3p a week extra on top of the RPI, they will be assured of good

programming and good value for money from a BBC that will be able to continue to deliver the quality we expect as the new digital world increasingly becomes a reality.

I believe that the settlement will help to ensure the BBC's position and its role as our primary public service broadcaster into the new century. If we are serious about valuing the BBC at its best, about wanting to keep it at its best and about ensuring that we all have programmes of real quality to watch in the future, we must give it the support it needs. This statement will, I hope, give it precisely that.

Mr. Peter Ainsworth (East Surrey): I thank the right hon. Gentleman for his lengthy statement, and for his courtesy in providing me with advance notice of its content. One thing is certain: whatever people think of the content, they will be delighted that, at last, the dithering is over. The Secretary of State established the Davies committee in November 1998, and it reported in August last year. It is astonishing, although sadly characteristic, that it has taken all this time for the right hon. Gentleman to make up his mind.

The Opposition recognise the BBC's achievements and its important role in setting a benchmark of quality in national and international broadcasting. The BBC has made and, I hope, will continue to make a major contribution to the cultural life of the nation. However, the broadcasting world is changing rapidly: already, more than 3 million households have access to multi-channel digital television. That explosion of choice raises fundamental questions about the current and future role of the BBC. The Secretary of State's approach to the issue of BBC funding is flawed, because he has failed to define what the BBC exists to do in a multi-channel age. It is simply not good enough that he should oblige the licence fee payer to stump up more money for the BBC in the absence of a clear and modern definition of the BBC's role, and with only the vaguest wish list to define how the money is spent.

The House will be aware that the settlement announced today breaches the five-year settlement agreed in 1996 with the previous Government. That settlement was designed to fund the BBC's expansion into digital services and was hailed at the time by the BBC as "an historic breakthrough". In addition to real increases in the licence fee since 1996—it has already risen by £14.50—the BBC has benefited from a £244 million cash sum from the sale of its transmitters, which sum was earmarked expressly for preparing for the digital age; a 1 million increase in the number of licence fee payers; and welcome efficiency gains totalling £462 million. It is not obvious that the BBC is short of money.

The Secretary of State announced his commitment to the five-year settlement in December 1997 and did so again on setting up the panel—indeed, he expressly excluded discussions of the present settlement from the panel's considerations. Why has he changed his mind? Should not the BBC, like everyone else, cut its cloth to match its purse? What other public enterprise has reached agreement with the Government to break a formal funding formula in mid-term? What is special about the BBC? What guarantee can the Secretary of State offer that, if the BBC could not keep to a five-year funding agreement, it will adhere to a six to seven-year settlement?

Will the Secretary of State confirm that the settlement that he announced will in no way prejudice the negotiations or outcome of the charter renewal process, which is due to start in 2003? Is he aware that six years is a very long time indeed in broadcasting? What provision exists to revisit the funding question in the light of changing circumstances? What account has he taken of the impact of household growth on the BBC's fee income over the next six years?

What are the Treasury implications of today's statement, bearing in mind the fact that from September the taxpayer will be funding the licence fee for over-75-year-olds?

We welcome measures aimed at improving external scrutiny, but why has the Secretary of State chosen to ignore the recommendations of Davies on a role for the National Audit Office?

We also welcome the programme of reviews of the BBC's current digital services, and we hope particularly that the review process will examine channels such as News 24 to establish whether they meet their public service remit and represent value for money. Will the Secretary of State provide the House with more information on who will undertake the reviews? Will they be undertaken by departmental officials, or will the review groups include an element of independence?

As for tightening the approvals procedure for new services, will the Secretary of State make it clear that any new education services will require his explicit approval?

We warmly welcome the decision to introduce a half-price licence for registered blind people and to impose tougher requirements for improved subtitling, both of which we have been advocating. Does not the Secretary of State regret ducking the issue of reforming the existing concessionary arrangements, which will continue the inequities affecting people aged between 65 and 75?

While in welcoming mode, may I welcome the decision to do away with the digital licence tax—the tax on innovation—and congratulate the Secretary of State on finally burying that misconceived idea?

Finally, will the Secretary of State confirm that under the Conservatives, the viewer would have paid less? His announcement today will mean that instead of looking forward to a reduction in the licence fee, as they would have done under our settlement, viewers can look forward only to paying more—on average, £200 million more in each year for the next six years.

Does the right hon. Gentleman accept that the public do not have an unlimited appetite for handing money over to the BBC? Is it not the case that the best way further to undermine confidence in the licence fee is to keep putting it up?

Mr. Smith: The hon. Gentleman began by saying that the Opposition recognise the achievements and importance of the BBC. He cannot have it both ways: if we recognise the importance of the BBC and if we want it to continue to achieve into the new century and into the digital age, it must be properly funded. The settlement that I announced today does that.

The hon. Gentleman said that what we are doing breaches the original five-year settlement. It is, indeed, the case that the fourth and fifth years of that settlement will be breached by the new settlement. However, the previous settlement was put in place long before any of us was aware of the rapid take-up of digital television

[Mr. Smith]

and the rapid development of new digital services. That settlement dictated the timing of the Davies report. The changes that have occurred led the Davies committee to conclude that it would be "incoherent" to maintain the previous formula.

The hon. Gentleman asked about the Treasury implications of today's announcement regarding the over-75s and whether it had been taken into account. The answer is yes, it has been taken into account. My right hon. Friend the Chancellor intends to put in place funding of £300 million for the over-75s concession.

The hon. Gentleman also asked who will undertake the review of new services and whether there would be an element of independence in those reviews. The answer is yes, there will be an element of independence and the reviews will, of course, report to me, as I have the statutory authority to give approval or not.

The hon. Gentleman asked whether any of the new education services would require my approval. The answer is yes. Any new services that the BBC undertakes will require my approval, and, under the settlement that I am establishing, consultation before that approval is given.

The hon. Gentleman asked a fundamental question about the purpose of the BBC in a digital age. We believe that the settlement is necessary because the BBC is a flagship for quality broadcasting and because it needs to increase its activities in its core services, in education, in developing interactive services, and in devolving services to the regions and nations of the United Kingdom.

Mr. John Maxton (Glasgow, Cathcart): I assure my right hon. Friend that the vast majority of Labour Members welcome his statement and the Government's commitment to the long-term future of the BBC in a digital world.

Does my right hon. Friend agree that if Britain is to continue to play a major role in what is now genuinely a world of broadcasting, it can be led only by a strong, well-financed BBC? It cannot be led by any other broadcasting organisation in this country. Will my right hon. Friend ensure that some of the money is used to digitalise the wonderful BBC archive so that it becomes available to a much wider audience through digital broadcasting and the internet? Will he ensure that some of the money will be used to improve, develop and constantly update the superb BBC website, which is the envy of much of the world?

Mr. Smith: First, my hon. Friend rightly draws attention to the global importance of the BBC. It is important that the BBC leads our efforts to make available our quality programming, which is often the finest in the world, to the rest of the world. Secondly, he asked about the digitalisation of the BBC archives. That is primarily a matter for the BBC, but I am sure that those who make the decisions will have heard his comments.

Thirdly, my hon. Friend asked about BBC Online, which is one of the BBC's best achievements. As part of the package we announced, we envisage the BBC basing further development of its interactive services on the success of BBC Online.

Mr. Norman Baker (Lewes): I welcome what Liberal Democrats believe to be a well-considered and balanced statement, which sets out a long-term, secure future for the BBC. If it is the Secretary of State's decision and not the Prime Minister's, I congratulate him on abandoning the idea of a digital licence fee supplement, which would have been an unwarranted poll tax.

I also welcome the ambitious targets that the Secretary of State has set for efficiency savings in the BBC. Will there be constant monitoring by the Department to ascertain whether the BBC is making those savings? The Secretary of State stated his intention to introduce further increases in the licence fee beyond those agreed for this year. Will they depend on the BBC's efficiency savings being met?

I welcome the Secretary of State's intention to take external views on the BBC's finances. Why was not the NAO mentioned in his statement? Will it be given a specific role to monitor the BBC's finances in the years ahead?

I welcome the Secretary of State's commitment to open processes. Will the House and the other place have the opportunity for an annual debate on the matters to which he referred today so that Members are able to assess whether the BBC is fulfilling the commitments that the Secretary of State outlined this afternoon?

I deplore the fact that the digital licence fee has been trailed in the newspapers in the past few days, with clear suggestions of the final decision. Will the Secretary of State confirm that it is not his intention to use Parliament simply as an official stamp for press stories that appear on the previous day? Did he authorise the briefing of newspapers on the matter? If not, will he investigate why the stories appeared in the newspapers yesterday and explain the reasons to Parliament?

Mr. Smith: On the hon. Gentleman's last and very serious point, the newspaper stories were so off the mark in their speculation that they did not provide a pre-emptive view of the statement. On the rest of his remarks, I hope that the proposals are well-balanced. They acknowledge that the BBC deserves additional funding, but we want much greater efficiency and much better scrutiny of what it does in return. He asked whether there would be an impact on the licence fee settlement if the BBC failed to make the savings that we want it to make. The answer is yes. We intend to hold it very firmly to the efficiency targets that we have put in place.

The hon. Gentleman also asked about the role of the NAO. We considered the Davies committee proposal about its role carefully, but made our decision for two reasons. First, the NAO does not have the expertise in fair trading issues and the division between commercial and public sector activity that we require in this exercise, and so is perhaps not the most appropriate body. Secondly, and perhaps more important, a political role is not appropriate in taking on such a degree of scrutiny of the BBC's finances. The detailed scrutiny is best done by an independent body, but its report should be made openly to the House of Commons and made available for scrutiny by it.

Mr. David Winnick (Walsall, North): Are not a number of Tory MPs increasingly coming round to the view that the BBC, or a large chunk of it, should be privatised and given over to those who dominate the commercial sector? Needless to say, that would be the

most undesirable outcome. The concessionary scheme for pensioners has been criticised by the Tories from their Front Bench, but in government did not they oppose changing the system at every opportunity and deny pensioners the concession that the Government are introducing later this year?

Mr. Smith: My hon. Friend is absolutely right, and the Tories continued their opposition even when my right hon. Friend the Chancellor made his welcome announcement a few months ago. A Conservative was reported as saying that the concession was an "empty gesture". It is not; it is of real importance to many thousands of people.

Mr. Roger Gale (North Thanet): Further to that answer, the Government appear to have taken a bad and inequitable system and made it worse. Now there is division not only between people in different homes, but between ages. However, we have got a start date out of them at last. The Chancellor made the announcement and passed the buck to the Department for Culture, Media and Sport. The DCMS has passed the buck to the BBC. Has the Department considered whether it will make available the relevant age and age-related information to enable the BBC to implement the proposal by 1 November? Given that the Government, for the first time, are paying £300 million in direct grant to the BBC, how long will it be before the Government begin to exercise political control over it?

Mr. Smith: We have chosen such a mechanism for implementing the concession for those aged 75 and over precisely because we do not want the Government to exercise political control over the BBC. Provided that primary legislation can be passed to enable it to do so, and as soon as that happens, the Department of Social Security will make details of everyone aged 75 and over available to the BBC so that they can be contacted.

Mr. John Grogan (Selby): Does my right hon. Friend welcome the widespread support given in evidence to the Select Committee for the principle of the licence fee, notably from BSkyB and the independent television sector, but also from virtually every witness other than Mr. Kelvin MacKenzie of Talksport? Does he also welcome the fall in licence fee evasion rates in recent years, which has been achieved largely by easy-payment schemes? Will he encourage the BBC to develop such schemes, particularly to allow monthly rather than quarterly payment of the licence fee?

Mr. Smith: I certainly join my hon. Friend in welcoming the wide support for the principle of the licence fee, and agree with him about the need to ensure that we have a properly funded BBC. I also agree with him about the need to ensure that easy-payment schemes are more readily available: that, indeed, is an element of the package that I have announced.

Miss Julie Kirkbride (Bromsgrove): I am sure the Secretary of State is aware of the majority view expressed by the Select Committee on Culture, Media and Sport, which contains a majority of Labour Members, that the BBC should not be given any further funds until the completion of a proper review of its services, and of what it should be doing in a multi-media age. Is the right hon. Gentleman also aware that many people will be very cross about having to pay more extra tax to watch their television sets—especially pensioners aged between 60 and 74, who are already angry about being left out of the Government's arrangements for free licences for those over 75?

Mr. Smith: Not giving the BBC further funds to enable it to ensure that its core services remain good, worth watching and of real quality, and that it can take a lead in developing new digital services, would render the country lacking in a high-quality BBC into the future. That is not a future that I—or, indeed, those to whom the hon. Lady refers—want.

Mr. Ben Bradshaw (Exeter): I congratulate my right hon. Friend on standing up to the poodles of Rupert Murdoch and Conrad Black on the Opposition Benches. Does he agree not just that the BBC represents excellent value for money, but that public service broadcasting is still one of the things that this country does better than any other?

My right hon. Friend spoke of efficiency savings. Will he ensure that the BBC makes those savings within the army of bureaucrats, managers and accountants that it has appointed in the last 10 or 15 years, and not among programme makers?

Mr. Smith: I say a robust yes to my hon. Friend. Indeed, I note with great pleasure that in his very first statements as director general of the BBC, Greg Dyke has said that he intends to do precisely that.

Mr. Peter Brooke (Cities of London and Westminster): The House enjoyed the irony in the Secretary of State's announcement that he had come to the House "at the very earliest opportunity". He went on to say that his financial proposals should be enough, without specifying for what BBC role they were to be enough. Does he agree that if you do not know where you are trying to go, any road will get you there?

Mr. Smith: I much enjoyed the right hon. Gentleman's succinct analysis of the Tory party in its current condition.

We have made it very clear where we want the BBC to go. We want to ensure that it can be a quality programme maker into the future, providing good programmes for the entire population, and that it continues to develop, in particular, education and interactivity services, and devolved services for the regions and nations of the United Kingdom.

Mr. Peter L. Pike (Burnley): The Secretary of State rightly underlined the Government's support for and commitment to the future of the BBC. He specifically mentioned sport. Can he assure us that those who cannot afford satellite or cable television will still be able to see a fair measure of sport on the BBC?

Mr. Smith: I very much hope the BBC will continue to ensure that sport forms a key part of the menu of services that it offers on its channels. The listed events regulations require great national sporting events to be shown free-to-air in any case; but, in addition to that, the BBC must continue to view sport as part of its public service offering.

Mr. David Davis (Haltemprice and Howden): I thank the Secretary of State for his letter to me about the

[Mr. David Davis]

National Audit Office, although I did not receive it until 11 minutes before his statement. He will understand, however, if I press him a little on the question of the Comptroller and Auditor General.

Despite the suggestion of the Davies panel, despite the recommendation of the Culture, Media and Sport Committee and despite the right hon. Gentleman's own comment that the BBC will have to satisfy the House in regard to the proper use of its money, he has decided not to allow the Comptroller and Auditor General—the House's Officer—to have access to the BBC.

The answers that the right hon. Gentleman gave a number of hon. Members were ill briefed. He said that the NAO had no experience of fair trading issues. In the past few years that I have been Chairman of the Public Accounts Committee, the NAO has conducted eight oversights of regulatory bodies. Six related to fair trading issues. The right hon. Gentleman also said that he needed to maintain the independence of the BBC. Over the past century, the NAO has overseen universities and maintained academic freedom. He has undermined that himself with the £300 million grant. He finished by saying that the reviews would report to him. Does he consider himself to be more independent than the CAG?

Mr. Smith: We considered very carefully the proposal from the Davies panel and from the Select Committee. The central question is how best to ensure that the BBC is opened up to the most effective scrutiny by the necessary experts, so that it maintains its fair trading commitments and has proper and robust financial systems in place. Our judgment was that that is best done by independent analysts reporting publicly, so that their analysis can be tested in debate and by questioning by the Select Committee. That is the best way to go forward.

Ms Claire Ward (Watford): I welcome the concessions that my right hon. Friend has set out and the scrutiny that will take place of the BBC. However, when the BBC appeared before the Select Committee, it was unable to give a convincing explanation of why it wanted the extra funding and of what it would do with it. Will my right hon. Friend ensure that account is given of that money and that scrutiny takes place, so that the situation that we have with News 24 does not arise again? A vast sum of money is being spent but there is no accountability to licence fee payers.

Mr. Smith: I can indeed assure my hon. Friend of that. It is precisely because the £700 million demand from the BBC was not well put together that we have concluded that it was not the appropriate figure to go for. Any new services, any development of efficiency in what the BBC is doing at the moment, and any spending of the additional funds that are being made available to it will be subject to the clearest scrutiny and the most open processes.

Mr. Simon Thomas (Ceredigion): I welcome the Secretary of State's statement, which will be reasonably well received in Wales, particularly the news that there will not be a tax on digital knowledge. May I ask him for more reassurances that the cost-efficiency savings that he is seeking from the BBC should not be to the diminution of English-language BBC programmes in Wales? In fact, we should be working towards the setting up of an English-language digital service for Wales.

Mr. Smith: I can certainly assure the hon. Gentleman that any cost-efficiency savings that we demand of the BBC will not be at the cost of important public service programmes such as English-language programmes in Wales.

Ms Sally Keeble (Northampton, North): I welcome my right hon. Friend's statement, but will he assure me of two things: first, that local radio stations will also be able to have access to digital broadcasting—for example, BBC Radio Northampton would want to provide services in that spectrum; and secondly, that, if the licence fee is to increase, it is important for the BBC to ensure that everyone can receive it?

The whole of the east of my constituency is unable to get any BBC or other terrestrial channel because they are all wired up for cable television. Even if people pay the licence fee, they will have to pay cable charges on top to get TV. It is important that people should be able to get the BBC, particularly if they are paying increased licence access to fee charges.

Mr. Smith: In response to my hon. Friend's question about digital radio, it is the case that digital radio is expected to roll out probably rather more slowly than digital television and will encompass local as well as national stations. On her key point about everyone having access to BBC services, I have made it clear that, before any overall switch-over from analogue to digital can take place, digital services, including BBC services, must be receivable by everyone who has a television set at the moment.

Mr. Stephen Dorrell (Charnwood): At a time when virtually every day seems to bring news of another agreement that will break down the distinction between traditional types of media and the new internet technologies, is it not increasingly clear that a nationalised institution that is prevented—and rightly so for as long as it remains a nationalised institution—from fully taking part in the multi-media world is in severe danger of becoming an anachronism?

Mr. Smith: It is precisely because the BBC has done so exceptionally well in the development of BBC Online, which brings together traditional and new interactive media, that we wish to ensure that funding is available for such services to be developed in the future.

Mr. Tam Dalyell (Linlithgow): How, in the Secretary of State's beguiling words, is BBC Scotland to be enhanced? What can he offer the BBC World Service to prevent the closure of some of its valuable services, which are certainly worth more than missiles?

Mr. Smith: The BBC has in mind the need to develop further services for Scotland. How it sets about doing that will be a matter of considerable public discussion in the next few months. The subvention to the World Service is a matter for my right hon. Friend the Foreign Secretary, not me. My hon. Friend's question would more appropriately be addressed to him.

Sir Teddy Taylor (Rochford and Southend, East): Does the Secretary of State accept that it is unjust that

an old person living in a property specially designed for pensioners can obtain a low-priced television licence only if the property is owned by a council, a charity or a housing association? Is not that terribly unfair to those living in identical accommodation that happens to be privately owned? I know that the Secretary of State did not create the problem, but, as he is trying to change matters for the better, should he not at least look at that problem before he introduces new legislation?

Mr. Smith: I greatly sympathise with the hon. Gentleman's point, although, as he rightly points out, we inherited the situation and did not create it. We have tried to come up with the fairest and most achievable package of reforms for concessions. We believe that our package, which includes free television licences for the over-75s, half-price licences for blind people and the maintenance of the existing accommodation for residential care concessionary scheme, is achievable and affordable and the fairest that we could come up with.

Dr. Tony Wright (Cannock Chase): Did my right hon. Friend hear the hon. Member for East Surrey (Mr. Ainsworth) ask what was so special about the BBC? Does anyone who has seen the fate of "News at Ten" not know the answer to that? As not a single voice has been raised in support of the digital supplement, may I raise mine? I know that the decision was politically difficult, but would it not have been the fairest solution, certainly in the absence of extra help for low-income households?

Mr. Smith: We considered the digital licence supplement option carefully. As I said in my statement, we decided that it would not be the best option, particularly because the take-up of digital is rising so rapidly. We intend to ensure that an overall switch to digital will take place between 2006 and 2010. Putting a temporary measure in place that would fade out under the Davies formula as the date of switch-over arrived would not provide the BBC with the buoyancy that it requires. It was a difficult decision but on balance of argument we felt that it was better to go for a modest and gradual increase in the general licence fee.

My hon. Friend rightly says that to ask what is so special about the BBC is silly. It is self-evident that the BBC is a broadcaster of great quality, providing the people of this country with news, information and entertainment of the very highest quality. Indeed, it is one of the best things about Britain in this new global world. I want to ensure that we can maintain that.

Mr. Michael Fabricant (Lichfield): I welcome at least the fact that the Secretary of State said that the BBC is the hub of British cultural life, rather than claiming that for the millennium dome.

In its early years, the BBC avoided the ban on advertising in its broadcast media by having advertising in other media, such as the *Radio Times* and other publications, and by selling programmes overseas. Why did not the Secretary of State consider a third way for funding the BBC: having advertising on BBC Online using the new medium of the internet, and on some of the new digital channels, which are not the mainstream BBC, as BBC 1 and BBC 2 are? Many—not all—think that those traditional channels should continue to be funded as a public service.

Mr. Smith: Apart from the difficulties under the European Union state aid rules, we have no problem at all with the BBC taking advertising on any of its commercial services and publications. That is done at present, and there is much scope for expanding it further. We do not believe that it is right to have advertising on core BBC services.

Opposition Day

[5TH ALLOTTED DAY]

Education

Madam Speaker: I have selected the amendment in the name of the Prime Minister. I have had to limit Back-Bench speeches to 10 minutes on the education motion only.

4.22 pm

Mrs. Theresa May (Maidenhead): I beg to move,

That this House notes the Government's failure to meet its manifesto commitment to spend a higher proportion of national income on education than the previous government, despite the Prime Minister's pledge that education would continue to have 'the first call on public resources'; deplores the Government's complacency in the face of the damage being done to excellence in education by increased bureaucracy, interference in schools, abolition of grant maintained status, introduction of grammar school ballots, obsession with targets and diversion of funds to meet political goals rather than the needs of schools; views with concern the Government's disregard for parental choice or student need; and calls on the Government to introduce common sense policies to improve standards by setting schools free, letting parents choose and trusting the professionals.

In the general election campaign, the mantra of the then Leader of the Opposition was that his Government's priority would be education, education, education. Since then, the Labour Government have broken their manifesto commitment to increase the share of national income spent on education; introduced tuition fees, despite pledging that they had no plans to do so; abolished grant-maintained status; introduced rigged ballots to get rid of grammar schools; presided over a rise in average class sizes and in the proportion of pupils in classes of 31 or more; underfunded the teachers' pay award; produced mountains of red tape, with 400 regulations and about 1,000 circulars; caused the closure of about 2,000 pre-schools and playgroups; presided over a fall in the rate of improvement of standards in literacy and numeracy; introduced discrimination against English students in Scotland; cut spending per pupil; cut spending per student in higher education; put school sixth forms under threat; and pensioned off heads who would not do what they told them.

Andy Warhol said that, in the future, everyone would be famous for 15 minutes. This Government will be famous for their 15 failures in education. As they have failed to deliver on their promises and presided over the beginning of a fall in standards, what has their reaction been? Typically of a Labour party that lives by press release and photo-opportunity, they have tried to spin themselves out of the problem. Far from education, education, education, we have had spin, trickery, betrayal.

Let us consider education funding. The Labour party manifesto pledged to spend a higher proportion of the national income on education. What happened in the Government's first three years? The proportion of national income spent on education went down. Ministers may say that it is not fair to consider only one or two years, so I will be generous to the Government and consider the average of education spending over the previous and the present Government. The answer is still clear. Under the Conservative Government, an average of 5 per cent. of national income was spent on education; in the five years of this Government, it will be 4.7 per cent.

Let us consider what that means in actual money. *[Interruption.]* The Secretary of State says from a sedentary position that my figures are untrue, but they are independent figures produced by the Library.

The Secretary of State for Education and Employment (Mr. David Blunkett): The figures that the hon. Lady put out in her press release today attempt to show what she has just described, but they do so by taking only the first three years of this Parliament and not including the full comprehensive spending review. In the previous Parliament, there was a fall of 0.3 per cent. in gross domestic product spent on education, and there will have been an increase of 0.2 per cent. of GDP as a proportion of national income in this Parliament.

Mrs. May: As this is Maths Year 2000, I suggest that the Secretary of State has a few maths lessons. The source of my figures is the Treasury and the Office for National Statistics—

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): My right hon. Friend is right.

Mrs. May: No, he is not right. Average spending by the last Conservative Government was 5 per cent. of national income and over the term of this Government, including the comprehensive spending review, it will be 4.7 per cent.

What does that mean in actual money? Just to keep spending at the same level as the previous Government, Labour would need to put in not an extra £19 billion, as the Government have claimed, but an extra £32 billion. They are already £13 billion short even of keeping level with the previous Government's spending on education. That is the reality of another broken promise.

What do the Government claim to be doing? They are announcing more money, more money, more money and more money. Indeed, the money for one programme has been announced 21 times. It is little surprise that, when they said education, education, education, they even had to announce that key policy three times. Every time that they announce more money, people think that it is new money, but it is not. We have looked at the Government's announcements of extra money for education in the past nearly three years and we have added them up. Do they come to the £19 billion that the Government told us that they would spend, or the £32 billion that they would need to spend to keep up with the last Conservative Government? No, they add up to £185 billion of extra spending on education—the equivalent of the Swedish GDP. It is a deliberate attempt by the Government to prove that they are doing something that they are not. They are saying one thing and doing another.

Tell that figure to the secondary school I visited on Friday, which says that it cannot even afford paper for its pupils. Tell that to the Queen Elizabeth high school in Hexham, which has written an open letter to the Secretary of State saying:

"Our goodwill is being severely tested by poor staff facilities in deteriorating buildings, by relentlessly increasing class sizes and by a lack of money to invest in the kinds of support which teachers need if they are to succeed.

We would welcome an explanation from you as to how, when faced with new challenges to meet, including Curriculum 2000, a real terms cut in the budget is being proposed for our school. This can only lead to a deterioration in our already unsatisfactory working environment and, ultimately, a deterioration in student achievement."

Mr. Ronnie Campbell (Blyth Valley): I thank the hon. Lady for giving way, as she mentioned Hexham in Northumberland. Only this morning, the letter she is reading out appeared in the Newcastle edition of *The Journal*, and it was signed by 15 heads of high schools in Northumberland, all complaining of cuts and even suggesting that there has been a 1 per cent. cut in the Northumberland education authority budget.

Mrs. May: I am grateful to the hon. Gentleman for his intervention. I have visited schools in Northumberland and heard directly from them the genuine concerns that they have about the funding problems that they face. They hear what the Secretary of State tells them about money going into education, but they do not see it in their budgets. What they see are deteriorating conditions for their pupils.

Mrs. Anne Campbell (Cambridge): In my constituency, the standard spending assessment per pupil—in real terms, at 2000–2001 prices—fell from £2,578 in 1992 to £2,464 at the end of the previous Government's term of office. Since then, it has increased to £2,591 under this Government—an all-time high, and higher than it ever was under a Tory Government.

Mrs. May: I am pleased to say that Conservative-controlled Cambridgeshire county council has increased the amount spent on education above the SSA level. It is spending more than the increase that the Government have proposed.

However, the problem of funding is not confined to Northumberland. A letter sent out to parents of a school in Dorset stated:

"The general view being given is that Education is receiving substantial increases in funding from Central Government leading to higher level of funding in individual schools. The fact is that most of this increased funding is targeted at specific initiatives and Dorset County Council is required to make an equal contribution. School budgets in Dorset are at best standing still and in many cases reducing."

From the Isles of Scilly authority, the *Tresco Times* stated:

"Education, education, education—"

Mr. Blunkett: The silly times.

Mrs. May: The Secretary of State chooses to laugh, but I remind him that the Isles of Scilly authority is this country's best-performing local education authority. It has said:

"Education, education, education. That was Mr. Blair's sound bite at the last election. Remember? Now the best Primary Schools in the country are coming under threat."

Teachers and parents are becoming increasingly frustrated that the Government are all mouth and no delivery, and that the failure to deliver is damaging excellence in education. The right hon. Gentleman thinks it funny, but the Government are letting children down.

Mr. Blunkett: I do not think it funny, but it is amusing that the hon. Lady should cite figures relating to the Isles of Scilly authority, which has a cohort of 1,500 and no secondary school. Moreover, that LEA has invited me to open the extra facilities paid for by the new deal for schools.

Mrs. May: I suggest that the Secretary of State prepare himself for the comments that he may hear from those schools. However, I am interested in what is happening in all this country's schools, not just in the chosen few. Unlike the right hon. Gentleman, I do not want to reject the Isles of Scilly simply because that LEA does not have any secondary schools. The right hon. Gentleman says that what is happening in those primary schools does not matter and that they should not be quoted as an example, yet the parents and teachers involved are worried about what is happening as a result of this Government's failure to deliver on their education pledges.

Mr. Michael Fabricant (Lichfield): Does my hon. Friend agree that the problem goes further than the amount of money that is not getting to the chalk face? The Government made another promise before the election. Labour party spokesmen—they are Ministers now—said that a Labour Government would equalise the amounts of funding available to counties, and that they would resolve that problem in their first year in office. However, the Government are now saying that they will not even consider the matter until after the next election. When the Minister for School Standards was asked about that, she said that Staffordshire and other counties should not worry and that Wigan and Poole were worse off than Lichfield.

Mrs. May: My hon. Friend is absolutely right. I intend to comment on some of the funding inequities that exist between the education authorities. The Government promised to sort out the problem inside one year but, three years on, they have not even started looking at the matter. That is yet another broken promise—another of the Government's failures to deliver on one of the pledges that they made when they took office.

Mr. Tom King (Bridgwater): If the Secretary of State is going to make fun of the Scilly Isles, perhaps, on the way there, he might be encouraged to call in to the secondary school in Somerset that I visited on Friday. They were discussing whether full-time teachers or part-time assistants, in one form or another, would have to have their hours cut, how great the reductions would be and how strange they found it that, three years into education, education, education, they should be facing such a situation.

Mrs. May: My right hon. Friend rightly points out the very real decisions that schools have to take against the background of the Government's failure. The Secretary of State always quotes broad figures, but the reality is what is happening in schools in Somerset, such as that to which my right hon. Friend referred. Difficult, harsh decisions are being taken about teaching staff and classroom assistant redundancies, reductions in the number of courses and the inability to buy the equipment and books needed for the school. That is the reality of this Government's education policies. Yet they continue to try to spin themselves out of the problem.

Mr. Geoffrey Clifton-Brown (Cotswold): Would my hon. Friend care to comment on the situation in Gloucestershire? I had a letter from the Secretary of State, informing me that Gloucestershire local education authority, already one of the lowest funded of any county, was this year to receive a lower-than-average increase in standard spending assessment while having an above-average increase in the number of pupils. Gloucestershire LEA is so poor that it cannot afford to apply for the full amount of the new deal in schools, which the Secretary of State makes so much of, because it cannot produce the match funding. How should I respond to the teachers and head teachers in Gloucestershire who, for the second year running, have had a standstill budget for their schools?

Mrs. May: The answer to the head teachers and governors in those schools is that that is a direct result of the Government's education policies.

The spin does not even stop there. On several occasions, Ministers have said in the House that the Government are increasing the spending per pupil by £200. Yet the figures show that the average spending per pupil under this Government is more than £50 less than that under the previous Conservative Government. That is nothing new. We already knew that the average spending per student in higher education was £135 less under this Government than under the previous one—and that from a Government whose Prime Minister promised only last December that education will continue to have the first call on public resources. Or perhaps the Secretary of State will tell us this afternoon that that was just an aspiration.

Mr. Nick Hawkins (Surrey Heath): While my hon. Friend is talking about the use of resources, would she care to comment on a matter that is raised repeatedly with me at schools in my constituency by teachers, head teachers and governors, about the amount of money that the Government spend on glossy brochures? They are besieging teachers and governors with vast amounts of publicity material containing Government spin—there is nothing in them to help with teaching, nothing to help pupils.

Jacqui Smith: Like what? Name just one.

Mr. Hawkins: Every day, another glossy brochure arrives. If the Government spent less money on them, would that not be better for education?

Mrs. May: My hon. Friend is absolutely right. I was in a primary school recently, where the head teacher pointed to a bookshelf full of glossy Government publications. She said that she wished that she had only a very small percentage of the money that was being spent on those to spend in her school. Perhaps the Secretary of State could offer to stop publishing his speeches in glossy publications—that would save a little money.

The Government, faced with the reality of their actions, will never take responsibility for them. They always try to blame the local education authorities. The Secretary of State is keen to tell us how much more money LEAs are getting for education—he can even get the figure up to an increase of more than 8 per cent.—but those are fantasy figures. The actual amount of money received by the authorities is much less, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) pointed out. However, I do not need to rely on my hon. Friends to point that out to me. The Secretary of State told us so—at least, he told that to the School Teachers Review Body in a letter written last December.

Mr. Blunkett: That is old news.

Mrs. May: The Secretary of State says that they heard that last week. I am sorry, but I am going to quote a different part of the letter today. Is the Secretary of State saying that he is embarrassed about his letter to the School Teachers Review Body, and that he does not want his words to be repeated so that more people understand the reality of his actions?

In the letter, the Secretary of State said—far from the 8 per cent. increase that he had claimed local authorities would receive—that

"some authorities have receive grant increases which would make a pay award much greater than inflation difficult to handle. For example, Newcastle has an education uplift of only 3.47 per cent., Sunderland has 3.44 per cent. and Middlesbrough has 3.67 per cent."

That does not sound like more than 8 per cent. to me—even if the Department has its figures right.

Imagine the consternation in Leicestershire when the local education authority—the lowest-funded shire county authority—was told that its share of the £50 million Government grant to LEAs would be £8,000. Leicestershire had been given the figure for the Isles of Scilly, and every LEA was told the wrong grant figure. How much did that piece of departmental incompetence cost schools?

Leicestershire is a member of the new deal-fair deal group—formerly G40—and my right hon. Friend the Member for Charnwood (Mr. Dorrell), my hon. and learned Friend the Member for Harborough (Mr. Garnier), and my hon. Friends the Members for Rutland and Melton (Mr. Duncan), for Blaby (Mr. Robathan) and for Bosworth (Mr. Tredinnick) wrote to the press to point out the absurdity of the Government's position. If Leicestershire county council spent what the Government advise, it would have to cut education spending by £85 a pupil. Instead, the council—under a Conservative leader—is increasing education spending.

The Secretary of State does not even listen when authorities want to discuss funding with him. Last November, the chairman of the regional assembly for Yorkshire and Humberside wrote to the Secretary of State about education funding. He wrote to the permanent secretary in late January on the same subject. In his letter, he said:

"One common problem we face . . . is the relatively poor level of funding for education in the region that is available through the Standard Spending Assessment when compared with other regions, not to mention Scotland."

The chairman was writing on his own behalf, and for the chairmen of all the local authorities in Yorkshire. He has yet to receive a reply.

The Government try to blame LEAs, but are simultaneously increasing control over what the authorities do. More and more, money is made available only if the LEA does what the Government tell it to. In a letter to me on 25 January, the Minister for School Standards said that

"£50 million extra grant . . . will go to all local education authorities."

However, some authorities, such as Shropshire, have been told that they will receive the money only if they do as the Government say they should on their SSAs.

The best example of central control is the standards fund. The money will be spent on the Government's priorities, not on the priorities of the schools. With this Government, children come last.

Liz Blackman (Erewash): As the debate is on education, and fundamentally, therefore, about children, will the hon. Lady mention improved standards at some point?

Mrs. May: If the hon. Lady had been listening to the beginning of my speech, she would have heard me quote comments from teachers to the effect that the problems caused by her Government's failure to deliver in education are causing a real threat to school standards. That is the reality of the situation. The hon. Lady may shrug her shoulders, but I suggest that she visits schools in Northumberland, because that was the view expressed by a school in Hexham and in others in that county.

Under the standards fund, Labour-controlled Luton is receiving the equivalent of £114 pupil while Conservative-controlled Wokingham receives less than £55. Is that fair funding? The Government said that there would be a cap on the amount of money in the standards fund, but the proportion of education total spending provided through the fund will rise from 1.8 to 7.6 per cent. The point is that that money is being spent on what the Government think right, not on what schools think right. Schools should be given budgets and the freedom to decide what is right for them. It is common sense to say that heads and teachers know best what is right in the classroom. We want freedom for schools—not departmental dictatorship. The greatest madness in the Government's funding figures is that Sheffield has to cut school budgets in order to obtain access to Government funding—robbing Peter to pay Paul.

My hon. Friend the Member for Surrey Heath (Mr. Hawkins) referred to bureaucracy. Much is spent on that. We asked teachers about bureaucracy and they told us:

"Bureaucracy has increased massively since the Labour Government came to power."

They confirmed that bureaucracy had certainly increased, saying:

"The bureaucratic burden on heads is such that being with children in a classroom occasionally has to be firmly held as a priority or is lost under tides of policies and administration."

The damage to schools and to children's education does not stop with funding and with increased bureaucracy. One of the Government's first acts was to abolish grant-maintained status, despite their manifesto commitment that

"Schools that are now grant maintained will prosper with Labour's proposals."

Prosper—as their budgets fall, as they are forced to make teachers redundant, as they are forced to cut back on courses or as they ask parents to pay? Perhaps the Secretary of State would like to ask the Prime Minister about that last point.

Another of Labour's promises that bit the dust when they came into office was that grammar schools were safe in their hands. In a letter of 10 February 1997 about Wirral, the Prime Minister, then the Leader of the Opposition, wrote:

"Let me put the record straight. A Labour Government will not close your grammar schools. That is my personal guarantee."

However, the guarantee went further. In 1997, the Secretary of State said:

"There's no threat to the continuance of the grammar schools or to their ethos or their quality."

He said that he had felt "enormous energy" when he had visited Wirral grammar school for girls. I suggest that the right hon. Gentleman will need only the energy to run away from parents who see their children's educational chances being taken away by the Government.

Mr. Blunkett: The energy that I felt came from the right hon. Member for Bromley and Chislehurst (Mr. Forth), who broke into the school because I was there. He even tried to persuade the press to join him, although the head and the governors had banned him from the school.

Mrs. May: I am not certain that that intervention added anything to the debate. It merely suggests that the Secretary of State always runs away when he sees my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

I am not surprised that the Secretary of State wants to change the subject, because he gets a little nervous when we talk about selection. Under the Labour Government, specialist schools can select pupils according to aptitude. Under the right hon. Gentleman's excellence in cities programme, schools can select between 5 and 10 per cent. of their pupils according to ability. That is the man who said, at a Labour party conference in 1995:

"watch my lips: no selection by examination or interview".

The right hon. Gentleman was pressed on that matter in an interview with Jonathan Dimbleby, who pointed out that the excellence in cities programme states that selection

"will be based in significant measure on the results of National Curriculum tests, public examinations and other available tests data".

The right hon. Gentleman replied:

"Well they self-select so it's not a selection process based on a one-off examination . . . This is not about saying a small elite must be selected, must be educated well and, and, and . . ."

He trailed off, because he had failed to understand that, under the excellence in cities programme, he accepts selection in schools, but that he denies some schools the opportunity to continue to be selective.

At present, a ballot for grammar schools is taking place in Ripon. Parents are working not only to save a grammar school but to protect the school system in that town. Ripon grammar school and Ripon college have both served that town well for a long time. One of the greatest problems faced by parents is uncertainty, because of the disruption that will be caused if the school structure is changed, should the vote go against the grammar school.

The Government have failed on so many of their pledges. They have failed on their class size pledge: average class sizes are going up and the proportion of

[Mrs. May]

pupils in classes of more than 31 is going up. Tell Bob Bushell up at Northfold county primary school in Cleveleys that class sizes are falling; he has to teach a class of 41. Yet again, we see the Government failing to deliver on their pledges in education.

The Government promised that their priority would be education, education, education. They have failed to deliver on their pledge to support grammar schools. They have failed to deliver on their pledge to let grant-maintained schools prosper. Class sizes are rising, bureaucracy is burgeoning and spending per pupil and spending per—

Mr. Vernon Coaker (Gedling): Will the hon. Lady give way?

Mrs. May: Too late. I am sorry; I am just coming to the conclusion.

Jacqui Smith: This is the climax.

Mrs. May: I am just coming to the—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Lady. I really have heard enough from the Under-Secretary. That is not the way to behave on the Front Bench.

Mrs. May: Thank you, Mr. Deputy Speaker.

The Government have failed to deliver on their pledge to support grammar schools. They have failed to let grant-maintained schools prosper. Class sizes are rising. Bureaucracy is burgeoning. The Government have failed to deliver on their funding pledges. It is little wonder that one teacher has told us:

"Look, I have never voted Conservative before, but there is one thing that might make me do so next time—this current Government."

Instead of education, education, education, we have had spin, trickery, betrayal. Labour is letting our children down. This country needs the commonsense policies that will give freedom to schools, allow parents to choose, trust the professionals, raise standards, provide the education that is right for every child and lead to excellence in education—commonsense policies that will be delivered only by a Conservative Government.

4.51 pm

The Secretary of State for Education and Employment (Mr. David Blunkett): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the Government's commitment to raising standards and achieving excellence for all from the early years to life-long learning after 18 years of neglect; recognises that education spending will rise as a share of national income over the course of this Parliament, in contrast to a decline of 0.3 per cent. between 1991–92 and 1996–97; recognises the early success in lowering class sizes in the early years and the achievement of introducing the literacy and numeracy strategies which, with the hard work and commitment of teachers, have raised standards; supports the promotion of diversity which will deliver excellence for the many and not the few; recognises the role of specialist schools and the importance of excellence in cities; supports the drive to raise standards in secondary schools through the extension of the literacy and numeracy strategies and an expanded programme of summer schools; recognises the value of teachers and supports the new proposals for performance-related promotion; recognises the role of school leaders; notes the increase of £1.8 billion in funding for schools and Local Education Authorities in England for the coming year and the role of the fair funding framework in tackling excessive bureaucracy and ensuring that increased funding benefits classroom services; notes the increased resources made available to expand access and improve quality in further and higher education; and supports the Government's determination to build a socially inclusive knowledge economy in which learning and skills are the foundation of success and prosperity.".

I wish to address the motion in a way that the hon. Member for Maidenhead (Mrs. May) failed to do. She spent two thirds of her speech advocating that more money be spent on education. No Conservative spokesman could display greater cheek than the hon. Lady does in lecturing us on education spending. Over the period of the last Conservative regime, spending was slashed in real terms. In 1995, as the Conservatives started to slash education spending, governors, parents and teachers took to the streets even of market towns—even in places such as Maidenhead, which the hon. Lady represents—to march. They did so because they could feel the impact, in terms of what was happening in the classroom, what was happening to teachers and what was happening to the buildings around them.

If we examine just a little of what the hon. Lady is saying in the light of what happened to education under Conservative Governments and what is happening under ours, we shall obtain a better picture of the real legacy that she and her colleagues bequeathed to us.

Back in 1995, people were on the streets demanding an end to the retrenchment that had led to schools without books, to crumbling classrooms, to a total failure to introduce any policy on information and communication technology, to a failure to implement any form of literacy and numeracy strategy, to a lack of any form of programme to reward teachers, and to the absence of any method of relaxing the curriculum to allow teachers—in the language of the Conservative motion—the freedom to determine for themselves how to set about the task.

Although the hon. Lady did not mention the fact, the motion speaks of the

"obsession with targets and diversion of funds to meet political goals".

Well, I plead entirely guilty to that. Those political goals are absolutely clear. We made a class size pledge. In infant schools, there were 485,000 youngsters in classes of over 30; now there are 171,000, and the number is falling. In primary education, for 10 years, class sizes increased year on year; for the first time, we have stabilised and reduced them. Average class sizes and pupil-teacher ratios are falling for the first time in 10 years.

Yes, we have made a commitment to introduce sure start programmes to invest in the foundations of children's education and development. Yes, we have used ring-fenced money, which did not go into the revenue support grant, specifically to introduce new provision for the early years, to ensure that all four-year-olds have the choice of a nursery place, if their parents wish it, and to double the places available for three-year-olds. Under the Tories, there was no programme; there was simply a voucher system for four-year-olds. That is what we inherited. We have insisted that there should be an

improvement in the adult-pupil ratio in our schools; so, over the next two and a half years, 20,000 teaching assistants—directly paid for with ring-fenced money—will be available.

The hon. Lady mentioned Sheffield. Through excellence in cities, we have now ensured that match funding does not have to be found in the six major conurbations to which the earmarked, specialist funding is provided. We will therefore be able to transform the life chances of children in our major cities and we will do what the previous Conservative Government never did—target resources where they are really needed.

Mrs. May: The Secretary of State has referred to the fact that the 100 per cent. grant will now be given to schools in the excellence in cities areas. Will he confirm that schools will be able to receive 100 per cent. of the grant only if the local authority puts in its full bid for standards fund money?

Mr. Blunkett: An authority will have the money available to put in the initial amount only if it actually applies for the money in the first place. That is certainly true. The standards fund, to which the hon. Lady referred, is additional ring-fenced money over and above the revenue support grant and has been applied directly to the policies that she has dismissed: namely, those targeted political policies known as the literacy and the numeracy strategies. Far from undermining the life chances of children, those strategies are beginning to transform them.

Why did we set about the ring-fenced, earmarked and targeted funding that the hon. Lady mentioned? Why have we taken the actions that we have? It was because, when we took office, four out of 10 children could not read, write or add up properly at the age of 11. The hon. Lady can judge whether that is a legacy to be proud of.

Helen Jones (Warrington, North): Is my right hon. Friend surprised, as I am, that the speech of the hon. Member for Maidenhead (Mrs. May) made no mention of the latest Ofsted report? In it, the chief inspector of schools refers to rising standards, particularly at key stage 2, and says:

"This is a very significant and promising development, which is directly linked to the National Literacy and Numeracy Strategies".

Why does my right hon. Friend think that there was no mention of that in the hon. Lady's speech?

Mr. Blunkett: Because the hon. Lady never attempted once to talk about what is happening in the classroom to improve the life chances or achievement of children. In fact, I am not sure how many times she mentioned children other than to suggest that, somehow, what was needed was the extra money that the Conservative Government had not allocated to them. It was the height of jiggery-pokery, to use a slightly different term.

Several hon. Members *rose—*

Mr. Blunkett: That has got people going. Which of the pokery and jiggery shall I give way to first? How about the hon. Member for Brentwood and Ongar (Mr. Pickles)?

Mr. Eric Pickles (Brentwood and Ongar): When the right hon. Gentleman examined the Ofsted reports, did he see the report on the St. Martin's school and the Anglo-European school in my constituency, which were designated exceptional secondary schools? The reward to those schools and other secondary schools in my constituency is to lose £1.2 million funding this year and to face the prospect of having to make teachers redundant and reducing education provision for my constituents. Is that any way to reward excellence?

Mr. Blunkett: I am very happy to consider the school in question—the Anglo-European school. We shall ensure that we make access available to it and that we examine its resources. However, we have given absolute guarantees to the schools that the hon. Member for Maidenhead mentioned and which receive additional funding because they are grant maintained, rather than because of their pupil numbers or particular circumstances. We have given absolute guarantees of continued funding in real terms and we shall continue to ensure that those schools are supported.

I believe the right hon. Member for Wokingham (Mr. Redwood) was among those who wished to intervene earlier.

Mr. John Redwood (Wokingham): Does the Secretary of State understand how offensive it can seem to someone teaching in a primary school on the Isles of Scilly or in a primary school in Wokingham that has had its funding cut when he laughs at the name of the Isles of Scilly, which has real educational problems, and when he authorises large sums of expenditure on glossy brochures to publish his own speeches and other words from the Department for Education and Employment? Is not that the wrong priority? Will he now say sorry, and will he say that more money will be made available to primary schools in need?

Mr. Blunkett: I did not, as the right hon. Gentleman knows, laugh at the education system in the Isles of Scilly. Certainly I laughed at the attempt by the hon. Member for Maidenhead to draw conclusions for England as a whole from the situation in the Isles of Scilly, where the Government are protecting, and will continue to protect through our small schools fund, schools that would otherwise have been threatened by the actions and policies of the previous Government.

Under that Government, there was no small schools fund and no attempt to ensure that schools could stay open by linking technology, by co-operative working and by pulling schools together instead of making them compete with each other. There is now a fund specifically to provide small primary schools with administrative support so that head teachers are free to do their job. All that is entirely new and did not exist under the previous Government.

I shall not apologise for putting out the speech on the future of secondary education from the north of England conference, because secondary education had been grossly neglected by the previous Government, standards had not been maintained and almost a third of children in the first year of secondary schools found themselves going backwards. We face a major issue in tackling the under-achievement in our secondary sector: to provide diversity, to increase specialism and to ensure that we have a truly comprehensive system.

Nor do I apologise for putting out a major statement on the future of higher education—an issue that the previous Government ducked time and time again. The hon. Lady

[Mr. Blunkett]

had the audacity to say that we were cutting funding per pupil. Between 1989 and 1997, there was a cut of £2,500 per university student, and we have reversed 36 per cent. of that. We have cut the efficiency gains to 1 per cent., as recommended by Dearing. We have put in £1.1 billion—an increase of 11 per cent. in real terms—over the three years of the spending review, and we have lifted the cap on numbers.

Mrs. May: As the Secretary of State has specifically referred to Dearing and the 1 per cent. efficiency gains, will he comment on the remarks of the Association of University Teachers—that current expenditure plans not only do not provide for tuition fee income to be additional income but go well beyond Dearing's call for 1 per cent. efficiency gains for two years, amounting to a

"plan for cuts of this level for the remainder of the current spending plans"?

Mr. Blunkett: I do not accept that for a moment. We announced that we would retain the 1 per cent. cuts that we introduced rather than the enormous 4 per cent. real terms cuts that were taking place under the previous Government, and we have said that we will do so throughout the remainder of this spending review. We have put in an extra £295 million for 2001, bringing the total increase, as I said, to 11 per cent. in real terms. We have every intention in the spending review of ensuring that we maintain a world-class university system that is open, equal and equitable for all students, not just those who can afford it.

Over and above the revenue support grant increase of 5.4 per cent. for the coming year, we have funded the teachers' pay award. The better teachers do, the better we shall pay them, and we shall encourage their professional development and provide performance-related promotion. That is all ring-fenced money on top of the amount available in the revenue support grant, and responds entirely to schools that ask us to ensure that when there are substantial changes of that sort, they get the money directly, rather than through the standard spending assessment.

Mr. John Bercow (Buckingham): In order that Conservative Members, at least, may prick up our ears in readiness, will the right hon. Gentleman be good enough to tell the House at what point in his speech he intends to refer to, and to apologise for, the massive damage that he inflicted on children's education during his tenure as leader of Sheffield city council?

Mr. Blunkett: That beggars belief. Let me put the facts on the record. I accept responsibility in respect of the city of Sheffield for the years 1980 to 1987. In 1985, a report by Her Majesty's inspectorate said that Sheffield's was one of the three best education authorities in the country. That was matched by an Audit Commission report that said that Sheffield's public services were "a shining example".

I stand on my record on education and the comparability of Sheffield with other cities. If I had my time again, I would have introduced 15 years ago some of the measures that the Government are introducing now. The children of Sheffield would have had a greater chance of receiving a better education. However, at that time, we faced a Conservative Government who slashed public expenditure at every opportunity, denigrated public service, undermined the education system and encouraged people to go private. Anyone who looks back to those years should feel ashamed of the former Government's actions.

The Conservative Government allowed our schools—public buildings—to deteriorate to the extent that we have had to double expenditure just to return some of them to the state in which they provide an acceptable environment where teachers can teach and pupils can be taught. In two years' time, 11,000 schools will have benefited from the new deal for schools—a programme introduced, not with match funding, but with direct grant; not with credit approvals and borrowing, but with direct funding—to ensure that schools obtain the sort of investment that they never got under the previous Government. That is what we have been doing at every stage, through the standards fund work with head teachers and the new leadership college to bring about a transformation of management; through helping small schools; and through the improvement grants made under the standards fund.

The Opposition motion speaks of "setting schools free"; I am not sure what the Conservative notion of a free school is. It talks of parental choice, but so-called free schools are the ones that choose the child—that is what happened under the Conservative Government. The motion talks about "trusting the professionals", but the Conservatives have opposed the improvement of professional standards through professional development matched by increased pay—extra resources that will be in the pay packets of hundreds of thousands of teachers in the years to come. Instead of attacking the changes that the Labour Government have made, Conservative Members should take a leaf out of the shadow Chancellor's book and re-examine their policies to find ways of mirroring, matching and challenging us on the basis of improving standards.

We know that our schools need more resources and that greater investment is desirable; with our economic policies and our growth record, it will be possible for the Labour Government to achieve those goals. We also know that in the last three years of the Conservative Government, not only did the proportion of gross domestic product invested in education start to fall, but there were real-terms cuts in spending on primary education of £80 per pupil, pupil-teacher ratios worsened, and class sizes rocketed. In 1997, we inherited a budget profile that, had we implemented it, would have resulted in 15,000 teachers losing their jobs; instead, we immediately put in £835 million. We had promised to stabilise and freeze spending, but we did not; instead, we put in more money and saved schools from disaster. Then we started the process of investment.

Under the spending review, in the final three years of this Parliament, spending on education as a proportion of GDP will rise, based on the new European resource accounting model. It is no good quoting figures that do not compare like with like. The House of Commons Library is welcome to see the figures that we at the DFEE and the Treasury are using—figures that include not just revenue support, but all the ring-fenced resources that I

have described this afternoon, which are going into schools to raise standards and lift opportunities for our children.

Mr. Edward Garnier (Harborough): I am grateful to the Secretary of State. If we are to compare like with like, may I compare South Wigston high school in my constituency before and after the election? Before the election, the head teacher was able to increase the number of teachers and to improve and expand the buildings belonging to the school. Since the election, as a direct consequence of what the Government have done, the head teacher's income budget has fallen and he may have to get rid of three teachers. Will the right hon. Gentleman add that to the general problem that those of us who represent Leicestershire seats have found with his Government's policy on education spending?

Mr. Blunkett: We will take no lectures about the distribution of spending. We inherited what we have; we did not invent it. It was the hon. and learned Gentleman's Government who invented it, and we are doing our best to ensure that we get things right. I would welcome Conservative-controlled authorities presenting proposals for changes in standard spending assessment which they believe would be right and fair across the country. When they do so, through the Local Government Association, it will be possible to take them seriously.

If authorities are not—I hesitate to use the jargon term "passporting", in case sketch writers get their own back on us all, as they did last week, and a suitable reminder it was too—passing on the hard won resources that we are allocating to them, so that schools can spend that money on the improvement in standards that we are seeking, we will take action this summer to make sure that they do. For the first time, we have the figures. For the first time, we will know what is being spent on administration and bureaucracy, and we will be able to do something about it.

Mr. Phil Willis (Harrogate and Knaresborough): Will the Secretary of State give way?

Mr. Blunkett: I will in a moment, as I have not given way to the Liberals yet. [HON. MEMBERS: "There is only one here."] In that case, I had better give way straight away.

Mr. Willis: May I assure the Secretary of State that what we lack in numbers, we make up in quality?

The right hon. Gentleman makes a serious point about the standard spending assessment and the fact that it has not changed since the Government came in, as was promised. Will he admit, however, that with more and more funding being centrally directed, the time has come to stop the nonsense about maintaining a standard spending assessment, and to accept that the minimum entitlement that he expects schools to deliver through the curriculum should be funded by a minimum entitlement through his Department or through local authorities?

Mr. Blunkett: The hon. Gentleman makes a valuable point. There is a case to be made for a basic entitlement for pupils at various key stages. That debate should be set in the context of the review and the proposed Green Paper. I look forward to his party contributing constructively to that debate, as he has this afternoon.

The proof of the pudding is what is happening to children in schools and whether standards are rising. My hon. Friend the Member for Warrington, North (Helen Jones) referred to the chief inspector's report. At key stage 2, there have been a 10 percentage point improvement in numeracy and a five percentage point improvement in literacy in just one year, both of which were attributed by the chief inspector to the very literacy and numeracy programmes that have been denigrated by Opposition Members. GCSE and A-level results are improving year on year.

In the words of the chief inspector, over four out of every five schools have undergone an improvement in their teaching compared with the previous year. Lessons are judged to be good and improving. Those judged to be good have risen from 54 per cent. to 58 per cent. in just one year. Unsatisfactory lessons are down by a quarter on the previous year. Leadership and management are seen to be improving.

All that is happening around us—it is there for people to see. For the first time since the regime was introduced, more schools are coming out of special measures than are going in. A higher proportion of gross domestic product is being spent on education. Real improvements are taking place in the classroom, with an average of £4,000 being spent on additional books in every school. Those funds are provided directly by the Government, and do not come through the revenue support grant.

Whether we consider early-years and primary education, or the action that we are trying to take on diversity and specialism—such as beacon schools and excellence in secondary education in cities—or our programme for further and higher education, the Government put the people's money where the people's mouth is. We are improving the chances of every child in the country by intervening when necessary, supporting when appropriate, increasing professional development, paying teachers more, rewarding them well and celebrating success wherever it occurs.

5.15 pm

Mr. Phil Willis (Harrogate and Knaresborough): At the end of his remarks, the Secretary of State tried to address one of the saddest features of education debates—the impression that we often give the public and the press that our education system is failing and in total crisis. I reject that.

My party and I have often criticised Her Majesty's chief inspector of schools. However, in this year's report, he made several positive statements. For example:

"The quality of teaching has improved in all types of schools, in all subjects and in all year groups".

That is a positive message to send to our teachers. The report also states:

"More headteachers are raising expectations and challenging and supporting their staff".

That is also positive. The report continues:

"Nearly nine out of ten Secondary Schools inspected had a higher proportion of good teaching compared with the previous inspection".

Those comments need to be emphasised from our Benches. We must constantly tell our teachers, governors and heads that they are doing a good job.

Let us consider the improvements in GCSE results in the past 10 years. In 1989, 203,705 A to C results or their equivalents were gained compared with 278,300 last year.

[Mr. Phil Willis]

A-level results give an indication of the number of students who stay on at school, or go to sixth form or further education colleges post 16. They have not even been mentioned in the debate. In 1989, 87,800 students had three or more A-levels compared with 151,300 students last year. That is a remarkable 80 per cent. increase in the number of students who obtain three or more A-levels. We should put it on record that we accept that our teachers, heads, governors and students are doing well in our schools. We should not accept the view that is commonly held in the Tory party and increasingly, I am sad to say, by the Government, that because the state provides the majority of a service, it must, by definition, be failing. It is not.

The hon. Member for Maidenhead (Mrs. May) made interesting comments. I expected the vast majority of comments during a Tory Opposition day debate to be about the Tories' review of education and the lessons they had learned from 18 years in government and three years in opposition. After all, they have consulted widely about their policies, and introduced "The Common Sense Revolution". I wondered why the right hon. Member for Richmond, Yorks (Mr. Hague) jumped on the back of a lorry to begin his latest disastrous campaign when he would have been better served by putting all the "Common Sense Revolution" documentation on the back of it and driving it to the nearest recycling plant. I go further; the latest common-sense utterances on education should carry the following health warning: "These policies, if implemented, could serious damage your child's education".

I cannot believe that after such a disastrous defeat in 1997, with education policies that had failed and been universally derided, Conservative Members should take the same tack, with the same philosophy that competition, division and fewer resources form the basis for a better education system.

Mr. Redwood: Will the hon. Gentleman explain how trusting parents and teachers could possibly damage children's education? Will he stop misrepresenting a policy that acknowledges the need for allocating proper sums of money?

Mr. Willis: May I thank the right hon. Gentleman for that intervention and say how marvellous it is that he attends debates regularly now that he is a Back Bencher. He was a serious Minister, but he has not once apologised for the gross underfunding of our schools, our colleges and our universities.

Mr. Stephen Dorrell (Charnwood): Answer the question.

Mr. Willis: I shall answer the hon. Gentleman. I am sorry; I shall answer the right hon. Gentleman. I apologise profusely for that omission.

Nothing in the Conservatives' remarks today or their so-called revolution addresses the further education sector, which was set loose in a sea of confusion in 1993 with the sole aim of reducing the cost base in our FE colleges. We have heard nothing from Conservative Members to address the mounting problems in our universities, where under-investment in teaching and research were the hallmarks of their Administrations. Instead, we hear puerile attacks on schools and local education authorities and solutions that are simple, but not credible. Successive Tory Governments undermined state education to almost total breaking point, but the common-sense answer is more of the same with knobs on.

The Conservatives' rallying cry is, "We will set our schools free." Free from what and from whom? According to the previous Government's Education Reform Act 1988, schools are free to carry out a vast array of tasks. What greater freedoms do they seek than those under the School Standards and Framework Act 1998?

Mrs. May: The hon. Gentleman has made a couple of references to what he perceives as the failure of the Conservative party's education policies. Can he tell us which policies the Liberal party rejects: the introduction of the national curriculum, the introduction of the Office for Standards in Education or the introduction of testing?

Mr. Willis: I shall answer the hon. Lady directly. As a head, I supported the introduction of the national curriculum until it arrived at the school—lorry load after lorry load of it. Indeed, it arrived on the same lorry that the right hon. Member for Richmond, Yorks is now using. My staff and I were constantly fed up with two-stage pay awards every year and the local authority—of which I was an elected member—having to spend all its time reducing its education budgets every year.

If the hon. Lady is talking about the abolition of school organisation committees and the so-called independent adjudicators and returning admission and appeals to democratically elected local authorities, I shall stand by and support her. However, I suspect that she does not seek that. If she wants to remove from schools the necessity to produce an absurd number of individual plans on subjects ranging from literacy to asset management, my party and I shall support her. *[Interruption.]* From a sedentary position, Ministers ask whether we want to get rid of asset management plans. The last thing that most small rural primary schools in North Yorkshire want is to look after asset management—they want somebody to do it for them. A two-class primary school has a lot on in looking after the curriculum and standards, so the amount of planning that goes on is an issue.

If the hon. Lady wants to put an end to the torrent of centrally driven initiatives, proposals and targets, we shall stand with her. We want them to be reduced. If she wants to reduce the amount of paper that comes out of the Department for Education and Employment by the equivalent of a rain forest a year, again we shall stand with her. Papers regularly come through the doors of school governors and one of their great cries during the recent Education and Employment Committee inquiry was for an end to that. If the hon. Lady wants to campaign with the Liberal Democrats for the removal of tuition fees from our students in England, Wales and Northern Ireland, again we shall stand with her. But no: the revolution that the Tories have in mind is a free-for-all that could produce 23,525 separate admission authorities, 23,525 separate appeals bodies and 23,525 schools that could spend more time dealing with legal disputes than with the curriculum.

The Tory party wants to support heads. It wants to support teachers, so that they can raise standards. However, it wants to give parents the power to call ballots

to sack head teachers, and then, presumably, to fund the expensive legal battles that will follow from school budgets. It says that parents should call for more inspections by the Office of Standards in Education when standard assessment test results dip. In last year's Ofsted report, 8 per cent. of schools were said to have serious weaknesses, and the average cost of an inspection is £13,000. If every one of those schools asked for an extra inspection, another £25 million would be needed. Is that how parents want their resources to be spent? Is that the "common-sense approach" to the reduction of bureaucracy?

The Tories also want to establish "free schools". The idea has been copied from the charter school movement in the United States, but has been taken one step further, because a Conservative Government would fund the buildings as well as revenue costs. It is a doubtful message: if schools are freed from all state or local control, they will deliver a better education system for our children. There is no evidence whatever to back up that proposition, certainly not in the United States, where we have seen a ragbag of institutions, the so-called best controlled by private-sector companies.

Mrs. May: Free schools do not owe their origin to the charter school movement in the United States, and we do indeed have examples of the way in which schools can improve education when they are given their freedom. We see that in the grant-maintained schools, which use money previously spent by local authorities on bureaucracy to increase the number of teachers, and to do various other things that greatly improve the quality of education.

Mr. Willis: I am pleased that the hon. Lady has dissociated herself from some of her Back Benchers, who claimed that they had brought back this solution for Tory thinking from America, and were proud of having done so. I talked to one who extolled the virtues of the marvellous so-called free schools, controlled by private companies such as Edison and Advantage. With those providers, schools must take the curriculum they are given, the methodology they are given and the materials they are given. Is that really what we want for parents and teachers in the future?

Let me ask the hon. Lady this. What happens to the special-needs child in the free school movement? What happens to the advantages that we have secured over the past 10 years in terms of inclusive education? How will such children fit into a free school that has its own admissions policy? Can it refuse a child with severe learning difficulties, or educational and behavioural difficulties? A child with cerebral palsy or sensory impairment will have no right of access to free schools.

What about the disruptive child? Will another free school be obliged to take him? Will the only provision be made in the "headway centres"—or pupil referral units, which is what they actually are? Given that those are grossly underfunded at present, what will happen when students are excluded from schools, perhaps permanently? I can tell the hon. Lady that in parts of London, Manchester, Leeds and Birmingham there could be more students in her headway centres than in mainstream schools, if heads were allowed simply to turf them out. However, parents, governors and teachers should not worry: the likelihood of a Conservative Government being elected with such nonsensical policies is pretty remote.

That is not to say that many of the hon. Lady's criticisms of the Government are not justified. The Liberal Democrats share her concerns about the smoke and mirrors over finance. I, too, visit schools where I am asked, "Where is the £19 billion that is being spent on education? Where do I see it in my budget?" I worked in a local authority that passported every penny of the £12.9 million for education last year and increased council tax by 9.6 per cent., but still cut school budgets by nearly 1.5 per cent.

We are concerned about the increasing centralisation of the curriculum and teaching methodology. Of course the literacy hour initiative was needed in many of our schools, but it certainly was not needed in every school. Teachers wanted the flexibility that would enable them to do things as they wanted to do them, in accordance with the needs of children.

We are concerned, too, about the creeping privatisation of the education system—the Government's belief that the private sector can always do things better. The events at Rams episcopal school in Hackney demonstrated that there are no sure-fire solutions. It was interesting to note that, after Islington council had been forced to hand over the running of its local education authority to Cambridge Education Associates Ltd, the first thing that it did was to recruit a chief education officer from Richmond upon Thames to lead its team—an example of the fact that, in the public sector, we still have some fine officers and leaders.

In the time that is left—I understand that we are on a tight schedule—I want to highlight our concerns about the most important issue facing the school system: the promotion of a highly qualified, well-motivated and well-paid teaching profession. It will not be the Secretary of State, the hon. Member for Maidenhead or I who will improve standards in schools, but our teachers and heads. The Liberal Democrats continue to have concerns about the Government's proposals on performance-related pay. We continue to believe that they are divisive, fail to address the key issues that face the profession and will ultimately fail both to motivate and to retain staff. Above all, they will do precious little to persuade the best potential teachers to join the profession.

My main criticism is not about the principle of PRP. Clearly, it works in other sectors, but it will not achieve the desired outcomes for the profession, schools or the Government. Where is the evidence that it is possible to accredit an individual child's performance to an individual teacher, other than in the most simplistic way? No evidence was presented in the Green Paper. None has been presented since.

Teaching is a team activity. Who is to say that the influence of a sports teacher or music department on a child's motivation is more or less important than what the child sees in classrooms elsewhere? How do we assess the effects of early-years experience; access to private tuition; the number of children in a class with special needs; children with English as a second language; the size of the teaching group; and the work of other members of staff? The list is endless.

The Government have obviously been listening to some of the arguments—the dropping of reference to

"progress towards national levels of achievement"

is welcome—but they have failed to understand the complexity of assessing who is responsible for a child's performance.

[Mr. Willis]

The rest of the proposals are fraught with inconsistencies. If PRP is there to motivate staff and to raise standards, why is it voluntary? Why is not applied to all colleagues already at point 9 on the scale?

Those teachers already working well are being told that they must work harder to receive and to retain a threshold payment, but what of the others? Are those who do not put themselves forward to be judged as "ineffective" teachers and perhaps lazy? Will parents be informed of their status? Will women, who form the bulk of teachers, particularly at primary level, be discriminated against because they do not want to take on the increased burdens of additional activity?

Of course there is merit in rewarding our best teachers, but surely the challenge is to encourage teachers to work better, not simply harder, for more pay. Access to quality professional development as a statutory right would make a huge statement about valuing our teachers, yet the Government have ignored that option. Statutory access to non-contact time to prepare materials and to mark work would do much to raise the quality of teaching and morale, particularly in primary schools.

A fundamental principle of any PRP scheme is additionality. I was pleased when, on Thursday last, the Secretary of State appeared to commit the Government to continuing ring-fencing of resources to meet the costs of PRP after the initial two years. May I press the Government on that commitment? Will the Minister make it clear that, after the initial two years, the Government will continue to guarantee threshold payments and to ring-fence resources directly from the DFEE? Can she say how that mechanism will work?

Will future performance-related payments in the upper range or on the management scale be ring-fenced with additional money? Without such a guarantee, the scheme is bound to fail. If the Government intend to ask schools to incorporate any PRP payments from initial budgets after two years, we shall be back to the situation that I faced as a head teacher, when I had the option to give promotion points and excellence points, but no money to do so.

Will the Minister also clarify the position of those who become advanced skills or fast track teachers? As I understand the guidance, they will have to give up many of their present conditions of service, including the limit of 1,268 hours of directed time. If so directed, they will have to be available to undertake breakfast clubs or after-school clubs. If that is the case, there will be a large price to pay for going through the threshold.

There is an absurd timetable for the implementation of the scheme, with insufficient time to train heads and allow them to carry out assessments appropriately for September 2000. The reduction in the number of criteria from 16 to eight may superficially appear to simplify matters, but it has resulted in a massive expansion of guidance notes for heads, opening the floodgates for a tidal wave of bureaucracy. Few teachers will have the documentation available. That may well create huge tensions between them and the head.

I make an earnest plea to the Secretary of State to think again about the timetable. If a performance-related pay scheme is to be introduced, all the questions that are being asked must be properly answered and there must be a proper time scale—otherwise, it will fail.

Last year, the Government proudly announced that their teacher recruitment targets were being met. One of the fundamental issues for the PRP scheme and the Green Paper was to address the fact that so few quality people were choosing to come into teaching. The Secretary of State announced in December that maths teacher training was up by 16 per cent., but the Government made little noise about the fact that they had missed their recruitment target by 23 per cent. They made even less noise about the fact that most children at key stage 3 are not taught by a maths specialist. There are few press releases about the fact that in 1999 only history and PE reached their recruitment targets. This month, applications for maths teaching were 19 per cent. below last year's figure. Science and English are also down by 19 per cent. When I visited Imperial college recently, none of the third year undergraduates whom I talked to wanted to come into teaching, because they could get a starting salary at least £10,000 better elsewhere. We have to address the fact that we are in a competitive marketplace for teachers. If we want to ensure that we recruit the best, it is not good enough just to give teachers £2,000 extra at point 9 on the salary scale—we have to raise the starting salary.

Mr. Deputy Speaker: Even within the restriction of 10 minutes for speeches—of which I remind the House—it will be difficult to fit in every right hon. and hon. Member who is seeking to catch my eye. I appeal for short speeches.

5.38 pm

Mr. Barry Sheerman (Huddersfield): I realise that I have been in the House for a long time. When I was a university teacher—when I worked for a living—I used to lecture about the great value of Opposition days, which are at the centre of our parliamentary democracy. As I listened to the opening speech from the hon. Member for Maidenhead (Mrs. May), I wondered whether anyone outside who believed in parliamentary democracy, let alone education, would value this debate very highly.

The opening speech could have set us off on the right footing. It could have been creative and full of insight. Fortunately, we are bringing about changes to the procedures of the House, with pre-legislative inquiries and the on-going work of Select Committees. That allows us to talk more constructively about education across the House.

I want to go through a quick checklist of how well the Government are meeting their obligations under the manifesto and the mandate to prioritise education. I want to give marks out of 10, some good and some bad. The hon. Member for Maidenhead was a very constructive member of the Education and Employment Committee and knows something about the subject, so it is surprising that she could not bring herself in this debate to talk about what we have in common.

The Government have adopted an approach that one would have thought would be dear to the heart of the Conservative party. They used good business methods, recognising that we must organise education in a more businesslike way, with achievable targets towards which all the stakeholders in the business can work together. That is fundamental tomorrow's company stuff about which anyone who has worked in the private sector knows.

Some of the successes came because the Government threw away some things that our party used—more in rhetoric than reality—to believe in, and took a realistic stance, looking at the problems pragmatically and solving them with any best technique that was available. I would have expected a little more frankness and honesty from the Opposition on that.

There is a problem. The Government came to power desperate to make changes. There was a huge backlog of neglect, stretching back well beyond the previous 18 years. We all used to accept that education was essentially for the elite. The Conservative party was more comfortable with that than us, but we all accepted that only a few people would be educated to a high level and that many would be looked after until they were 14—or subsequently 15 and 16—and would then get a job.

I remember cycling to school past factories displaying notices stating, "Hands Wanted". They wanted hands, not brains. That is a thing of the past. We cannot have an educational elite, be it 3, 5 or 30 per cent. of the population. All our work force and all our people must be encouraged to attain the highest levels of education and skill. I think that the Opposition accept that fact, too, although very reluctantly.

It is not surprising that an incoming Labour Government rushed at the target. Of course they did not get everything right—what Government do?—but some of the measures have been highly successful. Let us consider the Ofsted report. The figures were mentioned by the hon. Member for Harrogate and Knaresborough (Mr. Willis). We have had great success in helping pupils in the early years and through to 11. That positive result means that we can consider more seriously what is happening for those from 11 to 14. There are serious deficiencies in that area. The transition to secondary school has proved difficult for some.

The difficulties are not only in problematic schools. I get sick of the terminology. We can call them failing schools, more difficult schools or challenged schools—we know which ones we are talking about. One problem is that the Government devise a strategy to do something about the most challenged schools and are not too clear that it might not be the right management strategy for what we call coasting schools—the 40 per cent. that are not getting worse or better in a hurry but need to be encouraged to achieve higher standards. That is the problem in the 11 to 14 sector.

In the difficult 14-plus sector, the Government's joined-up thinking has come later. It has taken time. Hon. Members know my old hobby horse about having too much of an academic education and constantly making those without the obvious academic abilities feel like second-class citizens. They do not get the high grades and the illustrious results and are made to feel failures throughout their education. Tackling that, especially at 14-plus, is something to which the Government have begun to set their hand. It will take time, but it is important that the Government do better. The match of skills and education is important, because they go together and should be considered together.

All of us who care about education are worried that too much emphasis is placed on driving basic standards up—increasing literacy and numeracy—while flair, creativity and imagination can fly out of the window. We must get the balance right.

I disagree strongly with the hon. Member for Harrogate and Knaresborough because I believe that performance-related pay, if introduced in the right way, must be right. Performance-related pay works in every other aspect of human endeavour that I know of, so why should teachers be different? I would also like to see performance-related pay—and better pay—in higher education, because if we are to maintain world-class standards in world-class institutions that compete globally, we have to do something radical quickly, before our higher education system is endangered.

Of all the aspects of education I have mentioned, I am most worried about higher education. We have not yet reflected and asked what will be the effects of too much standardisation and too much reliance on the state. We do not allow for diversity and creativity in higher education. They are most important if we are to provide the high-quality intellectuals on whom the nation depends.

I have a wish list. We must be cautious about the sort of pragmatism that always seems to lead to the private sector being invited in. Yes, the private sector can do a good job, but the expertise in the private sector is thinly spread and there are few firms around. Why cannot we build on the idea of the public sector producing superb administrators who are also managers who know education at a fundamental level? We could have a corps—a concept familiar in France and some other countries—from the public sector, with a good managerial ethos, to do the job.

We must ensure that we develop a methodology for breaking into the culture of low expectations in education. What strikes me from all the literature that I have read since becoming Chairman of the Education and Employment Committee is the lack of success with parents and how few parents we get through to and engage. I hate it when people say, "Well, parents do not turn up to the annual meeting." We have to have a strategy that engages parents and the home situation if we are to build on some of the fine work that we have done in early-years education. I have tried to bring some balance to the debate. There are some ticks and some crosses and some must-do-betters on the Government's record, but that is true of any Government.

5.48 pm

Mr. Stephen Dorrell (Charnwood): The central charge against the Secretary of State is simple. For three years, we have had relentless activism. He has abolished grant-maintained schools, he has introduced measures that threaten the future of grammar schools, he has reasserted the comprehensive theory and he has abolished the assisted places scheme. He has done a whole host of things, but the one thing that he has not done is reform the one aspect of the administration and structure of our school system that cries out for reform. That is the system of funding individual schools in such a way as to give sufficient freedom to the heads and the teachers to meet the needs of the local communities the schools are there to serve.

Our funding system for individual schools is hopelessly opaque and is, in many cases, entirely perverse in its consequences. It allows Ministers to make decisions for whose effect they do not have to accept responsibility because the machinery is so complex that they understand it no more than do teachers or parents.

[Mr. Stephen Dorrell]

I am pleased to say that the chief inspector of schools made it clear in this year's annual report that he largely agreed with that analysis. He wrote:

"We do not, as yet, have a transparent and educationally defensible mechanism for the equitable devolution of resources from central government to LEAs and from LEAs to schools. We should."

I wholeheartedly agree. First, it is essential to the delivery of high-quality education that we understand where responsibility lies in the system. Secondly, and more broadly, in a democracy it is fundamental that people should know what is done in their name with their money, and why. The problem with the present system is that Ministers never come to the Dispatch Box and defend, at the level of individual institutions, the decisions that they make.

Earlier, the Secretary of State noted that the present SSA funding system was the creation of the previous Government. That is true, historically, although it is also true that the SSA system is a close cousin of the system of rate support grants that preceded it. The present system grew up under Governments of both major parties over many years. We shall not make progress on this fundamental matter by seeking to score party political points. I want Ministers to come to the Dispatch Box and accept responsibility for introducing a fundamental reform of a system whose time has long since passed.

I shall illustrate my argument from the local perspective of a Leicestershire Member of Parliament. People in Leicestershire do not need to understand the elaborate algebra of the formula to understand the stark consequences of that formula in their county. My hon. Friend the Member for Maidenhead (Mrs. May) mentioned the Government's SSA recommendations for Leicestershire county council. I invite my constituents—and the House—to compare what would happen in Leicestershire if those recommendations were adopted, with the circumstances of the not dissimilar authority of East Sussex.

I do not doubt that East Sussex faces its own problems with funding for schools, but it enjoys relatively more generous SSAs than Leicestershire. The last time that I visited East Sussex, it did not feel like a county in immediate need of regional assistance, but the computers tell us that the Government believe that education there should cost £270 per pupil per annum more than in Leicestershire. I do not understand that disparity, and I do not expect my constituents to.

However, the comparison with Lambeth is even more stark. I accept that deprived inner-city areas face extra costs in delivering essential social services, but I do not accept that there is anything inherent in the state of Lambeth that means that education provision should cost 75 per cent.—or nearly £2,000—more per pupil there each year than in Leicestershire. I accept the principle that education may cost more in Lambeth, but I certainly do not accept the result that the formula currently determines.

I made it clear earlier that this problem cannot be resolved merely by tweaking the system. We need something that the hon. Member for Harrogate and Knaresborough (Mr. Willis) touched on when he intervened on the Secretary of State. I listened to the hon. Gentleman's speech, and I agreed with almost none of it. Indeed, I fundamentally disagreed with the vast majority of what he said—but then, he and I have argued about these matters in Standing Committee for more hours than either of us would have chosen.

However, the hon. Gentleman said that the formula should relate the funding of individual schools to the number of their pupils and to their specific needs. He added that such a formula should be clear, accountable and comprehensible, and I warmly agree with him on both points. However, that proposition was fundamentally at variance with the larger case that he made in his speech, in which he argued for detailed LEA control of how individual schools go about their purposes. From the proposition that resources should flow to schools in a clear and accountable fashion it follows naturally that head teachers, staff and governors should be encouraged to be responsible for the use of resources once they reach a school.

I warmly agree with the ideas advanced by my hon. Friend the Member for Maidenhead for free schools financed by a formula that is clear and accountable. That would give head teachers and governors the confidence that their institutions would be fairly funded. It would also assure parents that their voices mattered in the running of schools. Most important, it would give pupils confidence that the professionals in the education world had the freedom to use resources to meet the needs of pupils in the best way possible.

5.57 pm

Mrs. Anne Campbell (Cambridge): I am pleased to be called to speak in this debate, as education is the most important issue in my constituency. I shall begin by saying how delighted everyone in my area was when my right hon. Friend the Secretary of State overturned the plan of the Tory county council to close Coleridge community college. That very important secondary school has high standards of educational achievement. It is the only city secondary school to win a mark of approval as most improved school. Its closure would have left one of the most deprived parts of my constituency without a school and without a thriving community centre.

Last Friday, I visited St. Philip's community primary school in Cambridge. I was delighted at the progress that had been made since my visit last year. The 1997 Ofsted report said that St. Philip's was a successful and improving school working in a challenging area of high social need. It is important to understand that, as many people assume that any school in Cambridge is very middle class and in a leafy suburb. There are many schools in my constituency of which that is not true, and it is certainly not true of St. Philip's. Of its pupils, 43 per cent. are entitled to free school meals, 10 per cent. do not have English as their first language, and 21 per cent. are from ethnic minority backgrounds and speak two languages.

On both my visits to the school I was greeted by polite, well-behaved children determined to be helpful. They displayed enthusiasm for, and pride in, their school. The head teacher, Jill Pauling, showed me the building programme made possible by the additional money to reduce infant class sizes. The percentage of infant class children in Cambridge being taught in classes of 30 or more has fallen from 37 per cent. when this Government came into office to 7 per cent. now. That is thanks to the money made available by the Government.

I saw small groups of under-achievers being given tuition, with money from the standards fund, to bring them up to a higher standard. Children told me that they enjoyed the literacy strategy and the numeracy strategy. I was amazed that they understood those words, but they used them with confidence. One boy told me about his achievement levels in the different subject areas.

I also saw an adult literacy class going on in daytime school hours. One young mum, who had two children at the school, told me how she was taking GCSE English and enjoying it as she had never enjoyed learning when she was at school. These are remarkable achievements in a school in a deprived part of the city that does not have the advantage of many well-off, better-educated parents. I take this opportunity publicly to congratulate the head teacher on the excellence that she has created.

Most of the unhappiness in Cambridge centres on the funding formula. Neighbouring local education authorities in Essex, Hertfordshire and Bedfordshire have much more generous allocations than Cambridgeshire. For primary schools, the standard spending assessment per pupil for the year 2000–01 is £77 more in Bedfordshire, £128 more in Essex and £161 more in Hertfordshire. For secondary school pupils, the corresponding differences are £117, £182 and £206. It is important to place those figures on the record, because the Liberal Democrats in my constituency are very fond of sending out newsletters and leaflets which exaggerate those figures grossly. They are quite large, but the figures issued by the Liberal Democrats bear no relation to reality.

If these differences are reflected in school budgets, a secondary school with 1,000 pupils in Hertfordshire will have £200,000 a year more to spend than a similar school in Cambridgeshire. That will mean six or seven more teachers and more money for books and equipment. Those differences are very hard to explain to parents.

I am interested in the barrage of complaints from Tory Members. They have the cheek to complain about a funding formula which they put in place and which they totally failed to reform in the following seven years of their term of office. Every year since I was elected in 1992, I have been to see the Minister responsible for local government about the reform of the area cost adjustment. I started with the right hon. Member for Wokingham (Mr. Redwood) in 1992, through to the right hon. Member for Skipton and Ripon (Mr. Curry) in 1996. Every year I was told that it was being reviewed, but those reviews never led to reform.

Mr. Graham Brady (Altrincham and Sale, West): Will the hon. Lady give way?

Mrs. Campbell: I am sorry, but I have limited time and, tempted as I am, I am not prepared to give way.

Now that my right hon. Friend the Minister for Local Government and the Regions is in charge of the process, I am confident, from my many conversations with her on the subject, that the review will lead to proposals that can be agreed. May I stress to my right hon. and hon. Friends on the Front Bench that it is essential that when the review is completed, they should make it clear that it must be acted on? We simply cannot afford to dash expectations which were dashed so many times by the previous Government.

In the past few months, I have asked many parliamentary questions to determine Cambridgeshire's position in the funding league. I have discovered that Cambridgeshire schools have seen increases in the SSA per pupil in real terms since the Government came to power. According to a parliamentary question answered on 20 December 1999 by my right hon. Friend the Minister for School Standards, the SSA per pupil in Cambridgeshire was £2,578 in 1992–93. Throughout the remaining Tory years, it plunged year on year to a low of £2,464—£114 lower than at the beginning of the Tory Government. That was the figure that this Government inherited in 1997–98. Since then, there has been a steady increase, and the figure will be £2,591 per pupil. That is higher than it ever was in the Tory years.

Yet Tory Members of Parliament and county councillors continue to criticise, and to blame the Government for their own ineptitude. What has changed is the amount of cash by which Cambridgeshire county council tops up the SSA for education. The hon. Member for Maidenhead (Mrs. May) said that Cambridgeshire spends more than its SSA. Yes, it does—it is spending around £4.8 million more than its SSA this year. However, in 1995–96, when Cambridgeshire was controlled by a Labour-Liberal Democrat administration, and we had a Tory Government, the top-up was £15 million—a great deal more. We have lost £10 million in that period.

This is the first year that the Tory county council has passed on the full increase in education SSA to the education budget, so schools in Cambridgeshire should see their financial situation eased somewhat in the coming year.

We have heard a great deal in the past few months about how the Tories intend to reduce the share of national income taken in tax. We have heard nothing from them about how they intend to continue increasing education spending in line with our increases. Given that the previous shadow Chancellor, the right hon. Member for Horsham (Mr. Maude), described our spending plans as reckless, mad and a mistake, do we take it that the current shadow Chancellor, the right hon. Member for Kensington and Chelsea (Mr. Portillo), shares that view? If the Tories were ever returned to power, would we see a steep drop in the real-terms funding of schools such as we saw in 1992 to 1997, which resulted in a 4.5 per cent. drop in Cambridgeshire? Parents need to know the answers to those questions, which are vital to our children's future.

Finally, no one so far has mentioned the vital issue of further education. Last Friday, I visited the Cambridge regional college, a medium-to-large further education collection in my constituency, which achieves very high standards. Like the two sixth-form colleges in Cambridge, the college has a number of Oxbridge entries each year, but it also provides a wide range of vocational as well as academic courses. The college principal, Ann Limb, told me how much they were looking forward to the vocational A-levels. She warmly welcomes the reforms to further education and training that have been introduced by my right hon. Friend the Secretary of State.

There is a great deal to celebrate; I know that there is also a great deal to be done. I think that we have made a huge amount of progress, and I look forward to seeing more improvements in future.

6.6 pm

Mr. David Curry (Skipton and Ripon): The epic journey of hon. Member for Cambridge (Mrs. Campbell) through the area cost adjustment suffered a somewhat

[Mr. David Curry]

truncated conclusion. I seem to recall the Labour party in opposition saying that it would solve it in its first year of office, then in its second year, and now it has been frozen to the whole of the Government's term. I hope that the hon. Lady will continue to address her concerns, this time to a place where there is the ability to answer them, although of course Ministers no longer receive delegations on any local government matter. They are hiding behind the iceberg. As I have said, the area cost adjustment is like the north-west passage—at the end of the day, it does not exist. I shall look forward to seeing how the Government try to get out of it.

I may be unique in this debate, as I do not intend to speak about finance. I hope that the House does not believe that all education problems boil down to finance. It is true that some problems can be made easier if we throw money at them. However, money is irrelevant to the problem in my constituency. I refer to the ballot that is taking place on the future of the two secondary schools. I insist that it is about the two secondary schools in my constituency, not just about the grammar school.

I do not want to talk about the substance of the issue, which must be decided by the people who are entitled to vote in Ripon—far too few of them, as a matter of fact—but I do want to talk about the mechanics. If the Government had wanted to invite parents to decide on the future of grammar schools, they should have required every local education authority in which selective schools exist to draw up a plan of reorganisation. They should then have submitted that plan of reorganisation to a ballot of parents so that they could choose between clear alternatives. The Government have succeeded, remarkably, in making everyone feel cheated. Those who wish to save the grammar school believe that the ballot is rigged against them. Those who wish to get rid of the grammar school also believe that the ballot is rigged against them. It is not hard to see why.

To cap it all, the issue is very divisive in a small town. I realise that there may be ballots to follow in whole education authority areas, in places such as Kent, Surrey or Buckinghamshire. But in Ripon, which is a small town of 15,000 people, and its immediate hinterland, a ballot that is open for five weeks is divisive to the point where it is almost impossible to speak of it in conversation without being marched to the frontier and expelled. Unfortunately, one would be expelled into the constituency of the hon. Member for Harrogate and Knaresborough (Mr. Willis), a fate that most people wish to avoid at almost any cost.

The mechanics of the matter make it obscure. The choice is not clear. When the ballot was introduced, people assumed that the question would be whether the grammar school, which is on one side of Clotherholme road, and Ripon college, which is on the other, would become a single comprehensive. That, however, is not what the debate is about. North Yorkshire county council, to whose impartiality and fairness I pay tribute, issued a question and answer paper to parents. It asked whether, if the vote was yes—that is, to end selection at the grammar school—that would result in a single comprehensive, and it answered its own question by saying, "Not necessarily."

The council also said that the purpose of the ballot was to alter admission arrangements at the grammar school. Would that mean that parents who wanted their children to go to the reorganised grammar school would be able to do so? The council again said, "Not necessarily." It is small wonder that people feel that they are being asked to choose between the known and the unknown. There is no clear choice.

I suppose that I should be pleased about that because, as I have made clear in the constituency, I believe that people should vote against reorganisation. I should be happier, however, if I felt that the choice was clear and the electorate more representative. There are anomalies in the ballot. The choice is limited to 15 feeder schools—those that sent five people to the grammar school over the previous three years. Which schools fall into or out of that category is almost accidental. Had the ballot been held earlier, parents at Borobridge primary school, from which a tiny number of pupils go to the grammar school, would have been included, although most parents send their children to Borobridge high school, an extremely good comprehensive whose strong sixth form I helped to obtain when the school was in my constituency. Most of those parents have no interest, other than neighbourly feeling, in what happens in Ripon, but they would have been enfranchised.

A further anomaly is that two of the schools in Ripon have infant schools that are constitutionally separate from the junior schools to which they belong. In practice, the distinction is tiny, but parents with children at Holy Trinity and Moorside infant schools do not have a vote. If their children were at the infant schools attached to the Cathedral school, they would have a vote. Once again, the electorate is nominated under entirely perverse arrangements. Three independent schools are able to vote. Under the system chosen by the Government, it is logical that they should be able to vote, because they meet the criteria. However, at least some of the parents will have not the faintest interest in education in Ripon.

The worst thing of all is that anyone with a child in the final year of a feeder primary school can vote on the future of the two secondary schools. However, anyone with a child in the first year of either of the secondary schools—a child with up to seven years of education ahead—is not entitled to vote. I want parents of children at both secondary schools to have a vote. I do not want to confine it to those at the grammar school; that would be unfair. All parents should have the opportunity.

If the vote is for change, it is definitive. However, if the vote goes against change, there could be another in five years' time. I am not sure that head teachers should have to survive the same uncertainty as politicians, looking constantly towards the possibility of challenge. If the vote is for change, we will all work to make the best we can of it. We shall certainly try to ensure that the technology college status achieved by Ripon college, with which everyone is delighted—I am grateful to the Minister for School Standards, who was highly supportive and who understands the importance of that status to Ripon—will carry over to the new school. However, if the no vote wins, we will focus on the college's progress so that it can become a school proud of offering a distinctive and first-rate education. The colossal progress that it has maintained under its head teacher, Paul Lowery, should be continued.

Matters remain to be checked. In the selection system, the appeals procedure in North Yorkshire is not impeccable, and it should be revised. We should revise constantly to ensure that the constellation of schools in the

area offers the best possible education. We are focusing increasingly on what goes on inside schools and on the quality of education internally generated rather than externally imposed by a Government apparently determined to Bonapartise education with Napoleonic prescriptions. The Government must decide whether they truly believe in internal dynamism arising from the quality of the head teacher and staff, which will generate an ability to improve performance and competitiveness in a school.

There is a choice to be made, but the Government are trying to take both options, leaving schools confused. I hope that the issue will be resolved in Ripon, and that lessons will be drawn elsewhere. I hope that we may have an opportunity to develop a partnership of schools of equal but different excellence. The Government must reflect on the sheer perversity of the arrangements in place. They must see why so many parents think that the system is perverse in its mechanics but definitive in its outcome. If the wrong choice is made this time, there is no going back. If a different choice is made, uncertainty may continue ad infinitum, and that would be wrong.

6.16 pm

Mr. Gordon Marsden (Blackpool, South): A clear pattern is developing in Opposition motions. We might call it the Rip van Winkle theory of politics, which allows the Opposition to pretend to have been asleep for 20 years and, having awoken, to see only education today, and not the system that the previous Government left behind. I am disinclined to let them get away with that. We should remember where we came from on education policy. In primary and secondary education, we inherited: underfunding; sterile competition between schools; inequities between grant-maintained schools and others; falling standards in basic subjects; and assisted and overfunded pet minority projects, such as the assisted places scheme and the city technology colleges.

In further education, we inherited: continued cuts; large and impossible efficiency targets; lack of supervision in many cases; and falling standards. In higher education, there was a sense of drift compounded only by what one commentator called the fit of absent-mindedness with which the Conservative Government expanded HE while doing nothing to fund it. My right hon. Friend the Secretary of State referred to the fact that, between 1989 and 1997, investment in HE was cut by 36 per cent.

Teachers were battered and demoralised by a continuous stream of denigration and competing instructions throughout that period. The hon. Member for Maidenhead (Mrs. May) stood before us earlier arrayed in scarlet—appropriate dress for one whose speech about teachers was the biggest masquerade since the wolf put on a cloak and pretended to be Red Riding Hood's granny.

I think that it was Winston Churchill who said that there was no point in Britannia's ruling the waves if we could not flush the drains. Today, after nearly three years of Labour Government, 95 per cent. of our secondary schools and 60 per cent. of primary schools are on the internet. The Tories left many schools with a top priority of removing asbestos and outside loos, about which their Government did absolutely nothing.

When we talk of excellence in education, we talk of raising standards, but we also mean widening access and social inclusion. I venture to suggest that we have got the basics right on standards. The literacy figures for 1999, which are up by 5 per cent. for 11-year-olds, the figures for mathematics, which are up by 10 per cent., and the GCSE improvements are testimony to that.

It is not just a question of quantity; we also need to achieve quality. The Government have introduced the new General Teaching Council. Recently, my colleagues on the Select Committee and I interviewed Lord Puttnam and were enormously impressed by such an inspiring and thoughtful choice. We have set up the national college for school leadership. Our targets for primary and nursery teachers have been raised significantly.

We said that we would make improvements in quality and we have done so through the education action zones. We have taken firm steps through the excellence in cities programme. Our A-level reforms will enable us to meet the vocational needs and the demands of globalisation that were neglected by the previous Conservative Government. We have allocated £5.5 billion to school repairs—the bread and butter matters. None of those points was addressed by the previous Government.

Let us talk about access. There is a new educational maintenance allowance. There are new proposals for the post-16 sector. We have made the most generous settlement for years in further education. My right hon. Friend has just announced that there will be £68 million of extra help for mature students. That is a valuable part of our programme.

We are taking each segment that was systematically neglected by the Conservatives and dealing with it—special educational needs; education for people with disabilities; the new deal for single mothers. The new learning and skills councils and our focus on universities will give a strength of direction that was sorely lacking under the previous Government.

The Labour Government pursue a joined-up education policy. That is why we introduced sure start, the early-years partnerships and the connections initiative—a holistic strategy for a proper youth service. We are looking at individuals and not only at output numbers—as the previous Government would have done. The results of our mentoring programmes and the initiatives to cut truancy and social exclusion are increasingly becoming apparent.

We are setting exacting targets, which are being met. Only 10 days ago, it was noted in an OECD report that:

"The UK was the only country to come out well on all ten recommendations from a joint report by employers' organisations across seven European countries."

I am not making these points merely because I have seen them at macro-level. In my constituency, I have seen the success of the summer schools and the family learning centres that the education authority has set up with money from the standards fund. I observed the significant reductions in class sizes, and the good response to our sure start project on the Mereside estate. I have seen how the Government and Ofsted—in response to feelers put out by the Select Committee—are tackling mobility. I have seen Blackpool and Fylde further education college and Woodlands special school receive commendation and beacon status from the Government.

It is hardly surprising that there should be a difference in the performances of Labour and Conservative Governments. It results from the philosophical divide on education that has always existed between the left and the right. For us, the issue is education for the many—

[Mr. Gordon Marsden]

about collaboration and raising expectations. For the Conservatives, it has all too often been about education for the few. It is about cut-throat competition and a narrow hierarchical approach that puts people down—setting up a sheep and goats system, often ending in education paralysis. The Tories have too often been happiest with the mushroom theory in education—as they have in democracy. Parliamentary language forbids me to explore that theme further.

Labour Governments introduced the Open university and the university for industry. All too often, the Tories have abandoned the bipartisanship of the Education Act 1944. Our view of education threatens the deference, the prejudice and intolerance that have often characterised Conservative views and policies. I am not entirely surprised that some of their backwoodsmen are so comfortable in embracing the bigots' charter of section 28.

Even when the Tories take education on board, they treat it as narrow, repetitive training. They have not acknowledged it to be an empowering aspect of life, as we have done. In government, the Tories produced a stream of unlinked initiatives, which were underfunded on the basis that the market would solve all. In opposition, they demonstrate a sense of atavistic frustration and genuine bewilderment about where to go. A few weeks ago *The Times Higher Educational Supplement* reported:

"Conservatives have cancelled a long-awaited announcement on higher education policy because it would have been 'premature'.

How, one wonders, can an announcement scheduled weeks ago for next Tuesday, suddenly be deemed premature? After all, the party has had close to three years, since the last election, to come up with a higher education policy."

Neither in theory nor in practice have we fallen for the false antitheses proposed by the Conservatives. The question is not between whether there should be excellence and access in education or education that provides economic utility. Education should do all three. In a globalised world, we need all three. Over the past three years, our Government have shown that our motto for the national health service—"From the cradle to the grave"—should also be applied to education and education strategy.

We have a far broader social purpose for education than could ever be dreamed of by the Conservatives. That is why we are allocating funding and working with teachers and parents. That is why we shall deliver a system of education that is second to none.

6.26 pm

Mr. John Redwood (Wokingham): I have declared an interest in the register, which includes two modest, unpaid contributions to the world of higher education.

The Government say one thing and do another. We have seen that in so many fields. My hon. Friend the Member for Maidenhead (Mrs. May) has shown admirably how the Government have misled the British people over money for our schools—for our children's future and for our education. My hon. Friend and I know that well because the Wokingham local education authority, which covers parts of both our constituencies, is one of the worst affected. Over the past two and a half years, we have received the meanest of settlements from the Government. There is no relief in sight. Our schools have been put under far too much pressure. There is not enough money for books, nor for all the teachers that they need. It is a disgrace and it is no wonder that we all feel let down.

However, I shall not concentrate on money—others have been extremely eloquent on that subject. Education matters enormously. It is the means through which children from less privileged backgrounds or from families with lower incomes can get on in the world. They can make progress and see that there is a much better world that can stretch their imaginations and, yes, it can even provide them with better jobs and fill their wallets and bank accounts.

I was one such child, who was grateful for the opportunity given to me by a free place to a direct grant school. It meant that I could attend a school that was well beyond the dreams of my parents—they could not have afforded that school place. I and many like me benefited from that and went on to university. Look what followed—I even got into the shadow Cabinet. Then I rode on the great roller-coaster of life in this place—as we saw two or three weeks ago. I would not want to take such an opportunity away from others who come from the same background as me. It can be good fun and good for the soul. I hope that the Government will think again about assisted places—the modern equivalent of the direct-grant free place from which I benefited.

Of course, a previous Labour Government destroyed those direct grant places. That meant that my school had to become fee paying only; it can now only take children whose parents can afford to pay. That is a shame. It is an even greater pity that many children who, only three or four years ago, could have taken advantage of our assisted places scheme find that it has been taken away from them.

If the Government needed more money for more teachers for other schools—there was a case for that—why not find the extra money? Why not save on the glossy brochures and the published lectures of the Secretary of State and allocate the money for extra teachers? Why not find the money from elsewhere—from the quangos and the regional governments that they are setting up? We should have preferred to see teachers in our schools.

It is also a sign of the times that there have been so many rows in the Labour party about a good school such as the London Oratory. I do not wish to go into the details of all the pupils who attend the school, but Labour Members know that there are children who benefit from such a school. Is it not a sad fact of life that now parents at the Oratory are being asked to make a monthly contribution to top up the school's cash because their Labour Government have cheated that school of the money? I believe that it, too, is a good school. It deserves the extra money. Why cannot the mean-minded Labour Government find that money, if for no other reason than to cover the embarrassment of some of the parents caught up in that educational problem?

I also have a word for my hon. Friend the Member for Maidenhead. As she knows, I am a strong supporter of her idea of a free school. I believe that, through the free school, we can recapture some of the excellence of the direct grant school, and we can capture some of the excellence to which children had access as a result of the assisted place and some of the excellence that we were getting through the grant-maintained schools, which

have been so needlessly and recklessly thrown away, now that their money has been cut, too. However, I hope that, as my hon. Friend develops the policies, she will ensure that several things are part of the scheme.

First, we would not wish to end up nationalising the schools and giving the Department for Education and Employment too much power to fiddle with the schools, to intervene and to meddle too much or too often with the money formula. The schools must be given that independence and they must be able to use it in the certain knowledge that the money will come every year and that they will not have to perform good works or tricks, in the way that they have to for this Government, to qualify for the cash that they obviously need for their progress.

Secondly, we must guarantee that free schools are given every encouragement to expand when they are doing well. When I was responsible for education in Wales, I launched an initiative called popular schools, the idea of which was to offer the money, especially for new buildings, but also for the extra teachers and personnel that would be needed, so that, when a school was doing well and parents wanted to send their children to it, the money was available to add on the extra classroom or classrooms to provide the extra facilities so that more places could be provided. I hope that my hon. Friend will consider that scheme, or a variant of it, and add it to her free schools, because I believe that it will be the magic ingredient that causes many more parents' dreams to come true.

One of the saddest times of year in my constituency, and probably in many others, is the time of year when parents are trying to get their children into the school of their choice but discover that there are not enough places at that school. No wonder parents want to choose, given the enormous scatter of performance even among schools serving a very similar catchment area. In my part of the world, a child who attends the worst-performing school has only a two in five chance of getting five A to C grades at GCSE, which is the bare minimum to allow them to go on to some other advantage in education; whereas a child who attends the best-performing comprehensive school—we have grammars that take some of the brightest pupils—has a four in five chance of getting those five A to C grades. The second child's chances are doubled. The school gets no more money than the school that performs badly. No wonder parents want to exercise their choice.

How sad it is that we cannot get enough money to expand the really good, popular school, so that more parents can have that advantage for their children. One should not have to enter a lottery based on postcode and address in order to get a good education for one's child. If the Government do not know how to sort out the badly performing schools, let us launch an expanded free school scheme that gives parents the hope that, under a Conservative Government, they would be able to choose and their choice would be translated into action.

It is most important that this Conservative Opposition show how much they care about education, how much many of us have benefited from it and why we want those benefits for others. We must expose the humbug of 13 members of the Labour Cabinet to date who attended grammar schools and now, by stealth, are trying to destroy those schools and take that choice away so that others cannot follow after them.

We must stand for excellence. We must stand for choice. We must stand for proper money for those schools. We must stand for parents having more control over their children's lives as pupils. That is what free schools can do. That is what the Government's failed education policies cannot possibly do. I plead with Ministers to change their minds before more children from modest backgrounds find that they cannot get the lucky break in life.

6.35 pm

Liz Blackman (Erewash): I confess that I have not read the education chapter of "The Common Sense Revolution" by the Conservative party, because I do not see the two as synonymous. I also confess that the Opposition's diatribe this afternoon about Government spending caught me by surprise, but it will cut no ice in my constituency, where we have smaller classes, new classrooms, mended roofs and a much better provision of education.

I was not at all surprised by—in fact, I entirely expected—the sterile arguments on selection, structure and status as means of raising educational standards. They are bygone arguments, they are bogus assertions and in 1997 the electorate voted against them.

All parents want the best for their children, and that includes the best education. They want results; they want standards to be raised. The Opposition motion is not about results, standards or achievement, but it jolly well should have been. I do not recall the Opposition using the words "standard" or "comprehensive" more than once or twice in the Chamber this afternoon. That is a disgrace, because it is what the education system should provide—the raising of standards for all our children.

I spent part of the weekend studying the reports by the chief inspector of schools and making some useful comparisons. I compared the report for 1996–97, which effectively was the last year when Tory education policies prevailed, and the most recent annual report available. The information is not surprising, but it is very pleasing. The quality of teaching has risen in a record number of schools since that time, across all key stages. There are fewer unsatisfactory schools and far more good schools and very good schools in that category.

Teachers have been judged on knowledge and understanding, pupil management, planning, use of time and resources, methods and organisation, expectations, homework and quality of assessment—the bread and butter of teachers—and standards have been driven up considerably since the last year of Tory government.

Information has been broken down into subject and progress across key stages. Very good or good progress is now being made across virtually every subject in a far higher percentage of schools.

I make no apology for returning to key stage results—notably key stage 2 results, where there has been a sharp rise in pupil achievement, especially in maths and English. The chief inspector of schools said:

> "In that the drive to raise standards depends above all else on raising standards in the basic skills, this is a very significant and promising development, which is directly linked to the National Literacy and Numeracy strategies."

Many schools started early on those strategies, and I give full praise to the teachers in my constituency and across the country who have achieved these spectacular

[Liz Blackman]

results. Chris Woodhead attributes the rise in quality of teaching in part to the literacy and numeracy strategies. He says that they are starting to influence other areas of the curriculum, such as science, where the percentage of those hitting level 4 at key stage 2 is up from 62 per cent. to a staggering 78 per cent.

Interestingly, there is little evidence of these strategies undermining standards in other subjects, but that stands to reason: a child who can read and write and is numerate can access other subjects. Most primary schools have a broad, balanced curriculum. I draw attention to both those facts because the Opposition continually allege that education will become unbalanced as a result of the strategies.

The number of schools serving disadvantaged areas and achieving good results has increased. Unsurprisingly, Chris Woodhead makes the point that illiterate and poorly literate children come predominantly from areas of disadvantage, but he adds that the literacy strategy is a real ray of hope in achieving an improvement in results:

"The key lies in the Primary School. If the Literacy Strategy continues to deliver, we shall at least have a solution to a deeply intractable problem which has resisted every attempt in recent years to find more immediate remedies."

No wonder he calls the literacy and numeracy strategy value for money. When it is combined with targeted strategies in areas of disadvantage, excellence in cities, educational action zones—he says that they may have a profound effect—sure start and the new deal for communities, the cycle of under-achievement, especially in areas of social and economic disadvantage, should at last be broken.

I refer briefly to key stage 3 results, which a colleague mentioned earlier. Those results are slightly more erratic, but Chris Woodhead confirms the need to build better foundations in literacy and numeracy at primary level. Of course, the key stage 3 cohort has no exposure to the strategies that are now in place. In part, that probably explains the erratic nature of the results.

It cannot be said often enough that two fifths of 11-year-olds were not achieving level 4 when the Tories left office in 1997. Given Chris Woodhead's positive comments about the current strategy and the striking key stage 2 results, why was that strategy not adopted in the 18 years of the Tory Government? Why were so many children failed? Why were so many children unable to access the curriculum? Why were those children more likely to play truant—or allowed to? Why were so few of them unable to obtain GCSE passes, and why were so many of them unemployed or unemployable?

Although I spoke in the previous debate on education, I also tried to intervene then on the hon. Member for Maidenhead (Mrs. May). I wanted to ask her whether she intended to mention the literacy and numeracy strategy. I was not able to intervene, but she did not mention it and she has not mentioned it today. That is significant. After 18 years of Tory rule, Conservative Members should apologise for the two fifths of children who went through school without learning the basic skills to enable them to make their way.

There was no excuse for not putting in place a national literacy and numeracy strategy. There is no hiding place and there is no answer other than that Conservative Members failed to recognise the need for all to obtain and develop core skills. It is no good their hiding behind local education authorities; it is no good talking about trendy lefty reading methods. They were the Government for 18 years and they had a strategic responsibility to serve all our children. They failed miserably.

I refer now to the quality of teaching. Good education can be delivered only by good teaching methods. The vehicle is quality teaching, and that ensures quality learning. The trend unfortunately thus far has been for good teachers, who have the skills and the expertise to improve their children's learning, to move swiftly out of the classroom and into the management structure. That is how they raise their pay. It is therefore absolutely right to introduce performance-related pay. We have to attract, retain and reward good quality teachers, because only through their commitment and skill will standards continue to rise and our children continue to succeed.

The pay rise of 3.3 per cent. this year was much welcomed by the teaching profession. It is 1.5 per cent. above the rate of inflation. I have no problem with asking teachers to be assessed so as to go through the threshold to achieve, in the first instance, £2,000. We are not asking teachers to do more than what most of them who are good teachers are doing already. We are simply asking them to have their skills verified. Is it outrageous to ask them to submit to assessment—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I call the hon. Member for Croydon, South (Mr. Ottaway).

6.45 pm

Mr. Richard Ottaway (Croydon, South): One of the interesting features of the debate is that anyone who has listened to it would get the impression from Labour Members that, until 1997, everything was a disaster and that, since 1997, everything has been wonderful.

The most telling point came when my hon. Friend the Member for Maidenhead (Mrs. May) intervened on the Liberal Democrat spokesman, the hon. Member for Harrogate and Knaresborough (Mr. Willis), and asked which of the Conservative Government's policies he regretted had been introduced. My hon. Friend mentioned the national curriculum, standard assessment tests and Ofsted. It was revealing that, for all the hon. Gentleman's bluster, he did not oppose any of them. The same is probably true of every Labour Member. Although they opposed those fundamental reforms when they were introduced by the Conservative Government, not one of them has said that they oppose them now.

I wish to refer to a constituency case. I do not know who said that all politics is local, but a small illustration gives the feel of what is going on in the Government's attempts to implement their pledge to keep class sizes in infant and primary schools down to 30.

Woodcote infant school in my constituency is a feeder school for the local junior and high school. It is in a delightful location on the north downs, and it is important for its environment. It has a playground on the one side and a little grassy strip on which children can play on the other. Until September 1999, like most infant schools, it had three years—a reception year, a year 1 and a year 2. There were two classes for each year, making a total of six classes. Those six classes were housed in seven classrooms, one of which was used as a library and for group work.

The crime that Woodcote infant school committed was that each class had, on average, 33 or 34 pupils. I am glad that the Under-Secretary, the hon. Member for Croydon, North (Mr. Wicks), is present, because he knows the school well. The important point is that each class had not just a teacher, but a classroom support assistant, so that there were two adults in every classroom. Its standards were impeccable. It had a 100 per cent. record in English, mathematics and science tests. That, in itself, demonstrates that class sizes are not a key determinant.

Since September 1999, as a result of the Government's endeavours to implement their election pledge to keep class sizes down to 30, everything has changed in the school. The reception year was obliged to take on an extra class, and it follows that in successive years there will be an extra class in years 1 and 2 as well. Three new classrooms are needed. Nothing has been received from the Government or the local council for year 1, and the staff have been obliged to put the extra class in the library. The school, therefore, has lost its library and storage facility.

That is okay for year 1, but back in September, the school still needed two more classrooms. Yet here we are at the end of February and outline plans have only just been submitted and those plans are inadequate. First, Croydon council has reneged on its pledge to replace the outside huts and to have proper classrooms; and of the three options available, it has, unsurprisingly, chosen the cheapest. However, that option is utterly inadequate, environmentally damaging and disruptive. It has been chosen because of a shortage of funds from the Department for Education and Employment and Croydon council's refusal to put a penny into implementing the Labour party's policies.

A classroom block will be built on the playground, and the grass strip that was used for sporting facilities will be turned into tarmac. That is the bare minimum of what must be done—it will create three rooms for three classrooms. There is no cover, so if it rains the children will get wet. There is no decent play area and no extra storage. The assembly hall, which can house the entire school at present, will not be able to accommodate all the extra children, and there will be no library.

Worst of all, the school's expansion means that there is no guarantee that there will be class support assistants in every classroom, so the Government's endeavours to implement their pledge mean that the school will go from having two adults in every class and a 100 per cent. record in exams, to a worse ratio of pupils to adults. Standards will be at risk, and my guess is that the 100 per cent. record will go.

As a result of a political pledge, the Government will be £400,000 worse off; the pleasant environment of the school will be ruined; and standards will be put at risk. At the same time, Croydon council, which has refused to indulge in proper forward planning or to put any money into the school, is spending £150,000 refurbishing the bureaucrats' offices in the town hall. This is not only a disaster for local schools: it is a scandal beyond belief.

6.51 pm

Valerie Davey (Bristol, West): After the theory and rhetoric of Conservative Members, I, like the hon. Member for Croydon, South (Mr. Ottaway), would like to focus on local schools to demonstrate that life in the education world has certainly changed since 1997.

During the last year of Tory Government, £4.4 million went to subsidising private schools in Bristol every year. At the same time, the local authority was seeking to make cuts of £6 million. The right hon. Member for Wokingham (Mr. Redwood) seemed to want justice and fair funding for pupils at different schools. I can assure him that the assisted places scheme paid out two or three times as much per pupil as the local educational authority funding in the same city. That was certainly not fair or just.

The money went to the few, not the many, and our use of that money as the core of funding to ensure that every young person starts school in a smaller class is demonstrably fairer. Every child deserves a fair start, and in Bristol, numbers in early years classes are falling and the quality of education is therefore improving.

I assure the House that the two remaining grammar schools in Bristol will open as comprehensives this September. Why? It is because none of the parents, staff or governors at the schools objected to the change. The previous Secretary of State had turned down the proposal, but it is what the communities wanted, and I was therefore delighted that my right hon. Friend the Secretary of State was able to sign those orders, and the two schools will go forward with a completely different character.

Cotham grammar school is to become Cotham school, with a special status for performing arts. To get that status, the school has collaborated with the feeder schools, the Old Vic theatre school, the BBC, and other secondary schools in the city, and all of them will benefit. The school will no longer be exclusive; it will be wide-ranging and collaborative. The other school, which is largely multicultural and very lively, is looking with other schools to form an education action zone in the centre of Bristol. That is a progressive development for those former grammar schools, and it is to the advantage of many more young people than simply those within the walls of the schools in question.

The literacy hour was pioneered by primary schools in Bristol, and as a result they have seen standards rise well above the national average. Other schools are now pioneering the numeracy hour, and we are beginning to see the same effect.

Sure start, with the early-years excellence centre, is also coming to Bristol. The city has a long tradition of early-years education, going back to the period after the war when the first nursery nurses college was set up in Bristol, and to have the new centre bringing together social services and education provision is particularly significant. That is happening in a deprived area, and the centre is a flagship for such work. We are seeking to bid for a second centre, with a great deal of encouragement from the Department for Education and Employment. Provision for the early-years work in Bristol was made by previous Labour-controlled authorities, despite the cut in funding, because they recognised its importance and value.

On the subject of LEA funding, Bristol is anticipating freezing the rise for the third year running, but all the funding given by the Government for education has been

[Valerie Davey]

spent on education. In the coming year, it looks as though we shall delegate to schools £174 per pupil more than the national average. That can be done, and it is being done by a Labour-controlled authority.

In Tory-controlled North Somerset, where there is to be a 4.5 per cent. council tax rise, there will be a significant cut in education funding, so that money will not be funded through to the schools. That causes concern, because the local authority has taken part in one of the education action zones and received extra funding for that. One must question whether it has taken funding from one hand of the Government and is refusing to spend money from the other.

Bristol's LEA is doing a good job, although there is much more to do. In further education, where the need of so many young people to have a second chance has been demonstrated, the City of Bristol college has set up a drop-in centre in the centre of the city. People can drop in from 7 o'clock in the morning until 10 o'clock at night to use various types of information technology. The centre caters for a range of people, from those who are picking up a mouse for the first time to those who want to use digital technology to do degree work or to use video conferencing linked with the university of the West of England. That resource is a fine example of what can be done through collaboration.

Before the end of the year, we hope that there will be new buildings for the college in the city centre, near the harbourside, the reference library, the new millennium science projects and the new millennium natural history centre. I assure the House that the college will be a centre of excellence not only for Bristol but for the surrounding area.

I must mention also the three universities that serve the community. All are beginning, perhaps a little more slowly than I would like, to consider the ways in which universities can, as they do in America, demonstrably support secondary education, not only so that more sixth formers will go to university, but so that youngsters of 13 and 14 get a flavour, through the summer schools that we have been pioneering, of what it would be like to go to university. University staff experience the excitement of eager 13 and 14-year-olds, whose imaginations they can capture. All that excellent work is under way.

There has been a transformation since 1997, but—I must add a "but"—we have still not yet achieved all that we would like to achieve at secondary level and in inner-city schools. We have taken positive steps, but all city schools have to be challenged and supported.

The IT provision that many schools now have is exciting, and we have done excellent work through special schools, such as the one in my constituency which I mentioned. However, I want there to be a special school for languages in Bristol, and I want to encourage primary schools to specialise. I have heard of primary schools in which bilingual children are encouraged to develop their special language skills. At that age, youngsters have a flair for language; rather than waiting to enter secondary school and reach the age of 14, 15 or 16 before taking on a second or a third language, they can benefit from the superb practice of some of our city primary schools. When some mentors came to one of my local schools to offer help with reading in English, I told them—fairly tactfully, but fairly bluntly—that the children at the school could already read in English, Punjabi, Arabic and Swahili. We have an opportunity to encourage the work that such schools are doing and to make people see that children being bilingual at primary school should be celebrated, not regarded as a problem—

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady, but there is a 10-minute limit on speeches.

7.1 pm

Mr. Graham Brady (Altrincham and Sale, West): I am pleased to have an opportunity to speak in such an excellent debate, kicked off so splendidly by my hon. Friend the Member for Maidenhead (Mrs. May). I do not have time to go through the 15 failures of the Government's education policy that she listed so eloquently, but I should like to comment on certain issues.

University students have been let down. The Government always promised that they would increase funding per capita, but they have instead cut it. To add insult to injury, not only are they reducing funding per capita for students, but they are taking £1,000 a year off students in the form of tuition fees. Students are paying more but getting less. That the Government are pocketing the tuition fee money and not guaranteeing that it will go directly to the university concerned is a great shame and it will damage the progress that universities should be making. The Government are considering the possibility of uncapping tuition fees, so people might have to pay £10,000 or £15,000 a year to attend a British university. If the Government do that, will they guarantee that that money will go to the universities at which the students study?

The House will be disappointed if I do not refer to the selective education system in the borough of Trafford, as it is affected by the current grammar school ballot. I see that the hon. Member for Harrogate and Knaresborough (Mr. Willis) looks forward to my remarks. Had he addressed this issue, I would have intervened to ask him to explain why his robust opposition to the grammar school system is not shared by Liberal Democrats in my constituency, who put a leaflet through my door saying that grammar schools are excellent schools that should be left alone to prosper, without interference from the Government's rigged ballot system that is threatening them all. Liberal Democrat policy can be one thing in one place, and another somewhere else, just as the Government say one thing and do another.

The record of the education system in Trafford is one of almost unparalleled success in a mixed local authority area, ranging from affluent communities to fairly poor ones. Through grammar schools, secondary schools and high schools, our education system delivers excellent opportunities and excellent results for children whatever their social background. That all that is threatened by the Government's actions is a great tragedy. I am pleased to echo my right hon. Friend the Member for Wokingham (Mr. Redwood), who spoke so cogently about the terrible assault that the Labour Government have launched on the opportunities of ordinary children who do not have money to pay for their education.

As my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) said, the quality of all of the schools in our areas, not only the grammar schools, is threatened.

I represent a constituency that has seven excellent grammar schools and excellent high schools. The Government have recognised one of those high schools as a beacon school and I hope that at least one of the others will follow suit before too long. The Blessed Thomas Holford Catholic school in my constituency has just had an outstanding Ofsted report. Our schools, both grammar and high schools, are delivering excellence in education. The record adjusted to take account of the number of children who receive free school meals and ranked by educational performance reveals that, last year, the borough of Trafford would have come seventh in national league tables for GCSE results. That is a creditable performance of which we should be proud. We regularly get the best A-level results in the country, but to do that well at GCSE and to deliver such results in respect of children from the less affluent parts of the borough does special credit to our system.

The petition is proceeding in Trafford and the anti-grammar school campaigners say that it is on course to deliver a ballot, but the whole process is rigged. In the constituency of my right hon. Friend the Member for Skipton and Ripon, the ballot was rigged by affecting the electorate. In my area, where the ballot is to be a whole-LEA ballot, the system is as rigged as was the Labour London mayoral ballot—

Mr. Curry: And no more successful.

Mr. Brady: Quite right. The Government do not appear to know how to offer people a genuinely free choice: rather than risk a decision that is openly taken, they stack the odds and rig the system.

To suggest in the ballot question on grammar schools that the effect would merely be to ensure that grammar schools are opened to admit all regardless of ability is nonsense, but there is a real danger that such a ruse will mislead parents. As if that were not enough, the ballot rules have been broken by Trinity Church of England high school in Hulme, which five months ago wrote to Trafford parents enclosing literature from the stop the 11-plus campaign. I complained four months ago about that clear breach of the ballot code, but it has taken until now for the Department to rule on the subject. In the Department's letter, the Secretary of State upholds the complaint, but takes no meaningful action; instead, he merely says that the school must write to the parents explaining why he has found that it did the wrong thing—not that the school must write setting out the opposing argument and thereby ensuring that the damage to the possibility of a fair and properly conducted ballot is undone.

Nothing in the Secretary of State's disciplinary action means that the false information given out will be balanced. Even though several parents have received campaigning literature that has been sent out at public expense and can be construed only as an attempt to influence the outcome of the ballot, the Secretary of State is "satisfied" that the school involved did not intend deliberately to breach the legislation, but is

"persuaded that the intention behind the letter of 28 September was to pass on information, rather than to support a particular side of the argument."

I do not have time to read out the leaflet that was sent out, but it is definitely a piece of campaigning literature that no reasonable person could construe as an attempt to inform; on the contrary, it is an attempt to influence the outcome of the ballot. Ministers accept that it was sent out at public expense, bearing the imprint of a state-supported school. It prevents a truly fair ballot proceeding in the borough of Trafford.

If that goes ahead, and if Ministers have their way and the excellent selective education system in Trafford is destroyed, they will have destroyed opportunities not just for the brightest in our community and those who come from the wealthiest parts of the borough, but for everyone, even from the poorest parts of the borough.

7.10 pm

Mr. John Bercow (Buckingham): This has been a fine debate, characterised by some outstanding contributions, principally those from my right hon. and hon. Friends.

My hon. Friend the Member for Maidenhead (Mrs. May), the shadow Secretary of State, eloquently set the scene with a fearsome denunciation of the Government's failures in the past 33 months. She was followed by my right hon. Friend the Member for Charnwood (Mr. Dorrell), who highlighted the inequity of the existing funding system and the need for change.

Subsequently, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), in a thoughtful and measured contribution, which will have commanded respect in all parts of the House, pointed to the success of existing provision in his part of the country and to the dangers of needlessly tinkering with that provision.

Not long afterwards, my right hon. Friend the Member for Wokingham (Mr. Redwood) gave a characteristically sparkling speech and an analysis of the education scene that was a veritable tour de force. In the course of that oration, my right hon. Friend pointed to the wisdom of the free schools policy and offered helpful advice for its development. He also explained to the House the benefit that he had derived from his education.

My right hon. Friend is renowned throughout the length and breadth of the land for his natural charm, courtesy and self-effacement, which prevented him from telling the House of the benefit that the country had derived from the magnificent education that he enjoyed. I need no such self-denying ordinance.

Sadly, the dismal failure in the debate was the truly risible speech from the Secretary of State, who sat arrogantly sniggering, sniffing and laughing at anyone who dared to disagree with a smidgen of what he had said or what he was doing. He showed himself guilty of the most gut-wrenching complacency, which will have appalled teachers, head teachers, parents, governors and pupils across the country, who are conscious of the besetting woes of our education system.

The Government's record is appalling. It is a litany of promises broken, trust betrayed and hopes destroyed. We saw once again this afternoon that the Government are insensitive to public concern and that their approach is characterised by shiftiness, a lack of principle and a simple incapacity to engage in straight dealing with regard to education.

Let us consider public expenditure on education. When the Government were in opposition, the then Leader of the Opposition said that over the course of the Parliament, Labour would raise the proportion of gross domestic product spent on education. The simple, irrefutable fact is

[Mr. John Bercow]

that by the end of this Parliament, that share will have declined from 5 per cent. bequeathed by the Conservative Government to 4.7 per cent. under the present Government.

Not content with misrepresentation on that score, Ministers seem to delight in exaggerating the increased education expenditure that is planned. They have calculated it on exactly the same basis as the health service funding increases, which resulted in John Ford, an adviser to the British Medical Association, saying that the Government had calculated the figures in—I quote, for the delectation of my right hon. and hon. Friends—"an unconventional way". In short, they fiddled the figures. The promises are bogus; the delivery is meagre, if not non-existent.

My right hon. Friend the Member for Charnwood pointed out the legitimate concerns that the chief inspector of schools has already expressed in his annual report about

"the absence of a transparent and educationally defensible mechanism for the equitable devolution of resources from central Government to local education authorities and from LEAs to schools. Such a mechanism is required."

On class sizes, the Government's performance is pitiful. There has been a tiny reduction at key stage 1 at a cost of £620 million to the British taxpayer, but for other primary school pupils, for secondary school pupils and for nursery school pupils as well, the classes are bigger, bigger, bigger in every case—up, up, up, in lingo that is interpretable by Labour Members.

After 33 months of Labour government, there are 48,581 classes containing more than 31 pupils. There are 3,500 pupils more in classes of more than 36. The head of economics at the leading firm of City accountants, Chantrey Vellacott—

Mr. Coaker: Where?

Mr. Bercow:—has pointed to the fact that the proportion of pupils in classes above 30 has risen by 15 per cent. I am sorry about the ignorance of the hon. Member for Gedling (Mr. Coaker), but we can try to ensure that he is better informed about leading accountants in future.

The consequence of even the Government's modest reduction in class sizes at key stage 1 is a grotesque denial of parental choice throughout the country, as a result of which we are all getting letters of protest from parents, teachers and head teachers, telling us that they cannot run education locally to meet the needs of pupils. *[Interruption.]* The Chief Whip, from a sedentary position, expresses disapproval—*[Interruption.]* The hon. Member for Sheffield, Attercliffe (Mr. Betts) is not yet the Chief Whip, but he may be one day.

The hon. Gentleman will not escape from the other failure—the Government's disgraceful treatment of our grammar schools. Intervention, said the Secretary of State, will be in inverse proportion to success. Standards, not structures, the Government said. I have news for them. They cannot possibly object to the standards attained by grammar schools. It follows logically, therefore, that it is to their structure that Ministers mean-mindedly object.

Grammar schools are beacons of excellence in our education system, renowned for their academic results, their sporting prowess and their cultural achievements. There is no reason to interfere with them, other than political spite and malice on the part of the Government, more than a dozen of whose Cabinet Ministers since 1997 climbed the ladder of opportunity afforded by a grammar school education. Now they want to kick the ladder of opportunity away from today's bright children from ordinary backgrounds.

Why do not the Government concentrate on doing something about education in Manchester, Hackney, Calderdale, Haringey, Islington and Leicester—in the benighted areas represented by Labour Members and undermined by inadequate, ineffective, politically correct Labour local education authorities? *[Interruption.]* I know that Labour Members do not like it, but there is a lot more to come, so they had better get used to it.

The Government's policy on school exclusions is equally stupid. They have a ridiculous, arbitrary, artificial target of reducing school exclusions by one third by 2002. What do the National Association of Schoolmasters/ Union of Women Teachers and the Secondary Heads Association say of that ridiculous position? They say that it is unacceptable for the Government and local education authorities to undermine the legitimate management role of the head teacher by imposing targets for exclusions because it will not serve the interests of the school or meet the needs of individual pupils. It is just a totem of political correctness that causes the Government to opt for an artificial school exclusions target.

Conservatives believe in free schools. We believe in the pursuit of excellence. We believe in giving heads and governors the freedom to employ the staff whom they want, to set the timetable that they want, to operate the arrangements that they want, and to determine the opening hours and the term times that they want.

Our education system, as well as being characterised by choice, diversity and the pursuit of excellence, would be characterised by the six Rs: reading, writing, arithmetic, right, wrong and the acceptance of legitimate authority in the classroom, which is what the vast majority of parents throughout the country desire in our education system.

The Government have betrayed education. They have gigantically let down head teachers, teachers, parents, governors and pupils. It is a miserable record of failure, for which the Government should apologise to the House and to the country.

7.20 pm

The Minister for School Standards (Ms Estelle Morris): I am grateful to the hon. Member for Buckingham (Mr. Bercow) for providing the best advertisement yet for the literacy hour. I am not sure about the numeracy hour—I did not count six Rs, but I counted a W somewhere.

I join in the tribute that the hon. Member for Harrogate and Knaresborough (Mr. Willis) paid to the thousands of teachers who do a good job for children in our schools every day. They have responded magnificently to the many demands that the Government have made on them. Most teachers are good teachers. The Government will acknowledge that, and they will be rewarded.

I have some sympathy with the comments of the right hon. Member for Charnwood (Mr. Dorrell), who made a sensible speech about the need for transparent funding.

He acknowledged that the funding system that his Government bequeathed us left much to be desired and should have been changed many years ago. The characteristics that the right hon. Gentleman outlined—accountability, transparency and ensuring that everybody knows where the money has gone—guide our work on devising a better system of funding. However, that does not detract from his responsibility for being part of a Government who did nothing to improve the system in the years when they were in power.

Mr. Dorrell: Will the Minister clarify whether her remarks mean that the Government accept the principle of per capita funding for each pupil in a school?

Ms Morris: My right hon. Friend the Secretary of State responded to a similar question from the hon. Member for Harrogate and Knaresborough by saying that he was interested in an entitlement for children, and in providing a different amount of money for each age group. That remains our position.

I thank the right hon. Member for Skipton and Ripon (Mr. Curry) for his contribution. As ever, it was interesting to listen to his comments. It was probably even more interesting for his Front-Bench colleagues, given that he has banned them from speaking about grammar schools in his constituency. Perhaps that is why the House filled up when he spoke. I hope that the hon. Member for Maidenhead (Mrs. May) listened carefully. Tonight was probably her last chance to hear the right hon. Member for Skipton and Ripon speaking about grammar schools.

I am saddened by those on the Tory Front Bench, who seem to spend their time travelling around local authorities to look for the cloud in the silver lining. They seem to advertise for problems and say, "Wherever there's a problem, we'll come and look at it." However, for every local authority that Conservative Members visited or mentioned in the debate, they could have talked about the good things that were happening there, too.

In every local authority that Conservative Members visited, they could have seen extra classrooms and extra teachers, funded through the class size initiative. In every local authority, they could have found children who have nursery places, but would not have had them were the Conservative Government still in power. In 62 of the 150 local authorities, they could have marvelled at the opportunities created by the sure start scheme. In every local authority, they could have seen some of the 20,000 extra classroom assistants that the Government have funded. In every school, they could have celebrated with teachers the increase in literacy and numeracy. As my hon. Friend the Member for Cambridge (Mrs. Campbell) said, they could have marvelled at and shared in the sheer joy that many children experience in the structured learning that is based on best practice.

In every local authority, Conservative Members could have found teachers who have already taken advantage of the money for training in information and communication technology. They could have welcomed the increase from 5 per cent. to 62 per cent. of primary schools that are connected to the internet. They could have talked to the new head teachers in every local authority about the way in which they would use the new laptop computers that the Government recently provided. They could have chosen to visit schools that were financed through the new deal for schools and seen the capital work that is going on.

Everything that I have described could have been seen on any tour of the country. I know that everything is not perfect and that much remains to be done. Some schools still need repairing. However, after all the years of neglect, and of education being part of a Cinderella Department under the previous Government, we have made genuine progress in two and a half years on capital, curriculum, working with teachers, training leaders and out-of-school activities.

Conservative Members have been guilty of sleight of hand tonight in the way in which they have discussed funding. Not one of the initiatives that I have mentioned—from class size to classroom assistants, from national grid for learning to the new leadership college for head teachers—is funded through the straight revenue grant to schools. If Conservative Members want to present a fair picture of the Government's achievements in resourcing, they should not simply examine school budgets. They should add to that the money for the new deal for schools and the £1.6 billion of standards fund money.

The standards fund money is not awarded to pet political projects; it is used for reducing truancy—we care about that—so that we can develop new key stage 4 mechanisms to motivate children who might otherwise be turned off. That money will be used to ensure that, for the first time, children who are excluded receive full-time education rather than the pitiful two, three, four and five hours a week that they received under the previous Government. Standards fund money will be used to ensure that, for the first time, all head teachers have a qualification that means that they have the skills to do the job. That money, as well as the increase in funding, is being given to schools.

Mrs. May: I am grateful to the Minister for giving way because I know that she has only a short time to speak. She claims that we considered only the revenue grant that was given to schools. That is not true. The figures that I cited to show the Government's failure to deliver on funding were figures for net public expenditure on education. They included everything that the Minister mentioned. Does she now accept her failure?

Ms Morris: The figures show that during this Parliament, education spending as a share of gross domestic product will increase, whereas it decreased under the previous Government. Before the general election, we made a pledge to the electorate to increase education spending, and we shall keep it.

I share the anxieties of the hon. Member for Harrogate and Knaresborough about attracting the brightest and the best into the teaching profession. For decade after decade, falling numbers of people have been attracted to teaching. The hon. Gentleman spoke as a head teacher when he mentioned the lack of money that was available for promoting staff. I ask him to look back and remember that when he wanted to promote members of staff, he could do that only by giving them management or administrative responsibilities. Through the reform of the teaching profession, the Government have, for the first time, ensured that head teachers will be able to give points for classroom practice and reward existing excellence in schools. We have made it clear that that money will be available, that it will not mean a change in contract and that teachers will not be asked to take on extra responsibilities.

[Ms Morris]

In two years' time, we shall review our method of feeding that money into schools. That makes sense. My right hon. Friend the Secretary of State gave an absolute pledge last week that the extra money would be provided. I hope that that is a cause for celebration: at long last, we have put teaching back at the centre of school activities. We should reward teaching, not management and administration, for which the likes of the hon. Gentleman and I managed to get our responsibility points.

The Tories are keen to promote the notion of free schools. I have no problem with allowing good schools to get on with doing what they do best. However, I have a problem with the concept of free schools when it means no literacy or numeracy hour, no sharing of good practice, no focus on reducing truancy and exclusions, and no class size policy. There is no point in Conservative Members moaning about class sizes; in free schools, classes would be allowed simply to increase, exactly as they did under the previous Government. There would be no measures to act quickly if those schools required special measures or were failing. In 1997, that attitude of let it all hang out and laissez faire led to the circumstances in which four out of 10 youngsters could not read, write or do sums, in which the backlog in school repairs cost £4 billion, in which exclusions increased year after year, and in which there was no focus on standards.

Rather than travelling around the country, the hon. Member for Maidenhead should consider her constituency, where the number of infants in classes of more than 30 has halved in the past two years. In Maidenhead, £128,000 has been spent on 15 teachers, and more than £250,000 has been spent on six classrooms. That is bettered by the constituency of the hon. Member for Buckingham: the number of children in classes of more than 30 has fallen from 6,500 to fewer than 1,500 under this Government and he has netted money for 21 new classrooms and 99 new teachers. Hon. Members should believe what happens rather than the words of a party whose representatives are travelling the country to find failure. Let us rejoice in the success of our teachers and our schools, note that we have made progress and be determined to achieve even more.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 123, Noes 300.

Division No. 84] **[7.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Heseltine, Rt Hon Michael
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

NOES

Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Baker, Norman
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*

Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Woodward, Shaun
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Greg Pope and
Mr. David Clelland.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's commitment to raising standards and achieving excellence for all from the early years to life-long learning after 18 years of neglect; recognises that education spending will rise as a share of national income over the course of this Parliament, in contrast to a decline of 0.3 per cent. between 1991-92 and 1996-97; recognises the early success in lowering class sizes in the early years and the achievement of introducing the literacy and numeracy strategies which, with the hard work and commitment of teachers, have raised standards; supports the promotion of diversity which will deliver excellence for the many and not the few; recognises the role of specialist schools and the importance of excellence in cities; supports the drive to raise standards in secondary schools through the extension of the

literacy and numeracy strategies and an expanded programme of summer schools; recognises the value of teachers and supports the new proposals for performance-related promotion; recognises the role of school leaders; notes the increase of £1.8 billion in funding for schools and Local Education Authorities in England for the coming year and the role of the fair funding framework in tackling excessive bureaucracy and ensuring that increased funding benefits classroom services; notes the increased resources made available to expand access and improve quality in further and higher education; and supports the Government's determination to build a socially inclusive knowledge economy in which learning and skills are the foundation of success and prosperity.

Points of Order

Mr. Hawkins: On a point of order, Mr. Deputy Speaker. I know that you and Madam Speaker—indeed, all occupants of the Chair—have always been careful to ensure that the needs of Members and their constituents are dealt with properly in ministerial correspondence. I therefore thought it right to draw to your attention an example of a letter that I received today about a constituency case. So that you are aware that this is not a minor matter, Mr. Deputy Speaker, let me tell you that the letter came from something called the parliamentary correspondence ministerial section—it is not a question of a junior clerk's having got something wrong.

The letter starts off well enough in referring to me correctly, but then begins "Dear Mr. Pickthall". As I am sure you will understand, Mr. Deputy Speaker, my constituents would be slightly puzzled by my being confused with the hon. Member for West Lancashire. The letter then refers to my constituents. In my initial letter, I made it clear that I was writing on behalf of both of them. The wife, sadly, suffers from multiple sclerosis. The reply from the ministerial section of the Benefits Agency says, "We cannot tell you anything about the wife's case, because you need a Data Protection Act order authority to refer to the husband." The two are, of course, living together as husband and wife.

The reply finally states, "We cannot disclose any information the agency hold on Mr. Smith." Mr. Smith is not connected in any way with the case, so where he came from is as much a mystery as the reference to the hon. Member for West Lancashire.

From that catalogue of errors in a letter about a constituency case, Mr. Deputy Speaker, you will understand the crucial importance of Ministers' supervising correspondence themselves. Would you be prepared to draw the matter to the attention of Ministers at the Department of Social Security, to ensure that, in future, letters containing three serious errors are not sent to Members when they concern constituents' urgent cases?

Mr. Deputy Speaker: That is not a point of order, but I am sure that someone in the Department will read *Hansard*.

Millennium Dome

Mr. Deputy Speaker (Mr. Michael J. Martin): Madam Speaker has selected the amendment in the name of the Prime Minister.

7.44 pm

Mr. Peter Ainsworth (East Surrey): I beg to move,

That this House deplores the fact that Government interference in the Millennium Dome has rendered it a source of national embarrassment, a wasted opportunity to celebrate Britain and the Millennium and poor value for Lottery players' money.

It is nice to see the Secretary of State for Culture, Media and Sport for the second time today, but I regret that, because of the time taken during our first encounter, there is so little time left to debate the dome. It is also a pity that the Minister responsible for it, Lord Falconer, is safely ensconced elsewhere. He, not the Secretary of State, answers for the Government on dome matters.

Let me begin by making what may be a slightly embarrassing confession. From the outset, I was a supporter of the dome and an enthusiast for the Greenwich site. I know that there are domophobes on both sides of the House—people who think that the whole project was destined to be a failure and a waste of money. I am not one of those people. I pay tribute to my right hon. Friend the Member for Henley (Mr. Heseltine), whom I am delighted to see in the Chamber and who is often credited with having inspired the project and enabled it to happen at all. Back in 1997, in evidence to the Select Committee, he said:

"I feel that it is right in the conduct of the nation's affairs every so often for nations to make a great statement of confidence, of great commitment to their own pride in the past and optimism in the future. There could be no more obvious moment to do that than on the anniversary of the millennium."

I entirely endorse those sentiments. I wish that that aspiration had been fulfilled, but no one visiting the dome today could say with honesty that it has been.

The problems at the dome have resulted directly from the meddling and interference of Ministers. In fact, the problems began before the last general election, with the refusal of the Labour Opposition to make up their mind about whether, if elected, they would continue with the project. As a result of that prevarication, a valuable nine months—at least—were lost. Partly as a consequence of that, time, instead of being a theme for the dome, became an enemy.

Following the decision to proceed with the project, the Government made their next big mistake. They appointed the right hon. Member for Hartlepool (Mr. Mandelson), Labour's archspin doctor, to be the sole shareholder in the project. The warnings were there: the only other project that the right hon. Gentleman had masterminded was shallow, confused, all things to all people, long on height and bereft of vision. It was the monstrous blancmange of Labour's general election victory—a monstrous blancmange that is now going squishy at the edges, past its sell-by date and liable to give voters the runs.

Not surprisingly, the right hon. Gentleman's appointment was seen as harnessing the dome—and, indeed, all millennium projects, whether they originated from religious faith or from a sense of community spirit—to Labour's campaign to win the next general election. I am happy to say that most of the other projects,

especially the smaller ones, have been reclaimed by the people up and down the country, but for the dome there was no escape. The arrival of the right hon. Gentleman began a process of obsessive secrecy, which has been one of the abiding characteristics of the way in which the project has been handled and of its public relations—obsessive secrecy illumined occasionally by flashes of the absurd or surreal.

I wonder, Mr. Deputy Speaker, whether you recall the trip to Disneyworld, and the photo-call with the world's most famous mouse. In view of recent events, it was a somewhat ironic trip. Do you recall the birth of "Baby Dome"? Whatever became of "Baby Dome"? *[Interruption.]* No doubt it was the victim of a ruthless infanticide, as my hon. Friend the Member for West Suffolk (Mr. Spring)—to whose contributions to our debates on the dome I pay tribute—so admirably points out.

Do you remember "surfball", the exciting new game, Mr. Deputy Speaker? "Surfball" turned out to be a figment: it turned out to be "surfballs". Then there was the tantalising glimpse of the body zone, which involved first a giant man, and then a man, a woman and a baby—another baby that disappeared. Finally, there was an androgenous figure; at that stage, no one knew that, sadly, it was infected with pubic lice.

Not surprisingly, the dome became the butt of jokes. According to *The Times*:

"Attacking the Dome has become the nation's favourite sport."

[Interruption.] Hon. Members should go and have a look.

Mr. James Plaskitt (Warwick and Leamington): Will the hon. Gentleman give way?

Mr. Ainsworth: I will, but I shall not do so very often, because we are short of time.

Mr. Plaskitt: If the dome is a joke, as the hon. Gentleman says, can he explain why it is now the most popular tourist attraction in the United Kingdom?

Mr. Ainsworth: The hon. Gentleman will have to do better than that. I was quoting *The Times*, which pointed out that the dome had become the butt of the nation's humour.

There is a lack of candour in financial matters. That was regretted by the Select Committee on more than one occasion, but not addressed by the Ministers concerned. At one point last year, several different figures for the amount of sponsorship that had been received were spun simultaneously. That is par for the course perhaps from a press office that has been heavily infiltrated by Millbank implants and described by one former insider as "really rather nasty". The handling of the press office and its bullying approach to journalists over time might have done more to undermine the dome's reputation than even the shenanigans on new year's eve, of which I should record that my family and I were beneficiaries. [HON. MEMBERS: "Ah."] I use the term "beneficiaries" advisedly.

With the demise, albeit temporary, of the right hon. Member for Hartlepool, there was a golden opportunity for a fresh start on the project. We argued then for the appointment of a person with relevant business and tourism skills and knowledge to head the project.

Mr. Lindsay Hoyle (Chorley): I am pleased that the hon. Gentleman has announced that he went on a free trip because, previously, he had announced to everyone in the Chamber that he had paid to go in the dome. Perhaps now we have had the clarification that we expected.

Mr. Ainsworth: The hon. Gentleman is silly and is wasting time. I went to the dome on new year's eve. I went back to the dome after the opening and paid for my own ticket. I understand that that is one more time than the Secretary of State, who has been there only on new years's eve, according a recent parliamentary answer.

The impression of control by the political image doctors was only reinforced by the appointment of Lord Falconer—not just any old crony but the apogee of cronydom, the Prime Minister's trusted former flatmate. Although less prone to surfballing and more convivial than his saturnine predecessor, Lord Falconer did nothing to stem the tide of bad publicity. The project was characterised by exactly the same lack of candour and blithe reassurances to genuine questions from hon. Members on both sides of the House. As things got worse, the Government decided on a new tack: anyone criticising the dome, or the way in which it was managed was suddenly unpatriotic or a whinger.

Ms Hazel Blears (Salford): Will the hon. Gentleman give way?

Mr. Ainsworth: No, I will not.

Ms Blears *rose—*

Mr. Ainsworth: All right; I give way to the hon. Lady.

Ms Blears: Does the hon. Gentleman not accept that his constant denigration of the dome has a terrible effect on those children—hundreds of thousands of them—who are going to the dome to do the "our town story", as Salford children did last week? They are proud of their cities and their heritage. He should be ashamed of his constant denigration of those children's activities.

Mr. Ainsworth: If the hon. Lady had paid attention to any of the discussions that we have had on the dome in the past 18 months, she would have heard me being supportive of the project. It is not Conservative Members who have made the dome what it is today. It is not they who have enabled children to visit only two of the zones. It is not they who have given rise to children from Yorkshire being offered an 8 am slot for their visit to the dome, which would mean their getting up at 2 am. She should look at what is going on before criticising Conservative Members.

Last autumn's draw-down of the £50 million facility from the Millennium Commission is another prime example of appalling media relations. That £50 million had always been in the budget, but it had never been referred to, so, not surprisingly, commentators saw it as a new cash injection and that is how it was portrayed.

Similarly inept was the attempt to spin the emergency cash-flow boost in January as perfectly in line with expectations. Shortly after the opening night, I warned that the project might run into cash-flow difficulties in the near future and need an injection of funds, but not even I had expected that need to arise so soon. No one in their

[Mr. Ainsworth]

right mind plans to receive an emergency cash injection to avoid insolvent trading. To have pretended otherwise was absurd.

Incidentally, I have yet to meet anyone who favours giving more money to the project. Perhaps the Secretary of State has. If so, I will be delighted to hear who. I will also be delighted to hear what guarantee he can offer that the dome will not be back for more. He is silent on that, but I hope that when he answers he will offer some relevant remarks.

The media had just about had their fill of patronising and misleading claptrap when it was suddenly claimed that, instead of needing 12 million visitors to break even—the figure that had been in the public domain for about two years—the dome would need only 10 million visitors. I am certain that that miraculous change in the economics of the dome had nothing whatever to do with the fact that, at that time, the public were staying away in droves.

Dome watchers had worked out by mid-January that, as crisis followed crisis, there would be a need for a scapegoat. They had also worked out that under no circumstances would that scapegoat be a Minister.

Jennie Page, redoubtable and feisty as she is, is a public servant by instinct and training. She had possibly the worst job in Britain and she did it very well. It was made even worse by the constant interference from Ministers, which she found exasperating. To deliver the project on time and to budget by 31 December was no mean achievement. She deserved better than a public and acrimonious dismissal.

We are told that it was Lord Falconer himself who, on the day of Jennie Page's departure, personally telephoned a number of the sponsors to tell them about her replacement. The Secretary of State has written to me on the subject. He played no part in the shameful affair. He is exonerated, but I should be grateful if he confirmed that it is his understanding that Lord Falconer telephoned the sponsors on the day that Jennie Page left. If so, will he share with the House his understanding of what Lord Falconer said to the sponsors because there seems to have been some misunderstanding? They were left with the impression that the dome's new chief executive was to be the man who saved Disneyland Paris. That was Philippe Bourguignon, not P-Y Gerbeau. It was another masterly display of cack-handed spin, in which the Minister was personally involved.

I wish P-Y, as we must grow to know and to love him, very well. It is not his fault that his appointment prompted *Le Monde* to gloat:

"A Frenchman, a garlic eater, a vulgar frog is to rescue the failure of what Tony Blair only 2 months ago called 'This extraordinary Testament to British creativity'".

The dome is indeed a national embarrassment.

Mr. Nick Hawkins (Surrey Heath): Does my hon. Friend agree that what the dome has become in the public mind and certainly in the media's mind is a testament to new Labour, the epitome, a paradigm—all spin and no substance?

Mr. Ainsworth: My hon. Friend is right. If he waits, I may dwell briefly on that theme, too.

Mr. Clive Efford (Eltham): Will the hon. Gentleman give way?

Mr. Ainsworth: I will not at the moment.

P-Y appears to have got off to a good start, helped by half-term and by the weather, although people do not have to pay £20 to go to the dome to watch a rugby international, however gratifying the result. He faces an unenviable task, hampered again by time—the project's enemy—and by money. He is also hampered by the content of the dome itself.

The original vision for the dome was noble and thoughtful: a symbol of Britain on the cusp of the new millennium, a celebration of our past. History has been air-brushed from the dome. The theme of time has become a mere memory. It was a chance to take stock of ourselves as a nation and to glimpse the future with the help of the best of our creative talent and cutting-edge technology, but the dome is not a symbol of Britain. It is a symbol of a trite, self-regarding and bossy Government who believe in nothing and have to their credit only a mounting pile of broken promises and malfunctioning zones, such as health, crime and rural areas. The Government have fashioned a dome in their own image, partly on purpose, partly by mistake.

When the creative director, Stephen Bayley, walked out on the project because he could not hack the daily intrusions by Ministers in a project that was meant to be above politics, the dome was consigned to whatever fate bureaucrats, long-suffering and competing sponsors and Ministers could incompetently contrive between them. The result is the noisy, brash, part dull, part sensational exhibition that we are discussing tonight.

Sure, people will go, and good luck to them. I hope that they have a great day. Sure, children will enjoy the day out. When did children ever not enjoy a day out?

Mr. Jim Dowd (Lord Commissioner to the Treasury): Often.

Mr. Ainsworth: The hon. Gentleman obviously leads a sad life. We took the children to Brighton at the weekend. They had a very good day out and I do not think that Brighton has had £400 million of lottery money. It does not take £400 million of lottery money to give children a good day out.

The staff at the dome are universally helpful. I am told that the show is good as well, but on the day I went—and paid for my ticket—I was told that the show that I wanted to see had been cancelled owing to a lack of visitors.

What do people say about value for money at the dome?

Mr. Roger Gale (North Thanet): The cost of the dome is continually presented as not being a charge on the taxpayer. It is not clear whom the Government think that £400 million of lottery money came from if not from the taxpayer by another means. Unlike the Government, my hon. Friend has paid some attention to tourism. Could he make a guesstimate of what £400 million might have done for the seaside heritage of Britain?

Mr. Ainsworth: My hon. Friend tempts me down a road that I do not wish to travel. The Government have

many times admitted that lottery money is public money. Obviously, £400 million could have done a great deal for our tourist areas. However, the British Tourist Authority anticipates that the dome will attract a significant number of visitors, although I doubt that the claim that it will attract £1 billion of extra spending is anywhere near the mark.

People who go to the dome have a reasonable day. There is no doubt about that. However, do they think that the money spent on it was well spent? A handy website—www.DomeVote.co.uk—has been set up to enable those who have visited the dome to voice their opinions. The first question is, "Is the dome worth £758 million?" So far, 16 per cent. say yes and 78 per cent. say no. Some 48 per cent. rate the dome as a waste of money and 39 per cent. say that the queues are too long. The dome is not cutting it in terms of value for money.

As my hon. Friend the Member for Surrey Heath (Mr. Hawkins) said a few moments ago, the dome is an emblem of new Labour. It betrays a failure of vision. Worse, it betrays an inability to understand where politics should give way to art, design, science, architecture and history. It is not a triumph of spin over substance because it is not a triumph at all.

In the long run, what happens after the exhibition closes will be of far greater importance than the exhibition itself. As my right hon. Friend the Member for Henley (Mr. Heseltine) will confirm, Greenwich was chosen partly because of its location on the meridian line, but also because of the immense possibilities for regeneration in that part of London. It is worrying that Ministers have got off to such a delayed start in seeking bids for the site. It is worrying that nobody seems to have calculated the cost of decommissioning the exhibition. It is worrying that there appears to be a dispute with British Gas over the site. I am sure that the last thing that any of us wants is for the dome to stand idle for months after the exhibition closes at the end of the year. We want to get on with creating jobs and creating a development that will bring something of great value to the capital city and to the nation as a whole.

All that is for the future. For now, our message to Ministers is that they have done enough damage: leave P-Y to get on with the job, and leave the dome alone.

8.5 pm

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"believes that the Millennium Experience—and the many other Millennium activities—represent both an excellent celebration for the people of this country and a tangible and enduring legacy for future generations; further welcomes the announcement that the New Millennium Experience Company team will be introducing improvements which deliver even greater value for money both to the paying visitor and to the Millennium Commission; and, in particular, notes the record attendances at the Dome in the week commencing 7th February and the recent high satisfaction ratings amongst visitors."

I am grateful to the hon. Member for East Surrey (Mr. Ainsworth) for giving me the opportunity to speak on this important subject, if not for a speech that amply justified the title "monstrous blancmange".

I am sure that our discussions this evening will focus on the dome, but it is important that we see it in its proper context. Unlike the hon. Gentleman, I think that context matters. We have always said that the dome was the centrepiece of the country's overall millennium celebrations. Those celebrations comprise a rich and colourful tapestry of projects and schemes that embrace the whole country and will enrich our cultural life for many years. There are projects as diverse as the immensely successful dynamic earth centre in Edinburgh, the new Tate gallery of modern art on Bankside and the spectrum of new village halls and greens that are being supported throughout the country.

There are also projects such as the millennium awards scheme, which enables thousands of ordinary people to achieve extraordinary things. It has helped 10,000 people to date, aged between 16 and 92. Grants from the millennium festival fund will enable communities in villages and towns across the country to mark the millennium in their own special way. Two projects were opened to the public just last week—the new art gallery and conservation centre at the Peter Scott wildfowl and wetlands trust headquarters at Slimbridge in Gloucestershire and the access no barrier project, which is a centre providing facilities for the physically handicapped and able bodied club in Jarrow.

Of course the dome matters, but it matters because it is part of a wider entity, not because it is the entirety of what we are doing. Let us remember that four fifths of Millennium Commission funds are going to projects, events and people other than the dome.

Mr. Richard Spring (West Suffolk): The right hon. Gentleman has made our point. Because everything has been so dome-centric, attention has not been drawn to all the other worthwhile and magnificent projects. With all their appalling handling of the situation, the Government have ensured that attention is focused on the dome. That has discredited the whole millennium exercise.

Mr. Smith: I hesitate to point out to the hon. Gentleman that it might have been better if the Opposition had tabled a motion about the entirety of the millennium celebrations, events and projects if that was how they felt.

It saddens me to hear the hon. Member for East Surrey criticising the project and trying to make the dome a partisan issue. One of the project's greatest strengths is that it has enjoyed good cross-party support. Neither the dome nor the other millennium projects should be seen as the property of one political party. The Conservatives are trying to do that. I am sorry that they are unable to feel some pride in their initiative to use part of the national lottery for millennium schemes. It was their idea to have a strand of lottery spending devoted to the millennium, their idea to establish the Millennium Commission and their idea to develop the dome. It is not, and should not be seen as, a political entity. The same is true of the other millennium projects and events. The aim of all the projects is to represent the aspirations of a nation and to provide an opportunity for enjoyment for communities and individuals across the UK.

Mr. Mike Hancock (Portsmouth, South): I am sure that everyone applauds the successful millennium projects to which the Secretary of State has referred. What does he feel about the second millennium failure—the plastic cone-topped tower in Portsmouth? It has been four years in the planning with three false starts, but still there has been no contract, no planning permission and no works

[Mr. Mike Hancock]

act, yet £14 million of lottery money is still tied up in the project. Will he give us an update on that project and tell us when it will be built?

Mr. Smith: I understand that the rest of the Portsmouth scheme, involving the rehabilitation of the waterfront, is forging ahead very well. The city council is in discussion with the Millennium Commission about the tower. It has some proposals that appear to be viable. They need to be tested but, if they are indeed found to be viable, they will be proceeded with.

The hon. Member for East Surrey talks about political interference in the project. I cannot accept that accusation. The Government are not running the millennium experience, nor should we be. The previous Government recognised the national significance of the project by appointing a Minister as sole shareholder of the operating company. We have retained that arrangement because we believe that it is right for a national project of this scale to be subject to proper parliamentary accountability.

It was important that the Minister holding the share should not be the same Minister as the one chairing the Millennium Commission—that is, myself—and ultimately providing the finance. As the New Millennium Experience Company shareholder, Lord Falconer is accountable to Parliament for the millennium experience. That means that he needs to take an active interest in the project's development and progress along its critical path, but that is very different from interfering in the day-to-day management, which is the responsibility of the NMEC board.

Mr. Peter Ainsworth: How then does the Secretary of State explain the frustration and exasperation repeatedly expressed by Jennie Page about the constant, almost daily, interference by Ministers in affairs that she considered to be her own?

Mr. Smith: That is not something that she has ever said to me. If it had happened, it would have been regrettable; but it did not. The shareholder of the millennium experience set the overall parameters, along with the Millennium Commission, which is funding the project, but the day-to-day development and running of the experience are up to the board of the company and those running it. The Government believe in proper accountability, not unnecessary interference. We are not in the business of directly running visitor attractions.

I am proud to account for what has been achieved so far. Let us consider the first weekend: the turn of the millennium year. Well over 4.5 million people joined in the festivities in the 22 cities that received special grants from the commission to celebrate the run-up to, and the arrival of, 2000. As the report that I placed in the Library the other week shows, the celebrations were a great success and were well received by both those who attended and those who watched on television.

The dome opening celebrations involved more than 10,000 people, the majority members of the general public, and was viewed by 1 billion people on television around the world. The four millennium Church services on 2 January in London, Edinburgh, Cardiff and Belfast involved more than 5,000 people: members of communities and Christian congregations the length and breadth of the United Kingdom, as well as members of the royal family and both Government and Opposition Members of Parliament.

Mr. Ainsworth: Will the Secretary of State remind the House how much compensation was paid to those who had their evening spoilt on new year's eve?

Mr. Smith: If the hon. Gentleman will wait a moment, I am just about to come to that.

In addition to the millennium Church services on 2 January, the shared act of reflection and commitment by the faith communities of the UK, held in the Royal Gallery here at the Palace of Westminster the following day, was a very special and historic occasion, bringing together faith leaders and others from communities throughout the country to focus on the values that we need to shape society for the future.

Not surprisingly, there were a few glitches. Perhaps the most widely reported—or milked, depending on the agenda of those commenting—were the delays at Stratford tube station for those travelling to the dome for the opening celebrations. The arrangements for guests using Stratford did indeed go wrong. People should not have experienced the lengthy delays that they had to endure. Both NMEC and the Metropolitan police have apologised to those affected, and NMEC has offered—this is the answer to the question that the hon. Member for East Surrey asked—all those who used Stratford complimentary tickets for use during the year.

Despite the problems, virtually everyone enjoyed the evening, including many who travelled through Stratford. The millennium celebrations have continued since that first weekend. The dome opened its doors to its first paying visitors on 1 January. So far, 700,000 people have been, and the overwhelming verdict has been one of satisfaction and enjoyment. People like the dome.

Mr. Ivor Caplin (Hove): To reinforce that point, a letter in the Brighton *Evening Argus* of 17 February says:

"I would like to put the record straight over the bad publicity concerning the Millennium Dome.

It is a great achievement to build such a modern building. It is impressive and functional.

It is a splendid exhibition centre with many interesting displays with something for everybody.

The afternoon spectacular show is really something worth seeing.

I shall go again and I am a senior citizen."

Is that not the true reason for the dome?

Mr. Smith: That is indeed the overwhelming verdict of those who go to the dome. Indeed, some primary school children from Hull visited the dome this very morning. Louis Dorton, who is 11, said:

"I loved it all, the show was absolutely terrific, it's the best thing I've ever seen."

Kimberley Barlow, who is 10, said:

"The millennium show was amazing—the gymnasts are incredible and I don't know how they manage half the things they do. I'm amazed at it all."

Time after time, those are the sort of comments that people who visit the dome make about their visit.

Despite what the media and some politicians may say, people who visit the dome thoroughly enjoy it and most would recommend it to their friends. Of course, the dome is not the first example of the professional critics misjudging the public's reaction; nor is the visiting public's positive feedback some kind of hyped-up spin from NMEC or the Government: it is more than borne out by independent polls commissioned by the very newspapers that in the same breath criticise the dome.

The Sunday Times found that 85 per cent. of visitors said that they had enjoyed their visit to the dome and 74 per cent. would recommend it to their friends; a poll in *The Mirror* found that 71 per cent. rated the dome as "good" or "very good"; Independent Television News found that 91 per cent. of those interviewed thought the dome worth the trip; and 61 per cent. of those interviewed by *The Independent* thought the dome and its contents spectacular. That same poll found that 0 per cent. thought it dull, yet in the self-same edition of the self-same paper, the leading article asked why so many people found the dome dull.

When I visited the dome myself as a paying visitor on Saturday—and had an extremely enjoyable time—it was obvious that the very large number of people there were enjoying themselves; quite a few of them came up to me to make that very point.

With immaculate timing, as always, the Opposition have called for this debate at the very time when we have had the four best-ever days of attendance at the dome. On Friday, there were 27,000 visitors; on Saturday, 24,700; on Sunday, 26,200; and this morning the dome was totally sold out by 11.30.

The hon. Member for East Surrey mentioned the recent change of chief executive at NMEC and the resignation of the operations director. The House will be aware that Jennie Page stood down as chief executive earlier this month. The NMEC board has appointed P-Y Gerbeau to succeed her, reflecting the view that a different set of skills was needed to manage the project during its year of operation. I will comment in a moment about Mr. Gerbeau's appointment, but I wish to pause briefly to reflect on Jennie's achievements on the project.

When Jennie accepted the post of chief executive of the then Millennium Central Ltd., three years ago, many people thought that completing the dome on time and on budget was an impossible task. Indeed, many thought the same when she previously took on the post of chief executive of the Millennium Commission. Both tasks required a unique vision and both required commitment, dedication and determination—skills that Jennie has in spades. Jennie met both of those challenges with her customary enthusiasm, intelligence and style. To build the dome on time and on budget was an enormous task in anybody's book. To do all of that under the intense scrutiny of both the media and Parliament was even more of a challenge, but it was a challenge to which Jennie was more than equal and I wish to put firmly on record my gratitude for her tremendous achievement in bringing the project to fruition.

The NMEC board's decision to appoint Mr. Gerbeau in no way detracts from Jennie's achievements. I can tell the hon. Member for East Surrey that it was a decision of the board. In answer to his specific question, Lord Falconer did telephone sponsors on Friday 4 February. He informed them that P-Y Gerbeau would replace Jennie Page and he indicated that P-Y was part of the team who turned round Disney in Paris.

Mr. Norman Baker (Lewes): Will the Secretary of State give way?

Mr. Smith: No, I must make progress. The board believed that running a major visitor attraction required very different skills from those required to take that unique project from concept through development of content, including the national programme linked to the dome, to construction and fit-out of the dome itself. P-Y Gerbeau's experience as part of the Disney team will help to deliver the visitor experience that the visiting public anticipate. He has been in the job for two weeks and already decisions have been taken to improve signing, to provide more entertainment for visitors between the zones, to develop more activity in the central arena, to provide a better management of visitor flows, and to bring in greater flexibility in ticketing and marketing.

The hon. Gentleman also referred to the additional grant that the Millennium Commission has agreed to make available to NMEC to help with its cash-flow requirements in the early months of this year. As the House is aware, I am the chairman of the commission. The commission has recognised from the outset that cash-flow difficulties are often associated with large-scale start-up businesses. Provisions to deal with such potential difficulties in the case of the dome always formed part of the arrangements between the commission and NMEC. The commission has therefore agreed to provide up to £60 million in additional cash-flow support, subject to demonstration of need and to vigorous appraisal.

The commission has so far released £32 million of additional repayable grant in that way. The release of the remainder will similarly be in accordance only with demonstrable need. Both NMEC and the commission keep the company's budgets, commercial plans and operational strategies under review and the latest such appraisal by the commission will be completed shortly. The final decision on how much additional cashflow support might in fact be needed, and when it should be paid, will be taken in the light of that appraisal.

In all this, let us not forget that, even before it opened, the dome had already made a major impact on the economy of the local area. Thanks to the dome, one of the poorest areas of the country has undergone a transformation. The dome has been a catalyst for a whole range of environmental and infrastructural improvements that will leave a very tangible and lasting legacy for the people of Greenwich and the wider United Kingdom. A derelict gasworks site has been cleaned up, in what is widely recognised as a model for brownfield site development across Europe. One can now travel between central London and the north Greenwich peninsula on the new Jubilee line extension in only 12 minutes and the new river boat services have once again brought the Thames into play as one of the great communication links of the capital. We have the new millennium village, with its mix of social and commercial housing and its modern, energy-efficient designs, and £300 million to £500 million extra tourist spend is expected across the UK this year as a direct result of the dome, with a halo effect of double that.

Regeneration is not just about money and places: it is about people. Perhaps the greatest testimony to the dome is that it has been the catalyst for the creation of around

[Mr. Smith]

13,000 jobs, both in itself and in the developments around it on the peninsula. The impact that those have made and will continue to make on the life of the community is, in my mind, far more important than the empty whingeing from the Opposition. The millennium celebrations are about making a real difference to the lives of the people of this country, through jobs, through boosts to the economy and through regeneration. That is what is at stake and that is what we should focus on tonight. Anything that can have such an enormous positive impact on the life of both its local community and the national economy should be encouraged, not knocked. We need to stop talking it down, get behind the project, give our full support to the NMEC team at the dome and together make it work.

8.26 pm

Mr. Michael Heseltine (Henley): I am grateful to be called. The House will know that it is now some years since my right hon. Friend the Member for Huntingdon (Mr. Major), the former Prime Minister, invited me to become a member of the Millennium Commission. As the House will also know, the commission was one of the distributor bodies set up under the previous Government to distribute funds gathered by the national lottery. It cannot be disputed that there has never been such an infusion of funds into good causes—the charities, arts, heritage, culture and sport—under any Government policy ever initiated in this country at any time in our history. That is a proud claim to make on behalf of a policy initiative by my right hon. Friend.

Part of my right hon. Friend's vision was that it should be an all-party concept, and when the Millennium Commission was set up under the chairmanship of the responsible Minister at the time, a representative of the Labour party, the late Michael Montague, was invited to join the commission to ensure that it was conducted on an all-party basis. There has never been a party political discussion in the commission. Having attended meetings for some years, I do not even know the party choices of the members of the commission. They have not been relevant to our deliberations.

The decision to attempt a great celebration was predictably controversial. The Great Exhibition of 1851 was stopped in its tracks by Tory Members of Parliament who complained about the design, which led to the redesign by Paxton that enabled the project to proceed. The 1951 celebration, the Festival of Britain, was equally controversial and, on a tiny and humble scale, the Liverpool garden festival, for which I was responsible in the early 1980s, was treated precisely the same way as we anticipated the dome would be. And so it has been. As the Secretary of State said, the dome was designed to be an all-party statement about Britain's prowess. That was the context of the birth pains that such projects characteristically undergo in this country.

Looking back, I remember that people said we would never do it, but we did. They said that we would never do it to cost or to time, but we did. The headlines screamed that we would never get the Jubilee line open and that no one would be able to get to the dome, but the line did open and people are getting to the dome. At every turn, the whole process has been attacked—ruthlessly and irresponsibly—by the national press. Unlike many hon. Members, I have spent my life in the commercial world launching projects. I know that they are always a risk, that there is always, by definition, an element of unpredictability, and that things go wrong. In my experience, it is impossible to conceive that a project could be successful if every question were asked at every stage, and if those managing the project were held to every decision that they ever took.

The most obvious example involves the project's sponsorship. It fell to my noble Friend Lord Levene to help in raising the money. He and I advised the commission that we thought that we could raise £150 million. From that moment, the media rendered that task well nigh impossible. Every time we opened our mouths, we were asked whether we had secured the money—if we said, "Not yet," the headlines claimed that we had failed to get the money. When asked how much we had secured, we would say that we had a list of prospects, that some were firm, some less so, and that we still had to talk to some of them. The press response then was to ask, "So you haven't got anything you can prove?" We had to admit that we had not, and from that moment on the attacks began to build.

As confidence began to be undermined, a number of company chairman who had been broadly sympathetic to our aims asked how they could continue with the project. They said that their under-managers believed that their companies would be made laughing stocks, and the same questions were asked—about value for money, about whether the dome would be ready on time, and about how people would get there. On and on it went: I believe that our national press cost the project at least tens of millions of pounds in lost sponsorship because of the uncertainties that were built up into crises.

In the event, Lord Levene and I secured more than £150 million, as we had always believed we would. However, problems remain. Some sponsors have not paid yet: although the sponsoring companies' chairmen came on board with good will, their underlings tried almost immediately to turn the zone that was being sponsored into something closer to a trade show than the editorial concept behind the project allowed. So the process unfolded.

The present Secretary of State for Northern Ireland, the right hon. Member for Hartlepool (Mr. Mandelson), was accused of being obsessively secretive. I find that hard to recognise: every Tuesday, Simon Jenkins, my fellow commissioner and a former editor of *The Times* and the *Evening Standard* and I met the right hon. Gentleman and subsequently his successor, Lord Falconer, to go through every relevant detail about the dome. My right hon. Friend the Member for Horsham (Mr. Maude) and my hon. Friend the Member for East Surrey (Mr. Ainsworth) were invited, on various occasions, to see the same presentations that we had seen. I can only assume that they took advantage of those offers and were relatively content with what they witnessed. Therefore, I do not believe that there was excessive secrecy.

Mr. Baker: Does the right hon. Gentleman accept that the right hon. Member for Hartlepool (Mr. Mandelson) did not utter a word in the Chamber about the project for many months into the life of this Parliament? In fact, no debate was held on the subject until 1998, and the then Minister with responsibility for the dome was required

only to answer questions before the House for five minutes once a month. That hardly amounted to parliamentary accountability.

Mr. Heseltine: It is within the gift of opposition parties, if they feel that they are not getting the answers that they need, to hold debates on matters of their choosing. In fairness, I must admit that I would not have wanted to debate the matter either. How can a project of such complexity and sophistication be debated as it unfolds? How seriously can people be expected to pin down answers?

Before the House becomes convinced of how it will determine the outcome of tonight's debate, I suggest that hon. Members consider two other great projects undertaken in this country on the same time scale. First, Covent Garden opera house has been rebuilt, and is now one of the great opera houses in the world—and the clamour for it to be closed because of teething troubles has now gone. Secondly, the millennium wheel is one of the most inventive tourist attractions ever created in this country, but its builders had to delay its opening for a month until they could be sure that it would work safely. The fact is that things go wrong with great projects. I would be the first to say that there have been plenty of examples of things going wrong, and the Secretary of State has mentioned some of them. There was the catastrophic opening evening, with the Stratford delay. The fact is, we must look at these matters in context.

The dome is now operating, and the numbers of people visiting it are building significantly. My hon. Friend the Member for East Surrey spoke of a test on an internet website regarding people's view of the dome. As I listened, it occurred to me that that was a fairly narrow test of opinion. How many people in this country are able to access the internet? Who will bother to access it? It would be more realistic if all the national newspapers, which have headlined the weaknesses all the way through in the polls to which the Secretary of State has referred, revealed that the majority of people going to the dome like it, and think it well worth while. How is it that that view is never flavoured in the headlines of the same newspapers, which go on repeating the same arguments that they have run ever since the concept was initiated some years ago?

Mr. Peter Ainsworth: There may be a misunderstanding. The poll to which I referred dealt with the public's attitude towards value for money, not with their reaction to a day at the dome.

Mr. Heseltine: I understood the point that my hon. Friend was making, but I remain where I began. What sort of people would go to the trouble of accessing that site and from what sort of background would they come? Do they meet the test that we faced, as millennium commissioners, of providing an experience that was not just entertaining but educational, and would appeal to the majority of people? How does one appeal to elderly people who are retired, to young people, to children and to middle-aged people and avoid the charge of producing something that is relatively wide in its appeal as opposed to narrow and intellectually excellent?

Ms Claire Ward (Watford): Might I help the right hon. Gentleman and suggest that the kind of people who would access that dome site are sitting on the Conservative Benches? They clearly do not have the ability to look much further than what is being projected on to that dome site by some very sad people.

Mr. Heseltine: Before the hon. Lady gets carried away, if she has criticisms of my hon. Friends, she should have listened to what her party was like in opposition. The lengths to which they went to exploit difficulties made what we have heard today seem as nothing.

There is one point on which I would like to follow the Secretary of State. Jennie Page has been replaced, following her resignation as chief executive. I have known Jennie Page since her days at English Heritage, and then as chief executive of the Millennium Commission. She is, in my view, one of the outstanding public servants of her day. The fact that her arrangements were terminated, with or without agreement, by the New Millennium Experience Company, is a matter of the most profound regret. However, that does not make it the wrong decision in the circumstances.

Jennie Page confounded the critics and delivered the project to time and to budget. As the great civil servant that she is, she had to assess a whole range of conflicting professional advice and to take from that the means by which the project was delivered. That is a different skill from feeling in one's bones, from long personal experience, how to deal with day-to-day problems. The board could well have felt that someone who was not reliant upon outside expertise but who had hands-on personal experience was needed to cope with the teething problems. It would be very difficult to run those two people in harness. Jennie Page is nothing if not a determined and extremely talented deliverer of results. Those results are in the classic public sector mould, and I have not the slightest doubt that her future career in the public sector will build on the excellence of what she has achieved to date.

I have one last point to make, and it is the last point to which the Secretary of State referred. In 1979, I looked with horror at the east end of London. The Labour-dominated Greater London council and the Labour-dominated London boroughs had ensured that there were thousands and thousands of acres of derelict land, apparently with no future. The Government of whom I was a member took over some 6,000 acres on the north bank of the Thames. We left untouched, at the express request of the London borough of Greenwich, the 300 acres of dereliction now known as the dome site.

When I returned to the then Department of the Environment in 1990, that land was as derelict as it had been in 1979. On my best judgment, derelict it would have remained if we had not taken a decision to enable English Partnerships to acquire the site, clear the toxic waste and give the land a hope of life. It is today a site of huge potential. Once again, the critics have been confounded. Far from having no use for the dome, we are besieged by people who seek to acquire it for after-use. I do not know what decision will be made, but those of us who backed the concept from the beginning always believed that if we had the faith to see it through, it would deliver a massive surge of regeneration in that important and historic part of London.

The dome is a national project. It is important in the eyes of both the British people and the world. Everyone knows what we have invested in the project. We must be

[Mr. Heseltine]

seen to support it and to give it every chance to be the success that I have always believed, and still believe, it will prove to be.

8.41 pm

Mr. Clive Efford (Eltham): I must respond to the final point made by the right hon. Member for Henley (Mr. Heseltine) by saying that the Greenwich peninsula was never in the ownership of the London borough of Greenwich. The site was heavily contaminated and the cost of clearing and decontaminating it had always prevented development. That is the historical reason why the site remained derelict for 20 years.

When the hon. Member for East Surrey (Mr. Ainsworth) opened for the Opposition, he said nothing positive about the dome. However, the project was bipartisan from the outset. It was conceived under the previous Conservative Government, and I pay tribute to the right hon. Member for Henley and others for their bravery in supporting it from an early stage. I recall attending a reception on the Cutty Sark at Greenwich almost a decade ago, when I was a councillor, and I spoke with the world's media about the potential of Greenwich for millennium celebrations. We discussed the possibility of regenerating the site, but we knew it would take a scheme of the magnitude of the millennium experience to generate enough investment to clear the site for development and regeneration.

Those 300 acres were London's largest derelict waterfront site, and they had been empty for 20 years. Greenwich is within the Thames gateway area, which includes seven of the 20 poorest boroughs in the country. One third of London's unemployed live in the gateway area. The dome was initially intended to create 7,000 jobs, but by the end of the year it is expected to have created about 25,000. Between 1991 and 1993, Greenwich lost 500 businesses and more than 10,000 manufacturing jobs. Regeneration of the millennium project site was much needed.

The wider benefits of the millennium project were never forgotten during its development. The masts that have become such a feature of the dome were built by a steel company based in Bolton and Bristol. That company provided 1,600 tonnes of steel and 70 km of steel cabling. Construction contracts for £38 million were issued throughout London. A further £9.6 million was spent on labour. Construction contracts issued throughout the rest of the country totalled £130 million.

During the construction of the dome, the long-term benefits were also considered. The British Tourist Authority estimated that the millennium experience could generate up to £500 million from additional overseas visitors, and that the halo market effect would be £1 billion. Tourism is among the five largest UK industries; it is worth £40 billion a year.

South-east London lacked the infrastructure enjoyed by many other parts of the capital. We did not have direct access to the London underground. Anyone travelling to central London from north Kent, east Sussex or south-east London had to rely heavily on the rail network. Buses were not seen as an option because of heavy traffic congestion—which grew during the 18 years of the Conservative Government.

The right hon. Member for Wokingham (Mr. Redwood), who was until recently the shadow Transport spokesman wrote an article in *The Guardian* in which he criticised the dome because it was not possible to reach it by car. People in my constituency think that is one of the benefits of the scheme. Obviously, the right hon. Gentleman has never tried to drive through Greenwich during peak periods. Visitors to the dome will have to do that if they are to spend a full day there. Commuters who queue to go through the Blackwall tunnel every morning will be mindful of the fact that they would be enjoying the company of several thousand car users trying to get to the Greenwich waterfront if the Conservatives had won the last election.

The dome will be a major attraction for many years to come. The transport scheme will benefit south-east London and the dome for a long time. A huge car park on the Greenwich peninsula would have encouraged people to bring their cars and ignore the public transport alternatives. Even the Conservative Government acknowledged the need to limit out-of-town developments when they changed planning guidance in order to restrict car use in new shopping developments and encourage greater use of public transport.

People who visit the dome do not want a long traffic queue to be the beginning of their millennium experience—or of future events that may take place in the dome.

Mr. Gerald Bermingham (St. Helens, South): Looking to the future and to the success of the dome in its passage to other hands, does my hon. Friend agree that the funds generated could be redeployed—perhaps to the midlands or the north-west—where the dome should have been built in the first place?

Mr. Efford: I have already explained why it was necessary to build the dome in Greenwich—the place that gave its name to the way in which we record time. In my opinion and that of my former colleagues on Greenwich council, that was the only site for the millennium experience.

The Jubilee line extension brings enormous benefits to south-east London. It will be available for future generations of people who want access to jobs in the east London corridor. For far too long, people in south-east London have been forced to rely solely on rail services or to undertake long car journeys. Moving around the perimeter of London has meant either a long bus ride or a train journey into and out of central London. The opening of North Greenwich station and the extension of the docklands light railway to south-east London offers many public transport options for people in the area, and will assist in minimising the traffic that has blighted it for far too long.

People in my area are very concerned about the dome's future. The dome has created many jobs in south-east London, and the prospects for its future use concern them greatly. I have recently raised with London Regional Transport issues to do with its transport planning and the way that it has linked other parts of south-east London and the south-east with the new options that have been created by the extension of the new transport links. The prospects for employment in the area are extensive as a result of the development that is taking place along the entire river frontage.

The dome has been a victim of its own success. Initially, the headlines were about the length of time that it was taking to queue for the attractions—there was no suggestion that too few people were making it to the dome to enjoy a day out. Then the headlines focused on the fact that there were not enough people at the dome to form a queue of any sort. I understand that today the reports are that people are complaining that they turned up at the dome to buy a ticket and were unable to do so. I have to conclude that, whatever happens at the dome, it will never be reported as a success.

The attendance figures for January need to be viewed in perspective. All the large theme parks with which the dome has been compared do not open at this time of year. Nevertheless, attendance figures for the first week in February show that 105,000 people attended the dome, and that figure has shown a steady increase despite the amount of negative publicity that there has been recently.

As the Secretary of State said, in the last four days 25,000 to 26,000 people have attended the dome, which means that it has reached almost capacity every single day. We need to put those statistics in perspective and consider the prospects for the dome in an entire year. The hon. Member for East Surrey has taken the opportunity to criticise the Government while few people are attending the dome, but he has not taken into account the forecast attendance figures for an entire year. He should focus on the forecasts to assess whether the dome will be a success in the long term.

The Secretary of State drew attention to surveys of those visiting the dome. The London tourist board surveyed visitors from abroad to London during the last summer period. It found that eight out of 10 of those who were planning to return to London next summer intended to visit the dome. The dome also compares favourably with all other major attractions in London. In a recent MORI poll undertaken on behalf of the New Millennium Experience Company, 82 per cent. of those interviewed said that they were very satisfied or fairly satisfied with the new millennium dome.

The Opposition are attempting to fill the void that is left by their total lack of any coherent set of policies. The dome is a success. It now features on many corporations' logos. It features in the work of the advertising industry, which would not associate itself with something that is likely to be a failure.

Visitors continue to vote with their feet and express their approval on leaving the dome. We should celebrate this achievement and seek to maximise its benefits instead of continuing to undermine it. We should also seek to enhance the regeneration benefits that it has brought to an important area in south-east London.

8.54 pm

Mr. Norman Baker (Lewes): The Secretary of State—who, sadly, is not in the Chamber at the moment—said that the dome should not be a partisan issue. He implied that anyone who had criticisms of it was in some way disloyal to the country, which has the dome as its national icon as part of the millennium celebrations. I hope that he will accept that Liberal Democrats try to judge the issues on their merits. Earlier, I gave warm support to his statement on the funding of the BBC, which contrasts with the comments that were made by Tory Members.

It is no use saying that those who have qualms about the dome must be quiet or that they are somehow being disloyal. Questions need to be answered and they relate to the Government's performance on the issue. I hope that they will answer the questions rather than seek to portray those who have queries as being disloyal.

The Conservative party was right to call this debate. It was right because we have not had proper parliamentary scrutiny of the issue since day one. The right hon. Member for Henley (Mr. Heseltine) said that there has been no secrecy and that everything was properly accountable However, from the time when the Prime Minister gave the green light to the dome project on 19 June 1997, we had to wait months for the right hon. Member for Hartlepool (Mr. Mandelson), who was then responsible for the dome, even to turn up in the Chamber. He went more than a year without saying a word here. After intense pressure from the media, me and others, we finally received a five-minute question session to deal with the millennium dome. The time was eventually extended to 10 minutes and the first debate took place only in 1998. We cannot say that the issue has received proper parliamentary scrutiny.

This is the first debate that we have had since the dome opened, and it is been called on an Opposition day. The Government have not made statements on what happened on 31 December or on any other event related to the dome, despite the fact that we are told that it is so important. The Government cannot have it both ways. They have been happy to take the credit for the dome where appropriate, but they are happy to run away when problems occur with its running.

Secrecy has been a feature from the beginning. In January 1998, a Labour Member, the hon. Member for Hackney, North and Stoke Newington (Ms Abbott), called for details of spending on the dome to be published each month. That was refused. My constituency neighbour, the hon. Member for Mid-Sussex (Mr. Soames), also called for the dome's cash-flow forecasts to be published on a monthly basis. That was refused.

I and others have asked countless parliamentary questions, but they have simply not been answered, on the so-called ground of commercial confidentiality. Any student of Westminster will say that that is the easiest way for a Government to avoid answering parliamentary questions.

Mr. Stephen Pound (Ealing, North): Just the hon. Gentleman's questions.

Mr. Baker: No, not just my questions, but questions from many Members. Perhaps the hon. Gentleman should read *Hansard* more closely.

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Janet Anderson): I remind the hon. Gentleman that, when he was going through one of his bouts of asking many questions about the dome, I took the trouble to invite him to meet my officials and members of the New Millennium Experience Company, so that they could answer his questions. Will he now kindly acknowledge that offer?

Mr. Baker: I am happy to acknowledge it. However, I point out that there is a difference between off-the-record briefings behind closed doors and proper parliamentary scrutiny on the record and in the House.

[Mr. Baker]

The questions that have been answered on the record have not been answered fully. I asked one question in November and another in December. Both received holding answers and, when they were finally answered at some length in late December, they received exactly the same answer even though my questions were totally different. Someone pressed the button for the acceptable form of words for that month, and the same answer came out.

I have also asked the Minister about the tendency for so many questions to receive holding answers. When I asked her how many holding answers had been issued, she told me that she would reply to me shortly. In other words, that was a holding answer to a holding answer.

The Select Committee on Culture, Media and Sport has also examined the matter. It has said that getting information about the dome is "akin to drawing teeth" and that it is

"not so much a journey through time as a journey into the unknown."

Mr. Bermingham: If, like many of us, the hon. Gentleman had been in the House before 1997, he would have known that formal and informal discussions went on about the dome. There were arguments about its location, cost and everything else. Does not the hon. Gentleman appreciate that once a commercial operation is up and running, there is a need for confidentiality? That is simple common sense, and to carp and gripe from ignorance is not very edifying.

Mr. Baker: There are occasions when certain matters have to be kept confidential, but that excuse has been used to refuse an answer to many legitimate questions asked by hon. Members—including Labour Members who do not share the hon. Gentleman's rather rosy view.

When the Government committed themselves to the dome project in June 1997, they set five conditions: it would result in no extra burden on the public purse; its content would entertain and inspire; it would be a truly national event; it would provide a lasting legacy; and the management structure of the operating company would be strengthened. There was, incidentally, no mention of jobs or the benefit to Greenwich. I accept that Greenwich has benefited and that jobs have been created, but that was not one of the five conditions that the Government imposed when they decided to go ahead.

The key to this multi-million pound project has been private sector sponsorship. There has been confusion about exactly what has been promised to the sponsors and exactly how much they have paid. Those are more unanswered questions that ought to be cleared up by the Minister in her response. For example, in answer to a parliamentary question on 24 February 1998—two years ago this Thursday—the then Minister responsible, the right hon. Member for Hartlepool (Mr. Mandelson), told the House that the NMEC had that day announced the first four sponsors, and the list included Sky. In a parliamentary answer of 3 December 1998, he confirmed a number of sponsors, including Boots the Chemist and Sky.

On 31 January this year, the Under-Secretary, who has inherited this portfolio, revealed that three sponsors have not yet signed on the dotted line, including Boots the Chemist and Sky. The same three companies were named in a parliamentary question that I asked on 11 February, and again it was confirmed that they had not signed. That was confirmed again on 14 February.

Why have those companies, which were confirmed as sponsors two years ago, not yet signed on the dotted line? What reservations do they have? What are they trying to extract before they sign? Is there any doubt about whether they will hand over the money? If there is no doubt, why have they not signed and why have they not paid the money? The Minister must answer those questions. It is simply not good enough for Ministers to try to duck them and to set a loyalty test in respect of the dome.

On 31 January this year, the Under-Secretary said on sponsorship:

"we are confident that contractual arrangements will be finalised in the very near future."—[*Official Report*, 31 January 2000; Vol. 343, c. 476W.]

Perhaps we can find out what the Government mean by "very near future". Is that an early pledge that those sponsors will be providing money for the dome?

Mars, which is another sponsor that has not signed, and Boots use the dome and millennium experience logo on their products. Perhaps Sky does too. Why should they be able to use that marque when they have not handed over the money? In the meantime, who is stumping up the cash to make up the shortfall or cash-flow problems that the sponsors are causing by not handing over the money?

We are told that the dome is a massive success, that people think it wonderful and that everybody is flocking to it. The average number of visitors in January was 11,820 a day. If that rate continues, the dome will attract only 4,000,300 people over the year. That would fall short not only of the long established visitor target of 12 million this year, but of the new target—I wonder where it has emerged from—of 10 million. The 10 million target will still require an average of more than 27,000 visitors a day, which answers the point made by the hon. Member for Eltham (Mr. Efford), who was saying what a great success the dome is. It will not reach the new target, even with this weekend's performance.

Mr. Efford: Does not the hon. Gentleman accept that this is a quiet time of year for tourism? Most of the country's major attractions are not open, but the millennium dome is achieving high attendances. Would the hon. Gentleman care to comment on that and explain to the House what he would consider success for the dome?

Mr. Baker: I am happy to deal with that point. Given the hype, the attraction and all the newspaper coverage, positive and negative, nobody could be unaware of the millennium dome. I should have thought that those who wanted to visit it would be queueing up in January, when it was allegedly quiet; January should have been a good month for the dome, not a poor one.

Will the Minister clear up the question of the target number of visitors? The target was 12 million. In a letter dated 6 December to the hon. Member for Cardiff, Central (Mr. Jones), the Under-Secretary wrote:

"I am confident that NMEC will achieve its 12 million visitor target and that the resulting income targets will be met enabling the project, over its lifetime, to be delivered within the £758 million cash budget set for it in February 1997."

As recently as 6 December, the Minister was committed to a 12 million target. Why has that target now been dropped to 10 million? Who dropped it? Is that based on revised expectations of the number of visitors who will attend, or is there some other explanation?

Is it not true that the Minister and those involved in the dome are trying to drop the target so that they can, at the end of the year, claim that it has been met? Is there to be a further drop to 8 million later this year? According to the *Financial Times*, 75,000 visitors made it to the dome between Friday and Sunday, which makes it the best weekend yet. However, even if that success were repeated every day this year, the number of visitors would not reach 10 million over the year.

I shall not dwell on the troubles of the opening night, which have been well rehearsed both in the debate and in the newspapers, but I am concerned about the questions surrounding the management of the dome. Why, despite the fact that visitors are not turning up in the expected numbers, are there long queues, at least for certain zones? Those are apparently now being sorted out by the repair man from France, Mr. Gerbeau. On the issue of repairs, he might like to deal with the broken exhibits listed a week ago by *The Times*, whose impromptu survey found 10 exhibits broken in the living island zone; three in the work zone; 2,000 robots—the majority—not working in the mind zone; 18 exhibits broken in the learning zone; nine broken in the money zone; and the heart beat irregular in the body zone. All that suggests that the repair man from Disneyland is needed.

Mr. John Randall (Uxbridge): Is the hon. Gentleman aware that one of the exhibits that has broken down is a laughing toilet bowl? I am pleased to report that it is being repaired and, in the meantime, a life-sized sculpture of a rhinoceros has been erected. Does he agree that the rhinoceros is an admirable symbol for the dome, given that it is known for its lack of vision and its tendency to charge a lot?

Mr. Baker: With my animal welfare hat on, I am tempted to agree with the hon. Gentleman, but I should perhaps leave that matter to one side.

It was said that the dome would be a truly national event, yet only 34 per cent. of visitors have come from outside London, with only 5 per cent. coming from northern England, 2 per cent. from Scotland and fewer than 1.5 per cent. from Wales and Northern Ireland combined.

There was a fiasco about the dismissal—let us be frank, it was a dismissal—of Jennie Page. We have been told tonight that she was wonderful, fantastic, the best thing since sliced bread; but if she was so good and we owe her so much, why was she dumped out on her ear and left to cry in her office? Was it treachery, or was she not as good as has been suggested? If she was that good, she should not have been treated in that manner. Is it not the truth that the sponsors are in control and they demanded her head on a plate?

Mr. Bermingham: On a point of order, Mr. Deputy Speaker. I have two questions. First, is it not a convention of the House that hon. Members do not attack people who cannot reply for themselves? Secondly, is it not the case that we do not read speeches unless they have been circulated in advance?

Mr. Deputy Speaker (Sir Alan Haselhurst): First, there is no question of a person outside the House being attacked. Secondly, no Standing Order states that speeches may not be read, but "Erskine May" has something helpful to say on the subject and I should be pleased if more hon. Members read it.

Mr. Baker: For the record, I am not reading a speech; I am reading notes and improvising as I go along. Other Front Benchers have the benefit of the Dispatch Box on which to rest their notes, but that facility is not currently available to the Liberal Democrats. Let us hope that it will be when the House is reconstituted after the next election—but that is another debate.

The dome is architecturally a great achievement. The Jubilee line extension and the tube station there are great achievements, as is Westminster station. The staff at the dome are extremely friendly and helpful. However, the dome lacks cohesion, because the entire process has been driven by a small clique which started under the Conservative Government and continues under the present Government. Decisions are taken behind closed doors. It is not a people's dome; it is the dome of a small clique.

Mr. Efford: Will the hon. Gentleman give way?

Mr. Baker: No, I shall finish my remarks.

If a committee designs an animal, it comes up with a camel. The dome is all right, but it could have been so much better. It is not worth £758 million. It is not the icon that it has been talked up to be. The Government are not wholly responsible for that, but they had a role in it. Some serious questions have been asked in the House tonight, which the Minister has a duty to answer when she comes to the Dispatch Box.

9.10 pm

Ms Claire Ward (Watford): I am amazed by the Opposition's choice of subject for this debate. It represents political opportunism of the worst kind on the part of the Conservatives. They are exploiting what was a cross-party venture, yet apart from the hon. Member for Westbury (Mr. Faber) who has just wandered in, there were at one point in the debate only three hon. Members sitting on the Opposition Benches, including the Front Bench. That is rather strange. The Opposition initiated the debate, yet as a party they have no interest in attending or speaking in it.

The one speech that we heard from the Conservative Benches, from the right hon. Member for Henley (Mr. Heseltine), was positive in tone. It took a great deal of courage for the right hon. Gentleman to make that speech.

Mr. Michael Jabez Foster (Hastings and Rye): Was not the great distance between the right hon. Member for Henley and the rest of the Conservative party also significant?

Ms Ward: The right hon. Gentleman, who unfortunately is not present, is distant from his party not only on the subject of the dome, but on Europe, I am pleased to say.

The hon. Member for Lewes (Mr. Baker) spoke about parliamentary scrutiny. Perhaps he has forgotten that the Select Committee on Culture, Media and Sport held a

[Ms Ward]

number of inquiries into the millennium dome. There is no doubt that parliamentary scrutiny took place; there was even a debate in the Chamber on one of the Select Committee's reports.

Those of us who started off with a degree of scepticism—I include myself among them—have been convinced by the project. As a member of the Select Committee, I was involved in quizzing the right hon. Member for Henley intensely on his ideas for the dome. At that time, I was not impressed, but as the project progressed over the past two to three years, it has developed into a good project that is right for the country.

It is right that we should have a focal point for the millennium, and there is no doubt that the millennium dome provides that focal point. We should be proud that the project has been delivered to target, on time and within the budget that was set. It was built with public money, not taxpayers' money, and that represents only one fifth of the total amount of money available to the Millennium Commission.

Whether or not hon. Members supported the millennium dome project at the beginning is no longer the issue. The dome exists, and it is viewed around the world as an emblem of Britain. We must make it work. No matter what the views were before, it is important to ensure that it does not fail now. That would not be in the interests of the lottery players who contributed the money. It is not in the country's interests for the dome to be perceived as failing when we are the focus of world attention. I hope that Opposition Members will reconsider their views.

Mr. Pound: France marked the millennium with the partial sponsorship of a yacht race, and in Germany there was a trade fair. Can my hon. Friend imagine the reaction of her constituents, mine and the people of this nation, if we had not had such an achievement as the dome?

Ms Ward: There were mixed reactions to the millennium dome in my constituency, as there were in my hon. Friend's. However, there are mixed reactions to a range of lottery projects. It is important that as well as providing a national focal point, the Millennium Commission funded a range of initiatives around the country that allowed people to celebrate the millennium in their communities.

The millennium dome has meant investment in what was a waste site in Greenwich, provided thousands of jobs and played an important part in regenerating that area. No one can deny that the dome has had a difficult start. We should not make excuses for the mishaps on the opening night. It is unacceptable for people to be kept waiting at Stratford station and not to receive their tickets on time. However, one incident is not a reason to criticise the dome for the rest of the year. Perhaps the lesson that we should learn is that it is not good public relations to keep six newspaper editors and their families waiting in the cold.

Some people have always wanted the millennium dome to fail. No matter what happened on millennium eve, the dome would have had its critics. It was interesting to read the newspapers in the first few days and weeks when the millennium dome was open. First, they criticised the queues and the fact that people had to wait a long time. Then they criticised the dome for being empty. Newspapers cannot have it both ways. The dome is either a popular attraction that people want to visit—in which case, queues are to be expected—

Mr. Baker: Will the hon. Lady give way?

Ms Ward: I shall not give way, because of lack of time.

I challenge those who have criticised the queues to compare the dome with other attractions in the United Kingdom at this time of year. I have recommended that my friends not visit the dome in January, February or March, but wait until later, when the weather will be much better and the dome will have an improved programme in the form of other facilities that will be open on the site.

It was interesting to note the names of the six Opposition Members who tabled the motion. Only one of them is present at the moment. I wonder how many of them have visited the dome apart from on millennium eve, when, as I found, there was no opportunity to view all the zones. If those Opposition Members had visited the dome apart from on millennium eve, they would have realised that the proof of the pudding is in the eating, or in a day at the dome.

The independent MORI survey showed that 83 per cent. of those polled were very or fairly satisfied, and that 68 per cent. believed that the dome represented very or fairly good value for money. Furthermore, 26 per cent. of those questioned believed that the dome was much better than expected, 23 per cent. believed that it was somewhat better and 25 per cent. believed that it was about the same as they had expected. Many attractions in the United Kingdom would love to achieve such a response. More than half those questioned would definitely recommend a visit to the dome to a friend, a further quarter would probably do so and 92 per cent. rated the show in the centre good or very good.

Mr. David Faber (Westbury): If the hon. Lady thinks that the dome is such a success and everything is going so well at the moment, why did she and her fellow Labour MPs on the Select Committee reject my suggestion last week that we should reconsider it immediately?

Ms Ward: The hon. Gentleman knows very well why we decided not to hold another inquiry into the millennium dome. That is not to say that the Select Committee will not hold an inquiry—it has been said that we will and I am confident that one will take place—but this is not the right time. We should not hold an inquiry until we have considered both P-Y Gerbeau's new administration in office and the figures over a more reasonable period. The hon. Gentleman accepted that argument at the Select Committee meeting and I am most surprised that he has raised it in an attempt to cause difficulty. I am afraid that that will not work.

People of a good mix of ages have visited the millennium dome, and its links to the community—for example, the McDonald's our town and the Tesco school net—all show that it is a success and will continue to be so, no matter what the Opposition and one or two newspaper editors think. There are 10 months to go, and P-Y Gerbeau should have the nation's backing to make the project work.

I trust that hon. Members on both sides of the House will leave politics outside the dome and consider it a national event deserving of cross-party support, as at the beginning. The Conservatives had the original idea and I invite Opposition Members to listen to the right hon. Member for Henley and provide cross-party support where it is needed.

9.22 pm

Mr. Oliver Letwin (West Dorset): I confess to feeling a certain air of surrealism because the debate has been conducted largely in terms that might apply to a bingo parlour: it is marvellous that the dome got up on time, or a little dangerous that it took rather long; it is splendid that so many people visited, or a pity that so few attended. The same might be said of a popular television series or some such thing, but remarkably this particular object is not like such a series or a bingo hall. *[Interruption.]* I say to hon. Members who are amusing themselves that I do not have an interest in either of those items so I have probably used the wrong terms for them. However, the point is valid.

Ms Ward: Has the hon. Gentleman been to the dome?

Mr. Letwin: No, no. Not only have I not visited the dome, but I have absolutely no intention of doing so under any circumstances. I shall explain why.

The remarkable thing about these populist events, whose success or failure can be measured in terms of the number of people who do or do not visit them, is that people pay to see them and do so because they like them. I do not happen to like them. The public and the sponsors between them have not contributed £750 million. I know that we live in an age of inflation and that the Chancellor is spending an ever-greater proportion of our gross domestic product on numerous matters, but £750 million still strikes me as a lot of money. Were it invested, it would yield about £60 million a year on a modest appreciation. What would that sum support? Many things could be mentioned, but I want to attend to one in particular.

The Secretary of State, many Members on both sides of the House and I attended Cambridge university. What does it receive from the Higher Education Funding Council? About £60 million. What are we saying? A combination of public money via the lottery and the sponsors' money was used to fund this object, which I shall come to in a moment, in place of funding Cambridge university in perpetuity with as much again as it receives from the HEFC at present.

Whether many people went or did not go, whether schoolchildren did or did not get in and whether the Secretary of State or his Ministers were hopelessly at odds with reality when they thought they could make the thing work financially does not matter. What matters is that a colossal sum has been spent on something that is indeed—in the words of the motion—a "national embarrassment". It is a national embarrassment not because it does not work particularly well—which, goodness knows, it does not—or because the food is awful, or for some such trivial reason, but because it constitutes an extraordinary denial of the fundamental aspects of our culture that we should spend time applauding this dreadful object instead of applauding Cambridge university. I say "Cambridge university", but I could just as well name any other great university.

First, there is the question of how this object relates to our national past. In a great university, what is celebrated, what is taught and what it handed on to other generations is a heritage in the proper sense. It is a cultural heritage—something that is inherited, and in that sense a heritage—but also something that is worth having; something that is the foundation of our understanding of the world. In our great universities, however, there is also a conception of the future. *[Interruption.]* I am sorry; I did not hear what the hon. Member for Eltham (Mr. Efford) said from a sedentary position.

Mr. Efford: How many people have visited Cambridge university in the past four days?

Mr. Deputy Speaker: Order. I encourage the hon. Member for West Dorset (Mr. Letwin) not to provoke a sedentary debate.

Mr. Letwin: I am grateful for your admonition, Mr. Deputy Speaker, but I fear that, if the hon. Member for Eltham believes that the measure of a great university is the number of people who visit it, he is subject to exactly the problem that has afflicted the debate, and afflicts the Government's understanding of this object.

In a great university, we also think of the future in a certain way. We think of it as something that is not disconnected from the past, but is continuous with it. In a great university, what is passed on is not merely the heritage of the past but the foundation of the future. A culture is seen as something that comes from the past and goes to the future, understands the past and the present, and provides the basis for an understanding of the future.

All those aspects are entirely missing from the confection that is the dome. No Labour Member has remotely attempted to defend it this evening in cultural terms. The Secretary of State had an ample opportunity. I remind the House that he is the Secretary of State for, among other things, culture. He made a remarkable speech, which contained not a word about our culture and not a single attempt to defend the expenditure of £750 million on an object with no cultural value whatever.

Ms Ward: First, the £758 million that was spent was not public money. Secondly, the hon. Gentleman should have made his remarks during the education debate that took place earlier. If he wants to consider the contents of the Dome, I suggest that he goes and looks for himself, rather than criticising from a position of no knowledge at all.

Mr. Letwin: I shall resist the temptation to explain to the hon. Lady the degree to which, were I to visit the dome, my future actions might be impeded by the depression that I would encounter. Let me respond to her other point. Does she really believe that a world exists in which we ought to forget about culture because we should not concern ourselves with anything that has only £400 million of strictly public money, and should pay no attention to the fact that a great part of the Government's efforts was devoted to raising another £300-odd million, which could have been devoted to raising that £300 million in addition to the £400 million of public money for one of our great universities? If she thinks that

[Mr. Letwin]

a world exists in which we should not attend to any of that because only £400 million of public money was spent, her conception of culture, and of the state's relationship to it, is different from mine.

The odd thing is that, until prompted by my remarks, the hon. Lady did not even mention that. There she was, another Labour Member, making an eloquent speech—excellent, as always—but uttering not a word about the purpose of this thing. Apparently, it was visitor attraction.

It is sad—I mean it genuinely, not in a partisan spirit—when a nation has been so corrupted, perhaps also in part by the rhetoric of the present Government, although not wholly, that it begins to think that it is reasonable to spend as much money as would keep a great university going in perpetuity on an item that is so entirely vacuous that its defenders do not have a word to say on its behalf in cultural terms.

Mrs. Joan Humble (Blackpool, North and Fleetwood): May I advise the hon. Gentleman that, on 14 January, I joined 640 young people who had travelled from Blackpool to visit the dome? They thoroughly enjoyed its educational value, the spectacular show there and the zones. Every one to whom I spoke wanted to come back, thoroughly enjoyed it and benefited in both educational and cultural terms. They also enjoyed coming to the capital, which many of my constituents have never done.

Mr. Letwin: I close my remarks on a note that the hon. Lady prompts. I am sure that she is right. I am sure that what she describes could be replicated manyfold. I am sure that many children and even perhaps some adults much enjoyed the experience. I have no doubt that they would much enjoy many other things. Had they come to a football match, visited the tower of London, walked around and seen the pigeons in Trafalgar square, they would have had a pleasant day. If she really believes, when she reflects on it, that the nation should spend £750 million to celebrate the millennium by giving some schoolchildren a pleasant day out, her conception of what a Government preoccupying themselves with the cultural necessities of our nation means, is, I regret to say, shallow.

We have a responsibility in the House to ensure that our Government do not celebrate a millennium in so superficial a fashion. That is what has happened. It will be a matter of regret for some decades and perhaps centuries. People will look back at the dome and see in it a symbol of the shallowness of a culture that has been corrupted.

9.32 pm

Mr. Roger Godsiff (Birmingham, Sparkbrook and Small Heath): I know that time is short, so I will contain my comments to a few points.

I speak as someone who lives, in my London home, close to the dome. More relevantly, I also speak as Member of Parliament representing the centre of Birmingham. Those Members who were here before the last election will be aware that Birmingham was one of the cities that bid for the central millennium festivities. It was the right hon. Member for Henley (Mr. Heseltine), along with his colleagues, who, for understandable reasons, decided that those festivities should take place at Greenwich.

It is interesting. If Members read *Hansard*, they will find that, when the right hon. Gentleman, then Deputy Prime Minister, made the decision about which bid should be successful and defended it in the House, not one Member who is now sitting on the Opposition Benches criticised his decision then, or subsequently.

Mr. Patrick McLoughlin (West Derbyshire): Will the hon. Gentleman give way?

Mr. Godsiff: Forgive me. Time is short.

When my hon. Friend the Member for Watford (Ms Ward) refers to political opportunism, she makes a valid point.

The reason why I mention Birmingham is because, as a consolation prize, Birmingham got one of the big projects from the Millennium Commission: Millennium Point, a futuristic science park that will enormously benefit the people of Birmingham and stand for many years as a testament to that great city. Many people in Birmingham would say that that £50 million was a better prize than the original prize of getting the central festivities.

I have been to the millennium dome and it is an interesting day out.

Mr. Pound: As bad as that, eh?

Mr. Godsiff: I shall ignore that remark.

I do not get carried along by the hype. I have never believed that the dome ranks with the Taj Mahal as one of the great wonders of the world. However, it is an interesting building.

I am sure that the Government are aware of the public concern. Those who have been to the dome often come away with the feeling that there is an unresolved clash of themes: the understandable commercial theme of the sponsors, who want to push their brands, and the theme of the artists, who are trying to project something relating to Britain's past and its future. I have had the pleasure to go to Disneyland and, more importantly, to the Epcot centre next door—the futuristic science theme museum and park. The dome is not a Disneyland or an Epcot centre. I regret to say that many people say after visiting the dome that it is really just a pumped-up trade show.

That is sad, because it undermines many of the successes that the dome has brought to the area, to which my hon. Friend the Member for Eltham (Mr. Efford) referred. That part of London, which I know well, has greatly needed the vast amounts of public expenditure. The money that has gone into the infrastructure will bring lasting benefits to the community. I have no doubt that whatever succeeds the dome will stand the test of time. The money that has been spent will be recouped and we can be proud of what we have put there. It is just sad that the clash of cultures and themes could not have been resolved before the dome was opened.

9.37 pm

Mr. Christopher Fraser (Mid-Dorset and North Poole): This has been a short debate, long waited for by the Conservatives. My hon. Friend the Member for East Surrey (Mr. Ainsworth) set out the mishaps surrounding the project and the Government interference that has

dogged it. Unlike the Secretary of State, I shall restrict my comments to the dome and not drift off to other issues. The hon. Member for Lewes (Mr. Baker), as ever, asked the Government many questions that remain unanswered. My hon. Friend the Member for West Dorset (Mr. Letwin) made some telling and intellectual observations on culture and the history of this country.

Some hon. Members have pointed out that the project was conceived by the Conservative Government. My right hon. Friend the Member for Henley (Mr. Heseltine) confirmed the purpose of the project. He articulated why the dome was to be built and portrayed the philosophy that the previous Government believed would be at the heart of the dome and what it would stand for—an image of a country at the forefront of cultural, artistic, engineering and scientific activity and attainment. It was to be about a sense of unity, bringing the nation together, and the regeneration of a derelict and contaminated area of London. That was my right hon. Friend's vision, embraced by the Select Committee on Culture, Media and Sport and by hon. Members on both sides of the House. It was not a concept that should divide Members.

The noble vision of all that is best of British was destroyed when the Millbank machine took control and the Labour party decided to make the millennium dome a symbol of new Labour. Ever since the Labour Government finally proclaimed that they would, after all, allow the dome to continue, political interference has dogged the project. If proof were needed of the Government's determination to interfere with the project, as my hon. Friend the shadow Secretary of State has said, it was found in the appointment of the right hon. Member for Hartlepool (Mr. Mandelson), Labour's Mr. Fixit, known colloquially as the Dome Secretary. There is a wealth of evidence of the Government's interference in the millennium dome project. That has been nothing but detrimental to the success of what should have been a national celebration and an object of pride.

If new Labour could not come up with five meaningful election pledges, how could it possibly have been expected to come up with 14 meaningful dome zones? If only the Government had left NMEC and its chosen advisers to get on with the finer details, how much more inspired the zones and the whole experience could have been.

Perhaps the most troubled zone has been the faith zone, which was in true politically correct fashion renamed "faith zone" because the word "the" was thought to imply that only one faith—Christianity—was to be celebrated. It has been the target of much criticism from the Church of England, as a symbol of all that is wrong with the dome itself. On many occasions, we have said that the Government's mantra is one of style before substance; in this case, it is style before content.

The hon. Member for Watford (Ms Ward), who serves with me on the Select Committee, summed it up:

"It is a little like Cadbury's developing a wrapper without actually deciding what the chocolate bar is going to be."

It is a shame that she did not say the same today.

Ms Ward: Will the hon. Gentleman give way?

Mr. Fraser: No, there is no time. [HON. MEMBERS: "Shame."] I must carry on.

It comes down to the fact that a Government who so pride themselves on the ability to get the message across and concentrate all their efforts on communication have failed to get the positive message out on the millennium dome. They have thus failed not only the dome but the nation itself. That failure has understandably created apathy in Britain and made nonsense of the Prime Minister's prediction in 1998 that the British people would seize the moment.

The dome is a project that the people of Britain rightly wanted to support. They wanted to be inspired by a new wonder of Britain to visit in the new century. Even the Deputy Prime Minister must have recognised that the Government were pushing against an open door when he was reported to have told the Prime Minister:

"If we can't make this work, we're not much of a Government."

He also said—the words will come back to haunt him—that the dome would be the Labour Government's

"first big test of competence".

Muddle, dither and delay were features of the Government's approach to the dome even before they took office. Even then, their failure to get behind the project was inexcusable; but, as soon as they assumed power, their inability to make up their mind meant that, quite understandably, the private sector was reluctant to commit money. I warned the House two years ago that there would be serious repercussions. Now we know just how serious they are. Even now, nearly two months after the dome opened, three high-profile sponsors are yet to sign their contracts.

Can the Minister confirm that the Government are seeking cut-price deals to get themselves out of this hole? Ministers must learn that, in the real world of business, companies do not like throwing good money after bad. Mr. Michael Grade, a director of NMEC, asked the Select Committee to consider the dome in comparison to two key sporting events. He told us that the organisers had known for more than 100 years that the Olympic games would come in 2000, and that the world cup, as a very predictable event, is planned six or eight years ahead. On behalf of NMEC, he explained that "we are playing catch-up." Playing catch-up two years before opening night? Surely NMEC realised when the millennium would come, or was it playing catch-up because of Labour's dither and delay?

Even now, at the end of February 2000, the Government's dome is surrounded by controversy. We all hope that it will regain its momentum, but it cannot do so while the bad press continues about high-level resignations and allegations of Ministers' involvement. I endorse the words of the hon. Member for Glasgow, Cathcart (Mr. Maxton), who said in the Select Committee of the resignation of Jennie Page:

"I think we will have to look and ask the questions, both of the ministers and of the company, as to how it happened and why it happened."

One of the Government's special talents is the ability to take the credit when it suits and to deflect the blame when they know that they are responsible. The failures are none the less well documented. Setting aside new year's eve, we all know the history of the Jubilee line extension, which has been an utter disgrace. We know that the opening was delayed and delayed again; that, when the first section finally opened, it had to be closed again; and that, in the final reckoning, the budget went out of control.

[Mr. Fraser]

The Government failed to speed up the construction to tackle the problems caused by the unions representing the electricians. They failed to understand that the implications of the working time directive made it more difficult for contractors to finish on time.

To add insult to injury for the 3,000 people who were delayed on new year's eve and who could have been ambassadors for the dome, their problems were greeted by inappropriate comments from the right hon. Member for Holborn and St. Pancras (Mr. Dobson), who told Radio 4:

"I have nothing to do with the dome. It was a bit of a laugh, really, some of those toffee-nosed people having to queue."

Why does he have nothing to do with the dome? Why is he not here to defend it, not least in the recognition that it is in a derelict part of London, which he hopes one day—God forbid—to have something to do with? What kind of ambassador for London would he be, if ever he were to be elected?

On 1 January, the media wreaked their revenge. Is it any surprise that, as a result of Government mismanagement, the dome has seen poor attendance levels, long queues and failed equipment? Why should people bother to make the trip, despite last weekend's hype, which was mentioned earlier?

I questioned the Government in January 1998 about what would happen if the number of visitors was less than the 12 million needed to break even. At that time, a senior Disney executive—yes, it was involved even then—a man with vast experience of visitor attractions, had been blunt when he told the Select Committee:

"I do not believe those numbers."

The then Minister could not answer me, because—he said—he had not thought about it. Had the Government listened, they would not have had to go cap in hand to that same organisation to sort out the problems that should have been recognised two years ago. They were arrogant then, and they are arrogant now, about the problems.

Will the Minister answer some questions today? What criteria will be used to judge the performance of Mr. Gerbeau, the self-styled saviour of Disneyland Paris? What contingency plan does the Government have in case he, too, should resign? What was the new opportunities fund set up to achieve? Was its original purpose to bail out the dome if it got into difficulties? Does she agree that we must now address the issue of pricing of tickets and transport to the dome to encourage visitors to the attraction? The past three days may have been encouraging, but if people do not come during school holidays and when the tourist season starts, then the dome is doomed from the word go. Will the Minister encourage NMEC to address the problem of queuing now, while the visitor numbers are low, so that the increase in visitors, which we all want to see, does not lead to unmanageable and unpopular queues?

The Prime Minister is reported to have said that the dome and its content will be the first paragraph of his next election manifesto. That will make interesting reading. He and his Government need to do some serious thinking about their priorities. They have failed abysmally on the delivery of key pledges. They have failed to reduce NHS waiting lists, to increase police numbers, and to maintain spending on education at the levels that they inherited, but they find time to meddle and interfere in the organisation of the dome—to the great detriment of the project.

The success of the dome remains to be seen, but what is certain is that the one thing that the dome does not need is more Government interference. I wish the dome well despite the Government's interference. It must succeed and it must be allowed to succeed—for the nation's sake.

9.48 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Janet Anderson): The hon. Member for Mid-Dorset and North Poole (Mr. Fraser) who has been newly appointed to the Front Bench and who stood in for the hon. Member for Ryedale (Mr. Greenway), who sadly could not be with us this evening, has put a lot of questions to us and I am only sorry that he has not left us much time to answer them. I will do my best.

Given that this is an issue that the Opposition clearly take seriously, I was surprised to see so few Opposition Members present for the majority of the debate. In fact, the number we have now is a record. However, it is good to have this opportunity to set the record straight. I was amused by the Opposition's motion, which talks of Government interference. The hon. Member for East Surrey (Mr. Ainsworth) claimed that he had never done anything to denigrate the dome, but the motion calls it

"a source of national embarrassment, a wasted opportunity to celebrate Britain and the Millennium and poor value for Lottery players' money."

If that is not denigrating the dome, I do not know what is.

Politicians do not have to interfere with the dome and, in fact, we have no locus to interfere, because—as the hon. Gentleman knows only too well—the dome is run by an independent company. The dome can speak for itself. On Friday, Saturday and Sunday of this weekend, the dome was sold out. This morning, as has already been reported, the dome was sold out by 11.30 am. There was an announcement on the Jubilee line telling people not to proceed to the dome because they would not get in. I happen to know that the Deputy Prime Minister was down there today with 600 schoolchildren from his constituency. He found a father and two children distraught outside the dome because they could not get in because the dome was full. So my right hon. Friend brought them here for a tour of Parliament, and to listen to the debate, in which they will have heard some of the pathetic contributions from Conservative Members.

In the past four days alone, the dome has attracted 100,000 visitors. The total had reached 366,000 by the end of January, and the figure is continuing to rise. The hon. Member for East Surrey referred to an obscure website and said that the dome did not represent value for money. However, he is the Opposition spokesman on tourism, and he should know that the *Good Guide to Britain* said that the dome was the best value for money of any visitor attraction. It is the most popular visitor attraction in the country.

Mr. Peter Ainsworth: I am grateful to the Minister for giving way, as I appreciate that time is short. However, there is a difference between value for money in terms of the quality of experience for the people who spend £20 to visit the dome, and value for money in terms of an investment of £400 million of lottery players' money.

We have been talking about the latter problem this evening: if the Minister did not understand that, she has missed the entire point of the debate.

Janet Anderson: I remind the hon. Gentleman that it was the Conservative party that decided to go ahead with the dome project in the first place. The dome was a Tory idea. Of course there have been teething troubles: no such attraction ever avoids them, as the right hon. Member for Henley (Mr. Heseltine) explained. The company is seeing what can be done about better visitor management flow and signage. There is a dome-ometer to warn people of waiting times at the zones, and so on.

Some Opposition Members complained about queues, but they cannot have it both ways. Perhaps the existence of queues means that people want to visit the dome.

Reference has been made to Jennie Page. Opposition Members will know that her employment was a matter for the company, but I want to place on record my support for her, and my pleasure at the way in which she delivered the project on time and on budget.

Mr. Baker: Will the Minister give way?

Janet Anderson: No, I have very little time and the hon. Gentleman took a great deal of that in the debate.

The right hon. Member for Henley talked about the initial vision that the dome would be an all-party project. He said that there was no political discussion in the commission, and it is a great shame that Conservative Members should have tried to bring party politics into the matter.

There has been some reference to sponsorship, and I can announce tonight that Mars has now signed the sponsorship contract. In addition, the two remaining sponsors, Boots and BSkyB, are committed at board level and have already made substantial financial contributions. They are using the millennium logo, and it merely remains for them to sign the fine print. I am sure that they will do so.

Conservative Members have also tried to criticise my right hon. Friend the Member for Hartlepool (Mr. Mandelson) for excessive secrecy when he was in charge of the project. However, the right hon. Member for Henley told the House that that was far from the case. Conservative Members should have listened to the right hon. Gentleman, who has a great deal of business experience. He described the dome as a project of complexity and sophistication. As he said, it was unfair that the project should have been subject to constant questioning, which no other similar project would have attracted.

My hon. Friend the Member for Eltham (Mr. Efford) has always been a firm supporter of the project. He mentioned the benefits that it had brought to industries around the country, and he is right. The steel used in the dome came from Bristol, and from Watson's Steel of Bolton, which is just next door to my constituency. I am therefore well aware of the benefits that have accrued to firms around the country.

I am astonished at how Conservative Members appear unaware of the value of tourism. The British Tourist Authority estimates that extra tourist spending of £1 billion will come into this country as a result of the dome. Conservative Members should know that tourism is the fastest growing industry in the world. We look forward to the Conservative party's tourism policy, which I understand was launched in Belfast recently. However, we have not seen it yet.

Earlier, I said that my right hon. Friend the Deputy Prime Minister took 600 children from his constituency to the dome today. A special train was hired to bring them down, and I should like to read the comments of a couple of the children who went. Emma Hewick, aged 11, said:

"I loved the trip down, our dinner here and everything we saw. It's been a brill day."

Jordan Mastin, aged 10, said:

"It was all very educational, but also hugely enjoyable. All of it was excellent, and I now want to persuade my Mum and Dad to bring me all over again. The show was spectacular, and I wanted to be up there as well, flying through the air. It's been a brilliant day and I loved every second of it."

The hon. Member for Lewes (Mr. Baker) talked about an alleged failure to answer his parliamentary questions. I repeat that some of those questions could not be answered in detail; we were as open as possible, but there was a question of commercial confidentiality. No other project of this kind would have been required to make some of that information public at that stage. As the hon. Gentleman knows only too well, I invited him to the Department to meet my officials and members from the company so that we could brief him, off the record. What did he do? After about five minutes, he said, "Actually, I would prefer to talk to you about broadcasting, because I have to draft our party's policy on broadcasting."

Mr. Baker: I am grateful to the Minister for giving way. I should like to make it absolutely clear that the purpose of the meeting, as far as I was concerned, was broadcasting. It was the Minister who wanted to talk about the millennium dome at that point. There is a difference between off-the-record briefings and public accountability in the House.

Janet Anderson: If the hon. Gentleman had told me that he was going to talk about broadcasting, I would not have taken the trouble to invite representatives of the New Millennium Experience Company to the meeting.

During the debate, right hon. and hon. Members have talked about the target of 12 million visitors over the year. I confirm that that is still the company's aim. It is now saying that it thinks that it can break even if it achieves a figure of 10 million. That is the difference, and I hope that Conservative Members will remember that.

Mr. Fraser: I am extremely pleased that the hon. Lady has given way. I have three pages of questions that I put to her earlier. I am happy to pass them across for her to start answering some of them.

Janet Anderson: I thank the hon. Gentleman. If only Conservative Members had allowed us a little more time in which to respond, we could have answered his questions.

My hon. Friend the Member for Watford (Ms Ward) referred, quite rightly, to the lack of interest shown by Conservative Members about the subject of what is, after all, their debate. They have talked a lot about the money spent on the dome. Yet it was their project originally, and the money spent on the dome accounts for only one

[Janet Anderson]

fifth of Millennium Commission funding. Some 622 constituencies around the country will be celebrating the millennium in their own communities as a result of millennium funding. My hon. Friend also quoted visitor satisfaction surveys. I will not repeat them, except to say that people obviously like the dome.

The hon. Member for West Dorset (Mr. Letwin) says that not only has he not been to the dome to see it for himself, but he has no intention of going. I looked up the hon. Gentleman's career thus far before coming to the House, and I see that it followed the path of Eton, Trinity and the London business school. My strong advice to him is to go down to the dome, get into the real world and enjoy the very real cultural experience that if offers. The dome is all about attracting people—entertaining them, educating them, involving them and inspiring them. It is also about appealing to the many, not the few.

My hon. Friend the Member for Birmingham, Sparkbrook and Small Heath (Mr. Godsiff) said that he had had an interesting day out, but he referred to a possible clash of themes. That is not the experience of the majority of people who have gone there and confirmed that the dome offers something for everyone. It is not intended to be Disneyland; it is not a trumped-up trade show. The evidence is that so many people want to return.

Many questions have been posed tonight, and I am sorry—*[Interruption.]* It is no use Conservative Members bleating, because they allowed very little time for a response. We should all put ourselves behind the millennium dome, and put aside party politics. I wish that Conservative Members would stop carping; if they have not been to the dome, they should go now. If they do—

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 141, Noes 275.

Division No. 85] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

NOES

Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm

Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rowlands, Ted
Roy, Frank
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Robert Ainsworth and
Mr. David Jamieson.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 261, Noes 298.

Division No. 86] **[10.12 pm**

AYES

Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor

Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rowlands, Ted
Roy, Frank
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver

Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Walter, Robert
Waterson, Nigel
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

Question accordingly agreed to.

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House believes that the Millennium Experience—and the many other Millennium activities—represent both an excellent celebration for the people of this country and a tangible and enduring legacy for future generations; further welcomes the announcement that the New Millennium Experience Company team will be introducing improvements which deliver even greater value for money both to the paying visitor and to the Millennium Commission; and, in particular, notes the record attendances at the Dome in the week commencing 7th February and the recent high satisfaction ratings amongst visitors.

HOUSE OF COMMONS COMMISSION

Ordered,

That Sir Peter Lloyd and Dr. Lewis Moonie be discharged from the House of Commons Commission and Mr. Eric Forth and Mr. Stuart Bell be appointed members of the Commission under the House of Commons (Administration) Act 1978.—*[Mr. Kevin Hughes.]*

DELEGATED LEGISLATION

Madam Speaker: With the permission of the House, I shall put motions 3 and 4 together.

Mr. Patrick McLoughlin (West Derbyshire): Object.

Madam Speaker: To what is the hon. Gentleman objecting?

Mr. McLoughlin: To motion 3, Madam Speaker.

Madam Speaker: In that case, let the Question be put on motion 3 alone.

Social Security

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Social Security (Contributions) (Re-rating and National Insurance Funds Payments) Order 2000, which was laid before this House on 31st January, be approved.—*[Mr. Kevin Hughes.]*

The House divided: Ayes 248, Noes 124.

Division No. 87] **[10.25 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Keen, Alan *(Feltham & Heston)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWilliam, John
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Roy, Frank
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woodward, Shaun
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and Mr. Mike Hall.

NOES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*

Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Walter, Robert
Whittingdale, John
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

Question accordingly agreed to.

OVERSEAS DEVELOPMENT AND CO-OPERATION

Motion made, and Question proposed, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft African Development Fund (Eighth Replenishment) Order 1999, which was laid before this House on 31st January, be approved.—*[Mr. Kevin Hughes.]*

Question agreed to.

COMMITTEES

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to Committees.

Ordered,

ADMINISTRATION

That Mr. Oliver Heald be discharged from the Administration Committee and Mr. Stephen Day be added to the Committee.

AGRICULTURE

That Mr. Peter Luff be discharged from the Agriculture Committee and Mr. Owen Paterson be added to the Committee.

DEFENCE

That Mr. Crispin Blunt be discharged from the Defence Committee and Mr. Peter Viggers be added to the Committee.

ENVIRONMENT, TRANSPORT AND REGIONAL AFFAIRS

That Mr. John Randall be discharged from the Environment, Transport and Regional Affairs Committee and Mr. Crispin Blunt be added to the Committee.

TREASURY

That Dr. Lewis Moonie be discharged from the Treasury Committee and Mr. Nigel Beard be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Adjournment

Resolved,

That this House do now adjourn.—*[Mr. Kevin Hughes.]*

Adjourned accordingly at twenty-two minutes to Eleven o'clock.

House of Commons

Tuesday 22 February 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREENHAM AND CROOKHAM COMMONS BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Tuesday 29 February.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Higher Education

1. **Mr. Geoffrey Clifton-Brown** (Cotswold): What representations he has received from the Secretary of State for Education and Employment regarding Scottish higher education students studying in England and Wales. [109584]

The Minister of State, Scotland Office (Mr. Brian Wilson): My right hon. Friends have discussions from time to time on a range of matters.

Mr. Clifton-Brown: I thank the Minister for that illuminating reply. Does he agree that the compromise that has been reached with the Scottish Executive is confusing, because students in Scotland will have to repay some of their tuition fees at the end of their courses if they study in Scotland, whereas if they study in England they will have to pay all the fees up front? English students will be discouraged from going to Scottish universities because, unlike their Scottish counterparts, they will have to pay all their fees up front if they study in Scotland, and they will be even further discouraged because Scottish universities have four-year rather than three-year courses. Does the Minister agree with Mr. Brian Monteith, the Scottish Tory education spokesman, that the whole system is chaotic and causes discrimination?

Mr. Wilson: It is not within my power to dictate what confuses the hon. Gentleman and what does not. What clearly confused him was finding the name of the Tory education spokesman in Scotland. For future reference, it is Monteith with an "o".

The hon. Gentleman makes a poor point. There has always been a difference between the education systems in England and Scotland. There have always been four-year honours degree courses in Scotland. If he is confused now, he was presumably confused in the past and will be confused in the future. As for the different funding arrangements, that is what devolution is about. There are two different routes to the same goal, which is to get more money and more people from less well-off backgrounds into higher education. The Tories dismally failed to achieve those two goals in 18 years.

Mr. Mohammad Sarwar (Glasgow, Govan): Does my hon. Friend agree with me that the Conservative party opposed devolution in Scotland and continues to oppose the settled will of the Scottish people? Does he further agree that the Scottish Executive and the Scottish Parliament are free to make decisions on behalf of their constituents without the interference of Conservative Members of this House?

Mr. Wilson: My hon. Friend is absolutely right. If the Scottish Parliament and the Scottish Executive decide to make additional or different arrangements that incur greater costs, they have the right to pay for that from the block grant. That is what devolution is about. I repeat that we have two objectives: to get more money into higher education, and we are doing that to the tune of £58 million this year, which is a 10 per cent. increase; and to get more people from less well-off backgrounds into higher education—40 per cent. of those from Scotland going into higher education do not pay a penny in tuition fees, no matter where they go. Those are the objectives that we shall continue to pursue.

Mr. John Swinney (North Tayside): Has the Minister or the Secretary of State for Scotland made any representations to the Secretary of State for Education and Employment and to the Treasury about addressing the consequences of abolishing tuition fees for Scottish students at English and Welsh institutions? If so, have Ministers in the Scotland Office been privy to the legal opinion obtained by the Scottish Executive that sets out the legal position on this matter?

Mr. Wilson: As I said, we have wide-ranging discussions, and all aspects of funding are part of the continuing discussions between the Secretary of State and his colleagues and myself and my colleagues. We also have access to all legal opinions offered to the Scottish Executive on such matters, which clearly have reserved implications.

Mr. Dominic Grieve (Beaconsfield): The Minister talks about the settled will of the Scottish people, but I am sure that he has seen the poll in today's edition of *The Scotsman*, which shows a decline in support for devolution and a rise in support for those who wish to get rid of the Scottish Parliament altogether and for those who want independence. Is not the reason for such a decline in support for devolution the fact that people are mystified by the confusion that has crept in precisely in areas such as education?

The Minister has never given a clear answer as to why the Scottish Executive is prevented from enabling Scottish students at English universities to have the same regime as those who are studying in Scotland. Will he make it clear what the reason is, or will that confusion remain? Does he agree that it is precisely that confusion that makes people disinclined to favour the present devolution settlement?

Mr. Wilson: The hon. Gentleman sets an interesting psephological puzzle. If, as he claims, support for his party's position on these issues is on the increase in Scotland, it is truly remarkable that support for his party continues to be on the decrease in Scotland to the point of statistical insignificance.

On the issue of Scottish students in England, there are two different systems for funding students. As I said, 40 per cent. of Scottish students, no matter where they study, will pay nothing in tuition fees. Those who pay tuition fees in England have the right to deferred repayment. I repeat that our goals are to put more money into higher education and to have more students from less well-off backgrounds. There are two different routes to those objectives: one in Scotland, one in England. That is not only devolution in practice, but putting principle into practice to widen the options and to improve the quality of higher education.

Local Government Act 1986

2. **Mr. Desmond Swayne** (New Forest, West): What discussions he has had with the First Minister regarding the repeal of section 2A of the Local Government Act 1986. [109607]

The Secretary of State for Scotland (Dr. John Reid): I have regular discussions with the First Minister on a range of issues relating to Scotland.

Mr. Swayne: Does not this policy prove to parents throughout Scotland and, indeed, throughout the kingdom that the evangelist Pat Robertson may have been right after all? If Scotland is becoming a dark land, the right hon. Gentleman's policy is responsible. Is he aware of the fate of the cities of the plain?

Dr. Reid: I do not think that I could have done better than the hon. Gentleman in illustrating why we needed to look again at section 28 of the Local Government Act 1988. His views, and those of Mr. Robertson, gave rise to this, under the Thatcher Government.

The issue is sensitive, and it should be dealt with in a sensitive fashion. It is also an extremely complex issue, on which there are strong feelings on all sides. The First Minister and the Scottish Executive are trying to find a sensitive and correct solution, but, in view of what the hon. Gentleman has said, let me make it clear that neither the Scottish Executive nor the United Kingdom Government seek to promote homosexuality in schools. That is not the intention of anyone in government, north or south of the border. An attempt is being made, however, to balance the protection of children in our schools and the assurance to every one of them that, in civil and criminal terms and in the eyes of God, they are of equal value with ensuring that we do not go to the other extreme, and allow the promotion of homosexuality.

As I have said, the issue is complex and sensitive, and I am afraid that polarisation, and the language used sometimes by the hon. Gentleman and certainly by his hero Mr. Robertson, contributes not light but merely heat to the debate.

Mr. John Maxton (Glasgow, Cathcart): Would my right hon. Friend care to comment on the cynical way in which the leader of the Scottish National party, having voted for the repeal of section 2A in the Scottish Parliament recently, now appears to be trying to gather support from those who oppose the repeal in the Ayr by-election? Is that not just another example of the SNP leader's apparent belief that any means justifies the end that he is trying to achieve?

Dr. Reid: I do not want to make any personal remarks. The personalisation of politics seems to be the hallmark of the Scottish National party, and I prefer to leave it that way.

I think that people will make their own judgment on what is apparently a matter of principle that has been overtaken by a Damascene conversion at the launch of a by-election in Ayr. They will decide whether decisions have been made in a profound and principled fashion, or whether they are the result of opportunism.

Sir Patrick Cormack (South Staffordshire): I would not expect the right hon. Gentleman to take a great deal of notice of Mr. Robertson. Does he accept, however, that he really ought to take notice of Cardinal Winning? Has not Cardinal Winning spoken for many people, not only in Scotland but in the United Kingdom as a whole, in voicing his real concerns?

Why on earth bother with the section at all? It can only encourage the few predatory people who would cause great damage to many young and vulnerable people.

Dr. Reid: Let me answer the first part of the question by saying that I have a profound respect for, and indeed friendship with, Cardinal Winning. The hon. Gentleman will have noted that I was the first Secretary of State to honour the cardinal with a ceremony and a lunch here in his official capacity. He speaks for a great many people, and we take his views very seriously.

As for the second part of the question, we have no intention of allowing anyone, whether predatory or otherwise, to promote homosexuality in our schools. We—and the First Minister and the Scottish Executive—are attempting to find a correct solution to a complex issue, having taken consultations into account and having listened to what people are saying.

As the hon. Gentleman will understand, we are required not only to defend ourselves against those whom he mentioned who would proselytise and promote homosexuality, but to protect children in our schools—all children. Surely, all children are of equal value and equal worth. We have to allow those who care for those children, including the teaching profession, to be able to reassure them of that value and worth without the prospect of falling foul of the law.

That is the profound and complex issue that we are trying to deal with. I thank the hon. Gentleman for the way in which he expressed his remarks. If many others did it in that fashion, rather than in the way that his

colleague, the hon. Member for New Forest, West (Mr. Swayne) did, we would probably make more progress on the matter.

National Minimum Wage

3. **Mr. Jim Murphy** (Eastwood): If he will make a statement about the impact of the national minimum wage in Scotland. [109608]

The Secretary of State for Scotland (Dr. John Reid): The national minimum wage has brought substantial benefits to a large number of people throughout the UK, including Scotland, with no adverse effects on the economy. It is estimated that about 150,000 people in Scotland will benefit from the national minimum wage.

Mr. Murphy: I thank my right hon. Friend for that reply. On behalf of those 150,000 low-paid people in Scotland, may I welcome the recent announcement of the increase in the national minimum wage, which will improve the quality of life of many families in Scotland? I urge him to be tough on two groups who oppose the national minimum wage: first, the small number of Scottish businesses that continue to evade the procedures and legislation. Will he work with others to close those loopholes? Secondly, and perhaps more significantly, will he reserve no effort and no energy in being tough on the Conservative party, which continually opposes the national minimum wage in Scotland and which would have ensured that those 150,000 Scottish families had no national minimum wage whatever?

Dr. Reid: My hon. Friend is correct. The national minimum wage, which is one of the most radical and beneficial changes brought about by the Government, was carried through in the teeth of opposition from the Tory party, with the Scottish National party standing aside, as usual, betraying the low paid in Scotland by refusing to turn up even to vote on the matter. We will be tough on those employers who refuse to implement the national minimum wage. It is of enormous benefit to people not only in his constituency, as he knows, but in a place—I just pluck somewhere out of the air—such as Ayr, where almost 1,000 low paid workers have had an increase. It is not something that they are sneering at, unlike the SNP.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Secretary of State is right to say that the introduction of the minimum wage has had many beneficial effects, but will he concede that some groups of workers cannot take advantage of it over a year? I think of people such as school dinner staff, who, because of the way in which contracts are configured, are laid off for the long summer recesses.

The Secretary of State will be aware that the ability of those people to claim jobseeker's allowance during the summer holidays is deadlocked between the Court of Session in Edinburgh and the Court of Appeal in the House of Lords in London. Will he work with his ministerial colleagues and others to change the regulations? At a stroke, they could be changed and those important staff could get access to JSA during the summer.

Dr. Reid: I hear what the hon. Gentleman says, but, he will appreciate—in fact, he mentioned it—that the matter is sub judice. Court proceedings are taking place on the matter. As he will know, there have been several court decisions, not all entirely consistent, so we have to wait until the legal position is resolved. I would not want to say anything more than that while the legal proceedings continue.

Mr. Russell Brown (Dumfries): Will my right hon. Friend welcome the fact that the action of national minimum wage enforcement officers has ensured that women employed at Chicony Electronics in Greenock now receive the national minimum wage and not the pitiful 96p an hour that they previously received? Does he agree that Scottish employers now have a duty to their employees to pay that minimum rate?

Dr. Reid: Yes, I agree with my hon. Friend. The national minimum wage is one example of how people's lives are being made better. Politics is not about charts on accountants' walls or graphs published in official statistics, but about ordinary people gaining benefit from their Government. The case that my hon. Friend mentioned is an example of that. The increase that he mentioned amounts to almost £3 an hour, which is £24 a day or £100 a week. With the other social justice measures that we are introducing—such as the working families tax credit, increase in child benefit, restoration of free eye tests to pensioners and the Christmas bonus—we are the first Government not only to pledge ourselves to combating and eradicating poverty, but to put our pledges on those matters into practice.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Given that the minimum wage has been introduced without detriment to the economy, is there not an unanswerable case to give a commitment to upgrade it annually in line with inflation or, preferably, with average earnings? Will the Secretary of State lobby his colleagues to give that commitment?

Dr. Reid: Given the hon. Gentleman's absolute passion and commitment on the national minimum wage, I am rather surprised that he could not be bothered even to turn up and vote for it. When we were up all night fighting the Tories in the House on the minimum wage, he was absent. Therefore, I do not particularly want to take lessons from him on the matter. All I would say is that 150,000 people in Scotland will be substantially better off as a result of a measure passed by the Labour Government in the teeth of Tory opposition—when, once again, we looked around and found that the Tories' allies in failing to support the minimum wage were the hon. Gentleman and his colleagues in the Scottish National party.

Strategic Rail Authority

4. **Mr. Malcolm Savidge** (Aberdeen, North): What assistance he has given in establishing the Strategic Rail Authority; and what its impact will be in Scotland. [109610]

The Minister of State, Scotland Office (Mr. Brian Wilson): The establishment of the Strategic Rail Authority is an important step forward in ensuring a co-ordinated oversight of railway services across the United Kingdom. In Scotland, the Strategic Rail Authority

will administer all passenger rail franchises, including the making of franchise payments to the relevant train operating companies.

Mr. Savidge: Will my hon. Friend seek to ensure that new rail franchises stipulate the maintenance and improvement of direct through train links between Aberdeen and London, and particularly the progressive upgrading of passenger and freight services on the neglected stretch between Aberdeen and Edinburgh?

Mr. Wilson: I congratulate my hon. Friend and his Labour colleagues in the north-east on their pursuit of that issue. I well remember, during opposition to privatisation, going to Aberdeen to make it clear that if privatisation and fragmentation proceeded, there would not be the same commercial incentive for the upgrading of the link between Edinburgh and Aberdeen. We shall have a Strategic Rail Authority that is able to intervene in those circumstances.

Moreover, the Scottish Executive will be able to make directions to Railtrack. If Railtrack resists, the Secretary of State for the Environment, Transport and the Regions and the Department of Transport will be able to adjudicate. We now have a structure within which it will be possible to pursue those objectives. We have also had to overturn the damage of rail fragmentation that was caused by the previous Government and that endangered the type of upgrading that my hon. Friend and I both want.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): Does the Minister agree that one of the important functions of the Strategic Rail Authority will be to promote and re-introduce rail services through rural parts of Scotland? Does he welcome with me last week's report highlighting the fact that there is the possibility of a viable railway through the borders, connecting Edinburgh with England and the west coast main line? Will he work with me and my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) in promoting that railway and in working with the SRA to ensure that that railway is one of its top priorities?

Mr. Wilson: As the hon. Gentleman knows from my visits to the borders, I am very interested in, and attracted to, the proposition of restoring that link. He will also know that the Scottish Executive have been examining the matter and have expressed positive interest in the proposals. It is a very important project for the borders.

Again, it would be for the Scottish Executive to make proposals to Railtrack. It would then be for Railtrack to respond, in consultation with the train operating companies. Ultimately, it would be for the Secretary of State for the Environment, Transport and the Regions to adjudicate on the matter, if that were necessary. The structure is in place, making it possible for us to go forward on those projects. The Tories sought to make doing that impossible by their fragmentation of the railways and by leaving it all to the free market.

Mr. Desmond Browne (Kilmarnock and Loudoun): My hon. Friend will be aware that, despite recent improvements in the infrastructure, the rolling stock and the timetabling of rail services in Scotland, it is still not possible to travel from Ayr on the west coast to Edinburgh on the east coast in any time that rivals a direct road journey. In his discussions with the Scottish Executive, the strategic rail authority and Railtrack, will he stress the importance to the economy of the areas west and south of Glasgow of better east-west links and better access to the national rail network?

Mr. Wilson: The Under-Secretary of State for International Development, my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) is cheering with particular enthusiasm as he wants a direct link between Ayr and Tynecastle. The point that my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) makes is exactly right. It is important that once again we are getting back to the concept of a united national rail network and a strategic framework for the development of the railways. The Scottish Executive has an important role in promoting rail services and working with the strategic rail authority to make exactly the improvements that we would like. My hon. Friend mentioned Ayr, so we should remember the important role of the Strathclyde passenger transport executive, working hand in hand with other authorities to achieve what Labour wants—an integrated public transport system.

ADVOCATE-GENERAL FOR SCOTLAND

The Advocate-General was asked—

Legislation

22. **Mr. James Clappison** (Hertsmere): How many Bills introduced in the Scottish Parliament she has considered; and on how many occasions she has advised that such Bills are not within the Parliament's competence. [109632]

The Advocate-General for Scotland (Dr. Lynda Clark): Thus far, two Bills have been passed by the Scottish Parliament and I have not considered it necessary to refer either to the Judicial Committee of the Privy Council. They are now the Mental Health (Public Safety and Appeals) (Scotland) Act 1999 and the Public Finance and Accountability (Scotland) Act 2000.

Mr. Clappison: Although the hon. and learned Lady of course considers such matters in an entirely independent way, given the fact that, so far, she has not considered any Bills to be outside the competence of the Scottish Parliament and given the political composition of that Parliament, does she agree that one would not have to be a tremendous cynic to think it unlikely that any future Bills will be challenged in that way and that there is very little point to what she is doing?

The Advocate-General: I do not share the hon. Gentleman's cynicism. He will remember that, in my position as Advocate-General, I have legal functions to exercise. As an advocate, I have been exercising legal functions for many years and I intend to continue using my independent legal judgment when I act as Advocate-General. We shall wait and see what happens when Bills are introduced.

Mr. Dominic Grieve (Beaconsfield): I have listened carefully to the hon. Lady's comments and they are not very illuminating. She mentions her other roles. She will be aware that she has a constitutional right to intervene in cases which might have a constitutional dimension north and south of the border. Why, for instance, did she not intervene in the cases of Starrs *v.* Procurator Fiscal and Clancy *v.* Caird, which have direct constitutional relevance to the United Kingdom because they concern the rights of temporary sheriffs to sit, which could have a knock-on effect south of the border? Did she not see it as part of her role to take a part in that, in view of its profound constitutional implications?

The Advocate–General: The legal advice that I give as Advocate-General is confidential. I know that the hon. Gentleman has a great respect for precedent in the House and for legal precedent, so I quote from the right hon. and learned Member for North–East Bedfordshire (Sir N. Lyell) the former Attorney-General in the previous Conservative Administration, who said, on 7 November 1996:

"By convention, the fact of whether the Law Officers have advised on a given issue is not disclosed, nor is the substance of any advice which may have been given."—[*Official Report*, 7 November 1996; Vol. 284, c. 610W.]

European Convention on Human Rights

23. **Mr. Tam Dalyell** (Linlithgow): What representations she has received on the application of the European convention on human rights to the conditions in which trials in third countries take place. [109633]

The Advocate–General for Scotland (Dr. Lynda Clark): I have received no such representations.

Mr. Dalyell: Assuming that the trial at Zeist ever gets under way, do Ministers think that it should be televised?

The Advocate–General: That is a matter entirely for the Scottish Executive, and in particular, the Lord Advocate in his role as independent prosecutor and the decisions that he makes in relation to that. The matter is also before the courts and is sub judice.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Circuit Judges

26. **Mr. Dominic Grieve** (Beaconsfield): What systems there are for assessing the views of circuit judges on proposals to change the operation of Crown courts. [109637]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): Whenever changes to the operation of the Crown courts are proposed, the views of the judiciary are sought through consultation, including the views of the Council of Circuit Judges.

Mr. Grieve: I am sure that the Parliamentary Secretary will agree that the Council of Circuit Judges has an important role to play in trying to ensure the smooth running of the court system and trying to minimise costs. Why then is it that the impression that one derives is that the council considers that on issues such as court layout, new court building and information technology, their representations to the Lord Chancellor's Department appear to be disregarded? Is it simply because the council is meant to be a mere focus group sounding board to be disregarded at will, or is it because the Government do not like the suggestions that it makes?

Jane Kennedy: I cannot be held responsible for any impressions that the hon. Gentleman may form. The views of the Council of Circuit Judges, which is the body that represents the circuit bench, are taken very seriously. It is consulted by the Lord Chancellor and the Court Service on all proposed policy and operational changes relating to the courts.

Mr. Gerald Bermingham (St. Helens, South): I declare an interest as a practising lawyer. When the various proposals for the change in the operation of the Crown courts are considered by the Lord Chancellor's Department, will the Department take into account the change in format and procedure that will arise directly from the incorporation of the European convention on human rights on 2 October and ensure that the judges sitting in the Crown courts have been well tutored in the complex nature of the proposals and the various precedents and other cases that have been decided in the European courts, which will of course affect the running of our courts?

Jane Kennedy: My hon. Friend makes a good point, and great efforts are being made to ensure that the judiciary and those responsible for administering the Court Service are well briefed on the implications of the Human Rights Act 1998. Important as that legislation is in establishing the rights of individuals in this country, it does have major implications for all public agencies, including the Court Service.

Mr. Nick Hawkins (Surrey Heath): The Parliamentary Secretary must sometimes be embarrassed to defend the actions and attitudes of the Lord Chancellor. I wish to follow up the question from my hon. Friend the Member for Beaconsfield (Mr. Grieve). Does she accept that it is a matter of profound concern if the Lord Chancellor gives the impression that he goes through the motions of receiving delegations from the judiciary, but that the judiciary feels that its views are simply being ignored and that all that is happening is a face-saving exercise? Increasingly, as one talks to people at all levels of the legal profession, the impression left by the Lord Chancellor is that he is contemptuous and dismissive of any representations that are made to him.

Jane Kennedy: It is difficult to respond to generalised complaints such as those made by the hon. Members for Surrey Heath (Mr. Hawkins) and for Beaconsfield (Mr. Grieve). All I can say is that, for example, in the consultation on the transforming the Crown court project, more than 62 judges responded individually and six circuits responded collectively. Those responses will be

considered along with the conclusions of various groups that have been organised to discuss that project, including the judicial focus group, the think tank and the case management working group. The recommendations of those groups and the individuals who responded will be brought together and a way forward approved by the trials issues group, the senior presiding judge and the Court Service. The views of the judiciary are sought in a range of ways, and those views are taken very seriously indeed by the Lord Chancellor.

County Courts

27. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the closure of county courts in England. [109640]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): I refer the hon. Gentleman to the answer that I provided to a similar question from him on 12 January. The Court Service is committed to ensuring that it achieves value for money from its assets and properties and provides good services to its customers. It constantly reviews its estates in the light of work load trends, the state of the available facilities and local county court users' needs.

Mr. Brady: I am grateful to the Minister for that response. She is aware that I have raised this subject from time to time. In her written answer to me of 25 January, she listed a number of county courts that are proposed for closure. I was pleased that the courts at Altrincham, Leigh and Tameside were not on that list. Can I take it from that that the Government have seen sense and decided not to proceed with the planned closure of those county courts? Do the Government now understand the vital service that those courts perform for the community?

Jane Kennedy: A preliminary court-user survey has been conducted in the Manchester area, which includes the Altrincham, Leigh and Tameside county courts. Such surveys play a very important role in informing the decisions of the Court Service, and they are often a precursor to seeking the Lord Chancellor's approval for formal consultation on possible closures. However, at present there are no plans to take the matter forward.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend the Minister remain her normal, totally impartial self and simply ensure that under no circumstances will Crewe lose its county court?

Jane Kennedy: I shall take my hon. Friend's comments on board.

Lord Chancellor

28. **Mr. Gordon Prentice** (Pendle): How many times the Lord Chancellor has sat in a judicial capacity in the last 12 months. [109641]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The Lord Chancellor has sat in a judicial capacity four times in the past 12 months.

Mr. Prentice: That is four times too many. I suspect that my hon. Friend the Minister will not agree that it is simply indefensible for the Lord Chancellor to sit as a judge while he is a member of both the legislature and the Executive. Does she share my disappointment that the report of the royal commission on the House of Lords recommended that the status quo be retained? That is a complete anachronism. Will not the Government be forced by the European Court of Human Rights in the Guernsey case to revisit the matter, and to make it clear that a Minister cannot serve as a judge at the same time?

Jane Kennedy: I could not disagree with my hon. Friend more profoundly, although he makes his point forcibly, as he has done for some time. The decision in the case to which he referred—the case of McGonnell—is confined to the special position of the Bailiff of Guernsey and his role in that case. In addition, if the Lord Chancellor were not a judge, he could not have the necessary close relationship with the senior judiciary. The relationship between the Executive and the judiciary could therefore deteriorate, with damaging consequences and consequential risks to the judiciary's independence.

Mr. James Clappison (Hertsmere): I declare an interest as a member of the Bar.

Does the Lord Chancellor ever preside over cases that are heard by a jury? If not, could the Parliamentary Secretary make sure that he has the opportunity to do so? That would enable him to see the good sense of the jury system in operation, and the lengths to which our constituents go when they serve on juries. It would also allow the Lord Chancellor to see that there is no substitute for the fairness of the jury system. Could he then knock some sense into the head of the Home Secretary?

Jane Kennedy: Lord Chancellors in the past sat judicially for most of their working day, but that practice ceased after the second world war. Although Lord Chancellors since then have not sat as judges to the same extent, there are no particular restrictions on the cases for which they may choose to sit. However, the Lord Chancellor would never sit on any case that involved legislation in whose passage through the House he had been directly involved, nor in any case in which the Executive's interests were directly engaged.

Solicitors

29. **Mr. David Kidney** (Stafford): What assessment he has made of the progress made by the Office for the Supervision of Solicitors in dealing with complaints against solicitors. [109642]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): There are fewer outstanding cases, and the last month has also seen an improvement in the turnaround of complaints. However, there are still areas of serious concern, particularly in relation to the quality of adjudication of complaints. My colleague as Parliamentary Secretary, my hon. Friend the Member for Wyre Forest (Mr. Lock), will be visiting the OSS on 20 March to discuss these concerns. In the meantime, we will continue closely to monitor the progress made at the OSS.

Mr. Kidney: I thank my hon. Friend for that answer. Does she agree that it is the responsibility of every solicitor to take seriously complaints about poor legal services? Will she ensure that every solicitor understands the message that if complaints are not dealt with responsibly by the profession, the Lord Chancellor will have to use his reserve powers provided in the Access to Justice Act 1999 and impose a statutory system for dealing with complaints?

Jane Kennedy: My hon. Friend is right. We have those reserve powers. However, we believe that it would be better if the Office for the Supervision of Solicitors met the targets that we have set. We wish to give the OSS every opportunity to meet those targets. We must bear in mind that anxieties about the quality of casework, real though they are, must be balanced against the practical difficulties experienced by the OSS in turning things around, especially while new staff are being recruited and trained.

Mr. Ian Bruce (South Dorset): The hon. Lady may know that Mr. Tony Walden-Biles, one of the leading lights in the organisation Complaints Against Solicitors-action for Independent Adjudication—CASIA—is one of my constituents. I have on a number of occasions taken him to see two Conservative Ministers and now three lots of Labour Ministers. They all promised that as the supervision of solicitors was not really going according to plan and that as it was a last chance, the Government would probably start to impose supervision of solicitors from outside. Why do Ministers constantly say at the Dispatch Box that they are still not happy with the OSS while doing nothing about it? When my constituents have a serious complaint about solicitors, they are not satisfied with simply having their bills reduced and having a maximum compensation limit of £1,000.

Jane Kennedy: It is not true that no action is being taken. It was precisely because we had concerns about the operations of the OSS that the reserve powers are provided in the 1999 Act. However, as I have just said to my hon. Friend the Member for Stafford (Mr. Kidney), we wish the OSS to make every effort to meet the targets that have been set in improving its service to those who complain about the service that they have received from solicitors. We are determined that improvements be made, and we have powers in reserve to use, should it prove necessary.

Circuit Judges

31. **Mr. Crispin Blunt** (Reigate): How the Council of Circuit Judges' views are taken into account in respect of proposed changes in the work of the courts. [109644]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The Council of Circuit Judges, as I have said, is, like other interested groups, consulted on proposed changes to the operation of the Crown and county courts. Their views are taken into account with the other responses that are received, and they receive the same careful consideration as those of other consultees. Consultation is carried out in various ways—for example, by sending copies of consultation papers for comment, or by inviting circuit judges to sit on project boards.

Mr. Blunt: Why does the hon. Lady believe that there is such concern among circuit judges that their views are not being taken into account?

Jane Kennedy: The hon. Gentleman and his hon. Friends have made a series of representations on this subject. Such a concern has not previously been expressed to me. We will take on board the comments that have been made—we take them seriously, as they purport to be representative of circuit judges. I will make every effort to reassure circuit judges on the serious way in which their concerns are taken on board by the Department.

Community Legal Service

32. **Fiona Mactaggart** (Slough): If he will publish a referrals handbook for the community legal service which includes details of all national advisory services. [109648]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The community legal service partnerships will create local referral networks which will be supported by regional directories. The directories, to be published at the start of April 2000, will list details of local information and advice providers, and will also include details of relevant national organisations and telephone helplines.

Fiona Mactaggart: I am very aware of that because we have an excellent community legal service partnership growing in Slough. Our concern is that to get effective referrals, we need a national database of advice centres. We do not want to have to invent our own. We were hoping that the Lord Chancellor's Department would provide a national one that we and those in other areas could plug into so that we can get a better community legal service.

Jane Kennedy: I, too, have that ambition for the community legal service. The directory will be available on the service's website, which is being designed and built so that it is accessible to the majority of the community. The website directory will be updated daily.

HOUSE OF COMMONS

The President of the Council was asked—

Ministerial Statements

35. **Mr. Michael Jabez Foster** (Hastings and Rye): How many times Ministers have come to the House to deliver statements since May 1997. [109652]

40. **Mr. Jim Cunningham** (Coventry, South): On how many occasions Ministers have made statements to the House since May 1997. [109659]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): As of Monday 21 February, 24 times.

Mr. Foster: I thank my right hon. Friend for that reply, which shows, impressively, how this Government are committed to parliamentary democracy. Does my right hon. Friend have comparative statistics on the number of occasions on which we had such statements from the Conservatives when they were in government, so that we can see who are the true friends of democracy?

Mrs. Beckett: My hon. Friend is entirely right. Obviously, those statistics were for this Session, but they compare favourably with the record of the Conservative party in the equivalent period in the 1992-97 Parliament—105 statements were made under this Government compared with 96 under the Conservative Government in a comparable period. Similarly, in the previous Session, 80 statements were made compared with 77 in a comparable period. That overall picture is also reflected in the statistics for individual Ministers.

Mr. Cunningham: Does my right hon. Friend agree that our right hon. Friend the Prime Minister has an impressive record for appearances when compared with his predecessor, who in 1993-94 made only seven appearances, while our right hon. Friend in 1998-99 made 12, which is more than twice the number?

Mrs. Beckett: My hon. Friend is correct, and that record is not a flash in the pan. My right hon. Friend the Prime Minister has made statements on no less than 25 occasions compared with 19 by his predecessor in a similar two-year period. That exact picture is reflected in their dealings with questions, where again my right hon. Friend has answered more than his predecessor.

Mr. Patrick McLoughlin (West Derbyshire): Will the Leader of the House assure the House that, when Ministers make statements which refer to reports in which hon. Members have been mentioned, the Government will make every effort to ensure that those hon. Members see the report before the statement is made, so that they can comment properly?

Mrs. Beckett: Of course, I take the hon. Gentleman's point. Colleagues usually endeavour to do that, although there may be occasions when there is a difficulty. In general, we hope and expect that that would be the norm. If the hon. Gentleman has a particular case and concern in mind, I should be grateful if he would draw it to my attention.

Sir Patrick Cormack (South Staffordshire): Surely, the real question is not how many statements have been made to the House, but how often they have conveyed new information. Will the right hon. Lady put in the Library a list of those statements that have not been trailed either by a press leak from No. 10 or on the "Today" programme in the morning? Is it not deplorable that we all have a clear idea of what we are to be told in the statement that is to be made in about 12 minutes' time, when in fact that information should be given new, fresh-minted to the House?

Mrs. Beckett: First, although the hon. Gentleman says that it is not a question of how many statements have been made or questions answered, because the facts do not suit the Opposition's case, the Opposition normally claim that this Government are in the House less and that that is a sign of our disrespect for Parliament. Clearly, neither of those contentions stands.

On whether information is trailed or comes fresh to the House, I recognise that there are times when there is intense press speculation—sometimes it is so detailed that it is clear that someone has leaked something. The hon. Gentleman knows how often the Government have deplored such detailed leaking. Indeed, he will recall that not so long ago the Home Secretary was extremely upset on behalf of the House because a statement that he had planned to make to the House was leaked in the press. We cannot wholly prevent that, although we try to do so. However, I also take the view that the House needs to give more thought to how we can handle such matters effectively.

House of Commons Commission

36. **Fiona Mactaggart** (Slough): What representation she has received on the method of appointing Members to the House of Commons Commission. [109653]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I have received no formal representations on that matter.

Fiona Mactaggart: But has the President of the Council read the debate on the matter, held in the House on 2 February? Is she aware of the unease among Back Benchers about the unaccountability of the House of Commons Commission and the way in which it deals with some of the issues before it? Will she consider finding ways to give the views expressed in that debate some resonance in the Commission?

Mrs. Beckett: Yes, I have read the debate, and I recognise the concerns that were expressed—not least by my hon. Friend. Like the whole House, I also recognise that one unsatisfactory aspect of the development of the Commission's work is that it is not easy for Members to find out how they can raise issues and have them dealt with. My hon. Friend will be aware that, recently, there was a report on how the Commission could improve its working, so that there are better links and a better flow of information from Members. We hope to make progress on that in the near future.

Mr. John Bercow (Buckingham): Does the right hon. Lady accept that, whatever the methods of reviewing the means by which Members of the House of Commons Commission are appointed, it is a source of joy to Members on both sides of the House and, no doubt, to a large number of people the length and breadth of the United Kingdom, that last night my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) was wisely appointed to the Commission, without a Division? Does she agree that it augurs well for the future that a man of such wisdom, judgment and legendary discernment should make his talents and experience available to that august Commission?

Mrs. Beckett: Without any disrespect to the right hon. Member for Bromley and Chislehurst (Mr. Forth), I do not think "joy" is quite the word I would have chosen. However, I am sure that he will make a distinguished contribution.

PRESIDENT OF THE COUNCIL

The President of the Council was asked—

Privy Council

37. **Mr. Gordon Prentice** (Pendle): If she will institute a review of the purpose and effectiveness of the Privy Council; and if she will make a statement. [109654]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): No, the Privy Council is a long-established and effective example of joined-up government, which continues to play a useful role in a variety of policy matters.

Mr. Prentice: I am again disappointed. Does the House share my astonishment that some Orders in Council are never seen in the Houses of Parliament—for example, orders on new coinage? The pound in our pocket—its shape, what it looks or feels like—is not debated either by peers or Members of this place. The matter is decided by the Privy Council using prerogative powers. Given that we have such a tremendously modernising Government—they want to modernise everything out of sight—surely some parts of our ancient, creaking constitution should be visited. Is not the Privy Council one of those?

Mr. Tipping: Much has already been done to modernise our procedures and more will be done. Later this year, the Privy Council will have its own website—a real example of new technology and forward thinking.

As for Orders in Council, my hon. Friend will be aware that they are all published and available for public scrutiny.

HOUSE OF COMMONS

The President of the Council was asked—

Timetabling (Legislation)

38. **Mrs. Eileen Gordon** (Romford): If she will make a statement on the work of the Select Committee on Modernisation of the House of Commons in relation to the use of timetabling for dealing with legislation. [109657]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Modernisation Committee considered the use of timetabling and programme motions in its first report of the 1997-98 Session—on the legislative process—and recommended that, for a trial period, some Bills should be programmed.

Mrs. Gordon: Does my hon. Friend agree that it is a great shame that the conclusions of a cross-party Select Committee report have been flouted by the Conservatives, whose antics in this place have been nothing short of scandalous? Will he ask the Committee to review progress on that important matter? Does he agree that the Conservatives are a bunch of sad people? Even if they have no life outside this place, we do. That is why we are in touch with reality and they have completely lost it.

Mr. Tipping: My hon. Friend is right to say that the Government are keen on further programme motions. There is a record of working with the Opposition on such matters but, unfortunately, the number of Bills introduced under programme motions has declined. I think that that is the fault not of the official Opposition, but of the unofficial Opposition that sometimes lies behind the official Opposition. I do not want to comment on hon. Members' sad lives, but wish to congratulate the right hon. Member for Bromley and Chislehurst (Mr. Forth) on his Channel 4 award. I note that he was not here for his Defence question yesterday. One fears that his reputation does not give us joy, but is slipping.

Mr. Ian Bruce (South Dorset): Will the Minister examine carefully the effect of timetable motions? I am serving on the Standing Committee considering the Utilities Bill and am having great difficulty finding out what Labour Back Benchers have to say about it. I am also concerned that we are hearing rumours that the Bill is supposedly being blocked in Committee. That is not the case; we are making rapid progress. However, Labour Whips keep ending our sittings early, and I hope that the Minister and the President of the Council will take note of that. I suspect that the Government will suddenly decide that it wants the Committee to make more rapid progress, will pretend that it has not been doing that and will table a programme or guillotine motion for the Bill's Committee stage.

Mr. Tipping: My right hon. Friend and I always take note of what hon. Members tell us. Labour Members on the Committee considering the Utilities Bill clearly think that it is an important piece of legislation that has consumers at its heart. I suspect that they are content with proceedings.

I was not aware that the Committee's sittings were finishing early. Sometimes that is done for the convenience of the Opposition. The hon. Gentleman asked me to take note of that point, and I shall do so.

Lobby Facilities

39. **Ms Helen Southworth** (Warrington, South): If the Select Committee on Modernisation of the House of Commons has considered the facilities available to members of the Lobby. [109658]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The Modernisation Committee has received numerous representations on the matter, some of which it still has under consideration. However, we have already obtained agreement from the Administration Committee and from Madam Speaker to some relaxation in the use of recording equipment, which had long been sought by the Press Gallery.

Ms Southworth: I thank my right hon. Friend for that answer. Does she agree that it is about time that the filming procedures in Members' offices were updated, especially considering that Portcullis house now means that all Members will have an office? Will the Modernisation Committee please address that issue?

Mrs. Beckett: I am grateful to my hon. Friend. As I said, tape recorders have been permitted in the Press Gallery since January. We have had further discussions with the Administration Committee and, with the agreement of Madam Speaker, a further extension to taping to cover the proceedings of Westminster Hall has been permitted since about a week ago. As from yesterday, filming in Members' offices will be allowed. I know that the lack of facilities for the sensible making available of Members' views to the news media has been a source of irritation to them in the past. I hope that the easement will be welcomed.

HOUSE OF COMMONS COMMISSION

The hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, was asked—

Reform

41. **Mr. Paul Tyler** (North Cornwall): What representations he has received on proposals to reform the Commission to make it more accountable to the House. [109660]

Mr. Archy Kirkwood (on behalf of the House of Commons Commission): We have received one formal representation directly on the matter from the Finance and Services Committee, together with a cogently argued letter from the hon. Member for Milton Keynes, South–West (Dr. Starkey). These views, as well as those expressed by the hon. Members who took part in the debates on 22 January and 2 February, are all being taken into account by the Commission in deciding how to move forward with improvements to the House's domestic administration and the provision of services to Members.

Mr. Tyler: I am grateful to my hon. Friend for that reply. In the light of the earlier exchanges, can he undertake that he and his colleagues in the Commission will examine one important issue in the context of the Braithwaite report—namely, the way in which the Commission itself is appointed and its accountability to the House?

Mr. Kirkwood: The way that the Commission is appointed is determined by the House of Commons (Administration) Act 1978. Section 1(2)(d) says that the Commission shall include

"three other members of the House of Commons appointed by the House".

The Commission obviously has to submit to that statutory provision, but the method of producing the names that are confirmed by the House is a matter more for the usual channels than for the Commission.

If there were to be different ways of producing names for appointment by the House, they could be introduced by the usual channels—once memorably described by the right hon. Member for Chesterfield (Mr. Benn) as the most polluted waterway in Britain. I do not need to give my hon. Friend any lessons about how the usual channels work.

Rail Safety

12.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): With permission, Madam Speaker, I should like to make a statement on rail safety.

There is a lot of progress to report in the four months since the tragic accident at Paddington last October. In the week of the Coroner's inquiry into the deaths at Paddington and the Professor Uff report on the Southall tragedy, the deepest sympathies from hon. Members on both sides of the House go out to the relatives and friends of those who died.

That prompts us to redouble our efforts to raise the standards of railway safety. Today is a day for decisions, but not for final decisions. We are taking a significant step towards a safer and more secure railway system. The Paddington disaster taught us that we must do more to improve railway safety in Britain. I have asked Lord Cullen for a full, comprehensive report on rail safety and I have asked Sir David Davies to look at the immediate steps that could be taken now to improve safety.

Both the Davies and the Health and Safety Executive reports published today show that we can make a start on improving rail safety. I am not prepared to wait for the most perfect technology to be developed, for the most perfect administrative machinery to be put in place or for the most perfect legislation to be drafted if that means needless delay in the meantime. What can be done must be done to improve rail safety immediately.

I have been pressed, rightly, not to pre-empt Lord Cullen's inquiry and report, and I shall not do so. What motivates me is asking whether there is anything that I can reasonably do as quickly as possible to improve railway safety. The decisions that I am announcing today are not, therefore, final decisions. They are part of a step-by-step process that started before Paddington and has moved forward today with the Davies and HSE reports.

That process will move forward again when Lord Cullen reports, and again when we put in place any legislative changes that follow from that. The report will cover the overall regime of safety management and safety regulation on the railway. Lord Cullen set to work immediately after the Ladbroke Grove incident.

Shortly after the crash, I called together the industry's leaders to talk about an urgent action plan. We agreed a programme that covers matters such as driver training, signals passed at danger, train protection and a national confidential safety reporting system, which was welcomed by everyone. That programme is on target.

One issue that has caused great concern, particularly in the House, is signals passed at danger. I am glad to report that far fewer trains are now passing red lights. The average monthly figure over the past three months has fallen by one third, from 56 to 38, compared with the same period a year ago. Over the past decade that figure has nearly halved. I am sure that the House will welcome that and congratulate all those who have played a part in reducing the number of those incidents.

I said to the House last year that I was minded to separate out the main functions of Railtrack's safety and standards directorate—that is, its responsibilities towards train operators. I made it clear that that required careful consideration to ensure greater coherence on safety and not increased risk. I can now announce steps to achieve that separation, pending Lord Cullen's public inquiry. The separation is needed to remove conflicts of interest between Railtrack's responsibility to manage the network safely, which it must retain, and the responsibilities of its safety and standards directorate to train operators, principally in approving their safety cases.

The Transport Sub-Committee identified that conflict, as did the Health and Safety Commission, and today I am taking action to correct it. I asked the commission to investigate those concerns further. It has made a detailed examination of the way in which Railtrack undertakes its safety duties, and will now establish a programme of action to achieve best practice in that work.

A second report was prepared by a senior team with wide experience of safety management and regulation drawn from different industries and led by my Department. It made several recommendations. First, the main area of conflict in Railtrack's safety directorate is its prime role in approving the safety cases for train operating companies. Contrary to press reports, I accept the recommendation that Railtrack should be stripped of that responsibility, which will in future be carried out by the Health and Safety Executive. Secondly, Railtrack will lose direct control of its remaining industrywide responsibilities, principally to develop group standards and prepare the rail group safety plan.

The department concerned, Railtrack's safety and standards directorate, will become a free-standing subsidiary company. New conditions in Railtrack's network licence and a board representing the whole industry, with outside members and an independent chairman, will ensure the independence of that company from Railtrack's commercial interests. It will have finances and accounts separate from those of Railtrack. The company's chief executive will be appointed by the separate independent board, not by Railtrack, and he or she will not be a director of Railtrack. His or her remuneration will be based on safety, not on Railtrack's commercial success.

The existing safety advisory board, a broadly based body with industry and trade union representation, will continue to provide strategic advice to the new company. The new company will be separated from Railtrack's operational management. The Health and Safety Executive will play a greater role in safety audits. The new company will be tasked with a more comprehensive audit regime, including annual audits of safety case holders.

The two reports confirm my judgment that immediate action was needed. The measures can be taken now, without awaiting primary legislation and without pre-empting Lord Cullen's recommendations. They emphasise Railtrack's responsibility to operate the network safely; however, Railtrack's dominance of the industry's safety agenda has not delivered and it must end.

In addition, I have decided that it is not right that responsibility for setting and enforcing security standards, including anti-terrorist measures, should reside in a private company. Therefore, I am transferring that role from Railtrack to my Department, which will bring security regulation of the railways in line with that of aviation, shipping and the channel tunnel.

[Mr. John Prescott]

I should like to make two things clear: first, nothing relieves any railway company of its proper responsibility to protect the safety of passengers, staff and the general public. Secondly, today's announcement sets out an interim position; the final fate of the SSD will be decided following Lord Cullen's report.

The Paddington crash underlined the need for better train protection systems to protect trains from passing red signals, independent of a driver's response. I was determined that our railways should provide the best train protection at the earliest opportunity. I asked Sir David Davies, president of the Royal Academy of Engineering, to assess the effectiveness, practicability and cost of train protection systems.

Sir David's principal conclusion is to support the installation of the train protection and warning system across the network as soon as possible, with automatic train protection on lines with speeds above 100 mph when they are upgraded. Track installation of train protection warning systems will be complete by the end of 2002, a year earlier than planned, and installation on rolling stock by the end of 2003. The system will be brought into use across most of the network before then, starting with the Bedford-Brighton line this year.

Sir David supports an enhanced version, TPWS-plus, which would increase the speed at which TPWS is effective from 75 to 100 mph. It would add some £70 million to the approximately £250 million cost of TPWS. Sir David's clear advice is that that strategy strikes the right balance, irrespective of cost. With the added benefit of TPWS-plus, the system will provide within four years a level of protection that it would take 10 years to achieve if we switched to a programme of installing ATP retrospectively across the network to the fastest realistic time scale.

ATP is already in operation on the Great Western line, the Chiltern line and the Heathrow Express. It is being fitted on the channel tunnel rail link, and will be included in the resignalling of the west and east coast main lines. Sir David recommends that all lines running at over 100 mph should be fitted with ATP as they are upgraded. He specifically recommends taking forward the current programme to fit ATP on the west coast main line from 2002; fitting ATP on the east coast main line, with work starting in 2006, if possible; and fitting full ATP to the Midland main line.

TPWS would have prevented the Paddington crash. The enhanced TPWS that Sir David recommends would have prevented the Southall crash. It can be introduced quickly and it can save lives—more than seven out of 10 accidents are caused by trains passing red signals.

Looking further ahead, Sir David recommends that the industry start planning now for a transition to the most advanced European standard of automatic train protection and train control. That is the next generation of ATP, which will use radio-controlled moving-block signalling for optimum safety at all speeds.

At this stage, it is not possible to put a precise figure on the cost of future ATP installation. Radio-controlled moving-block systems should be cheaper and offer greater benefits than current technologies. Some have estimated the cost at between £1 billion and £2 billion. That is a cost which the industry would have to cover, as safety is not an optional extra.

Sir David's report contains a thorough analysis and a comprehensive programme for now and for the future. I am extremely grateful to him for his clear account of a complex and much misunderstood area. It now falls to the industry to take Sir David's recommendations forward without delay. I look to the industry to take urgent action to upgrade the current TPWS programme to the TPWS-plus that Sir David recommends.

Sir David's other recommendations will provide valuable input to the joint inquiry by Lord Cullen and Professor Uff into train protection systems, which will start this autumn. All reports are being published and placed in the House of Commons Library today.

Since coming to power, and particularly since the Paddington crash, the Government and the safety regulator have taken comprehensive action across all aspects of rail safety. We have worked to bring forward the removal of old slam-door rolling stock from the network; to improve driver training; to protect trains from passing red lights; to improve the processes for setting and enforcing standards; and to address the conflicts and confusions that arose from the way in which the railway was fragmented.

The Strategic Rail Authority is already giving leadership. Lessons learned from investigating the causes of the Southall crash have already been put to good effect in the investigation of Paddington.

On Thursday this week, the Health and Safety Commission is publishing the report of the public inquiry chaired by Professor Uff into the Southall crash in 1997, which will make further recommendations.

Taken together with the decisions that I have announced, I believe that we are now well on the way to a significantly safer railway than the one that we had three years ago, before the Southall crash. Last October, I said that the Paddington tragedy must be a watershed for railway safety. The Government give safety in transport the highest priority. As the House knows, I have campaigned for it all my political life.

Never before have we seen such a concerted effort by such respected authorities to ensure greater safety on our railways. Their work is impressive; their conclusions are persuasive; and the industry's response is positive. Now we look forward to Lord Cullen's report on how the strongest possible culture of safety can be constructed throughout the railway industry. Such a total commitment to safety is the response demanded by the tragedies of Southall and Ladbroke Grove, as I am sure the whole House will agree.

Mr. Bernard Jenkin (North Essex): I thank the Deputy Prime Minister for his statement and for providing me in advance with a copy of it and of the three reports. I join him in his renewed expression of sympathy for those involved in the Paddington crash.

The Conservatives will shortly submit proposals on rail safety reform to the Cullen inquiry for consideration. We support entirely the Government's objective of strengthening the safety culture on the railway—immediately, if possible. However, the railways could learn from civil aviation, an industry that is privatised and fragmented but enjoys the best safety record of the transport industries.

We want the Cullen inquiry to consider whether the railway inspectorate should be removed from the health and safety inspectorate, and put in a specialist legislative framework with the rail regulator, thus resembling the Civil Aviation Authority.

The Cullen inquiry should consider whether the Government should establish a new independent rail accident investigation branch of the Department of the Environment, Transport and the Regions, similar to that which exists for air and marine accidents to ensure the impartiality of investigations. It should also consider whether Railtrack should continue to be responsible for the safety and standards directorate and, if so, in what form.

We have already recommended an independent chairman for the safety and standards directorate. The report issued this morning recommends that its prime functions—setting group standards and the intra-industry system of safety assurance—remain in Railtrack. Does the Deputy Prime Minister accept that recommendation?

I shall remind the House of the chronology of events that surround the safety and standards directorate. The intensity of the immediate reaction to the Paddington disaster on 5 October demanded a cool head and measured judgment. On Wednesday 6 October, the day after the fatal crash, the Deputy Prime Minister announced the Cullen inquiry, and we gave that decision the fullest possible support. When I visited the crash site with Lord Macdonald of Tradeston, the Minister for Transport, on Friday 8 October, he gave no hint that the Government were about to do anything precipitate.

Why, therefore, did we read in newspapers on Sunday 10 October that the Government were to "strip" Railtrack of its safety role? The Deputy Prime Minister has had to change his mind, and I respect him for coming to the House to make his announcement. However, I ask him to reflect on whether his briefing to the Sunday papers on Friday 8 and Saturday 9 October contributed anything to rail safety. Is not there a lesson to be learned? Does the Deputy Prime Minister recall the words of Sir Alastair Morton, the chairman of the Strategic Rail Authority, who gave the following warning:

"If you change the rail safety regime in haste, you will repent it at leisure"?

I welcome the Deputy Prime Minister's assurance that nothing that he has said today or on previous occasions is intended to limit the remit of the Cullen inquiry. Whatever our view of the issues, that is the basis on which we supported his decision to set up the inquiry. That is also the view of the victims' families.

I welcome the conclusion of Sir David Davies' inquiry, which vindicates the decisions of the Deputy Prime Minister and his predecessors to proceed with TPWS. What assurances can the right hon. Gentleman give that the next generation of ATP and computerised train control systems, which we all support, can be delivered? What assurances can he give about the increase in the number of signals passed at danger in the past month? What does he learn from the most recent figures and when will the welcome initiative on driver training begin to bear fruit?

It is our duty to question and hold the Deputy Prime Minister to account on this matter as on any other. However, I assure him that we shall put no obstacle in his path to prevent the improvement of rail safety, not only for the sake of today's rail passengers and staff but for those who were injured, those who died and those who were bereaved last October.

Mr. Prescott: I thank the hon. Member for North Essex (Mr. Jenkin) for his statement and his intention to give evidence to the Cullen inquiry. We should all do that if we believe that lessons can be learned and improvements made.

Some of the hon. Gentleman's statements tried to rewrite history. I do not want to go into detail, but I shall respond to two points that he made. I am glad that he welcomes Sir David Davies' recommendation on TPWS, but the previous Administration did not make a decision on that. This Government made the decision. Arguments took place in the previous Administration about whether they should adopt TPWS and, indeed, ATP.

Mr. Jenkin *indicated dissent.*

Mr. Prescott: Well, it is a matter of record. I shall not go into the arguments, but we had to make a decision. That is why I came to the House and made the decision. However, that is history.

If we can combine to improve safety on the railways, I welcome that. I also welcome the hon. Gentleman's first point and the general tone of his response, for which I am grateful.

On whether there should be a separate regulatory body similar to the Civil Aviation Authority, although I understand the respect that is shown for it as a safety regulatory body, it was hoped that the same might have been achieved for the maritime safety body, but after the Marchioness affair people do not feel quite the same. There is no guarantee that that will occur, but my point is that the Select Committee made it absolutely clear that it wants a separate transport safety body. That is why I set up the transport safety review, which is about to report. There are a number of options—the hon. Gentleman identified one or two and I look forward to the debates on that matter—but it is important to separate the safety and commercial functions. Let me now deal with his point about Railtrack.

Under health and safety legislation, every company in this country—whether a railway company or not—has a direct responsibility for safety. Nobody has ever suggested that Railtrack should be stripped of its direct safety responsibilities, but, like the Health and Safety Executive report, we draw a distinction. I ask the hon. Gentleman to believe that I did not brief on that report. I should make it clear that that is not my style; I do not play that way—I did not do so even yesterday, I might add. The separation of those responsibilities was asked for. Group standards affect the train operating companies, for example, and they complained of unfairness and a conflict of interest because Railtrack administers railway system standards.

I initiated two reports—one by the Health and Safety Executive and another, to which I am referring today, by my Department—which confirmed that judgment. That is why I have separated those responsibilities—I have not left responsibility for governing group safety with Railtrack. I ask the hon. Gentleman to read the reports to see why I have reached that conclusion. The separation of powers is clear to this extent: there is an independent

[Mr. Prescott]

company and an independent chairman—*[Interruption.]* Well, we shall continue the debate, but the prime purpose of the statement is to show exactly what the reports asked of me—that there should be separation.

There could be an argument for going all the way and legislating to take safety out completely, but I would like to hear what Lord Cullen has to say. However, I am not prepared to do nothing and wait for him. I believe that the statement will improve safety. My obligation is to achieve the best possible safety on the railway system, and that is what I have recommended today.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend cares very much about railway safety and when he identified Ladbroke Grove as the watershed he expressed the views of many of the people of this country. Can he tell us, therefore, whether the independent company will be a subsidiary of Railtrack? If so, to whom will the independent chairman report? Will he report directly to the Secretary of State and not through Railtrack under any circumstances?

My right hon. Friend will be aware that, since the accident, not one senior Railtrack executive, apart from the person responsible for public relations, has been required to resign. That is a matter of considerable astonishment. Can he give the House a very precise timetable for the implementation by the train operating companies and Railtrack of the new TPWS that he suggests? That can be only an interim measure before we move on, in the next decade, to the new and much tougher equipment.

Mr. Prescott: I am grateful for my hon. Friend's comments. The work of her Select Committee has influenced us a great deal in these matters. She asks when TPWS can be implemented. The date has been brought forward by a year, so I can confirm that it should be implemented by 2003. However, I would not want people to believe that that is all we are doing. ATP is already being implemented in the system and it is important that we continue with that, but the argument is about achieving the best balance and the best mix. Going with one—at least TPWS, but not ATP—would not achieve the best possible safety. However, adopting the TPWS recommendation means that about 70 or 75 per cent. of accidents can be avoided, so it is my obligation to implement it as quickly as possible. As Sir David Davies says, it will take the best part of eight or 10 years to implement ATP completely, but I have to make a judgment for the safety not only of train drivers, but of the passengers on the system. We must also consider prevention. That is sufficient justification for me to act today.

The company that is being set up will have an independent chair and the directors will be appointed by the company. It will be a subsidiary of Railtrack.

The main concern is not Railtrack's responsibility for stations and tracks but its responsibility for group safety involving the operators and freight companies. The subsidiary company will have direct responsibility in those matters. It will produce annual reports, be audited and work closely with the Health and Safety Executive. Its finance will come from Railtrack, but it will not be involved in Railtrack's commercial decisions. Its finances will be properly audited, separated and ring-fenced so that we can all make a judgment.

It is important to take this step now, but a total separation may be necessary, as the Transport Sub-Committee has recommended. I await Lord Cullen's report, but my statement improves the situation and reduces the confusion.

Mr. Don Foster (Bath): I begin by reiterating our sympathy to the friends and relatives of all who died in the Paddington rail crash. I thank the Deputy Prime Minister for his statement, especially the reaffirmation of his commitment to making safety his first priority. I also thank him for making available a copy of the Davies report. I welcome that report and the Deputy Prime Minister's acceptance of its main recommendations.

Will the right hon. Gentleman tell the House whether it is his intention that the total cost of meeting those recommendations will fall on the operating companies, and subsequently on the users of the services, or whether the Government will make a contribution towards those costs? I found his answer to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) somewhat ambiguous. In October, he agreed with me that public confidence in our railways would be re-established only with the setting up of an entirely separate body responsible for establishing and monitoring safety standards. What he has proposed is half baked. I do not believe that it will give the clarity that the public require.

Although I appreciate that the right hon. Gentleman has no intention of pre-empting the Cullen inquiry, will he reaffirm to the House his statement in October last year that he is minded to have a complete separation, not this half separation that he is offering? As he has just said, the money for the subsidiary body will still come from Railtrack.

Mr. Prescott: I thank the hon. Gentleman for his kind words, and his congratulations to Sir David Davies on an excellent piece of work. In commissioning that report, I was asking an independent engineer to give a proper judgment on the technical possibilities of the different systems and their cost. The cost is approximately £250 million across the industry. The industry is already gearing up for and carrying those costs: it entered into an agreement with me 12 months ago, so they are already being fed into the system.

The hon. Gentleman asked me whether the costs will come out of the directors' pockets or be covered by the fare structure. I think that he will agree with me that the regulated framework of fares and track charges will cover most of the costs. Sir David Davies makes it clear that he has made his judgment not on cost, but on safety. That is what the House wanted him to do, and he has given his judgment.

My position on a separate body remains the same, but I am in some difficulty. I could make the decision now to introduce legislation and separate the function entirely before Lord Cullen makes his recommendations and before I have been able to come to a full and proper conclusion on the advice presented to me by the Select Committee. However, it is also necessary to consider other issues, such as the proper evidence of inquiries, whether there are conflicts between inquires and court cases, and the whole business of corporate responsibility. Those matters are being decided now.

I think that the proper way to deal with the problem is to separate these functions. The House will make a judgment about whether the subsidiary company is operating independently. I have no doubt about that. I am sure that the hon. Member for Bath (Mr. Foster) will read the reports and make a judgment about the recommendations given to me. It is not me who is making a judgment: the inquiry will give me, and the Select Committee has given me, recommendations and the House can make its own judgment.

I believe that this measure is the best solution at the present time. We can make changes in the licence that governs the railways to improve safety without primary legislation. I have tried to do what relatives and lawyers have often asked me to do, which is not to pre-empt Lord Cullen's report. That is absolutely right. I have no doubt that it will require legislation, and then I can deal with the matter properly.

Mr. Tam Dalyell (Linlithgow): May I offer strong support for the Deputy Prime Minister's statement? I support both his recognition that the best is sometimes the enemy of the good, and the passion with which he spoke. But will the Deputy Prime Minister do one thing that relates to my constituents? It is a question of the Forth rail bridge, and the outrageous circumstances in which the firm, Wilkie Hook, which is carrying out the maintenance without which the bridge might be in danger, has been driven into receivership by an absurd row—not of its making—between Railtrack and Rigblast? Will the Deputy Prime Minister ask Railtrack what on earth it thinks it is doing?

The chairman of the Royal Bank of Scotland, George Younger—who is known to the House—is as exasperated as I am by the idea that the greatest monument to 19th-century engineering, let alone the connection to the highlands, has been put in danger. This is a safety issue: it honestly is.

Mr. Prescott: My hon. Friend always makes a powerful case—

Madam Speaker: It does not always relate to what is being discussed.

Mr. Prescott: My hon. Friend related his question to safety in this instance. Let me reassure him: he has raised an important issue, and I shall write to him.

Mr. Graham Brady (Altrincham and Sale, West): Can the Deputy Prime Minister tell us by what date the process of fitting ATP to all lines on which trains run at more than 100 mph will be completed?

Mr. Prescott: I recommend Sir David Davies's excellent report to the hon. Gentleman. The report says that ATP cannot be introduced before 2008 to 2010. I was forced to decide whether to wait until the modern European technology arrived, or whether to act now, some five or six years earlier, and possibly prevent a great many accidents. I think that I achieved the right balance.

Mr. David Drew (Stroud): Like a number of other hon. Members, I lost constituents in the Paddington disaster. I lost a good friend in Bob Cotton.

I think that what the Deputy Prime Minister has said will allay the fears of relatives and friends. In the immediate aftermath of Paddington, he met MPs representing people affected by what happened. Will he keep that dialogue open? It is relatives and friends who will pay most attention to what he has said today. I feel that we should do all that we can to convey to them that steps are being taken, and that a balance is being achieved between action now and waiting for the results of, in particular, the Cullen report.

Mr. Prescott: I am grateful for what my hon. Friend has said. He brought to mind the moment when, on the day of the tragedy, Rodney Bickerstaffe—also known to hon. Members—rang me to ask about his close friend Bob Cotton, who, tragically, was on the train.

My hon. Friend reminded us of the role and the concerns of relatives. As the hon. Member for North Essex (Mr. Jenkin) said, it behoves us all to ensure that we establish the best possible safety measures, and we must all work to achieve that.

I did meet a number of people, and intend to retain the obligation as we carry out the various processes involved in improving safety. Many changes will be necessary. In the next year or so we shall receive important reports—quite apart from those that we have already received—and, in view of that, I shall certainly maintain my direct dialogue with relatives.

Mrs. Eleanor Laing (Epping Forest): I listened carefully to the right hon. Gentleman's answer to the hon. Member for Bath (Mr. Foster). He has announced that the safety and standards directorate will, after all, be part of Railtrack. Will he confirm that that is contrary to his previous announcements? We all appreciate that it is important to take account of the reports of the various commissions and that of the Transport Sub-Committee. Why, then, did the right hon. Gentleman say anything at all about his intentions in October, given that he has now completely changed his mind?

Mr. Prescott: I know that the hon. Lady is usually given a question to ask, but I will try to give the best answer. I made the statement about being minded to make a change because I had received a Health and Safety Commission report on the day of the collision itself. Indeed, I commissioned that report in response to the request of the Select Committee to look at the conflict of interest in Railtrack.

That report made it clear—we quoted it and the hon. Member for North Essex (Mr. Jenkin) has quoted it at the Dispatch Box—that there was a feeling that there was a conflict of interest—*[Interruption.]*

Madam Speaker: Order.

Mr. Prescott: The report said that there was a feeling in the industry of a conflict of interest, particularly from the train operating companies. It is a matter of record; it has been written into the record of the House. I have had two reports since then to confirm that. Therefore, I am taking action of the kind that I have set out today. It is a

[Mr. Prescott]

proper balance; the balance is right. It may not have finished the process, but basically it will make the position safer. The Opposition would have done better to understand that, as they directed the safety system and implemented it under the privatisation of the railways.

Fiona Mactaggart (Slough): My constituency of Slough is very concerned about this matter—five people who worked in Slough were killed at Notting Hill. I can forgive my constituents for being confused about what is going on because, having read this morning's newspapers, I arrived thinking that we were planning to go completely backwards from the Deputy Prime Minister's welcome statement to the House. I have been immensely reassured by what he has said, particularly by his statement that the step to improve the independence of the safety and standards directorate is not the end of his consideration of the matter, but that, quite properly, he will reflect further after the Cullen inquiry. Particularly in view of the question from the hon. Member for Epping Forest (Mrs. Laing), perhaps he could reassure my constituents that, if the conclusion of all that consideration is that having independence in that function is the way to make our railways safer, he will introduce any necessary legislation to do that.

Mr. Prescott: I have some sympathy for my hon. Friend's remarks. With the modern communications of today, there are always complaints about leaks and whether statements are made to the House. It has always been my intention—and my history—to make statements for which I have responsibility to the House.

I cannot guarantee that there will not be leaks. That is unfortunate, with even the Opposition perhaps responding to them. I find that the turf is set out before I can make the statement. It leaves me a little bemused, but my job is to come to the House and to make the statement. I have done that today. I have given my best judgment of what the balance is with regard to independence. My hon. Friend can rest assured that, if necessary, and certainly if Cullen recommends it, we will take the necessary legislative actions to ensure that we have the best and safest railway system in Europe.

Dr. Nick Palmer (Broxtowe): Will my right hon. Friend accept my congratulations on the two-stage approach that he has outlined: immediate improvement by separating responsibility for safety; and the prospect of further steps if so recommended by Lord Cullen? Just half an hour before the statement, there were television interviews of relatives of victims of the tragedy on the basis that no change was to be made. Does he agree that that was totally irresponsible and that victims should not be exploited by the media on the basis of press speculation?

Mr. Prescott: I thank my hon. Friend for his words of support. I agree with what he has said, particularly having heard the reports on the BBC. It was made clear to the BBC that the reports could not be based on the statement that I was making. It made no difference. It had all the interviews lined up, went on and made its case.

BILL PRESENTED

CRIMINAL JUSTICE (MODE OF TRIAL) (NO. 2)

Mr. Secretary Straw, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Secretary Smith, Mr. Secretary Murphy, Jane Kennedy and Mr. Charles Clarke, presented a Bill to make provision for determining the mode of trial in the case of offences triable either summarily or on indictment; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 28 February, and to be printed. Explanatory notes to be printed. [Bill 73].

Television Licence Fee (Abolition)

1.10 pm

Mr. Christopher Chope (Christchurch): I beg to move,

That leave be given to bring in a Bill to amend the Wireless Telegraphy Act 1949; to remove the requirement for the obtaining of certain wireless telegraphy licences; to make provision with respect to the funding of the British Broadcasting Corporation; and for connected purposes.

Did you know, Madam Speaker, that the United Kingdom is spending more than £150 million every year collecting and enforcing the television licence fee? Did you know that the BBC, through its agents, detects more than 1,000 people every day—more than 365,000 people every year—who should be paying the licence fee, but are not? Did you know that, every year, our court system is clogged by up to 150,000 cases—involving mainly women and students—in which non-payers of television licence fees are prosecuted, convicted, fined and/or imprisoned? Did you know that in Northern Ireland the rate of licence fee evasion is said to be more than 30 per cent?

This deregulatory Bill—that is what it is—would put an end, once and for all, to the monumental waste, abject misery and injustice that the archaic television licensing system entails. It would also set the BBC free. May I—with you, Madam Speaker, and more than 20 million other people in the United Kingdom—declare a financial interest in the Bill? This measure, when enacted, from April, will save us each £104 annually, with the saving rising to about £150 annually in 2006.

My Bill already enjoys significant support. Last week, *The Southern Daily Echo* conducted a telephone poll on my proposal, causing it to produce a headline in Saturday's newspaper saying, "Our Readers Back MP's Bid to Scrap TV Licence". However, that already strong support is increasing even further, as the impact of yesterday's Government announcement sinks in.

Yesterday, the Government announced that, on 1 April, the television tax, or licence fee, would increase by double the rate of inflation, and by 60 per cent. above the rate of inflation for each of the next seven years. If only the Government treated our deserving pensioners with the same benevolence that they bestow on the BBC!

The so-called digital surcharge is now to be paid by everyone. Yet, the Davies panel concluded:

"It is unfair to charge analogue households for the development of digital services which they cannot receive".

The panel also said:

"The licence fee is a regressive charge since it falls equally on all households whatever their income. It, therefore, bears more heavily on the poor than on the rich."

I welcome the introduction of free licences for those who are over 75—an idea that was promoted earlier this Parliament in a Conservative ten-minute rule Bill. However, as the Institute for Fiscal Studies told the Davies panel, a free licence for those who are over 75 and a 15 per cent. increase in the standard licence for everyone else would result in 71 in every 100 poorest households being worse off. That is exactly what the Government have achieved. They are making 71 in every 100 poorest households worse off.

One might have expected a Government who say that they are committed to reducing social exclusion to act accordingly. However, as is so often the case, the Government say one thing but do another. The increased television tax will hit the poor hardest and make social exclusion worse.

Is it possible to have public service broadcasting without having to have a licence fee? The answer is that of course it is. The BBC World Service is already funded by the taxpayer, and the principle of taxpayer funding for at least part of the BBC has been accepted by the Government in the abolition of the fee for those aged over 75.

Advertising and sponsorship are also compatible with the public service requirement. Indeed, Lord Bragg, in addressing a meeting at last year's Labour party conference, said:

"ITV and Channel 4 are capable of every bit as much quality, integrity and creativity as the BBC."

The question everyone is asking is why, if ITV and Channel 4 are able to achieve that without a licence fee, the BBC cannot do the same.

Yesterday, the Secretary of State repeatedly referred to the quality of the BBC as though it were the licence fee that generated such quality. However, the Labour-supporting Lord Bragg has exposed the fallacy in such thinking. He has also drawn attention to the way in which, in the past 10 years, the BBC has taken on a great deal of advertising of its own—advertising itself, time and time again. He observed:

"The BBC has actually helped ITV as British TV is now much more seamless than it has ever been before."

Every year some £14 billion is spent on advertising in the United Kingdom—including £4 billion on television advertising and £500 million on radio advertising. Advertising makes innovation and product development more attractive as a competitive weapon. The Bill would make advertising itself more competitive.

I have been asked what the BBC would do without access to the licence fee. My answer is that it would have the freedom to compete globally, deciding its own expenditure priorities and investment, free from Government control. A significant element of yesterday's statement was that the Government wished to take even greater control over the BBC. The Secretary of State wants the BBC to engage in self-help. If it has the freedom that the Bill would give it, it will then be able to exercise that self-help.

At present, because the demand for television advertising is greater than the available air time, the price of advertising is artificially high. That works to the benefit of the independent television companies, but against the interests of consumers and those who wish to advertise their products. That explains why we never find the independent television companies arguing in favour of advertising on BBC.

The Bill would remove a licence fee system that was appropriate in 1949 when independent broadcasting funded by advertising had not been invented and when ownership of a television was the privilege of only a few, but it is not appropriate today. We are in the midst of a digital revolution and the technologies of television, telecommunications and personal computing are converging. Those technological changes will render redundant the concept of a licence for individual items of television receiving equipment in the same way as the advent of transistor and portable radios rendered the old radio licence fee redundant.

[Mr. Christopher Chope]

The Bill is a modernising, radical and inclusive measure. Indeed, it is a Conservative measure and I hope that it will have the support of the House. If any right hon. or hon. Members are not yet convinced, let me draw to their attention the editorial in one of today's national newspapers, the *Daily Star,* which says:

"The £3 rise in the TV licence fee is £3 too much. In fact the entire licence fee of £104 is a costly farce . . . Most BBC programmes are about as exciting as old wallpaper paste . . . The BBC says it wants to be more adventurous. It can do that by scrapping the licence fee altogether. Think of all the dosh it will save on those stupid detector vans."

I could not have put it better.

1.17 pm

Mr. John Grogan (Selby): Like democracy in another context, I would contend that the TV licence system is the least worst system on offer, particularly if we have as our central aim the need to nurture and develop the world-class public service broadcaster, which is still our BBC.

Generally, there is no widespread revolt against the licence fee. Evasion rates are falling sharply. When the BBC took control of the collection of licence fees in 1990, 10 per cent. of licence fees were evaded. According to the report published yesterday by Pannell Kerr Forster for the Department for Culture, Media and Sport, the figure had fallen to 8 per cent. in 1995-96. It is now down to 5.1 per cent. and is projected to fall to 4 per cent. in the next couple of years. The report concludes that

"the overall cost of collection and evasion"

will be

"down to 9% by 2006-07 compared with 13.2% in 1995-96."

That is due to the widespread development of easier payment mechanisms.

Let us set the £104 licence fee in context. The average spend by a cable, digital or satellite subscriber last year was £300, largely on sport and movies. In its report "Public Service Broadcasters Around the World" published in 1998, McKinsey consultants looked at 20 countries. It found that the BBC's operating income per capita was very much in the mid range.

In terms of distribution, the licence fee is certainly regressive, though less so since the concessions for 75-year-olds. Indeed, my father was 75 on 12 November last year, three days after my right hon. Friend the Chancellor of the Exchequer announced the concessions. At least now my father has to accept that I am a man of some influence.

Even though the licence fee is regressive in pure economic terms, I contend that it is progressive in its effects on society as a whole because it means that the BBC can be properly funded. It means that many of the good things about our national life and many of the best things in our culture are available to everyone who has a television or radio set. We should celebrate the mantra of the BBC that it strives to make the good popular, and the popular good. It still accounts for nearly 40 per cent. of our total television viewing. In homes with satellite and cable, the BBC is still the market leader and accounts for 27 per cent. of total viewing. The BBC accounts for 43 per cent. of our total listening and viewing. Its online site is the most visited in Europe and two thirds of all GCSE students last year visited BBC online sites.

McKinsey concluded that there were two essential characteristics of a public service broadcaster that is successful throughout the world. The first was that it was distinctive in programming, content and scheduling; the second that it retained a sufficiently large market share to keep the commercial sector honest. That is one of the reasons why the commercial sector supports the licence fee. The evidence of the Culture, Media and Sport Committee shows little support for the privatisation of the BBC and the abolition of the licence fee, other than from Mr. Kelvin MacKenzie, the ex-editor of *The Sun* and current managing director of Talk Sport. Both BSkyB and the ITV companies support the continuation of the licence fee.

What are the alternatives? The hon. Member for Christchurch (Mr. Chope) suggested funding through taxation, which is an interesting tax and spend promise. Total state funding for the BBC would mean about 2p on income tax. What would that do for the independence of our national broadcaster? Would Jeremy Paxman seriously grill a Treasury Minister if he knew that the next morning the director general would have to troop into a meeting with the Chancellor of the Exchequer to plead for next year's income? All the evidence from abroad suggests that state funding of a national broadcaster is massively cut in times of recession, as happened in Canada and Australia with great harm caused to the state broadcasters.

The total advertising income of the commercial television sector was £2.6 billion last year and that would not rise dramatically if the BBC was involved. The consultants London Economics suggested that the BBC could obtain some £1.6 billion from advertising if it freed its schedules to advertising. That would totally disrupt the commercial sector but, perhaps more seriously, it would also dumb down the BBC. The news at 9 pm would go the way of the "News at 10" as the BBC chased ratings because its schedules had to fit in with the needs of advertisers.

Sponsorship of programmes is not really an option either. The total sponsorship of British television programmes last year amounted to £50 million and is projected to rise to £100 million, according to ITV. Individual subscription to BBC programmes would destroy universality of access. Fund-raising by the BBC, as happens in the United States, would mean that programme content and management time were totally devoted to fund-raising.

John Birt said that it was the privilege of his life to lead the BBC and Pannell Kerr Forster concluded that the BBC had made significant savings of £500 million over the past five years. My right hon. Friend the Secretary of State rightly sets the BBC challenging targets for the next five years, but the BBC should be involved in the digital as well as the analogue world. Market failure also applies in the digital world and market concentration is likely to be more dangerous in the digital world than in the analogue world.

Why should not the BBC seek approval from the Secretary of State to run a children's channel on free-to-air digital to compete with the cartoon-based children's channels that are available at the moment? Why

should not it seek to run a 24-hour news channel? The viewing figures for cable television show that News 24 is now outperforming Sky News. On digital television, Sky News is outperforming the BBC, but that is not surprising because the BBC channel is 584th on the Sky programme guide. That is another big issue for the digital world—who controls the programme guides and the gateways?

The McKinsey study of public service broadcasters around the world concluded by stating:

"Our analysis shows that licence-fee-funding has been more stable and predictable than the other forms of funding . . . This allows PSBs to invest in programming or operational improvements, as they can be confident about their revenue for the term of the licence agreement."

Who knows what the future will bring? Perhaps people will receive their television pictures mainly through the internet—if so, we shall indeed be in a different world. However, for the foreseeable future, yesterday's settlement and the licence fee provide the best basis for public service broadcasting in this country.

I do not intend to divide the House but, as chairman of the all-party BBC group, I want to illustrate the strength of support in all sections of the House for the BBC and the principle of the licence fee. For those reasons, I oppose the Bill.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Christopher Chope, Miss Julie Kirkbride, Mr. Ian Bruce, Mr. Eric Forth, Mr. Michael Fallon, Mr. Edward Leigh, Mr. Owen Paterson and Mr. Christopher Fraser.

TELEVISION LICENCE FEE (ABOLITION)

Mr. Christopher Chope accordingly presented a Bill to amend the Wireless Telegraphy Act 1949 to remove the requirement for the obtaining of certain wireless telegraphy licences; to make provision with respect to the funding of the British Broadcasting Corporation; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 7 April, and to be printed [Bill 72].

Defence White Paper

[Relevant documents: First Report, Session 1999–2000, on the OCCAR Convention, HC 69, and the Government's response thereto, HC 224; Second Report, Session 1999–2000, on the Ministry of Defence Annual Reporting Cycle, HC 158; Sixth Report, Session 1998–99, on the Reserves Call-out Order 1999 and Progress of Territorial Army Restructuring, HC 860, and the Government's response thereto, HC 220 of Session 1999–2000; Seventh Report, Session 1998–99, on the Strategic Defence Review: Defence Medical Services, HC 447, and the Government's response thereto, HC 221 of Session 1999–2000; Eighth Report, Session 1998–99, on the Committee's Major Procurement Projects Survey: The Common New Generation Frigate Programme, HC 544, and the Government's response thereto, HC 222 of Session 1999–2000; and Ninth Report, Session 1998–99, on Defence Research, HC 616, and the Government's response thereto, HC 223 of Session 1999–2000.]

1.27 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): I beg to move,

That this House approves the 1999 Defence White Paper (Cm 4446).

I am very grateful to have the opportunity to open the debate on the 1999 defence White Paper—the first that I have had the privilege to present to the House. It gives me the chance to bring the House up to date with the many initiatives that we have under way to modernise Britain's defence.

This debate also enables me to respond to some of the points made in the recent report by the Select Committee on Defence on the White Paper, and in the Ministry of Defence performance report, although we are of course preparing a detailed written memorandum to respond to the issues raised there.

The central theme of the White Paper is modernisation. It sets out the progress that we have made in many areas, not least in delivering the strategic defence review and in taking forward European defence. It describes how we are modernising the whole of defence—from the farthest end of the procurement chain right through to our front-line capabilities. It is a massive programme of change.

This is not modernisation for the sake of it. The process that we have begun is about delivering improvements to the capability of our armed forces. It is about giving them the structures, equipment and support that they need to do the job effectively. It is also about ensuring that we have developed the security architecture to meet the strategic landscapes of this century, not of the last.

Let no one underestimate the ambition or the significance of the undertaking in which we are now involved. It is a hugely complex and challenging process, but it is a necessary one. A modern Britain needs modern defence forces, and the strategic defence review provides them.

When the outcome of the review was announced by my predecessor in July 1998, it was widely acclaimed on all sides. It was admired for its logic, its good sense and its vision. However, we always knew that we would really be judged on our delivery of the improvements that the SDR proposed.

We made it clear that the changes that we are making would take time to achieve. The heavy operational commitments which our forces undertook around the

[Mr. Geoffrey Hoon]

world last year—in Bosnia, the Gulf, East Timor and Kosovo—have made this still more challenging. We might have preferred a period of calm in which to conduct this revolution, but of course the real world continues, and real operations—such as the need to act to bring an end to Milosevic's repression in Kosovo—had to take priority.

Moreover, our operational experiences over the past year, not least in Kosovo, have reinforced the conclusions of the review. The SDR is on track and will be delivered. The additional £500 million that my right hon. Friend the Chancellor of the Exchequer recently allocated to the defence budget to take account of the additional cost of operations in the Balkans and elsewhere will help to ensure this.

Mr. John Hayes (South Holland and The Deepings): Will the Secretary of State give way?

Mr. Hoon: In a second.

The White Paper describes the significant SDR milestones that we have already met. We have already achieved an initial capability for the new joint rapid reaction forces. When complete, in 2002, the JRRF will enable us to deploy forces with real punch anywhere in the world. It will draw forces from a pool of up to 50 warships and support vessels, four brigades and 260 aircraft of various kinds.

Last October, we set up the joint helicopter command. It brings together under a single command almost all our battlefield helicopters and will command 16 Air Assault Brigade. It is responsible for peacetime training and for providing helicopter force packages for operational commanders. Most importantly, however, it will provide a real improvement in operational effectiveness.

Mr. Tam Dalyell (Linlithgow): Will my right hon. Friend give way?

Mr. Hoon: I undertook earlier to give way to the hon. Member for South Holland and The Deepings (Mr. Hayes), so I will do so now.

Mr. Hayes: Could the right hon. Gentleman confirm how many troops are on permanent standby for United Nations global peacekeeping missions? We were told last year that it was in the order of 8,000 to 10,000. Is that number still valid, or has it changed? Has the plan been drawn up or abandoned?

Mr. Hoon: I think that the hon. Gentleman is confusing the mechanism for making force available to the United Nations. What happens is that we declare a number of forces that could be available to the United Nations in appropriate circumstances. In the event of a requirement arising, a request would come from the United Nations to the United Kingdom Government and, if appropriate, we would accede to that request. However, there are no forces specifically standing by waiting for a request from the United Nations.

Mr. Dalyell: Will my right hon. Friend give way?

Mr. Hoon: Certainly.

Mr. Dalyell: At some point convenient in his speech, and not necessarily at this moment, will my right hon. Friend say something about what is happening in Mitrovica?

Mr. Hoon: Yes, I will.

A new joint doctrine and concept centre is already up and running. It will provide the fully joined-up thinking needed to address the security challenges facing us in the future, and will achieve its full capability in April of this year.

We have created a joint nuclear biological and chemical defence regiment. The joint Rapier training unit is now a reality. The Defence Procurement Agency opened for business last spring, bringing greater efficiency in delivering fighting equipment to the front line. The first of our defence diplomacy scholarship courses is already under way. We said that we would do all these things, and we have done each of them.

In the next few months, we will see a number of major new developments. The first Apache attack helicopter for the Army is already flying. Once in service with the British Army, this world-beating piece of equipment will mark a quantum leap in our ability to bring force rapidly to bear on the battlefield. It is about real capability, every bit as revolutionary in its way as the introduction of the tank in 1916.

Mr. Graham Brady (Altrincham and Sale, West): The Minister is going through a list of initiatives that sound impressive, but when the Royal Navy runs out of fuel and cannot put its warships to sea, how can any of that lead to a credible defence for our country?

Mr. Hoon: If the hon. Gentleman will bear with me, I will deal with that in due course. However, the list does not simply sound impressive—it is impressive. I am sure that the hon. Gentleman will concede that, with his characteristic generosity.

On 1 April, joint force 2000—the joint Royal Navy/Royal Air Force Harrier force—will form. It is not about organisational neatness—it is about modern ways of working to deliver defence output most effectively. The aircrew who will operate these aircraft tell everyone of their excitement about the new arrangements.

In April, we will launch the new Defence Logistics Organisation. That brings together the three single service logistic support areas into a tri-service organisation employing more than 40,000 people. It will allow us to deliver more cost-effective support by rationalising common functions across the services, freeing up more resources for the front line.

We have also made radical changes to defence procurement, an area in which the record of the previous Government was lamentable. Our smart procurement initiative will help to fix that. Smart procurement is

already delivering results. It will provide high-quality world-beating equipment cheaper, faster and better. For example, the White Paper mentions that the Challenger 2 integrated project team responsible for introducing this new world-class tank to the British Army has so far identified £200 million in savings. That figure could easily rise to £400 million. The adoption of innovative support arrangements for Eurofighter will save up to £1.8 billion over the life of the aircraft.

Smart procurement is also helping to reduce overstretch. In response to an urgent requirement, we have worked closely with industry to place a competitive contract for a new communications system for Bosnia and Kosovo, freeing up to 260 Royal Signals soldiers from their Balkan commitment by the end of the year. Overall, the changes that we have introduced will provide better equipment at lower cost and help to reduce to a minimum the wasteful cost overruns that had become the hallmark of procurement mismanagement under the Conservative Government.

This is an impressive programme of change, but hon. Members might have been forgiven for doubting the picture I paint had they relied on some of the more sensational reporting of recent weeks. I know that some journalists do not like to let the facts get in the way of a good story, but it is a serious matter if misleading reporting leads to a reduction in public confidence in the armed forces. These are important issues and I want to spend some time confronting them head on.

First, much has been written recently about the equipment that our troops had during the Kosovo campaign last year. The fact is that our service personnel had everything that they needed to do the job that they were asked to do. That is not just my view: it is the view of force commanders at all levels; yet there have been constant criticisms, for example, of the boots used in the Falklands campaign—criticisms that have been packaged up and applied to the entirely different and very modern boots worn by our soldiers in Kosovo. The clothing given to our soldiers is excellent. I have seen myself that it is light, warm, waterproof and easy to wear, even in the most difficult conditions.

It would be ridiculous to suggest that every piece of equipment that we have is absolutely perfect. The SA80 rifle, for example, is a capable and highly accurate weapon. It has some reliability problems, especially in extreme conditions, and steps are being taken to ensure that those are put right quickly.

Mr. Paul Keetch (Hereford): The Secretary of State mentioned equipment. As he knows, I was in Kosovo last week. I visited the Mitrovica bridge last Wednesday with Lieutenant-Colonel Nick Carter. Will the right hon. Gentleman assure the House that our forces on the bridge there will, as of today, have the right respirators, so that if a riot breaks out, as it did yesterday, and French or other KFOR troops use tear gas, our troops will not be left vomiting and crying on the banks of the river because they do not have them?

Mr. Hoon: That is something that we are looking at. I recognise the concern.

Miss Julie Kirkbride (Bromsgrove): The right hon. Gentleman mentioned press reports. He will have seen in this morning's newspapers reports that our armed services in Northern Ireland may be asked to apologise for their activities there in the past 30 years. He will be only too well aware that many British service men have given their lives in defence of their country and to prevent Northern Ireland from falling into anarchy so, as Secretary of State for Defence, will he assure the House that he will stand firmly opposed to our troops being dishonoured in that way?

Mr. Hoon: I will deal with that matter, so, if the hon. Lady will bear with me, I will return to it in a moment. However, as a former journalist she should know that she must not believe everything that she reads in newspapers.

The hon. Member for Altrincham and Sale, West (Mr. Brady) referred to what I can only describe as the ill-informed speculation about activity levels for the Navy. Let me make it clear that the fleet was not withdrawn at Christmas, it has not run out of money and it is not confined to port. Of course, the Navy has to adjust the fleet's programme to keep within budget and to balance new training against the unusual level of operational activity in 1999, but it is being done without reducing our overall capability. As the Commander-in-Chief, Fleet recently said,

"I have no difficulty with managing my business within the limit given to me".

The Navy is not only going about its business as usual, but has entered a period of major overseas deployment. At the end of last month, HMS Illustrious left for the Gulf at the head of a task group including a nuclear submarine, nine warships and 2,000 men. In the spring, HMS Cornwall will lead a global deployment—Navy task group 2000, which will be one of the largest in 15 years. It will involve three Royal Navy warships, three auxiliaries and a submarine.

Mr. Crispin Blunt (Reigate): Since the Secretary of State is in denouncing ill-informed press speculation mode, perhaps he will extend that to *Warship World*, which has informed us that, under the long-term costings, Invincible and Fearless will be transferred to the reserve, along with about seven mine counter-measure vessels and three Royal Fleet Auxiliary ships. As he is rubbishing press speculation, is he in a position to deny that all that is true?

Mr. Hoon: I thought the hon. Gentleman was in the House for Defence questions yesterday, when the same point was made. I made it clear then that there is no truth in that speculation. Whatever the alleged quality of the publication, the hon. Gentleman would do well not to believe all that he reads.

Our amphibious capability will be transformed over the next few years, when the new assault ships Albion and Bulwark enter service. They will complement the new helicopter carrier HMS Ocean, which I had the privilege to visit during a major multinational amphibious exercise off the coast of Egypt last October. We also have plans to acquire new destroyers, frigates and nuclear powered submarines and two new aircraft carriers—the largest vessels to be ordered for the Royal Navy since the second world war. All our attack submarines will be equipped with the highly accurate Tomahawk land attack missile, which was used to such precise effect during the Kosovo campaign. We are tripling the size of our strategic lift capability, and constructing two new auxiliary oilers. It is no wonder the First Sea Lord commented that that

[Mr. Hoon]

represents the best forward-looking equipment programme that he can remember during all his time in the Navy. Taken together, those measures will mark a step change in the Royal Navy's capability.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Will the Secretary of State explain what he means by "under normal budget constraints"? He sets the budget, so the commanders-in-chief have to live within its limits. When he set the budget, why did he reduce the fuel bill for the Navy by a quarter and then reinstate it as a result of other changes?

Mr. Hoon: As the hon. Gentleman is well aware, the budget is set for a year. One of the innovations that we have been able to introduce is to allow budget holders to determine levels of activity over the course of the year. In those circumstances, it is right and proper that the Navy should make those determinations in the light of the budget. We have allowed that process and it is working most successfully. That is why we have received positive endorsements from leading figures in the armed forces.

I accept that some exercises have been cancelled. The Select Committee report picked up on that matter. There is always a need to strike a balance between the requirements to train our people, to meet operational commitments, to live within resources and not to place unnecessary burdens on personnel and their families. I spend more time thinking about the problems created by the armed forces being asked to do too much than I do thinking about almost anything else. We have now got the balance right. Our forces are up to meeting any likely operational requirement—and they will meet it effectively.

There have been suggestions that large parts of the RAF are grounded. That too is nonsense. The RAF has deployments in the Balkans, Italy, the Gulf and the Falklands. That huge programme of activity is being maintained with sufficient resources, aircraft and pilots. Operations necessarily mean that some routine tasks must come second, but not at the expense of safety. Certainly, we need more pilots, but the RAF has more than achieved its recruitment target this year, and a number of measures are in hand to improve retention.

Mr. Tim Collins (Westmorland and Lonsdale): The Secretary of State referred to safety in RAF training. Will he say more about that in relation to my constituents in Cumbria? They accept the absolute primacy of national security, but they were most concerned about some of the reports as to the possible causes of the air crash in Shap, in Cumbria, at the end of last year. Will the right hon. Gentleman give a categoric assurance to the people of Cumbria, and of other areas affected by low-flying aircraft, that no reductions will interfere with the primacy of safety—of people in the air and on the ground?

Mr. Hoon: I thank the hon. Gentleman for raising that issue. I have just given that assurance. Safety is paramount and will continue to be so—both for those who fly the aircraft and for his constituents on the ground. I am happy to be able to repeat the assurance that I gave him in writing when he properly raised those matters with me.

We are spending £140 million making good the under-investment in the Defence Medical Services and the demoralisation of their staff that we inherited. The former Second Sea Lord commented:

> "I have been greatly reassured that two successive Secretaries of State and armed forces Ministers have shown greater interest in the welfare of our people than I have ever known before."

The focus of our investment remains to bring our forces up to the standard where they can operate entirely successfully within the structures set out by the strategic defence review.

Mr. Hayes: Does the Secretary of State agree with the Select Committee on Defence that medical services in the armed services are in a state of crisis, which is the term that the Committee used?

Mr. Hoon: No, I do not accept that medical services are in a state of crisis, but I accept that work has to be done. That is precisely why we have allocated £140 million to address the issue.

That money is part of a continuing programme of modernisation. In the last few months alone, we have approved a wide range of new equipment measures: production of the airborne stand-off radar system, worth some £800 million; the assessment phase of the future aircraft carrier and studies on the type-45 destroyer programme, worth a potential £100 million in all; more Rapier surface-to-air missiles, worth £200 million; and an upgrade of RAF Harrier engines, worth £120 million.

The Government's record on defence is there to be judged by the House. We rightly demand the best for our excellent armed forces. However, we would like to be judged on what we are doing, not on what others sometimes claim that we are not doing.

I have talked a lot about equipment. Let me now talk about the men and women of the armed forces. We made our policy for people a central component of the strategic defence review, because we know how vital recruiting and retaining the best people is to our defence capability. We said that we would introduce measures to improve recruitment and retention, and we have.

I mentioned, when I launched the White Paper last December, that I was determined to tackle overstretch. This has been a tough challenge. We inherited an Army undermanned by more than 5,000 people. On top of that, during the strategic defence review, we identified a requirement for more than 3,000 new posts. Despite that shortfall, our forces performed magnificently last year, at the expense of ever more overstretch. We are now making progress. Recruiting is buoyant. Last year, recruitment figures for all three services were the best in a decade. However, the key to tackling overstretch is to stem the flow of skilled people leaving the forces.

We have now made huge strides in reducing commitments. The latest reductions in the Balkans, when fully implemented in the spring, will bring down the percentage of the Army preparing for, deployed on, or recovering from, operations to 28 per cent., compared to 47 per cent. at the height of the Kosovo campaign. That means that we will have reduced commitments below the level that we inherited. During that period, our force levels in Bosnia will have reduced by more than 2,500 and in Kosovo by 6,500. We have also made smaller reductions in other areas such as the Gulf and the Falklands.

I am also pleased to tell the House that improvements in the security situation in Northern Ireland have enabled us to make significant reductions there. Force levels are now well below 15,000, their lowest level since the 1970s, and 30 installations have been closed. We have been able to make those reductions in the Army's presence in Northern Ireland as a result of the peace process. Of course, we want to make more progress, but I make it clear that further reductions in the military presence must be justified solely in terms of the security situation.

My right hon. Friend the Secretary of State for Northern Ireland has made it clear, not least in the House, that the Government cannot and will not contemplate anything that suggests any equivalence between the security forces and terrorists. There is no gun-swap plan and there is no way in which such equivalence would be acceptable.

Mr. Brady: The Secretary of State has partly answered the point that I was going to make. However, will he give an absolute guarantee in the House, so that it is clear to the public and to those in Northern Ireland who are trying to give the opposite impression, that the commitment of British troops to the Province is to protect the public and law and order and that they will not, in any circumstances, be allowed to enter negotiations with Sinn Fein-IRA?

Mr. Hoon: I have just given that assurance. The security forces are there to assist the police in performing a valuable security function, and they will continue to do so as long as necessary.

Mr. Menzies Campbell (North–East Fife): The assurance that the Secretary of State has just given—that there will be no public ceremony of the kind suggested in the newspapers this morning—will be received with great enthusiasm and some satisfaction on both sides of the House. However, will he tell the House by how many the Army is below its permitted establishment? What is the number of vacancies in the Army today?

Mr. Hoon: I shall have to check on the precise figure as of today. We are making progress towards achieving full complement. If we were able to continue at the present rate of improvement, we anticipate that full complement in the Army would be achieved by 2005. We would hope to achieve full complement in the Navy and the Air Force rather more quickly than that. However, that would depend on ensuring that our retention figures improve and, as I said yesterday at Defence questions, on our continuing to make progress away from the previous net reduction in numbers and towards the improvements that we have seen in recent times.

As I have indicated, and as events in Northern Ireland have demonstrated, reducing commitments is not always easy. We have responsibilities around the world and we must discharge them. There are unforeseen contingencies and emergencies to which we must respond. Disruption is in the nature of service life. It is therefore important that our armed forces are well treated and properly rewarded. I am glad that the Select Committee recognises and values the significant steps that we have taken, such as improved access to NHS dentists, to improve the welfare of service families. I am pleased that the Committee also welcomes other practical and manifest changes that the Government have introduced.

We have delivered a package of improved allowances for people deployed on operations. That includes an additional bonus of £1,000 for all who have experienced more than 280 days paid separated service over the two years since December 1997, and a bonus of £2,000 for those who have experienced more than 365 paid days away.

Mr. Geoffrey Clifton–Brown (Cotswold): The Secretary of State has described how our commitment throughout the world is being reduced in a number of theatres, such as Northern Ireland, Bosnia and the Gulf. Will he assure us that he will not use that as an excuse to reduce the number of our armed forces below the existing establishment levels forced on him by the budgetary cuts made by the Treasury?

Mr. Hoon: I made it clear in an answer in Defence questions yesterday that we have maintained the levels set out in the strategic defence review and, as the hon. Gentleman will recall, that involves an increase of some 3,300 over the numbers in the armed forces that we inherited.

The bonuses will continue in future years; they will apply to all three services, and they will benefit several thousand of our hardest-working men and women. We have halved the qualifying period for longer separated service allowances from three years to 18 months. We have made personnel who regularly deploy away from home for short periods eligible for separation allowances. We have introduced a common leave allowance. We have guaranteed to all personnel a period of leave after an operational deployment so that they can spend time at home with their families. We have increased free telephone call time on operations from three minutes a week to 20. We are also increasing the allowance for the disruption of normal military life—the so-called X-factor.

A key feature of placing service personnel issues firmly at the heart of our thinking, and part of the implementation of our policy for people, is the armed forces overarching personnel strategy. That is a mechanism that clearly identifies specific actions, breakthrough objectives and responsibilities that will be reflected in the Department's corporate plan. Its aim is to promote operational effectiveness by providing a coherent framework for the development of personnel policies for the future. Implementing those policies will enable us to recruit the people we need and to develop, motivate and retain them. I am pleased to announce that the development of that strategy is now complete, and it will be brought into use from April.

We have just embarked on a major review of training and education, both service and civilian. That is part of the continuing process of modernising defence. Training and education are crucial to the provision of front-line capability. Although much of our training is of a very high quality, there is a need for it to be better integrated and more responsive to training requirements, and to take full account of best practice both inside and outside the MOD.

Mr. Nicholas Soames (Mid–Sussex): The right hon. Gentleman clearly recognises the great importance of armed forces training, and that it should be extremely realistic and pretty robust. Will he therefore explain in a

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little more detail what he meant by his last comment? What sort of changes has he in mind: for example, to make training more integrated?

Mr. Hoon: Essentially, we are looking to add to the list that I gave earlier many more examples of joint operations between the armed forces. That process began years ago, and I am not suggesting that we have invented it. There is a need for more effective preparation for joint operations and to ensure that training and education integrates activity across the services. In some specific respects, as I have said, we are forming joint organisations that will require a degree of integrated preparation, so that people whose background is in the Royal Navy, for example, will receive training similar to that of people doing a similar job in the Royal Air Force.

Mr. Michael Colvin (Romsey): The Secretary of State will appreciate that, following the drawdown from Germany, there is a problem with training grounds for infantry. I know that a lot of training is carried out jointly between cavalry and infantry, but the Salisbury training area near my constituency has been completely taken over by tanks, with the result that there is now nowhere for the "poor bloody infantry" to train—at least, its training areas are greatly restricted. What plans does the Ministry of Defence have to take back in hand those MOD farms that are currently let to tenant farmers—admittedly, with provision made for training? There is a shortage of training areas for the infantry; what is being done to address that problem?

Mr. Hoon: We are carefully considering that problem, because I recognise the importance of having sufficient training grounds. The hon. Member for Salisbury (Mr. Key) appeared to be somewhat surprised to learn that his constituency has been entirely overrun by tanks, but given all his complaints about defence cuts, I should be thankful for small mercies. Nevertheless, we are pursuing a review of training grounds and we shall continue to do so.

On the subject of education and training, I recognise that some of our structures have not quite kept pace with the changing world. It is important that we complete our review early next year, and I shall report to the House on its findings. Policy for people is delivering for service personnel. Once again, as the Labour Government have done every year, we are implementing in full the pay rise for our service personnel. In addition, we have made real improvements to opportunities for personal development in the services through our learning forces initiative. We are determined to ensure that service personnel have access to modern learning facilities such as interactive learning centres and the internet. Those measures will provide skills for life, not simply for an individual's career in the armed forces.

Our efforts in this sphere extend to the reserves. Reservists do vital and important work and help to make a real difference as a force for good in the world. They have proved their worth time and again, for example in the Balkans, where more than 10 per cent. of our forces are drawn from the reserves. They help to reduce the demands placed on our regular forces. In addition, there is a real benefit to employers or potential employers of reservists: the training and experience provided in the reserves, working alongside our world-class regular armed forces, really does give back a better employee—one who is better skilled and better able to take tough decisions.

Following the strategic defence review, we have taken two key steps to make our reserves more usable. First, we have set up the reserves training and mobilisation centre at Chilwell. That is a dedicated facility to handle the needs of the Army and reservists during mobilisation and demobilisation. Secondly, we have completed the reserve mobilisation study, which has clearly shown that compulsory mobilisation of reserves for peace support operations, such as in the Balkans, can be done: it is both legal and feasible. Although there is no operational requirement to mobilise reserves, I assure the House that we will not hesitate to do so if it becomes necessary. That is not a sign of weakness or lack of preparation—quite the opposite.

I have no doubt that we shall shortly hear a great deal about cuts from the Conservatives. I expect that we shall hear even more about the need to tackle overstretch. However, at no time will we hear anything that even remotely resembles a coherent defence policy. What exactly is the Conservative party's policy on defence? In their so-called common-sense revolution policy document, the Conservatives said that they would match commitments to resources and that, unless commitments could be reduced from their current level, Britain would require a larger Army. However, when my hon. Friend the Minister for the Armed Forces asked them to name a commitment that they would cut or into which they would not have entered, they could not name a single one.

While Conservatives talk of cutting commitments, the Labour Government have actually been doing it. We are already committed to increasing the size of the Army by 3,300 people—in many cases, plugging the gaps that were left by the previous Government in terms of support to the front line. What exactly would the Conservatives do differently? Would they spend more on defence? If so, how are they going to pay for it? More important is the question of how they are going to pay for extra defence spending when their own so-called tax guarantee commits them to cutting taxes, regardless of the state of the economy—a policy so barmy that even the shadow Chancellor appears to be trying to get rid of it.

The shadow Chancellor is not the only one. Listen to the comments of the right hon. Member for Huntingdon (Mr. Major), the Conservatives' former leader and Prime Minister, in *The Daily Telegraph* on 13 October last year:

> "In principle, it's a good idea to lower taxes if you can. But to say that you are going to reduce the proportion of taxes to GDP in all circumstances is mad. How do you deliver that in a recession? You don't. You simply don't unless you make such swingeing cuts in the health service and education and the Armed Forces as are inconceivable."

There we have it. Even the previous Conservative Prime Minister does not believe in Conservative policy on tax and spend, particularly when it is applied to our armed forces.

For a moment, it looked as though the Leader of the Opposition had decided to water the pledge down by demoting it from a tax guarantee to a tax aspiration, but he did not have the good sense even to do that, so the policy still stands, with its disastrous implications for defence. The Conservative party has no strategy for easing

overstretch, no ideas for cutting commitments, and no money to pay for its empty promises. In short, it has no defence policy worth the name.

Mr. Brady: I thank the Secretary of State for giving way. He seems to be competing with me for generosity. He says that he is looking for a coherent defence policy. Does he think that the Select Committee on Defence recognised a coherent defence policy when it stated that

"the problems of overstretch and undermanning suggest that if the wheels have not yet come off the SDR, they are certainly beginning to wobble alarmingly"?

Is that the Government's coherent defence policy?

Mr. Hoon: No, it is not. I have made it clear that I will respond in detail and in writing to the Defence Committee. I have got through 12 detailed pages this afternoon setting out precisely what we are doing. What the hon. Gentleman must do—perhaps he should raise the matter with those on his Front Bench—is establish where the money will come from to fund all the various commitments into which he and they seem to be entering. I am certainly prepared to respond to the Defence Committee, but I hope that the hon. Gentleman will ask the same sort of questions of those on his Front Bench and of himself, if he is to advance Conservative policies with any conviction.

Mr. Jim Marshall (Leicester, South): I regret that I must intervene on my right hon. Friend when he is entering his Tory-bashing phase, which we all appreciate. However, his remarks are clearly drawing to an end. If he does not intend to address the policy of the European Union and the development of the common foreign and security policy, will any of his Front-Bench colleagues do that, later today or in the debate on Monday?

Mr. Hoon: I thank my hon. Friend. My very next sentence deals with that matter. I cannot resist the temptation to invite the Conservative party to consider afresh its thinking on European security and the European security and defence identity. That appears to be the only specific thing to which they are opposed—the only coherent element that we can detect in their otherwise incoherent defence policy, despite the fact that it was the previous Conservative Government who signed up to the idea of a European security and defence identity in the first place.

Before I explain to the House what our European defence initiative is about, let me first say what it is not about—in words which I hope even the Opposition will be able to appreciate. They are these:

"It is not a plan for subverting or replacing NATO. It is not a plan for duplicating the huge investment which we and our allies have made in the NATO infrastructure. It is not a plan for a supranational European army under the control of the European Commission subject only to the European Parliament . . . what we are seeing now is an evolution of thinking which began to take shape eight years ago."

Those are not my words. They are the words of the former Conservative Foreign Secretary, Lord Hurd of Westwell, one of the few sane individuals left in the Conservative party when it comes to the subject of Europe, taken from a speech given earlier this month to King's college, London. I was hoping that there might be a Conservative Member willing to challenge those words, but either Conservative hon. Members agree with them, in which case, presumably, we need not take much notice of their comments on Europe, or they disagree with them, in which case, presumably, there has been a fundamental shift in thinking. No doubt the shadow Defence Minister will clarify the matter when he responds.

Mr. Marshall: Clearly, the Opposition do not wish to respond. I understand my right hon. Friend's comments on the development of the policy to which he refers, but if we are to enhance security in Europe through that policy, it is essential that we keep on board the European NATO countries that are not members of the European Union. Will my right hon. Friend explain how we can ensure the involvement of those six countries in the discussions, and in shaping and making decisions about the way in which the second pillar of the European Union will evolve?

Mr. Hoon: My hon. Friend is right to raise that matter, which is of great concern to the British Government. During the negotiations that led to the Helsinki summit, we insisted that words were incorporated in the resolution that took account of the anxiety about non-EU NATO allies. Those words were included, and we are in the process of elaborating on how the policy will work in practice. I assure the House that the British Government continue to regard that as a priority.

Mr. Duncan Smith: The Secretary of State is dying for us to intervene, so it is only fair to do so. He was keen to quote Lord Hurd, but he should also know that one of our predecessors, Malcolm Rifkind, who was a Member of this House at some point, rejected Lord Hurd's interpretation. Furthermore, as we are considering predecessors, what about Lord Owen, one of the Labour party's great stalwarts? He recently said:

"This is exactly what the EU integrationists wanted. They will now 'communitarise' defence just as they have slowly brought the whole of the CFSP into the orbit of the Commission."

Fair game?

Mr. Hoon: That was an interesting quotation from someone who left the Labour party. As for Malcolm Rifkind, his views show the difference between someone who clearly has ambitions in the Conservative party and someone who has given up the party—or at least its views on Europe—as a lost cause. I have no doubt that Malcolm Rifkind is trying to curry favour with the rampant anti-European obsession tendency which the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) characterises so well.

Mr. Soames: Will the right hon. Gentleman give way?

Mr. Hoon: I shall certainly give way to a pro-European.

Mr. Soames: I am surprised at the levity and foolishness with which the right hon. Gentleman seeks to dignify his argument. No Conservative Member does not favour sensible, useful co-operation with our European allies and partners. That happens every day in NATO and on many other occasions on joint projects. The previous Administration undertook such projects with the French

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and many others. Some projects have been more successful than others, but that is because we have to feel our way in those matters.

Conservative Members object to the fact that the Labour party's proposal will undermine the credibility, authority and cohesion of NATO. That is why Conservative Members have grave anxieties about the future of the policy that the Secretary of State advances. For 98 per cent. of us, our objections have nothing to do with being anti-European; we have a genuine anxiety about the defence and security of Europe.

Mr. Hoon: I am surprised by the hon. Gentleman's remarks, because he was a Defence Minister at precisely the time when Lord Hurd was developing the policy of which he now approves. The hon. Gentleman made no objection during the evolution of the policy. On our policy on European defence, Lord Hurd stated:

"what we are seeing now is an evolution of thinking which began to take shape eight years ago."

The hon. Member for Mid-Sussex (Mr. Soames) either overlooks developments that took place while he was a Defence Minister, or his party has made a fundamental lurch to the right, in the direction of anti-European thinking. I suspect the latter.

Mr. Blunt *rose—*

Dr. Julian Lewis (New Forest, East) *rose—*

Mr. Hoon: I must make progress. I have given way often.

Lord Hurd made it clear that it is wrong that Europe collectively can contribute such a small proportion of the total forces required to solve a problem on its doorstep. During operations over Kosovo last year, Europeans flew only a third of the total number of aircraft sorties during the campaign. American military power gave credibility to the diplomatic campaign, although it is true that the majority of forces that now operate under NATO command as KFOR are from European nations. However, deploying a force of a few tens of thousands—a fraction of the total military personnel available to us—on precisely the type of expeditionary peace support operation that we envisage as typical of the operations of the future has stretched Europe's collective resources. It has also raised very difficult questions that will not go away. They need to be confronted head on. That is what we have been doing, together with our European allies and partners.

At the Helsinki European summit in December, the European Union took an enormous step forward in the process of solving Europe's military capability problems, which were so evident in the first half of last year as we pulled together forces to go into Kosovo. We seek to improve Europe's ability to put more forces in the field and to put them there more rapidly. Unfortunately, that relatively clear goal—a straightforward determination to improve European nations' individual and collective military capability—has been lost sight of at times. I regret that sensible discussion of that important issue is often impossible. As it is frequently viewed through the distorting lens of Conservative europhobia, some people seem to be unable to focus on the substance—how best to make Europe pull its weight in providing its own defence.

Let me emphasise that our security, and that of Europe, rests fundamentally with NATO. The alliance has been our guarantor of safety for more than 50 years and we have no intention of changing that. As it has shown over and over again since the end of the cold war, not least at the Washington summit last April, it is able to move with the times and to adapt to changes in the strategic environment. As our American allies have said for almost as long as the alliance has existed, Europe should do more and should contribute more to its own security. The Government agree, but that does not mean simply spending more money. In any case, as Kosovo showed, Europe's problem is not so much the quantity of its defence spending, but its quality. We need to generate more real, usable, military capability. That is what we seek to achieve—not window dressing, but real improvements in our collective ability to conduct operations in the real world.

In the United Kingdom, we have led the way, through the SDR, in turning our forces towards the future. That required some hard decisions. Our allies will have to face the same difficult lessons if they have not yet done so. I urge hon. Members to look closely at the language that came out of Helsinki and to consider carefully the European headline goal for defence. European Union Heads of State and of Government committed themselves to be able, by 2003, to deploy rapidly and sustain for at least a year forces up to 60,000 strong for crisis management tasks, as a contribution to a NATO-led or an EU-led operation. That is a challenging but entirely realistic target, and meeting it will require the modernisation of Europe's armed forces. It will mean making them more readily deployable and sustainable in areas where local infrastructure may be very limited—both are major themes in the SDR—and achieving it will tackle those areas where Europe has proved itself to be weak. It is all about enhancing military capability.

Mr. Dalyell: The national service regiment in which I served, which made me an honorary member of its mess, is shortly to go to Kosovo. May I ask, therefore, exactly what is happening in Mitrovica and what are the medium and long-term aims? There is great concern about that.

Mr. Hoon: There is clearly great tension between the two communities in Mitrovica. British forces, together with other police forces and others, have been involved very recently in seeking to ensure continued stability there, but I do not necessarily recognise a description of what took place as a riot. I saw on the television yesterday, as perhaps my hon. Friend did, a British commander describing the demonstration as essentially good humoured. It speaks volumes for the experience and ability of our armed forces that they were able to resolve the situation so professionally. Clearly we are concerned and shall maintain vigilance to ensure that it does not get out of hand.

Mr. Menzies Campbell: I am most grateful to the Secretary of State for giving way. He is showing considerable generosity. As he knows, I support the European security and defence policy, but he, like me, attended the recent Munich conference on security at

which there was substantial representation from both the Senate and the House of Representatives. Is it not clear that we have some way to go to allay the anxieties of legislators in the United States? I believe that we can do that. Will he accept from me that we may be able to help to allay those anxieties by accepting that there should be a formal right of first refusal for NATO before any EU action is contemplated?

Mr. Hoon: As the right hon. and learned Gentleman said, I was present at the conference. I spoke there and discussed that issue with a number of members of the House of Representatives and the Senate. I recognise that some legislators have some concerns. I cannot possibly expect to be able to allay every single one of them, because the United States, like the United Kingdom, is a robust democracy in which there is a wide variety of views. We have work to do and we continue to do it.

I visited the United States last month and was encouraged by the support that I found for what we are trying to do. In particular, the US Administration are with us, which is why they signed up to the European defence initiative at the Washington summit last year and have continually repeated their support for it ever since, not least during my visit. As Strobe Talbott, the US Deputy Secretary of State said last December:

> "There should be no confusion about America's position on the need for a stronger Europe. We are not against; we are not ambivalent; we are not anxious; we are for it. We want to see a Europe that can act effectively through the Alliance or, if NATO is not engaged, on its own. Period. End of debate."

Our American allies understand that the proposal is not about weakening NATO. It is about strengthening it and getting rich Europeans to pull their weight in their own defence. That is realised in Washington. It is a pity that, for whatever reason, it is not realised by some here.

I have set out an impressive programme of activity—modernisation, reorganisation and new thinking—but let us not forget that all that innovation is a means to an end. That end is the delivery of effective military force. We will be judged by one thing, and one only: our ability to deliver that force better than ever before. As I speak, we have men in Kosovo acting with skill and courage of which we can all be proud. We have HMS Illustrious in the Gulf at the head of a major naval deployment. We have Royal Air Force aircraft in the skies over Iraq. Those interventions show that we are acting as a force for good, day after day. All the developments that I have described are designed to increase the effectiveness of our forces. I commend them to the House.

2.17 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green): I should say at the outset that our support and respect for the members of the armed forces is not in question and will not be disputed by any Member of the House—certainly not any Opposition Member. The Secretary of State was correct to say that they serve in the most difficult circumstances and deliver for this country a service of which we can be justifiably proud. If we ever needed a reminder of their skills and quality, it came in the past few days at Mitrovica. I say without fear of contradiction that the arrival of British troops in that area added greatly to the stability that then ensued. They dealt with difficult circumstances, which could easily have flared up and become worse, and the sheer quality of our armed forces—particularly of the Royal Green Jackets, but also of others—calmed the situation. I am proud of, and determined to support, them. That will not be part of the debate, nor of the criticism, and I hope that he accepts that from Members on both sides of the House.

I agree with the Secretary of State that the strategic defence review was, in essence, debated correctly and welcomed if not in its entirety, then for its central thrust. It would be churlish to say otherwise as I happen to be one of those who published a pamphlet calling for an SDR perhaps two years before the Labour party in opposition came to the idea. A few of my hon. Friends were also involved. I not only thought that an SDR was a good idea, but had high hopes and expectations when it happened. The question is, what happened as a result of the review and what is happening now? The key judgment about which the Secretary of State talked is correct: the review will be judged not on the high hopes of that time, but on what has been delivered. That includes the critical issue of what money has been made available.

To set the debate in context, we must begin with what the SDR delivered in budgetary terms. For all the criticisms of the previous Government about reducing budgets when Labour were in opposition, the fact is that the defence review went on to reduce the budget further. According to Library figures, the reduction is about £800 million, but that is in cash terms and depends on certain variables. If it is not a point blank budget saving of £800 million, much will depend on the in-house savings that have been identified to avoid having to bear the full brunt of the reduction.

It is important to identify the two critical areas, because we need to know whether we are likely to make progress and whether the recommended savings will be made. The first is the smart procurement programme. As Conservative Members know—I am sure that Labour Members also know this, although they will not admit it—Ministers are experts and masters at launching, relaunching and re-relaunching their best initiatives, or at least what they want most of all to be in the public domain, and defence is no exception. The Government think that merely by the inclusion of the word "smart"—just like they use the word "modern"—they will avoid any further scrutiny because it sounds good, warm common sense, so everyone will go along with it.

I have talked to some of my former colleagues and right hon. Friends who were in the Ministry of Defence in the previous Government, and they maintain that many of these plans were already in place. We did not call it smart procurement, because we were not as good at dressing up our proposals as we were at delivering them. I am pleased that the Select Committee did not fall into the trap of accepting that when it says "smart" it really means that.

At the heart of that programme is a saving of at least £2 billion to be delivered over 10 years. If the Government are unable to deliver the total package or, almost as importantly, cannot deliver the saving in time spread over that 10-year period, the defence budget will come under greater and greater pressure.

Cash flow is important at this juncture because there are serious doubts about whether the Government will deliver on the agreed timings. General Burton's departure last summer highlighted that. The Government made little comment about his criticisms and concerns, which came to light in the press. He was seriously angry about the

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pressure that Ministers were putting him under to deliver ahead of what he recognised was possible because they had flagged this up as part of their major savings. They were able to spin the idea that they were having to save less by saying that they would deliver more earlier under the smart procurement programme.

Nothing in the White Paper allays General Burton's concerns. It does not even refer to them. As ever, it glosses over the whole issue, and gives us no figures for the Government's achievements against their targets—a point that the Select Committee spotted. Worse still, the industry is already indicating that it is coming under greater pressure from the Ministry of Defence to slow down the submission of invoices so that they fall in the next financial year. That is real short-termism, which I thought smart procurement was supposed to end. That will lead to more pressure the following year, and, although people may not realise it, more expensive contracts subsequently. In this area at least, we have moved from smart procurement to stupid procurement in two short years.

The Select Committee report underlined how crucial the sale of the Defence Evaluation and Research Agency was to the Ministry of Defence's budgetary calculations. Apparently, the MOD stands to gain some £250 million from the agency's partial privatisation, but the Government are now fraught with arguments and problems, not least the antipathy of the United States Government to the plans.

The Secretary of State faces a stark choice. Either he proceeds with the mess that he has on his plate—admittedly he inherited it—thus alienating the Americans and damaging his relationship with the defence industry, which has expressed grave concerns about the unfair nature of what he may be about to propose, or he faces a hole in his spending plans. All that for £250 million. We may end up jeopardising a critical part of our relationship with the United States, which is very important to the special relationship, which delivers intelligence and technology and is unique to the United Kingdom.

On top of all that, most controversially, comes the three-year efficiency saving. The White Paper contains little of substance on that. The Select Committee report rightly questions whether the 3 per cent. efficiency saving will be anything more than a 3 per cent. cut. The Government produce no evidence to prove their claims, and we are left with the evidence of cancelled exercises, shorter flying hours for the RAF and other pilots and cuts in some of the medical programmes. If the efficiency saving is not delivered, that will punch a further £500 million hole in the Government's allowance for in-house savings.

In paragraph 159, the Select Committee said:

"There is, it seems to us, a fundamental implausibility in the total efficiency claimed by the MoD over the years . . . in other words that the MoD is simply doing less with less money".

That is the key. There has always been a suspicion that, as the budget came under pressure, greater savings would be justified as a more efficient way of doing things. If the savings are merely a cut, they will be deeply damaging to the overall ability of the armed forces, and to the doability—a horrible word—of the strategic defence review.

Part of the great saving envisaged in the strategic defence review was the change to the Territorial Army—I use the word "change" advisedly, because it was nothing more than a pretty savage cut. Some 18,000 men were slashed from the Territorial Army as part of the package of savings offered to the Treasury. Now the Government are sending contrary messages about the use of the TA, which the Secretary of State got bogged down in when he tried to describe how it may or may not be used in the future.

In the strategic defence review, the Government said that, although it would not normally be appropriate to call out formed units of the reserves at short notice, we should be prepared to do so if that were necessary to complete the build-up of a large military force in an international crisis, such as the Gulf war. However, the Government have not discussed that with members of the TA. The Government and those who operate on their behalf hardly know where many members work. They have little data on the nature of their work and how to call them up. They have no data worth talking about on the reserves. There has been a panicky change of policy, and there is little chance of delivering it in reality. It is more about window dressing than anything else.

Furthermore, the change to the TA has flown in the face of the experience of Kosovo. Something like 40 per cent. of the TA deployment in the Balkans is infantry—the very group that has been slashed.

There are still unanswered questions about equipment for the TA. I know from many of my conversations with TA soldiers that they are concerned about the fact that, when they try to train in the evenings or at weekends—especially the signals regiments—they find themselves without equipment, because much of it has been deployed and they are left with little to train with. As a result, their training has fallen short. Nothing in the White Paper explains how that problem will be resolved; there is a gaping hole.

The key element in the White Paper that we should try to understand is the effect of any failure in the areas that I have just described. What is important is not what the Government talk about: the key issue is what effect their policy has on the effectiveness of our armed forces.

The Secretary of State was keen to talk about exercises. The Select Committee said that two major UK exercises had been cancelled because of financial constraints. The first was the Marines' arctic warfare exercise in Norway. The Secretary of State wrote to me to explain that he had been incorrect when he originally said that it had been cancelled due to commitments: it was because of budgetary constraints. The second was HMS Westminster's participation in the Flotex exercise. In fact, HMS Westminster found itself sitting in the Thames, waiting for the much-hyped new Labour new millennium.

I suppose it was good to have something British sitting near the dome over the new year—or at least something that worked. I do not know whether the Secretary of State had much to do with that, but congratulations are in order, even if they are not directed to those who run the dome, to the Secretary of State or to the Minister responsible.

The Select Committee said:

"Given that so many exercises had to be cancelled because of over commitment it is deeply worrying that there was insufficient money to pay for some of even the residual exercises planned. Without regular exercises for high intensity conflict, standards in our Armed Forces will plummet, whatever the quality of the people and equipment."

The Committee also said that the pressures created by operations had led to the cancellation of some eight NATO exercises.

Mr. Hoon: So far, the hon. Gentleman has majored in allegations about defence cuts. He mentioned commitments. Can he say categorically which of the commitments into which British armed forces have entered since 1 May 1997 he, as a potential Defence Secretary, would not have entered into? He says that he is concerned about allegations of defence cuts. How much would he restore to the defence budget if he were elected to government—the amount as of 1 May 1997, or, for example, the amount that was in the budget before the Conservatives cut it by up to a third?

Mr. Duncan Smith: The Secretary of State shows just how panicky he really is. He sees Labour slipping behind the Conservatives in the polls on defence, and then the panic begins. All of a sudden, Labour is more worried about what we will do when we return to government than about what it is doing in government.

There is a simple answer to the Secretary of State. When in opposition, the Labour party had nothing to say about what it would do about any of those issues. Furthermore, under Labour the recommendations of the strategic defence review have been in operation for less than two years. Is the Secretary of State saying that he has no idea how to reduce the commitments, and no idea about whether to put in extra money or to cut the budget? If so, there is a simple solution: the right hon. Gentleman should vacate those Benches, and let us take over.

Mr. Hoon: In the unlikely event of it being necessary for us to vacate these Benches, I shall still want to know the answers to my questions. I gave a long list of the commitments that we have been able to reduce. What commitments would the hon. Gentleman have reduced had he been in my position? He is telling the country that he wants my position; he ought to be able to tell the country what he would do—and, moreover, how he would afford it, in the light of the tax guarantee given by the leader of his party.

Mr. Duncan Smith: I think the Secretary of State protests too much, although I understand why he is so worried. He is clearly very upset with his friends in the Treasury, and is trying to convey to them that he needs to know where to place his vote at the next election. He is saying, "I have to worry: if the Conservatives have a really good policy, Defence Ministers will have to vote for them."

The Minister for the Armed Forces (Mr. John Spellar): Answer.

Mr. Duncan Smith: The Secretary of State will hear the answer in good time. He will hear it after we have convinced everyone, as we are in the process of doing, that he and his colleagues have damaged the defence forces by making such a serious cut when they came to office, and that their commitment is not deliverable in the context of the strategic defence review.

Mr. Spellar: Give us an answer.

Mr. Duncan Smith: Instead of bobbing up and down like a superannuated teddy bear with supercharged batteries, the Minister should get on with running his end of the Department, so that we do not end up with cancelled exercises, broken equipment and failure. I take no lessons from him. *[Interruption.]* Let me now talk about the policy for people, which the Minister will want to hear about. It is another instance of the Government's falling down.

Mr. Julian Brazier (Canterbury): My hon. Friend mentions the policy for people. Perhaps we could make an early pledge to restore the so-called efficiency saving of the £1.5 million cut in the programme designed to return some of the 5,000 unfit service men requiring orthopaedic treatment to the front line

Mr. Duncan Smith: That, of course, was another Labour cut. My hon. Friend is right: what was in the budget to help to deal with those priority patients was cut. I know that the Minister had a view about those in the medical services, which is probably unrepeatable here, but there is a more positive way in which to proceed. I hope that, in making changes to the medical services, the Government will reinstate the money that they took away.

The Government's flagship policy for people was subjected to scrutiny by *The Daily Telegraph* on 21 November. The newspaper quoted from a briefing paper drawn up by Vice-Admiral Sir Jeremy Blackham, which stated:

"The ambitious plans in the SDR and its supporting essays are in danger of coming to grief for want of resources . . . unless more resources are forthcoming we must abandon any pretence that we are putting people at the heart of our policy . . . The money must be found or the policy will not be delivered."

The first of the report's valid concerns was married quarters, in which I know that my hon. Friend the Member for Canterbury (Mr. Brazier) is interested. Married quarters are the Cinderella of defence spending, and are most affected by short-termism. Although the Government have spoken of extra money—I believe that the Minister of State did so yesterday—they fail to explain why they have allowed refurbishment programmes to slide by at least two years from the dates originally proposed. The upgrades that are being put on hold amount to about what the Government trim in their attempts to find short-term savings. That is important, not just in terms of total money, but because it sends a message to families who feel undervalued as a result of the slippage. I think that the slippage also undermines service men and women when they go away from home, because they too worry about their homes.

Mr. Spellar *rose—*

Mr. Duncan Smith: Before I give way to the Minister, let me remind him of what my hon. Friend the Member for Salisbury (Mr. Key) said at Question Time yesterday about the further trimming of about £1 million from some budgets.

Mr. Spellar: As the hon. Gentleman suggests, there is a danger that what is said today will become repetitious in terms of what was said yesterday. I rightly pointed out then that the move from 2003 to 2005 was due to the fact that, when a full study was made of how much would be needed to upgrade the properties to category 1, the previous Administration had underestimated the amount

[Mr. Spellar]

by some £112 million in their dash to get rid of the properties and balance the budget before the last general election.

Mr. Duncan Smith: I hear what the Minister says, but that concerns total money. My question was, why the delay? That is the key question, and he has not answered it. The truth is that good management would not have allowed the delay, although it might have affected the total involved. He stands condemned.

That element of delay creates the greatest problem for families to whom my colleagues and I have talked. *[Interruption.]* I also have personal experience of what happens when Government change programmes. I wish that the Minister would talk to married families more, and find out what they think.

Strategic lift is a key issue, which is at the heart of Government policy. The strategic defence review made some big statements about it, which are critical to its ability to meet its targets. As Secretary of State for Defence, Lord Robertson said:

"New transport aircraft and ships will move our people and equipment rapidly to trouble spots."

The Government clearly approved the short-term strategic lift programme in saying that the Ministry of Defence would meet

"our strategic airlift needs in the short term with four C-17 large aircraft or their equivalent."

That was in the strategic defence review. On the Treasury's insistence, however, the short-term strategic airlift competition has been bundled together with the Hercules rolling replacement programme—as far as I can see, in order to save money.

We understand that the decision on that programme is imminent. That is what the Secretary of State tells us. We have heard the word "imminent" so often in this context that we have a case of rolling imminence: one month after another, the decision is imminent. The Treasury, however, has delayed the in-service date, at least for our heavy-lift aircraft, by a year or, perhaps, even longer. I should be grateful if the Secretary of State—I will take his intervention—were to say exactly when he intends to take the decision and, perhaps, announce what it is. It is imminent, no doubt.

Mr. Hoon: The answer is soon.

Mr. Duncan Smith: I am pleased that the Secretary of State is able to shift his position slightly and move from imminent to soon. I am sure that those who study the small print will recognise a clear, major shift in policy.

I want to draw the Secretary of State's attention to an important part of strategic lift. It is not just the air side. There is the ability to move using ships. There is a clear question about the order. I gather that some of that capability in shipping was meant to be in place in October, but I should like to know at some point—I will take his intervention again—when the decision will be made; imminently soon, I dare say. He made the point that joint rapid reaction force capability requires that corresponding capability. Without that, his great statement, which I wholly applaud, that they will be able to work together and be deployed, which is exactly what should happen, will become near impossible to achieve, as we saw during the Kosovo exercise.

Again, the Select Committee shared our thoughts on the matter. It said:

"The SDR committed the UK to force projection strategy. If we lack the ability to 'project' force, many very expensive assets are wasted. We view the lack of adequate deployability, particularly with regard to strategic airlift, with grave concern".

Hear, hear.

The Secretary of State has touched on overstretch already. We have been around the houses. I will not belabour him on it.

Mr. John Bercow (Buckingham): Go on.

Mr. Duncan Smith: Well, all right, if my hon. Friend wants me to. Overstretch is simply about being committed to operations without the numbers necessary, or perhaps even the equipment levels to sustain them, not just in the short term, but in the medium and long terms. The Secretary of State talked about getting the level down. In fact, there was a clear statement about that in the SDR. The Government therefore have to be judged on that, just as any Government would be. It is not possible to avoid that judgment.

The problem is that the Government then and the Secretary of State just now said that the level was being brought down to below that of the previous Administration. In fact, as he admitted, it went up to nearly 50 per cent. under the Government and has now fallen, or will fall under the projection, to 28 per cent.; I think that that was the figure that he used. I have to correct the Secretary of State: 28 per cent. is the figure that he inherited. He said

"below the level that we inherited."

The real point is that, in a proper debate about the matter, we would be talking about the correct start point. We can perhaps discuss how that might come about, instead of playing games about whether the figure will be above or below. The reality is that the Secretary of State inherited a level of 28 per cent. It will not fall below that, which means, in essence, that the statement in the SDR is not being delivered.

The Secretary of State said that the Government were making progress on recruitment and retention. I am a little confused about the figure that he gave the right hon. and learned Member for North-East Fife (Mr. Campbell). The Secretary of State said that, under present circumstances and conditions, it would take five years—I think that that is what he said—to reach the right manning levels, but the adjutant-general said that, at the current net inflow rate to the Army, it would take 31 years to meet its SDR target establishment of 105,000 men.

Will the Secretary of State perhaps clarify where those differences lie? It is not a marginal difference: 31 years and five years is quite a gap.

Mr. Keith Simpson (Mid-Norfolk): Quite soon.

Mr. Duncan Smith: I hear what my hon. Friend says.

The point that I am making—I have tried to make it from the beginning—is that the Government must be judged on the targets that they set themselves. If they are

to achieve that which they set themselves under the SDR, they will have to make certain that they have the correct amount of money, which is seriously in doubt, that they are able to deliver on the key programmes that allow them to deploy our forces, and that they have the right number of forces. In all those areas, we see no signs. There is nothing in the White Paper to answer the questions that the Select Committee asked. All that is staring at failure, rather than success.

I move to the bigger issue into which the whole SDR falls. The Secretary of State touched on it. It is worth going back to it: the strategic concept, the key issues that are likely to create, or at least to arise in the environment in which our forces may have to be deployed in the next few years.

I warned the Government some time ago that I thought—we have had exchanges about it and we will do so again—that they had taken the wrong decision over NATO and the European security and defence identity. I warned that, in late 1998, at St. Malo, the Prime Minister's rushed attempt to change policy, which then moved at an alarming pace in 1999, was a big mistake. My hon. Friend the Member for Mid–Sussex (Mr. Soames) is right about that.

The other day, I was checking through *Hansard* to find out what the Prime Minister had said on Amsterdam in the House. In response to some questions about defence and the European Union, he said:

"getting Europe's voice heard more clearly in the world will not be achieved through merging the European Union and the Western European Union or developing an unrealistic common defence policy. We therefore resisted unacceptable proposals from others."—[*Official Report*, 18 June 1997; Vol. 296, c. 314.]

He had just taken over as Prime Minister.

That was a pretty clear statement. If anything, as my hon. Friend the Member for Mid–Sussex will remember, it ran very much in line with the policy of the previous Government, yet, by late 1998, the Prime Minister had executed an about-turn. At St. Malo, he started a process that opened the door to some of the most divisive French ambitions, while gaining us nothing concrete in return.

Instead, by the usual trick of saying one thing to one group and another to another, the Prime Minister succeeded in alarming the United States, while encouraging those who were so inclined to take that initiative even further. Now he and the Secretary of State are trying to pretend that the ESDI was always about improving capability for the European nations of NATO, but the Americans and others have spotted that the words in the series of agreements show up the ambitions to create a defence identity beyond NATO—outside NATO. Those are the lines and words that have been used from St. Malo to Helsinki. It is a reality. That is what the Government have signed up to.

Dr. Julian Lewis: Is it not the case that the process goes back to before St. Malo? Article B of the Amsterdam treaty specifically says that the European Union

"shall set itself the following objectives:

to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the progressive framing of a common defence policy."

That is what it is all about. It is about enabling the EU to assert its identity, not about defending this country.

Mr. Duncan Smith: My hon. Friend is right, which is why the Prime Minister was asked that specific question when he was in the House. There was grave concern about what the Amsterdam treaty contained. That was why he answered in the way in which he did, trying to allay the fears. Many hon. Members would have taken him at face value over that. On that basis, it is fair to assume that what he said in the House should have greater validity than anything else. The truth is that it turns out that it did not.

Mr. Spellar: When were those words negotiated and by which Government? How did that tie in with what was agreed at Maastricht?

Mr. Duncan Smith: As the Minister would know if he checked, the concerns at Amsterdam were that what the Prime Minister and others had agreed were further—

Mr. Hoon: Which Prime Minister?

Mr. Duncan Smith: The Prime Minister of this country. Does the Secretary of State remember who that is? I hope that the Whips are not confused about that. A startling new problem may emerge for the Secretary of State. We will see, but the Prime Minister and others, as the Dutch showed, had agreed to extend the process. That was the concern.

The Prime Minister rebutted that through those words and said that it was not the case. I remember asking him in the Chamber that very question. He said that it had not happened and that the Dutch essentially were not correct in their interpretation. My point is that they were. We saw later how he had snuck through another change. It is important that we check what others who were party to the agreements think about them.

On 17 November 1999, Hubert Védrine, the French Foreign Minister, said that, in the ESDI, France sought to create a more autonomous defence capacity that is

"separate and apart from the NATO alliance".

At about the same time, the German Foreign Minister said:

"I can say, on behalf of the federal government, that we emphatically support this process and are glad about the St. Malo communiqué, because it means an important step"—

this is the important bit—

"for the development of the European security and defence identity, another pillar of the process of European unification."

There is nothing much there about NATO.

Mr. Bercow: Will my hon. Friend give way?

Mr. Duncan Smith: If my hon. Friend will forgive me, I should like first to finish making this point.

Even the President of France, Jacques Chirac, said that the European Union

"could not fully exist until it possessed autonomous capacity for action in the area of defence . . . It's an essential contribution to the emergence of a multipolar world".

All those statements on justifying the process are very different from those made by the Secretary of State and the Prime Minister. To top them all, on 4 February 2000, the European Commission President, Romano Prodi—I remind the Secretary of State that he and other Labour Members were very keen to have Mr. Prodi in that position—told *The Independent*:

"When I was talking about the European army I was not joking. If you don't want to call it a European army, don't call it a European army. You can call it 'Margaret'"—

I would not do that if I were him; she would not approve—

"you can call it 'Mary-Ann', you can find any name".

I suppose that one could even call it Tony.

Although Mr. Prodi's statement expresses what he and many other people think will happen, the Secretary of State refuses to accept that prediction.

Did my hon. Friend the Member for Buckingham (Mr. Bercow) wish to intervene?

Mr. Bercow: I am most grateful to my hon. Friend for giving way, but he has already covered the point. Does he agree that it is extraordinary that the Prime Minister not only asserts his profound opposition to the idea of a common European defence policy, but enthusiastically supports for the presidency of the European Commission a man who is utterly committed to the realisation of the goal of a common European defence policy? How does the Prime Minister expect to be taken remotely seriously on this matter, as on others, when he is manifestly at loggerheads with himself?

Mr. Duncan Smith: It is a conundrum. I have spent many a sleepless night wondering about the Prime Minister's split personality—the way in which, at one and the same time, he can be both Opposition and Government. He makes a statement, but, stepping to the other Dispatch Box, challenges himself and disapproves of his previous statement. It depends on the audience. One day, perhaps in *The Guardian*, the Prime Minister will make one policy statement, whereas, on another day, he will go out of his way to make a different statement, perhaps in the *Daily Mail* or *The Daily Telegraph*.

Mr. Bercow: Jekyll and Hyde.

Mr. Duncan Smith: My hon. Friend can say that, but I would not be so unkind. On this key issue, however, we are considering not the Prime Minister's assurances, but the statements of other people.

It is no wonder that there are concerns in Washington and in NATO. The other day, some of my hon. Friends and I visited NATO. We certainly drew the conclusion that people there had serious concerns about the ESDI process, notwithstanding those people's determination to try to bind it to NATO.

There will be a problem whichever way the process goes. The process will either create a huge military structure that will operate as an alternative to NATO, or—perhaps this scenario is even more likely; it is even more dangerous—it will act as a smokescreen behind which the nations of Europe simply do not ante up in meeting their share of the NATO requirements.

Earlier, I quoted Lord Owen's comments disapproving of the process. I have also reminded the House that my former right hon. Friend—Malcolm Rifkind, who will return to the House at the next general election—has made it clear that he disapproves of the process. Like me, they believe that the European Union's involvement in the matter is part of the problem, not the solution. Everyone accepts that the European nations are not doing enough in the new millennium to keep with their obligations to NATO. They are not doing enough to provide the type of forces that are required.

The solutions to the problem lie within NATO, not outside NATO. It has always been Britain's traditional role—one that we have played very well, regardless of change of Government—to make certain that the alliance never divided into false competing halves, composed of Europe and of north America. The alliance drew its strength from the fact that it was united. Sure, there were disagreements. Equally, as we have discovered recently, there are times when not everyone will operate together. Nevertheless, by creating an artificial structural division, the Government have risked NATO's coherence. Not one country—certainly not the serious major countries—in NATO entertains increasing its defence budget significantly, if at all. I fear that, behind the screen of the proposed new structure, the defence budgets of many of those countries will decrease. We may, therefore, end up with the worst of all worlds.

As the right hon. and learned Member for North–East Fife said, signals from the European nations to the United States convey the message not only that the United States' involvement is ever less welcome, but that those countries are ever less capable of mounting a serious defence posture.

The process has already begun, which is why various American diplomats and politicians are warning the nations of Europe. The Secretary of State is always very keen to quote Strobe Talbott, and, when he does, I always ask him, please, to read on a bit, to get to the rest of Mr. Talbott's speech—the part in which he describes his fears. Here is such a section. Mr. Talbott said:

"We would not want to see an ESDI that comes into being first within NATO but then grows out of NATO and finally grows away from NATO, since that would lead to an ESDI that initially duplicates NATO but that could eventually compete with NATO. That's a long-term concern, obviously, but NATO, after all, is about the long term".

Those are genuine concerns. Although the right hon. and learned Member for North–East Fife and I may not agree on specific policy, I agree with him that the Americans are very worried about the process. It is no good simply saying, "These are the statements that they have made supporting the process", when the truth is that they have deep concerns about it.

It is also no good simply to claim that the process is an extension of the Americans' policy, or that it was initiated because of Kosovo. As I said, the process was started well before Kosovo.

The Government embarked on the process with such speed, in 1998, not because they felt that there was a military reason to do so, but because they were genuinely scared of being isolated in Europe. The single currency was about to start and Ministers found themselves outside of it. Their panic caused them to find a mechanism by which they would be able, in a big way, to reaffirm their European credentials. The Government therefore decided to play the defence card—giving us the best conceivable example of precisely what the Government are all about. They are about not serious policy making, but cynical gestures aimed at achieving their own cynical ambitions. Their position, however, is a foolish gamble that will divide NATO at a critical time.

Yesterday, the right hon. and learned Member for North–East Fife and I touched on the most critical issue in this debate—the reason why, now, more than at any

time since the mid-1980s, NATO needs to act together. I have long believed that there is an increasingly serious threat from the proliferation of ballistic missiles and of weapons of mass destruction. I expressed that fear in the House in 1993, and I have remained convinced of the threat ever since.

What has changed the debate is that, in 1998, the Rumsfeld commission report on ballistic missile proliferation was presented to the United States Senate, making it clear that the assessment of the threat from rogue states armed with ballistic missiles was far greater than estimated previously. The report went on to say that, within approximately five years from the date of the report's publication, the United States would be within target range of missiles stationed in North Korea and Iran. The report drew on Central Intelligence Agency sources and on other intelligence sources, and it was considered to be authoritative.

Although the report obviously accepted that there was a margin of error in the judgments made, none the less, it made a very powerful point that dramatically changed thinking on the issue in the United States. It is sad that, with full knowledge of that report, little has changed in any respect in the United Kingdom or in the rest of western Europe.

Last year, I tried to point out that I thought that the British Government should now take a lead in persuading NATO to engage the United States about its proposals for a defensive shield, rather than allowing European nations to snipe at the proposals from the sidelines. The fact is that, whether the Government like it or not—this is the crucial point—the USA will proceed with development and deployment of that shield. It would be useful for the Government to make a clear statement of their position as there is nothing in the White Paper except a subtle shift of language.

The report states that

"no significant ballistic missile threat to the UK and its interests will exist for some years".

Even the Select Committee reminded us that they thought that the attention given to theatre defence was "inadequate".

At no stage has the Ministry of Defence given us an indication of the meaning of the term "some years". If it is different from that in the Rumsfeld report in the United States and estimates that there are many more years to prepare, can the Minister please tell us why? If it is the same, why are we not stepping up activity and taking action? More particularly, the inclusion of the word "significant" in relation to ballistic missile threat indicates that the Ministry of Defence may have shifted slightly. At least it recognises that there is a threat, but I wonder what is meant by the word "significant". I would say that one missile armed with a chemical or biological warhead is a significant enough threat. We need to see off that threat one way or another.

I have described proliferation as the chain which links nations around the globe, but right hon. and hon. Members may not realise the extent to which it has been taking place right under their noses with a degree of complacency. It all starts with China and North Korea and North Korea's missile programme—from the Taep'o-dong missile launched in 1998 that splashed down in the sea of Japan and gave us a clear indication of the ranges being achieved to the later No-dong 1 and 2 programmes. They have absolutely convinced anyone who knows anything at all about this that the North Koreans now have the technology to produce three-stage rockets, which is the real key to producing ballistic missiles.

Whether or not North Korea poses a threat, it has helped to develop the technology in Iran, Iraq and, I understand, in other countries such as Pakistan. The key question is what we will be able to do about it. The ranges of such missiles are increasing every week. People are working on them and every year there are new developments which produce greater capacity.

There are significant links between China and North Korea and only 18 months ago China produced a missile capable of a range of 12,000 km. It will not be long before the technology finds its way to North Korea and the other rogue states that we are justifiably worried about.

Another issue that is not addressed in the White Paper involves the changing situation in Russia—not just what has been happening in Chechnya, but Mr. Putin's strident language in respect of his rights over nuclear weapons, the use to which he sees them being put and his involvement with others who wish to receive that technology about which he made some interesting statements recently.

I am concerned because I think—and the Conservative party believes—that the British Government should be taking a lead in NATO. Instead of taking a lead and trying to create or negotiate a NATO programme, the Government seem to be trying to play both ends of the argument. On one hand, they are aware of, and worried about, their French counterparts in ESDI, who are implacably opposed to the US defensive shield, as well as any discussion about a NATO programme. On the other hand, the US is going ahead and the Government try to make some quiet and careful concessions, fearful of reawakening their own Back Benchers who seem implacably opposed to any change in the anti-ballistic missile treaty or the development of such a shield.

As a result, Britain, instead of leading the debate within NATO, as we have traditionally done at critical moments, has nothing constructive or positive to say and we watch complacently as the tension within NATO grows and the threat from outside gets ever closer.

What is the lesson for leaders such as Milosevic? Over the past 12 months they will have learned that in conventional terms they clearly have no hope of dealing with NATO so there is no point in a confrontation. However, they will also have learned that if they happen to have a ballistic missile or other mass destruction capability, there is a chance that NATO might think again or take a different view. That is the key question that we will have to answer. The Secretary of State knows that it is not just about the threat to the United Kingdom, but perhaps even more urgently, it is about the threat to our deployed forces in theatre, to which we seem to have no answer. If the Government could put one half of the energy that they have put into rushing the creation of the ESDI into ballistic missile defence, by now we might just have the beginning of a constructive NATO response to what the Americans are engaged in and to the development of the threats from elsewhere.

The Secretary of State said that the Conservatives had no policy. Let me tell him that last year we committed to that as a policy. I hope that the Government will recognise that it is a serious policy position and that they will move

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to it as rapidly as they possibly can. If they did so, I would not make childish remarks; I would simply welcome it as a constructive move for the British Isles and for NATO.

The Select Committee report is probably the most critical White Paper that I have seen of Government policy. Almost from the outset it makes it clear that the delivery of the SDR is seriously in question. It makes it clear that the wheels are wobbling dangerously, but not quite falling off. I thought that the most telling paragraph was paragraph 17, which states:

"The performance report in its present form tells us very little about how the Ministry of Defence has performed over the years in question. It measures resources and activity but hardly even begins to measure outputs . . . the performance report is inadequate for its stated purpose."

That is a damning indictment of Government policy. It is remarkable because it is from a Labour-dominated Committee.

As we approach the second anniversary of the SDR, the Opposition take the view that the Government's defence policy is under huge pressure internally with no real strategy externally for dealing with major threats. The Government are heading towards a crisis with breathtaking complacency. Our forces need more than fine words wrapped up in glossy documents, but I am afraid that that is all that they will get.

The White Paper is simply not good enough and the Government's performance so far shows how little thought they have given to dealing with the problems that confront them. They thought little about them before entering Government and they have tried to think as little as possible about them since. There needs to be a huge change in thinking if our defence forces are to succeed. Otherwise, as I fear and the Select Committee seems to indicate, we will lurch from crisis to crisis, with all that that entails.

3.8 pm

Mr. Tom Cox (Tooting): Let me start by saying that I am a member of the defence committee of the Western European Union and that other members of that committee are present in the Chamber. I should like to concentrate on chapter 2 of the White Paper under the heading, "The European Dimension", which deals with a matter that has been in the forefront of discussion at the major summit conferences that have taken place in recent months—the European security and defence identity—and, as we heard from the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), the future military role of the European Union.

Discussions on the role of the European Union go back some years. Suggestions that European nations should think more boldly and imaginatively about defence and be able to speak and act more effectively certainly have a great deal of merit. However, while the discussions have been taking place, the European defence identity, based on its role within the European Union, was supposed to have been in place this year. That most certainly will not happen. While the discussions continue, there are unanswered questions that concern many people and I shall concentrate on those questions during my short speech today.

As a member of the British delegation to the WEU, I want to know what role the WEU will have in any European defence identity. The WEU has 28 member states, many of which are not members of the European Union and will not be members for many years to come. Other countries are not NATO members. While NATO enlargement has taken place and will undoubtedly continue to take place, several countries that play a meaningful role in the WEU will not be members of the European Union or NATO for some, possibly many, years. However, they are European countries with a great concern for their security. Will their role be defined and, if so, when will that happen?

The overriding issue of the position of countries that are not members of the European Union or NATO comes up time and again in WEU meetings that I and other members of the British delegation attend. We have attended meetings in Oslo and Brussels in recent weeks and, at both, that issue figured highly in the discussions. Some of the WEU member states are deeply concerned, because they are not convinced that they will have a meaningful role in any changes that take place in European security and defence policy.

After the Oslo meeting, a statement was issued on 11 February, which read:

"The new security policy bodies of the EU should therefore function on the principles of inclusiveness and transparency as regards the contribution of the non-EU European Allies."

What will be the role, in any future European defence policy that may be developed, of countries such as Turkey, Poland, Hungary, the Czech Republic, Romania and Bulgaria? Some of them—Turkey, for example—play a major role in European defence policy.

It has already been mentioned in today's debate that the recent conflicts in Europe mean that we will have to develop the two roles of crisis management and peacekeeping. Neither will be easy, as we have sadly found out. How will those roles be developed within the European defence identity? We already know that, within the existing European Union of 15 members, we have countries that do not wish to play a role in crisis management, but who participate in peacekeeping as part of the United Nations and other major organisations in various areas of the world. What policy does my right hon. Friend the Secretary of State envisage the European Union following as it develops its defence and security role? Will those countries that I mentioned, which do not wish to be involved in crisis management, be involved in discussions on the European Union defence and security role or will we have a system in which, on some issues, some member states will play one role on one issue and another on other issues? That question arises repeatedly at the meetings that I and other hon. Members attend.

Mr. Syd Rapson (Portsmouth, North): Crisex 2000, which will take place soon, is designed to test the different structures. The answers from that exercise will be made available if my hon. Friend is able to wait.

Mr. Cox: I welcome those comments and I shall certainly await the outcome of that exercise with interest. I am sure that my hon. Friend and I will discuss the issues again.

We do not hear much in the House or generally about the future role of elected Members of the European Parliament. I relate the European Parliament to the European Union. Will the elected Members have a decision-making role, or will the national Parliaments of

the member states of the EU remain the sovereign decision makers? That question is often asked, but rarely answered.

I have three other points to make. The first centres on budgets. We know that many countries in the EU and the WEU face budget restraints. We know that the budgets of some countries mean that they could pay far more towards overall defence expenditure and their commitments as European countries. If we develop the European defence and security role, will the 15 member states of the EU be expected to increase their budgets for that purpose? I would be interested to know whether that suggestion has been made at the meetings that have already taken place.

Paragraph 17 of the White Paper states:

"Britain and the other nations of the EU also wish to play an appropriate part in the response by the wider international community to crises elsewhere. We need therefore to be able both to make a stronger and more coherent contribution to the Alliance and to improve our collective capability to undertake European crisis management operations where the Alliance as a whole is not engaged. Above all, this means strengthening European nations' armed forces. Too few have been modernised to meet today's requirements. Too few can be deployed to crises quickly, are flexible enough to meet the difficulties they will face, or are sustainable over long periods in difficult conditions."

Those comments emphasise the problems that already exist, and those of us who belong to this country's delegation to the WEU do not think that those issues are sufficiently recognised, discussed or answered.

The second issue is that of service personnel. As my right hon. Friend the Secretary of State said, we are overstretched, as are other countries, and I was pleased to hear his comments about the improvements that are being made in our forces. However, paragraph 19 of the White Paper talks of

"up to 50,000 or 60,000 personnel, together with appropriate air and naval elements".

Will the policy be to obtain those highly trained service personnel from the existing 15 member countries of the European Union? If so, EU countries would have to allocate much greater financial resources for collective security than they have hitherto.

My final point has to do with assets—another matter that crops up repeatedly at the meetings that I and other hon. Members interested in this matter attend. To some extent, the debate has already touched on the question of NATO-US assets. Will my hon. Friend the Minister say how those assets will be allocated? Under what terms would they be allocated to us in a crisis management role? Although support would come from NATO and the United States, any actual involvement would be undertaken by Europe. We have heard little about how assets would be allocated, or about the conditions as to use that may be imposed on assets not owned by the European Union. Discussing the allocation of assets would require the US and NATO to co-operate with the European Union in a way that has not happened before. I should certainly welcome that.

All those who belong to the WEU accept that changes will take place in Europe under the proposed European security and defence identity. As my right hon. Friend the Secretary of State noted in his opening remarks, ESDI has been discussed for many years, but some major European countries in NATO or the WEU have no idea what their role in that might be. Sadly, the White Paper makes no reference to that problem.

Two matters need to be understood. First, the 15 members of the European Union must have equal rights and responsibility. There must be the fullest discussion and participation for WEU-associated members in the development of ESDI if the project is to succeed. It must be seen to be truly European, regardless of whether the countries involved are members of the EU, NATO, or the WEU.

Secondly, we must not allow a European Union caucus to develop, which might result in non-European Union countries being expected to play a limited role in European defence. I regularly meet representatives of those countries, and I can tell the House that they do not want such a caucus to develop. We should not allow countries that have been willing to associate with us and have been involved with us in difficult times to be frozen out of a future European defence policy.

3.24 pm

Mr. Menzies Campbell (North–East Fife): I am not the first Member in this debate to rely on passages from the excellent report from the Select Committee on Defence in response to the White Paper. Reference has been made already to paragraph 159, in which the Committee stated:

"There is, it seems to us, a fundamental implausibility in the total efficiency claimed by the MoD over the years."

Paragraph 160 states:

"A year-on-year programme of efficiency savings can have a debilitating effect at all levels of command, and can be destructive to the quality of life that will sustain retention in the Armed Forces."

Paragraph 161 states:

"Overall, we conclude that the condition of the defence budget is sufficiently poor to give rise to serious concern. The cumulative evidence of cancelled exercises, delayed equipment programmes and of resources apparently insufficient to reverse the problems of overstretch and undermanning suggest that, if the wheels have not yet come off the SDR, they are certainly beginning to wobble alarmingly."

That is colourful language, but all the more effective for that. The paragraph concludes:

"The Department's finances should be rebalanced in their current Spending Review. Commitments and resources have to be brought back into line or we risk finding ourselves stumbling from one crisis to the next."

That is the background to this debate on the White Paper, and it is based on the analysis revealed by the notes of evidence attached to the Select Committee's report. However, before turning to purely domestic issues, I want to say a few words about Kosovo. I am not interested only in the events at Mitrovica or the reports in national newspapers today. My right hon. Friend the Member for Yeovil (Mr. Ashdown) returned from a visit to Kosovo before Christmas with tales of the many things that had gone wrong. Those of us who supported military action in the region were deeply disturbed by what my right hon. Friend saw on his visit, and by current developments.

Neither NATO nor the United Nations can take any comfort from what is happening in Kosovo. Once again in the Balkans, we are paying the price for ambiguous political objectives supported by inadequate resources. It is frankly scandalous that fewer than half of the civilian police promised for the United Nations have been provided by UN members. Also, the conduct of some military units has been inept, provocative and lacking the

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necessary impartiality. We get mixed-ability teaching but—too often, it seems—we also get mixed-ability soldiering.

I believe that it was right to intervene in Kosovo, but nothing will damage the principle of intervention for humanitarian purposes more than an abject failure to invest in peace. Nothing will serve Milosevic better than a lack of will and resources to protect and promote the values of a multi-ethnic society in Kosovo. It does not strain the language—or the circumstances—to say that Kosovo may be on the brink of disaster. If that disaster happens, it may well impose additional burdens on our armed forces.

Mr. Dalyell: Before the right hon. and learned Gentleman leaves this very serious subject, will he tell the House what exactly he would do now, apart from pouring in more policemen and troops? I opposed the intervention, but it happened: what do we do now?

Mr. Campbell: We must insist on the deployment of the number of troops and civilian policemen that were considered necessary in the first instance; we should implement the so-called Balkan stability pact as hard and fast as possible; and we should ensure that the promises of economic assistance that were made are fully implemented.

The hon. Gentleman and I disagree about the legitimacy of the right of intervention, but I share with him a sense of frustration at what has happened after that intervention took place. As a national newspaper editorial put it, somewhat tritely, we might have won the war, but we may be about to lose the peace.

As I was saying, developments in Kosovo—and even in Montenegro—might, in due course, place additional strain on our armed services. We know from answers that have been obtained from Ministers that the Army is short of tanks, that the Royal Air Force is short of planes, and that the Navy is short of fuel and medical services. Evidence from so many sources is self-corroborating and even more compelling. The difficulties that have been reported must have a debilitating effect on morale and capability.

Ministers often criticise Opposition Members for being far too quick to raise concerns about capability or the availability of resources. They say that it is damaging to morale in the armed services. I should like to put the opposite point of view: if the people in the armed services thought that there was no opposition, and that no one was holding the Government to account, the damage to morale might be very much greater.

When we ask young men and, increasingly, young women to risk their lives on our behalf, we may talk about defence but they go out and implement it. When we ask them to put their lives at risk, surely we have an overwhelming duty to ensure that we give them the best possible equipment and resources that we can manage.

The problems include the fact that major procurement programmes are subject to delay and overspend. The National Audit Office report tells us that, almost annually. We know, because senior budget holders say so off the record, that their budgets are severely stretched by the burden of the so-called annual 3 per cent. efficiency savings. We know that the Army is undermanned. Even on the most optimistic forecast, it will be 2005 before that deficit is made up.

We know that serious questions have been raised about the reliability of the equipment used in Kosovo, in particular the SA80 rifle and Clansman radios. There is nothing new about that. In the course of the previous Parliament, the Defence Committee produced a vitriolic report about the nature of the procurement process for the SA80. Clansman radios were due to be replaced 15, even 20, years ago. There has already been considerable publicity about, and criticism of, the faults of that equipment.

I have voted with the Government in the past to support military action, but it is inexcusable for the Government and the House to make rigorous demands on the armed forces without ensuring that they are properly funded. I do not believe that we can contribute to the United Nations, play our part in NATO and influence European security—all at levels commensurate with the experience and skill of our armed services—under the present financial arrangements.

Between 1989 and 1998, United Kingdom defence spending as a percentage of gross domestic product has gone down by about 40 per cent. From 4.5 per cent. of gross domestic product in 1989, it had fallen in 1998 to 2.7 per cent. In the financial year 2001-02, it is set to drop to 2.4 per cent. Given the performance of the past 10 years, even that plateau may be difficult to hold on to. The fall in real terms between 1989 and 1998 was 22.6 per cent. We are all complicit in those reductions. When the Conservative party was on the Treasury Bench, proposing "Options for Change" and "Front Line First", I did not hear myself say, "That money should not be taken away." The hon. Member for Ochil (Mr. O'Neill) and the right hon. Member for South Shields (Dr. Clark) did not say to the then Government, "Do not reduce defence expenditure." Instead, their response was a blanket—a pretty effective blanket—proposal for a full-scale defence review. The truth is that all parties in the House are responsible for these large reductions.

In his Chicago speech a year ago, the Prime Minister argued forcefully for the recognition of a moral imperative for intervention where there is a systematic abuse of human rights. He was right to do so, but those words will have a hollow ring if the Government and the country are unable or unwilling to accept that moral imperatives do not come cheap, and that if we want to act, we have to arm.

The 3 per cent. efficiency saving seems to lie at the heart of many of the day-to-day stresses and strains in the budget. If the Government want to take steps to restore morale and reduce pressure, they should abandon that measure. The Chief of the Defence Staff, when asked about the 3 per cent. efficiency saving, said that it was challenging. We all know that that is Whitehall-speak for bloody difficult. It cannot be achieved without considerable stress and strain.

The strategic defence review has proposals for two aircraft carriers, approximately double the tonnage of the Invincible class, and for four C17s, or their equivalent. Heavy airlift and a new generation of aircraft carriers are the very underpinning of the expeditionary strategy upon which the strategic defence review was based. That is the essential prerequisite of intervention of the kind justified

by the Prime Minister in Chicago. There is no logic in having an expeditionary strategy if we cannot project our forces where they are needed and cannot sustain them once they have got there.

Before the Chancellor embarks on this year's Budget—or, indeed, on the pre-election Budget of 2001, in which he is widely predicted to cut taxes—proper regard must be given to the resources, financial and military, that are necessary to meet the responsibilities inherent in the so-called Chicago declaration. On the second day of the debate, if my hon. Friend the Member for Hereford (Mr. Keetch) has the good fortune to be called to speak, he will develop at some length some of the significant procurement issues, not many of which have featured so far in this debate.

There are two important decisions, one of which may even have been taken yesterday, if we are to believe what we read in the newspapers. The first is that of the missile to be fitted to the Eurofighter, or the Typhoon, as we must now learn to call it. I believe that the European solution in that competition is the best. Although the undertakings of the United States Government on the American proposal are no doubt given in good faith, we would do well to remember that Congress has independent rights in relation to arms exports. The Pakistani Government discovered that to their cost when they not only ordered, but paid for, 24 F16 aircraft which they never received.

I believe that the C17s are the proper solution to heavy-lift procurement. That may cause disappointment among those who favour the British Aerospace and the Airbus variant. However, the C17s are available, they are proven and can be obtained at a good price, and the Airbus variant has not yet flown. On balance, the C17s seem the appropriate choice.

Mr. Colvin: On the Eurofighter, and its beyond visual range air-to-air missile, the right hon. and learned Gentleman will recall the day that he, the hon. Member for Walsall, South (Mr. George) and I spent in the Bundestag with the German defence committee when it was throwing a wobbly over the future of Eurofighter. We found that once we had put a little resolve into the committee's members they wanted to discuss more than anything not Eurofighter, but the missile with which it was going to be equipped. They were determined that if the aircraft went ahead, which it did, it should be equipped with a European missile so that the Americans could not veto its sale to third countries, therefore jeopardising the aircraft's long-term export sales prospects.

Mr. Campbell: The hon. Gentleman and I are at one. I remember that occasion: we went to the Bundestag and while we were having lunch, the committee took a decision to support Eurofighter. It took a decision that we had gone there to argue for before we got round to doing so. That says something about our reputation or our lack of influence.

Mr. Duncan Smith: The right hon. and learned Gentleman talked about which decisions he thought were right and proper. I will not follow him down that road because I am happy to go along with whatever the Ministry of Defence decides in purely military terms. Will he accept that the key problem is slightly more than that which he describes? I refer to the delay in making decisions. We have been told by the industry that if the MOD does not make its decisions soon, whatever they are, it may go beyond the point of no return.

Mr. Campbell: Like others, I was deeply disappointed that the short-term competition for the leasing of C17s was cancelled, for reasons which have never been fully explained, but which most of us understand to have been because the contract could not be entered into at a price within the MOD's budget. However, there is some evidence that to persuade the United States Pentagon to buy C17s, the manufacturers were willing to offer them at a rather lower price than would have been the case even six or nine months ago. It is possible that out of delay some advantage has been achieved.

To return to my initial argument, let me say that, if our strategy is expeditionary, we have to have the means to take our troops to the place where we think they will have to fight. Indeed, one—among other—rather depressing feature of operations in Kosovo was the fact that Europe had to rely to such an extent on American heavy lift or on leasing an Antonov aircraft, which, for political or military reasons, might not necessarily be available in all circumstances.

On European security and defence policy, the main lesson of the Gulf war, which has been reinforced ever since, is that the United States is in a different capability league from all other nations. Bosnia reinforced the view that offensive air power could provide the necessary coercion to bring obstinate leaders to the negotiating table. Europe showed itself to be good at providing political support for operations, but we showed ourselves as, frankly, incompetent at contributing in sufficient quantity and quality to the air campaign. The figures are well known. Contributions from the European NATO nations in Kosovo amounted to only 4.3 per cent. of the total sorties flown. Difficulties in raising ground forces have since demonstrated that the armies of Europe are as poorly structured as some of their air forces.

NATO is, of course, vital to our security. In some respects, NATO is probably more secure after Kosovo. If it had not stuck together during the political period in advance of air operations and during those operations themselves, its future would have been gloomy indeed. Other tests of alliance cohesion are likely in the years ahead. A curious feature of the post-cold-war situation has been that the alliance has been tested in ways that it never was previously.

I was present with other members of the Defence Committee—as the hon. Member for Romsey (Mr. Colvin) may remember, we were in the Pentagon—when former Secretary of State Perry said,

"NATO is more important than Bosnia."

That was a proposition of such self-evident validity that one asked oneself why he had felt it necessary to say it. The reason was that the stress and strain within NATO in the early days of Bosnia—in particular, when UNPROFOR was deployed—was such that people had begun to question whether it had the political cohesion to survive.

However, we still need to rebalance our partnership with the United States within NATO. Europe has to take far greater responsibility for its own defence. That should not be detrimental to our relationship with the US. As I said, that relationship is crucial, but we should remember

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that although our interests will invariably be similar to those of the US, the emphasis could be different in areas such as the middle east, for example in relation to Iran—I shall return to that so-called rogue state in due course.

We in Britain—perhaps we in this House more than anywhere else—have a responsibility to ourselves and to Europe to be willing to say so when we believe that our interests are not being properly served. European defence does not involve a European army nor, so far as I am concerned, will it ever involve the taking of majority decisions when hostilities are on the agenda. Those are the essential responsibilities of Parliaments and they should never be given up.

We must not think that insularity is sufficient to deal with the evolving political balance in NATO. The logic for Europe collectively making more effective use of the $160 billion or so that it spends annually on defence is overwhelming. We ought to get much better value for the money that we spend. However, the relationship with the United States needs to be rebalanced. I said that the presumption is that our interests will coincide, but I can list a number of areas in which the United States has taken a different position from us and our allies in Europe: on the chemical weapons convention, the comprehensive test ban treaty, the land mines treaty, the international criminal court and the anti-ballistic missile treaty. In those areas, the United States is acting unilaterally: its actions do not accord with the political judgments of the rest of its allies in Europe.

As I said when I intervened on the Secretary of State, those of us who were at the Munich conference a fortnight ago could not but have been conscious of the unease on the part of members of the Senate and the House of Representatives. Those of us who support the ESDP must persuade these legislators that it will not prejudice NATO. I was sorry that the right hon. Gentleman did not respond directly to my intervention. It is one reason why I think that NATO should have a right of formal first refusal when any military action is contemplated. That will deal with members of NATO who are not members of the European Union. We will require other arrangements for EU members who are not members of NATO.

Mr. Bercow: I note the significance of what the right hon. and learned Gentleman said about belief in the national veto on defence. Does he agree that, in those circumstances, it is—to put it mildly—unfortunate that the President of the European Commission has said that an attack an one member state of the EU should be regarded as an attack on all—apparently, deliberately seeking to ape NATO? Should he not be condemned for that?

Mr. Campbell: We should remember that the President of the Commission is not the Prime Minister of Europe, even though he may from time to time think that he is. Europe is a union of nation states, which have pooled their sovereignty in certain respects. Frankly, there is no such legal obligation. If the hon. Gentleman has followed American thinking on these matters, he will know that there was great apprehension in Washington about the notion of a security guarantee being given, as it were, by the back door. I do not support that view. If that is what Mr. Prodi said, he was wrong, and I hope that the former Secretary of State for Defence, who is now the Secretary-General of NATO, took an early opportunity to tell him just that.

Lord Hurd, the former Foreign Secretary, wrote in the *Financial Times* on 18 February:

> "A valid Atlantic partnership cannot safely depend on a unique superpower on one side of the Atlantic, with an array of Europeans on the other side, strong in rhetoric but chronically short of coherence and muscle. Neither coherence in foreign policy nor a muscular defence will be easy to come by."

Lord Hurd gave what I would certainly understand to be intelligent and cautious support for the notion of proceeding upon the initiatives that have been launched on European security and defence policy. In that sense, he is entirely in the main stream of thinking in the United Kingdom, even though he may be slightly out of the main stream in his own party.

Dr. Julian Lewis: As Lord Hurd is now the fount of mainstream opinion and the oracle on all things, does the right hon. and learned Gentleman agree with what he said at the time of the conflict in Bosnia—that we should not allow the Bosnian Muslims the arms to defend themselves for fear of creating a level killing field? Is that mainstream opinion, or should we consider these matters in their own terms and not according to who said them?

Mr. Campbell: At the time, Lord Hurd was the Foreign Secretary of the Conservative Government, whom the hon. Gentleman almost certainly supported.

Dr. Lewis: I did not.

Mr. Campbell: It would almost be worth having the Conservatives back in power to see on how many occasions the hon. Gentleman would disagree with them.

Lord Hurd's remarks were roundly condemned by Lady Thatcher and also by my right hon. Friend the Member for Yeovil (Mr. Ashdown). I am not arguing that Lord Hurd is infallible, but on that matter he seems to be in rather more of the main stream. They were all in the main stream when the Maastricht treaty was being considered, with the exception of the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) who is now shadow Secretary of State for Defence.

Dr. Lewis: What about us?

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman cannot keep interrupting. I cannot hear what the right hon. and learned Member for North-East Fife (Mr. Campbell) is saying.

Mr. Campbell: The hon. Member for New Forest, East (Dr. Lewis) does not know what stream he was in, but whatever it was, I hope that it was a stream of consciousness.

Dr. Lewis *rose—*

Mr. Campbell: I will not give way because I want to give the hon. Gentleman a short reminder of history. The Maastricht treaty was whipped through the House—three-line Whips, night after night. Some hon. Members resisted the Whip; for example, the hon. Member for

Chingford and Woodford Green, who found that period of his political career rather uncomfortable. However, the treaty stated that the EU's external policy objective was to

"assert its identity on the international scene, in particular, through the implementation of a common foreign and security policy, including the eventual framing of a common defence policy, which might in time lead to a common defence."

That is the fons et origo of the European security and defence policy.

My concluding remarks will be about the feasibility of a proposed national missile defence system—very much part of the political agenda in Washington. The first two tests of such a system have been inconclusive, but a third is expected before President Clinton makes a decision, in June, on whether to seek congressional funding to enable full-scale development and deployment to take place by 2005.

President Clinton intends to take account of four published criteria: the threat; feasibility; affordability; and the strategic environment—including arms control objectives. It is clear beyond question to anyone who spends time in Washington at present, or to anyone who was in Munich a fortnight ago, that the only test that matters is feasibility. If the system can be made to work, the United States—under the present Administration or the next—will deploy a form of national missile defence, in the face of the reservations of its European allies and even if it means breaching the anti-ballistic missile treaty.

Yesterday, the Secretary of State engaged in a certain amount of urbane dissembling when that reality was put to him. He did not really respond to the shadow Secretary of State's approach to the matter today. There will be a decision in June. The UK Government had better have a view as to their reaction to that decision. In the first instance, some effort will be made to obtain the use of Fylingdales as part of the system. That may not be entirely popular in some parts of Yorkshire.

There may well be consequences for the nuclear doctrine of minimum deterrence, or for the prospects of obtaining reductions in nuclear weapons—either through START 2 or, more optimistically, through a START 3 treaty. If the deployment of national missile defence provokes a lack of co-operation, the prospect of further multilateral nuclear disarmament may be much more remote than many of us hope.

Liberal Democrats oppose the proposal for national missile defence if it has the effect of breaching the anti-ballistic missile treaty. If some arrangement can be made—if the technology can be made available to Russia, which is currently under discussion in Washington—different considerations may apply. The ABM is important because it has been a keystone in the balance of power since 1972.

The hon. Member for Chingford and Woodford Green talked about threat assessment; he referred to rogue states. Popularly, there are four of those: Iran, Libya, North Korea and Iraq. Perhaps we should look at Iran with rather more optimism after the events of the past week or so. We have just resumed diplomatic relations with Libya, and the two suspects in the Lockerbie bombing inquiry have been made available for trial. Former Secretary of State Perry is making a long, detailed effort to negotiate with North Korea. In Iraq, we are containing the situation on the basis that if there is any effort to use—or to threaten to use—weapons of mass destructions, there would almost certainly be a proportionate response, as I think that James Baker pointed out during his negotiations with Tariq Aziz before the Gulf war.

The risk of the proposal for national minimum missile defence is that it appears to undercut the whole principle of deterrence. There is an important question for all of us: supposing that the UK were to be involved in that proposal, what would be the cost? How certain could we be that the US would be willing to transfer all the technology to us?

Dr. Julian Lewis *rose—*

Mr. Duncan Smith *rose—*

Mr. Campbell: I am about to finish my speech. Other Members want to take part in the debate, and I have delayed the House as long as is prudent.

One disappointment of the White Paper is that only one sentence deals with nuclear weapons—in paragraph 128. That is profoundly disappointing as we approach the review conference for the non-proliferation treaty, which will be held within a few weeks. Under article 6 of that treaty, the UK has obligations to pursue nuclear disarmament in good faith, by negotiation. Nothing in the White Paper sets out what the UK proposes to do at the conference, or, indeed, in the future. That is a sad and unfortunate omission.

It is conventional in these debates to express support and congratulations to all those who serve in the armed forces. As I said earlier, we talk about defence, but they risk their lives to be our defence. On these occasions, we should never forget that.

3.56 pm

Mr. Syd Rapson (Portsmouth, North): It is always a privilege to be able to speak in this place. No doubt it is because so many Members are absent that I have been given that opportunity today. However, I am not sure whether it is an advantage to follow the right hon. and learned Member for North-East Fife (Mr. Campbell), whose eloquence we try to emulate. It is a pity that his talents are wasted in the Liberal party.

I want to focus on more realistic issues, which touch me and my city, and also to talk about my experiences in the WEU. Those matters are wide ranging, but not rambling. I shall touch on four of them. The first is parochial and relates to Portsmouth and the Territorial Army. The second is the Defence Aviation Repair Agency, about which I have some worries. The third relates to Portsmouth's interests in defence contracting. Finally, I shall make some observations on the European issue.

Earlier, we heard an attack on the TA. I recently visited our TA centre in Portsmouth to find out the truth. The professionals running the TA were extremely complimentary about the restructuring, although the Royal Rifle Volunteers are still trying to establish an identity. They have moved location and are rather lost in the wilderness. They emphasised however that members of the TA are looking forward to playing a much more professional role, and, at times, to being reinjected in the proper services. They were buoyant. They were worried about employers giving TA members time off, and hope that the Government can reinforce the right of people to

[Mr. Syd Rapson]

join the TA and to be released from work for service in it. When I was employed at the MOD, I spent a lot of time negotiating for time off for TA members. I hope that we can make things easier for them, because they play a vital role.

DARA, which was set up in April 1999, is mentioned briefly in the Select Committee report. I have sufficient experience of the agency to realise that the report's words do not clearly define its problems. I worked in the naval air repair organisation—NARO—for 39 years; it was a good experience. The organisation is mainly based in Gosport—I am sure that the hon. Member for Gosport (Mr. Viggers) will not mind my mentioning that—and many of my constituents work there.

I did not object when NARO became part of the new agency. That was the way to go and it was to be encouraged. However, the way the change was carried out leaves much to be desired. A new chief executive was parachuted in to take out the old style of management. He was bent on trying to modernise the organisation so as to integrate it with DARA—the new agency. In his clinical and surgical way, he ripped out the social fabric of the establishment and sorted out the management in short order—frightening everyone about the future. He made promises that jobs were secure and that the rationalisation, which we predicted, would not take place. The trade unions accepted his words and encouraged the work force to go with the plan rather than resist it. I was part of the team that did that, but the latest announcement is that 90 of the most highly qualified avionics craftspeople will be sacked. Our trust has been severely undermined.

I declare an interest, as a member of the Amalgamated Engineering and Electrical Union. I have long been associated with the union, and its officers normally work well and try to get on with management. However, one full-time official of the union is so incensed that he has written to my hon. Friend the Minister for the Armed Forces. I know that my hon. Friend is capable of understanding the details, but the worrying point is that trade unions have to report that they have been misled. In fact, the official uses much stronger terms than that. That is no way to reorganise DARA.

There is a fear that the whole of the establishment in Gosport will collapse, leaving us short of 1,000 jobs. If that is so, it would be a sad reflection on the Government's well-intentioned idea of creating a defence repair agency for aviation that is second to none and of strengthening the establishments at St. Athan, Sea Land and Almondbank in Scotland, if not Fleetlands in Gosport. I know that my hon. Friend the Minister has listened and is well aware of the issues.

The underlying point is that we can evolve, modernise and carry the unions and the hearts and minds of the workers with us only if we are honest. If there is a suspicion that honesty is being taken advantage of, we shall destroy the process and cause a reaction. That will result in all the bad things that we saw many years ago. I have invested 39 years of my life in the industry and I do not want to see that wasted by a chief executive who is building an empire for himself.

I listened to Members who referred to the necessary missile systems, such as the beyond visual range air-to-air missile, and to the importance of reaching decisions on them. I am bored silly, as no doubt many are, by mention of the A400M heavy lifter. However, we had fun yesterday when my right hon. Friend the Member for Alyn and Deeside (Mr. Jones) innovatively suggested that we might try to land it on aircraft carriers. I have been pressurised by companies to mention this heavy lifter, and I believe that it is the right solution. It is geared and designed specifically to the roles that it will play in the future. Whatever the interim arrangements, I hope that it will be the long-term solution.

A strategic air tanker is also necessary, as is SIFF—successor identification friend or foe—which is the advanced version of the current system. However, we must strike a balance. I represent Portsmouth, which is heavily dependent on defence, although more on the private contracting sector than on Government provision. My ears are therefore bent from all sides. I just hope that the jobs in the companies involved are secured and that the right decisions are ultimately taken. However, I prefer some solutions to others, because they are more of a British and a European answer than an American one.

I want to touch on the European defence initiative. As a member of the Western European Union, I attended the meeting that decided to nominate me as a rapporteur for the committee considering the European armed forces and the collective capability required for their deployment. Because I did not say no, I suddenly found that I had a new job. It has been quite an eye opener, and the research that I have seen strengthens my view that we are doing exactly the right thing. Although the White Paper deals with general issues and does not specify details, it goes hand in glove with that research.

My hon. Friend the Member for Tooting (Mr. Cox) touched on the issues that worry the WEU. They include the roles of the European Union, the WEU and NATO. I was lucky that, as a member of the WEU's defence committee, I was able to visit Washington. We visited the Pentagon and spoke to senior military figures. We also spoke to the President's strategic defence adviser and we were flown to Florida to speak to General Zinny and his team, who make up America's rapid reaction force.

The people that we met expressed strong views and were committed to the Government's approach. At no time did anyone doubt it; in fact, they encouraged it. Many complimentary things were said about the strategic defence review, and it was said that we were ahead of the game. Many countries, including America, will have to go through that process and they congratulated my right hon. Friend the Prime Minister and the Government on their role.

As I am a creep, may I say that the Government's Front-Bench team on defence are doing a great job? They have recently been enhanced by an extra Minister who will add more gravitas, if not gravity, to those on the Front Bench. Labour Members are extremely lucky to have such a powerful and secure team. That is enough creeping for now, and it will not get me any better answers. However, it is true that there is much sense and stability in that team. As a representative of a constituency with defence interests, I like and feel secure with its members.

I am writing a paper and have received information from many French sources regarding the new missions for European armed forces. That information leads me to believe that we are in an inevitable process that cannot be stopped. As a practical realist, I like to go with the flow

and try to make things work rather to oppose for the sake of opposition and gain brownie points. *[Interruption.]* That is Tony. He says, "Syd, comb your head; you are on television."

I know that the best speeches are always the shortest speeches, and two minutes is long enough. I feel secure with the new way Europe is going. I do not have the hang-ups that I used to have in the old days. There is an inevitable process and a pride in what we have and in how we can lead Europe. The strategic defence review covers most of the things that we need to do, and I am sure that we shall have a safer future.

Mr. Bercow: My ears pricked up with alarm when the hon. Gentleman mentioned the word "inevitable" in the context of European integration. If, as part of the horse trading in the European Union, the sacrifice of the British national veto on defence becomes a precondition of British entry to the euro, will he confirm that that is a deal with which he is entirely content?

Mr. Rapson: I echo the words of the right hon. and learned Member for North–East Fife. The veto is secure. The organisation comes together for the benefit of defence in Europe. That does not mean giving up our sovereignty or handing over a veto, it means working together as a team to secure better defence in Europe.

Our experiences with NATO and in European crises show that there is much that we have to learn. There are shortfalls. For example, interoperability was shown up in such a way that we felt let down. We have not yet got interoperability to the extent that we want it; nor do we yet have the joint workings that we should have. There are several things for which we rely on America to an extent that we should not.

This country and Europe should have a heavy lift requirement and we should have the security surveillance that we need without having to rely on another nation. We should have such surveillance so that we can link in with America and NATO to make ourselves stronger. If we can put right the shortfalls in the European context, the whole system will become stronger.

I very much agree with earlier statements that we shall not give up our sovereignty. We are still a proud nation, but we are part of a team and we can work much better together. More bangs for bucks was mentioned earlier. The money that we spend on defence seems to be inefficiently used compared with what America does. If we can learn from that and become more efficient, we shall be better off all round.

I hope that the Minister has listened to my point about DARA. Although it is a parochial issue that affects me personally, it is also an issue to do with the way that we do things. I trust the actions that the Government have taken on agencies. They seem to be a lot better and are being run more realistically. Rationalisation is inevitable, but what is important is how we carry it out and how we treat people. If we are to lose many highly skilled people, that will be a sad waste for Gosport, and we will suffer. At the end of the day, however, our trade unions must be able to trust what the Government are doing.

4.10 pm

Sir Archie Hamilton (Epsom and Ewell): May I start by declaring my interests in defence? I am a consultant to Litton Industries and to GenCorp Aerojet, which are both American contractors, and to the consulting engineers W. S. Atkins, which play a serious role in the management of the defence of the state. I am also a director of Leafield Engineering Ltd., which is a small company involved in defence manufacture in Wiltshire.

My contacts in the Ministry of Defence tell me that they have never known a time when morale was so low and when the financial pressures were so great on everything that they are trying to do. Those problems are compounded by those of retaining our good, trained people and of meeting all our commitments.

I blame all that on the strategic defence review. Unlike my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), the shadow Secretary of State, I do not think that there should ever have been a strategic defence review. What the Ministry of Defence needed after the election was a period of stability. We had already had two defence reviews: "Options for Change", which made a massive reduction in the number of our forces, including halving the Rhine Army, and the defence cost studies, which took an enormous amount out of the defence budget. After that, the Ministry needed a period of calm and time to get itself into order.

The strategic defence review had to happen because, foolishly, it was included in the Labour party's manifesto at the last election. The result is that further disruption has taken place. The Government say, "Ah, but this is different. This is foreign policy-led." To me, that is a pretty laughable claim. Presumably, this is the Foreign Office that did not tell us that the Falklands were going to be invaded, and at the time of the Gulf war, that Kuwait would be invaded by Saddam Hussein. I have great difficulty in understanding what expertise the Foreign Office has that enables it to tell us about our deployment of troops.

I wonder whether the Secretary of State realises that when he talks about modernisation, he fills many decent people with dread and apprehension. Modernisation for this Government has come to mean that whatever exists, and has done so for some time, should be thrown up in the air so that it can all be changed rapidly, but one has absolutely no idea where it will all land. I pity the Ministry of Defence if the Secretary of State's objective is to modernise it because it will almost certainly mean prolonged chaos from which it will take a long time to recover.

There is no doubt that the SDR has been driven by the Treasury because it wanted its pound of flesh, but it was important that when the SDR was launched, it should all be dressed up to suggest that the cuts would not be as dramatic as they were. The theory was that there were savings to be found, and the spin was that the 3 per cent. that was saved would be ploughed back into the defence budget. One talked not about cuts but about increases in expenditure from the savings that had been made. The trouble is that it has not worked out that way.

I commend the Select Committee on Defence on its excellent report on the SDR and defence generally. It is one of the best reports that we have seen for a long time, but it is also a damning report of the Government's running of the Ministry of Defence since the last election. It is claimed that the target of £505 million of savings in 1998-99 was exceeded; the Ministry claims that it achieved £594 million of savings. However, the Select Committee regards that figure as completely implausible.

[Sir Archie Hamilton]

What is an efficiency saving and what is a cut in expenditure? It is too easy to confuse the two, and we have all been subjected to a complete con trick with the 3 per cent. savings. There has really been a massive reduction in defence expenditure, which has resulted—as we have been hearing all afternoon—in training being cancelled and ships being told to go at low speeds so that they do not consume too much fuel. That, in the words of the Secretary of State, is keeping within the budget, but we know that there are serious restraints on the military in carrying out the training that is necessary if it is to produce the top-class troops that we have been used to having in the British armed forces.

Mr. Spellar: Can the right hon. Gentleman tell us what was the cruising speed of ships when he was Minister for the Armed Forces?

Sir Archie Hamilton: It was certainly a lot higher than it is now.

Procurement is also a complete shambles. We have heard nothing about the delayed decisions on major procurement items and the massive cost overruns. The Government say that they are introducing smart procurement, which means that everything should come through faster, cheaper and better. I should be grateful if the Minister, when he winds up, would tell us what items of procurement have come through faster, cheaper or better. We want some examples before we accept that we are entering a new world.

The problem with smart procurement is that if it works, one must start procurement two years later than one normally would; otherwise, if it comes through faster, one finds that one has to pay for it earlier. As my hon. Friend the Member for Chingford and Woodford Green said, in the Ministry of Defence cashflow is all, and if it is merely paying for things earlier, it is not solving any problems whatever; it is merely increasing pressure on the defence budget.

Perhaps the short-term strategic airlift is an example of smart procurement. We started off with five bids and they all proved unacceptable. Will the Minister confirm that we now seem to have a competition between the Antonov and the C17, but that the requirement for the C17 has now been reduced from four aircraft to two because that is what is likely to fit into the £500 million budget allocation for those aircraft? It strikes me that there are enormous problems with the short-term strategic airlift, and those need to be solved sooner rather than later.

Do we really need the C17, which is an all-singing, all-dancing aircraft, when in practice any lift of that sort would be escorted by other aircraft? Do we therefore need all the defensive aids on the transporting aircraft when there will be other aircraft around it to take it into any war zone?

The SDR also seemed to depend on certain lumps of capital sales, including the Defence Evaluation and Research Agency, which will bring in the not insignificant sum of £250 million. However, I gather that the Government are abandoning the idea of a public-private partnership for DERA, so what will happen to that £250 million, which is an essential element in the MOD's budgeting?

The sale of the Duke of York's barracks was also supposed to raise more than £250 million. Is that sale going ahead? There is talk about negotiations taking place. Obviously, it is critical that the sale goes through, or there will be even greater pressures on the budget and the morale.

It is said that the cost of the Kosovo operation was some £400 million. Will all that money be funded out of the contingency reserve this year? Is that the total cost of the operation? Does it rebuild all our stocks of cruise missiles and the other weaponry that was used? If the answer to those questions is no, when will the money be produced to replenish the war stocks, which we might well need in the near future?

The strategic defence review claimed to be about matching resources to commitments; in fact, resources have been cut and commitments increased. The so-called savings have resulted from an overall reduction in available budget moneys, and Kosovo and East Timor have been added to our commitments.

The Secretary of State says that he has been able to reduce the number of troops in Northern Ireland to less than 16,000. That is extremely welcome news and we hope that that number can be maintained. The so-called ceasefire is not much of a ceasefire—49 terrorist murders have been committed since the agreement was signed and many people have been injured, mutilated and hospitalised as a result of the acts of terrorists—but let us pretend that there is a ceasefire. However, suppose that non-ceasefire broke down completely: more troops would have to be committed to Northern Ireland. It should be borne in mind that, when things are extremely difficult in Northern Ireland, we have more than 30,000 troops posted there. If things go badly wrong in Ulster, there will be a massive increase in our commitments there.

The one person I congratulate, even though he is no longer a Member of Parliament, is Lord Robertson, whose timing was brilliant—I commend him on it. Knowing when to go can be the best decision one ever takes in politics. The way in which the noble Lord managed to get out before the roof finally fell in was absolutely brilliant.

The reason why Lord Robertson was offered the job as Secretary-General of NATO was that he had been credited with having "a very good war" in Kosovo. Was it really a good war? Looking at it in the cold light of day, many people feel enormous reservations about the intervention in Kosovo. When it all began, the Prime Minister said that the objective was to stop the Serbs driving the Kosovan Albanians out of their homes. Yet, when the bombing began, what happened? There was a massive intensification of the ethnic cleansing of Kosovo, and people were driven from their homes at an even faster rate than they had been before the bombing began.

We were then told that the bombing was intended to hit military targets in Serbia. Soon, military targets started to mean bridges over the Danube and car factories that might have been making vehicles used by the military. Make-up artists were killed when television stations were bombed because they might have been broadcasting propaganda for Milosevic. In the bombing, many civilians, but few members of the Serbian military, were killed.

NATO claimed on our televisions every night that the Serb military was being degraded and its capabilities seriously reduced. However, when it was all over, we

watched vast armoured columns emerge from shelters where they had hidden throughout the bombing. Ultimately, what really suffered was NATO's credibility. Will we ever again believe NATO spokesmen when they tell us how much the military capability of our opponent is being degraded, given that so much of what they told us during the Kosovan crisis turned out to be completely wrong? That is a serious problem that must be addressed. We always accuse our enemies of producing misleading propaganda; we do not expect such propaganda to emerge from NATO.

Now that the Kosovans have been liberated, they are free to persecute and kill the remaining Serbs in Kosovo. As the right hon. and learned Member for North–East Fife (Mr. Campbell) says, the whole area is on the brink of disaster. Whatever else happens, the region will become another Cyprus: 30 years from now, there will still be a massive United Nations contingent there, trying to keep the two sides apart.

I am worried, not only by what happened in Serbia, but by the whole question of what certain countries will do if they think that they might in future become victims of the sort of assault that was launched against Serbia. If we bring to bear on a small country the massive technology and military supremacy wielded by the United States specifically and by NATO generally, what message does that send to that country? There is no way countries can arm to defend themselves against that sort of capability; no country in the world could afford to do so, especially not small countries such as Serbia. What will such countries do? They will be inclined to resort to terrorism, as the Chechens allegedly did, blowing up blocks of flats in Moscow. They will be inclined to resort to hijacking, as in the recent hijacking in Afghanistan, in the face of which the Indians completely gave way, leading to who knows what—probably to many similar hijackings demanding the release of prisoners. Much more worrying is the possibility that such countries might turn to weapons of mass destruction.

I do not believe that any small country will get involved in the manufacture of nuclear weapons. Saddam Hussein wants to do that in Iraq, probably in an effort to gain some prestige in the region. However, it is much cheaper and easier to develop chemical and biological weapons. Perhaps such weapons will be loaded on rockets, the threat carried on interballistic missiles; but it would be far cheaper to put them into suitcases, so making them man-portable. I wonder what we started with our massive use of military power against a small errant nation. Where will it all lead in the longer run?

Dr. Julian Lewis: Throughout the crisis, my right hon. Friend and I completely disagreed on the question of intervening in Kosovo. Is not one of the messages sent by the Kosovo campaign to small Balkan dictators that they should not invade their neighbours, otherwise they will be get hammered?

Sir Archie Hamilton: Yes, but one has to ask whether that will be effective in Montenegro, where a serious crisis appears to be brewing. I am not at all certain that the Serbs have learned any lessons—they could well become involved there as well. I realise that that is the message we wanted to send, but will it be received by small errant nations? The Chechens did not appear to worry too much about their previous conflict with Russia; they came back for more. Countries will not necessarily adopt the rational response and bow to the will of the super-powers, as my hon. Friend appears to believe that they will. I wish that he were right, but I am not sure that he is.

We were told that the strategic defence review was based on certain foreign policy assumptions, but we have yet to hear what those assumptions were. Perhaps the fact that the Government now have an ethical foreign policy will give us a lead. Unfortunately, with their ethical foreign policy, the Government appear to have got into the same sort of muddle that my right hon. Friend the Member for Huntingdon (Mr. Major) got into when he started to talk about "back to basics" and advocated the Government taking a moral view of people's personal behaviour. My right hon. Friend was roasted by the press every time anyone fell out of line.

Arms sales bring similar problems when the Government set themselves up as having an ethical policy. Let us face it, this country has an enormous and thriving defence industry, which, like other industries, depends heavily on exports to countries throughout the world. By being frightfully fussy, it is easy to find reasons not to sell arms to almost any nation—for example, one can decide that its human rights record is not as good as one might want it to be. There is no difficulty in finding reasons not to sell arms, but if the Government do that, a large number of people working in British Aerospace and other firms will be put out of work. That is the problem that confronts every Government. To embark on an ethical foreign policy was an extremely foolish step, because it invited criticism of any nation to which arms were sold. A balance must be struck.

It is interesting that Labour Members, who cry out for ethics in our foreign policy, a ban on the arms trade and so on, are the first to criticise the United Kingdom's shrinking industrial base. They constantly say what a disaster it is that our industrial base is shrinking while the service sector is growing, then they advocate policies that will lead to one of our most successful industries being cut because it cannot export abroad. There is no logic whatever in that.

"Ah," say Labour Members, "what about diversification?" No British Government can tell British industry about diversification. A company such as GEC was engaged in manufacturing washing machines, weighing machines and lifts, as well as in mass defence exports. It split off its defence business and sold it to British Aerospace, so there is no longer scope for diversification in that company.

What is the ethical foreign policy really about? We have an interesting attitude. We get involved in a civil war in Kosovo because, in the Prime Minister's words, it is on Europe's doorstep, but we studiously ignore other civil wars in places such as Rwanda, Sierra Leone and Angola. We do not seem to want to get involved in them, perhaps because those wars are taking place much further away and do not involve people with whom we readily identify. Moreover, there is no television coverage; we are not seeing what is happening there on our news programmes every night, leading everyone to say that something must be done.

Mr. Nigel Beard (Bexleyheath and Crayford): I thank the right hon. Gentleman for giving way. Does he subscribe to the view that, because we cannot do everything, we should do nothing?

Sir Archie Hamilton: No, but it is illogical to claim that an ethical dimension forces us to become involved in one civil war, but not in others. I do not believe that we should get involved in any civil war. We should be very wary of becoming involved. It is an opportunity to make matters much worse, as we may have done in Kosovo.

An interesting aspect of the strategic defence review was the deal that the Royal Navy did. In return for getting rid of a large number of its surface ships, it is to be given two very large aircraft carriers at some time in the future. I have a slight problem with that, as I do not understand what the aircraft carriers are for.

We have been told that the regions in which we want to operate are the Balkans and places near Europe. As we know, aircraft carriers do not have a great role at present in the Balkans, because everyone can fly off 2,000 yd of concrete in Italy, which is infinitely preferable to trying to fly off a ship. If our areas of operation are to be in or near Europe, there does not seem to be a role for aircraft carriers.

If we are to be involved in the Gulf region, we would not have friendly countries nearby to provide landing areas for our aircraft. Perhaps the objective is that the aircraft carriers should operate much further away, as we have traditionally been used to doing.

I wondered where the idea came from, and it suddenly dawned on me that the Government must have dug up Alan Clark's defence review. I am sure that several hon. Members have read his memoirs. They are brilliant diaries, full of wonderful writing, presenting his unique view of what took place in government at the time. It is very sad that Alan has died, and I am sure that we all miss him in the House.

Alan and I were both Ministers at the Ministry of Defence at the time of "Options for Change". As he wrote in his memoirs, he produced his own defence review at the same time as a more orthodox review was being produced by the Ministry of Defence. As he tells us in his book, he succeeded in smuggling it through to the Prime Minister of the time, Margaret Thatcher, behind the back of the then Secretary of State, my right hon. Friend the Member for Bridgwater (Mr. King).

Alan never revealed in his diaries what was in his defence review, but he told me, because I was at the Ministry of Defence at the time. He saw no role at all for NATO. He envisaged the Soviet Union's rapid disintegration and thought that NATO had outlived all useful purpose. He saw no future, either, for high-intensity warfare, and thought that the quicker we wound down the Rhine Army, the better.

What Alan was really keen on was mobility. He wanted force projection, airborne troops, marines and aircraft carriers. When I asked him what he wanted those for, he said that it would be a good idea for us to get involved, rather like the French in Chad, in various African ventures where we could have a series of easy victories over small African countries. He thought that that would be extremely good for British morale.

Interestingly, the Government are following Alan Clark's defence review, almost to the letter. They are undermining NATO as fast as they can, by throwing the Atlantic Alliance into total confusion with the threat of Euro-armies and all that. The run-down of the Rhine Army continues apace. The only thing missing are the aircraft carriers, but the Government assure us that they are on order and that the procurement process is going ahead. Presumably, the force projection will take place at some stage and the Prime Minister, like some warrior king, will fight distant battles over the continent of Africa—an interesting neo-colonial approach to the future of defence.

Alan Clark is no longer with us, but he would relish the irony that his defence review, which was so substantially rejected by a Conservative Government, seems to be forming the basis of the present Labour Government's policy.

4.37 pm

Mr. Thomas Graham (West Renfrewshire): Although I welcome part of the Government's plans, I am concerned about procurement. Other hon. Members have spoken about the defence industry, which obviously plays an important part in the country's defence.

Last week, constituents of mine were told that their jobs at Bishopton Royal Ordnance factory were finished and that the company would close within a year. Arguments have been put forward by workers, trade unions and many others, and I have tried time and again to arrange a meeting with the Secretary of State for Defence to discuss the job losses in a vital industry—the last propellant factory in Great Britain.

Lord Robertson was difficult; I would probably have found it easier to track down Lord Lucan. That is an indictment. I asked the new Secretary of State for a meeting weeks ago, and I am still waiting for a reply.

I stand here proud, arguing for the work force of Royal Ordnance Bishopton. I am proud of the fact that they are not lame ducks. They are a tried, tested, unique work force. They are highly skilled and can compete with the best, but it is difficult to compete with companies abroad whose Governments are subsidising them under the counter.

I believe that the Bishopton Royal Ordnance workers face redundancy because the British Government are not facing up to their responsibilities towards a defence industry.

Let me outline the situation to the House. The quality of the product manufactured by Royal Ordnance Bishopton is second to none. The quantity is there in this country's time of need. The work force meet all time targets. More important, the material that they produce is tried, tested and does not fail. When our forces use those materials in combat, they know that they can trust the products of Bishopton Royal Ordnance factory. They know that they are not flying duds. If anyone questions what I am saying, let me remind them that, in the Falklands, materials produced by other countries failed. Belgian companies produced duds. Our soldiers and sailors said that they knew when materials were going to work, and those did not.

The Royal Ordnance factory in Bishopton is the last propellant factory in Great Britain. It is unique and it should be retained for the defence of this country. It is as important as a front-line soldier. If a front-line soldier does not have a tried and trusted weapon that works, what does he have? All he has at his back is an empty balloon, by which I mean he becomes a target. I cannot understand why a Labour Government do not support the Royal Ordnance factory workers. Quality, price, everything is right.

In 1987, when I was in opposition, I argued against a Tory Government who wanted to close the Royal Ordnance factory in Bishopton. The Labour party, the Scottish National party, the Liberal Democrats and all other parties were unanimous against the closure. The arguments that applied then apply now. To their credit, the Tory Government eventually supported us and the factory remained open. No different arguments apply now.

I am holding leaked confidential documents, which were delivered to my house at midnight at the weekend. They contain details about companies that are applying for orders to do the business for our troops. They make worrying reading. I would be worried if I was a young soldier who was putting his life and limb at risk for this country. I shall not bore the House with enormous detail because the papers are technical. However, one company states that its experience with geometrics has proved difficult and therefore offers a maximum price. That company obviously finds the work difficult; it does not want to produce materials to the same standard as Bishopton. On the paste drying process, a company cannot guarantee the combustion. It is said that combustion is basically standard, and not the same as another formulation. A company also states that it does not understand the need to prove compatibility. Yet this is supposed to be an up-to-date, bang-on-the-button defence business.

A company claims that it will supply the materials in the near future; it should all be done. It claims that in its first offer, it assumed that it would be undertaking two-part assembly, but that it subsequently learned that the assembly consisted of five parts. It concludes that it will therefore have to raise the price. Another example is that final testing and acceptance of propellant will be conducted by Royal Ordnance at Royal Ordnance expense.

I am not an expert in the manufacture and production of propellant. I am not skilful enough to go through the documents in great detail without the help of an expert. As I said earlier, the documents were parachuted through my door late at night. However, I am sensible enough to appreciate that the person who put the documents through my door knows that the companies on which we will rely to produce the necessary propellant for our forces cannot produce it to Ministry of Defence standards and quality. I ask Labour Members to join me to fight to save the Bishopton Royal Ordnance factory. It is needed. If we sit on our backsides, we will be at the mercy of a foreign nation.

My father, who is dead, was a sailor. He fought a war that he reckoned needed fighting against Hitler. With hindsight, everyone agrees that we needed to beat Hitler. I do not know whether I necessarily agreed with the Falklands war, but we backed and supported our soldiers and sailors. I did not agree with the politics of the Falklands war, but I agreed with ensuring that our troops had the best equipment available at the time. Saddam Hussein is an evil man—I do not need to bore the House and the country with that. He created a conflict, and once again, our forces needed to go to war. They were supplied by Bishopton Royal Ordnance factory. The workers worked night and day during those conflicts. They worked at the beck and call of this country. They gave up everything that they could to produce the necessary gear.

The Government's arguments are flawed, fragile and fatal to the troops, whom we should look after. The defence industry is important. I have heard a lot of talk about the front-line troops today, but they need the backing of good quality products that work. Even at this stage, I press my arguments to the Minister, and ask him to do the decent thing and meet me so that I can explain at greater length the reasons why British Aerospace Systems should not be allowed to close the Royal Ordnance factory.

This country needs that propellant factory for its defence, which should not be left to private commerce. Through years of dedication, development, planning and skill, we have a work force who are second to none. They are fully trained and experienced. Once we put the key in the door, we must not believe that we can return to the Royal Ordnance workers and ask them to produce propellant if another Gulf happens. We cannot do that. Once the work force are disbanded, they are disbanded for good, and we must rely on duds. That is not the British defence that I want.

I support the Government on many of the defence industries or I would not be on this side of the House, but I do not support their proposal to stand back and allow British Aerospace to close the Bishopton Royal Ordnance factory. The work force there deserve better, but, more importantly, the British armed forces deserve better. They need their product and the MOD should get off its backside and make sure that it delivers that factory.

Mr. Russell Brown (Dumfries): I apologise for arriving late. The hon. Gentleman has appealed to the Minister to meet him to discuss the future of Royal Ordnance Bishopton and I hear what he says. I believe that that is very important. He also commented on the Falklands war. Our front-line troops were dependent on ammunition not only from Royal Ordnance Bishopton, but from a site where I worked, which was the only small arms propellant manufacturing operation in the United Kingdom. It was quickly swept aside by the previous Government through the Royal Ordnance privatisation. I hope that his attempt to secure a meeting with the Minister is successful, but he must be sure that the arguments he would make are correct.

Mr. Graham: I agree with the hon. Gentleman, but my speech is concerned solely with the Bishopton Royal Ordnance factory. I know that ships were produced in shipyards and guns were produced in other factories and I agree that all those efforts were combined for our armed forces, but that is not the point. I do not want to be sidetracked. I believe that Royal Ordnance Bishopton is a strategic part of the defence of this country. It is the last remaining propellant factory in the country and the tried and tested tradesmen there can continue production. If the factory closes, we have had it. We will have to go for the duds, the fakes and the bullets that do not work. Once again, I ask the Minister to reconsider his decision to stand aside and allow British Aerospace to close the factory.

4.51 pm

Mr. Michael Colvin (Romsey): The whole House will applaud the passion with which the hon. Member for West Renfrewshire (Mr. Graham) fights his corner on behalf of the Bishopton Royal Ordnance factory. I very much hope

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that the shots he has fired today find their target on the Treasury Bench and that he at least gets the meeting with the Minister that he wants so that the work force can put its case directly to him.

There is another important factor to bear in mind—security of supply. From the minute that we begin to take supplies from overseas for military purposes, there will be a danger that some suppliers may say no. Our forces experienced that during the Gulf war when Belgian suppliers refused to give us the shells that were required. Any international contract entered into by the Ministry of Defence for the supply of any military equipment must guarantee that that supply is secure. Otherwise, we shall endanger our troops, which is wrong. It is all very well the Treasury chasing value for money—it is taxpayers' money—but quality of product and security of supply are paramount. I wish the hon. Gentleman well in the battle that lies ahead.

The defence White Paper is the first since 1996 and the first for this Government. The strategic defence review, which was promised during Labour's last two years in opposition, appeared in July 1998. It took 14 months to produce and some of us wondered why it took so long. No doubt the Government, like the opposition parties, were still hunting for the so-called ethical foreign policy on which it was supposed to rest. At least it contained one good thing: henceforth, it promised that there would be an annual defence White Paper. It has taken some time for this one to arrive, but I hope that an annual White Paper will be the norm from now on.

Many other documents have been produced by the MOD and the Defence Committee has been able to make a judgment on them, but defence White Papers are easier to compare and so achieve a clear rolling picture of how the Ministry is performing in its primary task of the defence of the realm. The Defence Committee had to move extremely fast to produce its report on this occasion. It would be entirely out of character for me to say too much about what is good about the Committee and its report; I leave that to others. There have been many congratulations on that report this afternoon and it has been quoted extensively by most speakers. That does great credit to our Chairman, the hon. Member for Walsall, South (Mr. George), who I am sure will be present on Monday to hear the praise directly.

A great deal of the credit must also go to the Clerks who serve our Committee—there are only five; Governments and Parliaments overseas are amazed that House of Commons Select Committees can produce work of such quality with such a small staff. If ever there was an example of quality rather than quantity, that is it. I put on the record my praise for David Natzler, Andrew Kennon—the Committee Clerk when I was Chairman—and Paul Evans, who is the current Committee Clerk. Their work has been second to none. I should also like to mention Mr. Simon Fiander, one of the five, who is a secondee from the National Audit Office. As much of our work involves considering how money is spent, particularly on projects, including those that are cancelled or delayed, the presence of a national audit officer within the ranks of the Committee is an enormous help.

The strength of the Defence Committee has been its broad view, its constructive criticism and its wide consensus. I think that on the first day it met there may have been a vote on some triviality, but throughout its 20-year life, the Committee has never had to resort to a vote. That says a great deal for the consensus that we have been able to reach.

I am sorry to have left the Committee, but I now wear another hat in the Western European Union, and I could not do both jobs properly. I am pleased that my hon. Friend the Member for New Forest, East (Dr. Lewis), who took the larger part of my old seat of Romsey and Waterside, has now taken my entire seat on the Committee. If anyone were ever to query the breadth of political view on the Committee, and felt that there was a cosy consensus because we were all of the same persuasion, they should consider the vast party political gulf between my hon. Friend on the right of our party and the hon. Member for Leyton and Wanstead (Mr. Cohen) on the left wing of the Labour party. For a Committee with such a broad spectrum to reach a consensus says a great deal for its deliberations and for the way in which it is led.

The words in the Defence Committee report on the White Paper are singularly tough, and the message is damning. The MOD is constantly bowing to Treasury diktat. The Committee still has a great deal on its agenda—the question of overstretch will not go away. I am glad that at last Ministers at least acknowledge that overstretch exists and are using that word. Up until a couple of years ago, they would not do so. I am glad to say that recruitment is now improving somewhat, but retention is not. The net effect on our armed forces is bad.

Related to recruitment and retention are questions of morale, families, married quarters, leave, pay and working conditions, particularly for those on active service. We must somehow get out of this vicious circle. To lop 18,000 off our reserve numbers by cutting TA units was not the right thing to do. The knock-on effect is that we are beginning to lose cadet units, so it is becoming more difficult to get recruits because previously many of them served as cadets.

The picture in the RAF is not as rosy as the one that Secretary of State painted. The RAF is 95 fast jet pilots short, which is 20 per cent. of total requirement. That is not a particularly good picture. The Royal Navy is short of 15 jet pilots out of 64. The manpower situation is bad right across the board.

We all realise that budgetary problems remain and that there is still a running battle with the Treasury. I am sure that the Defence Committee will continue to look into efficiency savings and cutting wastage. I am sure that there is still room for savings to be made. We critically examined the figures supplied to us, and we questioned whether the £500 million target for savings year on year were, in fact, savings or were disguised cuts in the budget.

The figures speak for themselves. The total budget for 1999-2000 was minus 0.2 per cent.; it is minus 0.2 per cent. in real terms in 2000-01; and minus 3.8 per cent. in real terms in 2001-02, which will be only—I say only, but it is still bad—a 2.8 per cent. cut if the proposed sale of Defence Evaluation and Research Agency goes ahead. The sale of DERA is another matter that I am sure that the Committee will return to: we looked into it twice, reported on it twice, and have said clearly that the proposed part privatisation of DERA is a fundamentally flawed plan. Many of my hon. Friends have explained why, so I shall not waste the House's time on that.

I hope that we shall continue to engage in our one-day debate on procurement. Many hon. Members will have specific points to make about procurement issues, and they ought to be dealt with in a special debate. Procurement now takes up 40 per cent. of the defence budget, and the percentage is constantly growing. The inflation rate as it affects defence equipment is much higher than the inflation rate outside, as equipment becomes more technical and advanced. Whether some of the difficulty can be overcome by means of smart procurement remains to be seen, but I suspect that in many cases "smart procurement" merely means pushing the product to the right and delaying delivery, but in the long run that merely increases the price.

As a farmer, I am experiencing a crisis. I have postponed the purchase of a new combine because I cannot afford it this year. Indeed, I may not be able to afford it next year. I can stomach that, but when the defence of the realm is involved, it is no use pushing things to the right because the Treasury says that the money is not available for procurement purposes.

A report has been produced by a quadripartite Select Committee consisting of those representing defence, foreign affairs, trade and industry and overseas development. The Committee studied the whole question of defence sales—exports. We look forward to debating its report here because it touches on the issue of security of supply; it also raises the matter of the free-for-all world market in which we now operate following the collapse of the iron curtain.

The market out there is much tougher than it used to be. Given the drop in defence budgets, it is now very difficult to maintain the viability of our defence industries without commercial links with overseas companies. Therein lies the danger: again, it is a question of security of supply. I am all in favour of cross-frontier mergers, many of which will take place—indeed, are already taking place—in Europe and across the Atlantic. In studying the overall question of the restructuring of our defence industries, we must not lose sight of the fact that our staunchest ally on the defence front is the United States. It always has been and always will be, and NATO must remain the basis of our security.

The Committee is almost bound to consider a number of projects. There are the delays in the Bowman contract—the successor to Clansman—the new generation frigate, the heavy airlift project mentioned by a number of hon. Members, and the aircraft carriers. Do we really need two Goliath aircraft carriers costing £1 billion each? So far, we have not even decided what sort of aircraft will fly from them. Furthermore, there is the question of anti-ballistic missile defence.

The subject of defence medical services will certainly be revisited. The last Government made a mess of that: they cut defence medical services far more than they cut the armed forces generally. "Defence Cost Studies" No. 33 was a failure. The Select Committee criticised the last Government, and has criticised the present Government. The present Government are not off the hook: defence medical services will certainly be considered again.

The one thing that I welcomed today was what the Secretary of State said about the IRA's decommissioning of arms. He said that there was no truth in the talk of a national day of reconciliation. The word "equivalence", which has been used in the press, is not on, and, according to the Secretary of State, there is no gun swap plan. I am sure that everyone will welcome that.

The fact is that there have already been substantial reductions in the military presence in Northern Ireland. They began in 1995, with the previous ceasefire under a Conservative Administration. Thirty Army bases have been closed and the troop presence is the lowest since 1970. Long may that continue—but there needs to be movement on the part of the IRA. So far it has just been "take, take, take"; there must be much more of a balance.

A number of hon. Members have referred to our alliances, both transatlantic and in Europe. Hon. Members who serve on the Western European Union with me have already put down markers for future debate, but there is already a hot debate in Europe. I was always rather disparaging about the WEU until I was in it, found out what it did and recognised the importance of the WEU members which are not full members of the EU and NATO.

One has to acknowledge that NATO, which incorporates WEU members, has preserved the peace in Europe for the past 50 years and more. The cold war was won without a shot by NATO members, but, freed from the glue of totalitarianism, many countries of central and eastern Europe face instability and strife. There is a growing number of regional conflicts. The southern flank of NATO—the north coastline of Africa, the so-called soft underbelly of Europe—is a potential flashpoint.

The peace dividend following the end of the cold war was taken by the previous Government under "Options for Change", but many people argue that the peace dividend has been taken twice, if not more times. At the same time, Europe has found itself in a much more fluid security environment. We lamentably failed as Europeans to cope with the conflicts in the former Yugoslavia. Success in Bosnia and Kosovo came about only once they had become NATO operations involving American military resources.

The restructuring of European national defence forces, which began in 1989, coincided with a world recession. National budgets, particularly defence, were then reduced in order for some countries to meet the convergence criteria for economic and monetary union. That cut budgets even further. Some countries, particularly Belgium and Italy, will find it increasingly difficult to maintain the convergence criteria for EMU. No one has yet laid down the rules and criteria for failure of the euro. Some of us would like to see what those might be.

I should like to put it on the record that the combined WEU countries have 60 per cent. of NATO's population and two thirds of the alliance's forces, but spend only 40 per cent. of NATO's total defence budget. The German Government have cut their defence budget in real terms and the Austrians, believe it or not, spend less on defence than on the opera.

Although the WEU needs the right to use NATO—and that means United States—assets, the Americans rightly complain about our failure to carry a fairer burden of the cost of collective security. WEU members combined spend $170 billion per annum. The United States spends $270 billion a year and Congress has just voted an increase of about 10 per cent. in the defence budget. Wherever we look on the European scene, we seem to be cutting our defence budgets. The United States defence

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capability has a global reach; it extends not just to Europe. It spends 3 to 4 per cent. of gross domestic product on defence, while the WEU average is only 2.2 per cent. and falling.

The Secretary of State made the point that the quality of the spend is important; it is not necessarily the quantity. To some extent he is right, so military credibility is the other related issue to defence budgets. For example, the United States provided 80 per cent. of the aircraft that were used in the recent Kosovo campaign. I was in Oslo the other day, and the Norwegians told me that they had sent six F16s to Kosovo for the campaign. Unfortunately, they were all grounded because they were inoperable—so the quality of the product is important.

The United States Defence Secretary described that fact as embarrassing. The *Washington Post* was even blunter, saying that it would take the Europeans two decades to catch up with the Americans in terms of credibility,

"even if they had the money—and the will to spend it".

Security and defence must remain the prime responsibility of national Governments, accountable to their own Parliaments, but in association with allies for collective strength. Although the treaty of Rome had its genesis in the desire to maintain security and peace in Europe through a common market, the 1992 Maastricht treaty was the first specifically to deal with security—in article 13, which has been quoted by many hon. Members.

Subsequently, however, in October 1997—after the Government had come to power—the Amsterdam treaty enabled the common foreign and security policy to develop by closer co-operation between the EU, WEU and NATO under the combined joint task forces concept, in which NATO-assigned assets were to be made available to the WEU for limited military operations consisting of humanitarian intervention, crisis management and peacekeeping—which are commonly known as the Petersberg tasks. It also introduced the principle of majority voting and proposed a central policy planning unit.

On 3-4 September 1998, the Anglo-French St. Malo declaration gave further impetus to the strengthening of a European defence identity. Subsequently, in April 1999, the NATO 50th anniversary summit in Washington gave still further support to a CFSP, essentially by moving the alliance to a new direct relationship with the EU that it currently holds with the WEU. After Washington, the likelihood of the WEU's role being absorbed into the EU increased significantly.

At the Cologne summit in June 1999, the CFSP took an even more tangible form with the appointment of Mr. Solana as the European Commission's first high representative for foreign and security policy. Cologne also reiterated the EU's commitment and determination to develop the capacity to undertake the Petersberg tasks, and concluded that, if progress was made, the WEU would have completed its purpose by the end of 2000. It was about then that the alarm signals really started ringing loud and we began to think not only about how that organisation could be preserved, but whether it should be preserved.

I think that there are five options for change for the WEU. The first is to reorganise and revitalise the WEU by creating a more distinct and capable European security and defence identity within NATO. The second is to merge the WEU with the EU as a fourth pillar. Giving the WEU a permanent mandate to act on behalf of the EU could enable Europe to act more efficiently.

The third option is to merge the WEU's political and security responsibilities with the EU, and its military responsibilities with NATO. The fourth is to merge the WEU with the EU, but without the article 5 mutual security obligations of the modified Brussels treaty.

The final option is to merge the WEU with the CFSP—which is the European Union's second pillar—thereby giving it defence as well as foreign policy responsibilities. The only option that is not open to us is to do absolutely nothing.

The first option seems to stand the greatest chance of success. It uses existing structures as the basis for European security and defence identity within NATO, and it is important that those structures should remain within NATO. It is also intergovernmental, so that no fourth pillar would be required. It retains the WEU Assembly, including the WEU family of 28 European non-NATO nations, bringing eastern and central European countries into a European defence institution for democratic scrutiny. As hon. Members have already said, the ability to retain within the WEU those countries that are not yet NATO members and not members of the European Union is absolutely vital. To lose that feature would be disaster.

Another feature of the first option, which I hope that the Government will follow, is that it retains article 5—the mutual security obligation—of the modified Brussels treaty. I believe that article 5 presents serious problems for those countries—Ireland, Austria, Sweden and Finland—that are EU members but not NATO members. If the WEU were absorbed completely within the EU, that mutual security obligation would apply to them. However, many of those countries have long histories of military neutrality and would not be able to fulfil that obligation.

There is a great deal of debate in this field and the jury is certainly out on a resolution. In addition, we are receiving very mixed signals from the Government. The previous Secretary of State for Defence, now Lord Robertson, said one thing from the Front Bench in answer to questions from me, but the Prime Minister said something different in St. Malo. The position is confused even further by the White Paper.

In conclusion, I remind the House that the defence of the realm is the paramount responsibility of any Government. Defence policy cannot be determined by Treasury diktat. The Secretary of State inherited a bad hand of cards from his predecessor, but he now has the opportunity to demonstrate whether he is a man or a mouse. Will he stand up to the Treasury and demonstrate Britain's lead in Europe by reversing the damaging cuts in the defence budget? We owe that to our armed forces, which remain the best in the world.

5.16 pm

Mr. Stephen Hepburn (Jarrow): I start by paying tribute to British service men all over the world who deserve the praise of our citizens for their dedication, courage and professionalism. As conflicts throughout the world are now brought into people's front rooms, it must be horrific for the families of those serving in those arenas to see them almost at first hand. Having briefly taken part in operations in Spain and Norway as part of the armed

forces parliamentary scheme, I stress how great that scheme is for right hon. and hon. Members who may have no military experience. It also gives us a great deal of confidence in the physical and mental capacity of our soldiers to participate in any conflict.

I also pay tribute to the workers who prepare the kit on which our armed forces rely so much in the field of battle or in any conflict. In the north-east there are a host of such industries, involved in the manufacture of everything from tanks to ammunition supplies.

Today I should like to refer specifically to the shipbuilding and ship repair sector that is based on the Tyne, as the White Paper holds so much hope for its future prosperity. The yards worked round the clock to prepare the task force that was sent to the Falklands. They also built the Cardiff, the Exeter and the York, which served so gallantly in the Gulf, and the Newcastle and the Coventry which are currently serving in Kosovo.

Chapter 3 of the White Paper, entitled "The Front Line—Maximising Capability", identifies key deployment weaknesses that limit our capability to get our forces quickly and effectively to areas of conflict. At present, we cannot deploy our forces to scenes of conflict quickly enough to accord with our new role in the changing world of defence and the requirements in the White Paper.

The White Paper also identifies the need for six roll on/roll off ships to satisfy the need for rapid deployment, in line with our role in the new world order. The MOD has accordingly decided to embark on a private finance initiative arrangement to finance those ships. As a result, tenders have been invited from yards in Europe and the far east as well as those in the UK. I have several points to make on that.

First, if it is not too late, will my hon. Friend the Minister reconsider embarking on a PFI arrangement in respect of the roll on/roll off vessels? I am not against PFIs in principle. If one is going into hospital on a stretcher, one does not ask whether it is funded under a PFI; one wants the best care available. However, in this case I believe that it would be more efficient for the UK economy if an order were placed with a UK yard and the ships were then leased to the private sector—in a similar, but not identical way to the Atlantic Conveyor.

Although the initial costs would be higher, they could be clawed back later through the leasing agreement with the private sector. In addition, the Treasury would benefit from the tax paid by the workers and by the company on its profit. The local economy would benefit from the buying power of the workers and the company and the Government would make savings on the benefit that would have to be paid to the workers if the contract went to a foreign yard.

If the PFI option is the route that Ministers choose, it is only right that they should ensure a level playing field, or as it is called now, an equal competitive environment. Several hon. Members have already voiced concerns about collusion between foreign Governments and firms at the expense of UK companies. To say the least, creative accounting is practised in Europe and the far east, and I hope that my hon. Friend the Minister will bear that point in mind when he considers the results of the tendering process for the roll on/roll off vessels. We need an equal competitive environment to protect the interests of British companies and British workers.

My constituency contains the Cammell Laird shipyard, which is part of one of the consortiums bidding for the roll on/roll off order. If Cammell Laird is successful, the order will provide new employment for 1,500 workers. Wages alone from those workers would inject around £650,000 a week into the local economy, not to mention the knock-on effect of a further 1,500 jobs in local supporting businesses. Placing the order with Cammell Laird would not only make sound economic sense for the Ministry of Defence, but would ensure that a strategically important industry—the shipbuilding industry on Tyneside—was protected.

The White Paper specifies:

> "Central to our defence vision is that we should be able to transport the Armed Forces quickly and securely to where they are needed, when they are needed."

I understand that a decision is imminent to proceed on the alternative landing ships, which play a major role in the aims of the White Paper. Those ships are required to replace ships that are now 30 years old, and they are vital to the UK's defence and to the new humanitarian role we are expected to play.

Although Swan Hunter's shipyard is not in my constituency, it plays a vital role in the Tyneside and north-east economy. Significant numbers of my constituents work at Swan Hunter, which is about to submit a bid for the alternative landing ship work. If Swan Hunter is successful, up to 2,000 manufacturing jobs would be provided for the local economy, as well as at least another 500 knock-on jobs in the Tyneside area. Possibly even more important would be the opportunity to secure training for 100 apprentices. The average age of skilled workers on the Tyne is now 48, and the training of new workers is important for the economy, and strategically, to secure a future for the industry and the work force.

I welcome the White Paper, especially its procurement aspects, because it holds out hope for many UK workers who are working all over the world and want to work in home-based domestic industries to provide goods for the British defence industry. I ask the Minister to contemplate several points. First, shipbuilding and ship repair are vital to the UK economy and to the strategic defence of our country, as we have found out on several occasions in the past. Secondly, it is important that the MOD release the orders it is sitting on. Workers are waiting for work, companies are waiting to develop orders and the troops are waiting for the results to carry out their role effectively on the new defence world stage.

Thirdly, the Government need to create an equal competitive environment for our firms to compete against foreign competition. Fourthly, the orders need to be placed more consistently. At present, it is famine or feast. Either there is no work and people are laid off for their skills to get rusty, or work comes in and wages go up because skilled workers are not available in sufficient numbers. Finally, if shipbuilding is supposed to be a sunset industry, why are the sunrise economies in the far east so determined to protect their shipbuilding industries for defence purposes?

5.25 pm

Mr. Michael Jack (Fylde): The hon. Member for Jarrow (Mr. Hepburn) ended his speech on the very important theme to which I shall devote most of my

[Mr. Michael Jack]

remarks. He spoke of the factors that sustain and maintain the United Kingdom's defence-industrial base. My hon. Friend the Member for Romsey (Mr. Colvin) also touched on that matter in his excellent speech. I have enjoyed listening to my hon. Friend speak on these matters on a number of occasions, and his knowledge shines through.

My hon. Friend pointed out that 40 per cent. of our defence budget now goes on procurement. As is right and proper, I pay tribute to the work of our fighting forces, but it is equally important to pay tribute, as the hon. Member for Jarrow did, to those working in our defence-industrial base. Without their ingenuity, inventiveness and outright skills we would not be able to talk in such glowing terms about the role of our defence forces, as they would not have equipment of the necessary quality. That equipment comes from United Kingdom, European and transatlantic sources, but essentially our forces depend on British expertise.

My hon. Friend the Member for Romsey spoke about sustaining and maintaining our alliances with the United States, but although the United States is our closest ally, in procurement terms it is one of our fiercest competitors. When developing a strategy that is right for the United Kingdom and European defence industry, we must ensure that we do not forget that our transatlantic partnership is not an antidote to American competition.

The words used in any defence White Paper are always intriguing, but so are the photographs. Opposite page 10 is a picture of the 50th NATO summit, which was held in Washington between 23 and 25 April last year. When I first looked at it I thought that the photograph was a perfect symbol of the alliance—until I noticed that it lacked a British Prime Minister. I looked very hard, but I could not find one. I began to wonder what symbolic significance the absence of our Prime Minister might have. Did it have something to do with an each-way bet between NATO and the European defence identity, about which there has been comment earlier in the debate?

However, the photograph must have passed through the scrutiny of Mr. Alastair Campbell and been sneaked into the White Paper. In any case, our Prime Minister—who represents a country that has always been at the heart of NATO—does not appear in the photograph. That is worth pondering.

The question of resources for our armed forces has been at the heart of this debate. Two telling tables appear in the Ministry of Defence's performance report for 1998-99, published in December. The first, on page 29, shows defence expenditure as a percentage of gross domestic product. United Kingdom defence expenditure in 1998 is recorded at 2.6 per cent. of GDP, compared with France's 2.8 per cent. and the United States' 3.2 per cent. I am worried that we are allowing our defence expenditure as a percentage of GDP to fall too low, given the job that our armed forces are asked to do.

Some people may say that it is easy to talk about spending more money, but the United Kingdom has never been backward about taking difficult defence decisions. Someone has to be resolute, and if the United Kingdom is going to play that role, it is as well to be well resourced.

Page 30 of the MOD performance report contains a graph showing per capita defence expenditure. Strangely, the table is expressed in terms of US dollars. It shows that the United Kingdom spent $617 per head in 1998. That total was exceeded by Norway, Sweden and—not surprisingly—by the United States, with Greece close behind with per capita expenditure of $571. Those figures illustrate that we are getting very near the bone when it comes to resources.

Mr. Jim Murphy (Eastwood): I am listening to the right hon. Gentleman's speech with great interest. For the purposes of discussion and clarity, could he identify where he would like United Kingdom defence expenditure to go in terms of its proportion of gross domestic product? Is it one tenth of 1 per cent. higher, is it in line with the French model; or if not, which country's example would he like to see us commit ourselves to?

Mr. Jack: It is important to consider the overall strategic demands on our forces and the equipment that we deem that we need, and then decide whether we can afford it. It depends on budgeting. Do we start with a cake of a given size and attempt to cut it into ever smaller portions, or do we recognise that the cake needs to be expanded? The purpose of a debate such as this is not to put Back-Bench Opposition Members on the spot to answer such detailed questions, but to determine in principle whether the cake is too big or too small. Much has rightly been said about the report by the Select Committee on Defence, which I think answers the hon. Gentleman's question very clearly. According to that, the cake is too small and it is being cut into ever smaller slices, which does not enable our forces to be properly equipped for the job that they have to do.

The central theme of the Secretary of State's remarks was modernisation. While he was speaking about that, I wrote down "but on an ever-reducing budget", something that he did not have the courage to say. At the same time as making ever-increasing demands on our forces, as typified by the word "overstretch", we must recognise that there is a resourcing issue to be addressed.

I should like to say, en passant, that I wish we could get back to talking in straightforward language about defence matters. In his speech, the Secretary of State mentioned the buzz phrases "security architecture" and "strategic landscapes". I do not think that they add a great deal and they do not clarify what is in the minds of Ministers.

When the Secretary of State talked about the smart procurement exercise, he mentioned the cost savings on Eurofighter, which is under construction by BAE Systems in my constituency. The United Kingdom has led the way in the project in making it affordable for Europe's air forces. I was intrigued to know whether the savings of £1.8 billion will be redeployed as net extra capital; or has that already been written into the Secretary of State's long-term expenditure plans, so that to sustain the present position, he must make savings of that order?

I was disappointed that the Secretary of State did not develop in a little more detail the rather sparse paragraphs at the start of the White Paper dealing with the strategic overview of the Government's policy on defence in relation to foreign policy. Some of my hon. Friends have touched on those points and I shall not elaborate on them at length. But the world changes; the threat changes. I had

hoped to have a more detailed assessment of how that threat is seen and where the priorities are so that we could judge with greater clarity whether the Government have hit the button regarding defence expenditure, and discern their strategic view.

The other point that was missing in substance from the Secretary of State's speech was anything much about procurement. It is noteworthy that it has taken contributions from Back-Bench Members on both sides of the House to tease out from the Government some key procurement issues. My hon. Friend the Member for Romsey is right to say that he would welcome a further debate on this subject. However, as we do not have one, we must make best use of the time available to us today to discuss these matters. They are about sustaining, maintaining and developing the industrial base that is represented by companies such as BAE Systems. It employs 6,000 people in my constituency, and in the north-west some 40,000 jobs depend on the success of the aerospace industry, much of it driven by defence considerations.

Although there are proper discussions about the relationship between NATO, the European defence identity and the transatlantic alliance, an answer to a recent parliamentary question from the new Defence Minister shows that 44 collaborative projects involve European allies. They range from projects on missiles to aircraft and sea-based systems—it is almost an Aladdin's cave of projects, which illustrates clearly the crucial role of co-operation and co-operative ventures. Much as some people like to think that we can be totally self-sufficient, that answer gave a totally different view.

Some procurement projects have been touched on, but I support those who have called for—as the White Paper did—a swift resolution of what air system will be deployed for strategic lift. I am a supporter of the A400M. It seems to make eminent sense that Europe should not only develop that capability itself but should give itself the opportunity to take a share of the lucrative market that will present itself in years to come as Hercules aircraft come up for replacement. I was pleased that the Secretary of State used the word "soon" when he was talking about the decision on strategic lift.

I draw the Minister's attention to an item that appeared on the BAE Systems website with the heading, "Government doubles its money as Airbus loan repaid". That illustrates clearly that Airbus, as well as being good for Europe's technology base, is good for Government business. Giving it the contract to produce the A400M seems to play to that tune. In the Defence debate last year, I described how the A340 aircraft had been delivered on time as a design to build for delivery to airlines, which trusted Airbus's ability to produce what they wanted. The same arguments can be deployed in respect of the A400M.

We should not also have to justify the contract in terms of jobs, but about 62,000 would depend on it indirectly. The industry already provides those jobs and 10,000 United Kingdom jobs are directly attributed to that exercise.

The aircraft is eminently well specified. It meets the staff requirement for heavy lift and it would certainly give us independence with our own strategic capacity, as well as a real commercial opportunity. I hope that what the Secretary of State means by "soon" is in the next few weeks.

Labour Members have pointed out that we seem to go from feast to famine with procurement exercises, which is true. There has been no mention from the Government of equipment for the Eurofighter beyond the visual range air-to-air missiles. That is another crucial question on which a decision is needed. There is no mention of the matter in the White Paper. Given the technology involved, if we are to have a weapons system that is properly defined for Europe's own fighter and is not dependent on diktat from the United States, in the event that the Government go the US route they will not only buy an inferior product but will risk the strategic opportunity of sales of the Eurofighter Typhoon to nations other than Norway outside Europe—although I am delighted that that country has shown an interest in the aircraft.

I do not knock the United States deliberately because it is playing a key part in providing the airborne avionics and radar systems for the Nimrod project. However, I visited Congress and the Senate in July, when they were playing games with the F22. Even internally, they can switch key defence projects on and off, and they could do exactly the same with the external use of that technology. We must be wary of that when we consider that missile system.

I was disappointed that the Secretary of State chose to say nothing either about Britain's role in the joint strike fighter project or the future offensive air system. The joint strike fighter offers us a major opportunity to participate in future technologies that will replace the Harrier aircraft. It will give us a chance to develop relationships with our American partners and the American industrial base. It has the potential for orders for the aircraft in the UK, but the Minister and, indeed, the White Paper remain silent on the subject.

The White Paper devotes only a few lines to the future offensive air system. However, no more important project is under consideration. Within FOAS lies the development of the solutions, the technologies and, eventually, the products that will be the seed corn for our future technological independence in Europe.

When the Minister winds up, it would be nice if he could talk about how the Government view that project. It is being run on smart procurement lines. It is a pleasure to visit Warton, to see all those companies and countries—Germany, France, Sweden and others—working under the same roof. Government and enterprise are working together. It is a tremendous project which merited more than one line in the White Paper. That did not demonstrate the importance that I and, indeed BAE Systems, attach to it.

The project illustrates the nature of the defensive threat that we face. When I asked, "Why FOAS?", I was told that we live in a world of uncertainty, where the target may be unplanned. The targets may all be different—they could be mobile. We have seen the growth of nuclear and other missile technologies. The challenge to our future systems is great. FOAS will provide us with a technological deterrent that matches NATO's organisational deterrent. Other people must fear what will be inflicted on them if they take on the western alliance. FOAS is crucial to maintaining technological deterrence.

These subjects are all important to BAE Systems and to the UK defence industry; they reflect on the comment in the White Paper that we are increasingly likely to face new and often unexpected operational challenges. Only

[Mr. Jack]

by sustaining and maintaining that technology base can we cope in a world that requires tremendous mobility and agility, and the ability to deal, on occasion, with an uncertain threat.

5.43 pm

Mr. Jim Murphy (Eastwood): I am delighted to participate in this important debate. Unlike other hon. Members, I have no particular military expertise, nor do I want to champion any specific spending project in the SDR or the White Paper.

My only experience of the armed forces was as the first graduate of the 1997 intake on the armed forces parliamentary scheme, through the Royal Navy. That gave me a limited understanding of the challenges that face our men and women in the Navy and in the other armed forces.

My other experience of military service was trying to avoid it. I grew up in South Africa during the apartheid years, when it was compulsory for all white, able-bodied men, at the age of 18, to join the South African army and to do their damnedest for that regime. That was not something to which I took kindly—hence my Scottish accent. I have the South African army to thank for that.

I shall concentrate on four matters. First, the need for defence policy not to be led by constituency demands—or rather, that it should not be led by anything other than our foreign policy. Secondly, I shall refer much more briefly to the need for mobile armed forces. Thirdly, I shall mention the importance of Europe and European co-operation and, finally, I shall make a brief comment about procurement issues.

It is essential that all decisions about our armed forces and defence are based on our foreign policy. Our foreign policy should not be determined primarily by our defence capability; it should be the other way round whenever possible. This country, as a former colonial power, will I hope—I do not think that this is overly naive—enter a period in which it has considerable influence in the world. Some people may wish to make churlish party political points about that, but Britain has an opportunity, with the correct leadership, to have an influence that is way beyond our size, population and, possibly, beyond our spend on military hardware.

That is partly as a result of our historical friendship and relationship with the United States of America, and largely because we shall, hopefully, play a positive role in the military and defence debates in the European Union. I also hope that it is because of our relationship, as a former colonial power, with our Commonwealth friends. Perhaps, unlike any other nation, we are able to exert such influence throughout the world.

The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) alluded to the speech that my right hon. Friend the Prime Minister made in Chicago about a year ago. My right hon. Friend said that, when dictatorships prevail, we have a moral imperative to become involved. He considered that that was important to the United Kingdom and to protect those who are vulnerable. The question for foreign policy is how we turn that moral imperative into reality. That means examining our structures, military kit and the people whom we put on the front line to see whether we can provide the correct framework and the correct decision making to put that moral imperative into action.

Many comments have been made about how our humanitarian support has worked in the past in Montserrat and elsewhere. We have also mounted peace support operations, such as that in East Timor, where HMS Glasgow and others have helped the Australian-led force, and we have engaged in conflict resolution in its widest possible sense. For example, the notes attached to the White Paper identify that a British team is helping with conflict resolution of a different sort in South Africa. It is trying to bring about national reconciliation in the armed forces by creating a national defence force that integrates the South African defence force of the apartheid era and the liberation army, Umkhonto we Sizwe, of the African National Congress. Such a defence force would represent the whole country and would remove the lack of faith towards the South African defence forces that was understandably and rightly felt by the majority of the population. I am pleased that a British defence training team is playing a role in that.

The more substantial issue about conflict resolution, however, is about our right, as members of the European Union, the Western European Union, the United Nations and NATO, to take the moral imperative and to turn it into action. I do not want to be deliberately controversial, but I wish to express a firm belief. In recent speeches, the Secretary-General of the United Nations, Kofi Annan, has talked about the redefinition of state sovereignty and the globalisation of regional conflicts. The sovereignty of an individual state is not an excuse to protect a dictator or tyrant who oppresses an indigenous population. Increasingly, regional action—perhaps with a UN mandate—might be the means by which some regional conflicts can be overcome. I hope that the Minister will have time to deal with that in his wind-up.

There are conflicts throughout the world, and perhaps none is more bloody than the one in Angola. I have long argued for UN backing for a regional force, and I would be delighted if the Government used whatever weight they have to try to bring that about. The slaughter in Angola, which is almost unrestricted and is not spoken of, is a blight on that continent.

In his Ditchley speech of June 1998, the Secretary-General of the United Nations said:

"State frontiers should no longer be seen as watertight protection for war criminals or mass murderers".

That has to form part of the context in which we debate defence issues, because if we accept that there should be no hiding place for tyrants within national borders, that has an impact on our defence policy. We will have to build a defence structure, purchase and invest in the necessary kit, and train our brilliant armed forces personnel to deliver on that foreign policy objective.

Thankfully, in the main, conflicts will no longer come to our forces. They will have to travel, hopefully considerable distances, to the point of conflict or theatre. I say "hopefully" because if the trouble is not coming to our armed forces, equally it is not coming to our civilian population. The White Paper makes much of that point, but there is always more that can and should be done to increase the agility, adaptability and mobility of our armed forces.

Much is said in the White Paper about power projection and investment in the two new aircraft carriers, but I should like there to be an even greater emphasis, if

possible, on rapid reaction. Once a decision is taken in an international forum, sometimes after consensus has laboriously been achieved, we find that the international military hardware is unable to be deployed and the process of delivering a threat and projecting power is delayed.

There must also be a projection of humanitarian support. I do not think that it is uncharitable of me to say that I was disappointed that, in his almost hour-long speech, the shadow Secretary of State, the hon. Member for Chingford and Woodford Green, made very little mention of the British armed forces' role in providing humanitarian aid. That is a fair criticism.

I am not a specialist on European issues. The hon. Member for Romsey (Mr. Colvin) eloquently listed the different options for the methods and mechanics of achieving synergy between NATO, the EU and the WEU, and I listened to his comments with great interest. I believe that, as a matter of principle, it is absolutely Europe's responsibility to take control of more of its own destiny. There are no circumstances in which we should rely extensively on the United States. America is often criticised, sometimes with reason.

We should not underestimate the role that the US has played, but we should try where possible to achieve a European solution to problems that are European in the wider sense of the continent, and not rely on the US to the extent that we did in Kosovo and other conflicts. That means having a joint rapid reaction force and the political and military structures to back that up.

Finally, I turn to defence procurement. My hon. Friend the Member for Jarrow (Mr. Hepburn) talked about six roll on-roll off ferries, and I do not want to compete with him. He made a powerful case for the building to take place in or near his constituency. However, the River Clyde area contains excellent shipbuilding facilities and talented personnel; my own father has worked there for several years. The River Clyde has a proud history of shipbuilding and it could have a bright future if the contract for the six ro-ro ferries were awarded in the area.

With those comments, I broadly endorse the contents of the defence White Paper.

5.55 pm

Mr. Tim Collins (Westmorland and Lonsdale): I shall pursue several of the points raised by the hon. Member for Eastwood (Mr. Murphy), but first I should like to put on the record my support for his congratulating our armed forces on their work in humanitarian aid projects throughout the world. The House and the country can rightly take a degree of pride in the quality of our armed forces' work, which is internationally recognised.

In a debate as important as this, about the national security of the United Kingdom, the starting point must be the threat assessment. The Secretary of State was relatively silent on that matter, but the White Paper is, for this Government, fairly clear. One of the first questions we must ask is whether Her Majesty's Government believe that the world is becoming safer or more dangerous. Paragraph 7 mentions the Government's attention focusing, as long as two years ago at the time of the strategic defence review, on

"the consequences of the break-up of states, and on ethnic and religious conflict, population and environmental pressures, competition for scarce resources, on the effects of illegal drugs, terrorism and crime. Nothing in the past two years has changed that assessment."

The Government add that recent events have, if anything, "reinforced some of our concerns".

That would lead the House to the belief that the Government take the view that the world in which we live is becoming, if not more dangerous, at least no safer.

We then have to ask what that means in terms of the strength of our armed forces. The Government set out explicitly their views on what Europe as a whole should be doing. In paragraph 17 of the White Paper, they talk about the need for burden sharing in terms similar to those employed by the hon. Member for Eastwood, adding that

"Above all, this means strengthening European nations' armed forces."

Logically, one would conclude that we are debating a White Paper issued by a Government who are increasing defence spending in the light of their threat assessment and of the homily they have delivered to other European nations. However, that is not what the Government are doing. On the contrary, since they came to power in 1997, they have set in train a sequence of defence reductions. The details have been supplied by my hon. Friend the Member for Romsey (Mr. Colvin) and I do not intend to repeat them.

There appears to be a degree of inconsistency in the Government's approach. There is something rather charming about the way in which the Prime Minister lectures our fellow members of the European Union on the need to reduce bureaucracy when he is increasing it at home, to cut taxes when he is putting those up, and to reduce trade union power when he is doing the opposite in the United Kingdom. Now, on defence matters, he is telling everyone else in Europe that they should strengthen their armed forces when he is weakening those of the UK. The best one can say of that strategy is that it is inconsistent.

We then focus our attention on the Government's assessment of some of the fundamental questions facing our country. It is notable that in the debate so far, not a single reference has been made to the independent British nuclear deterrent. That would appear curious to anyone whose memory stretches back to the 1980s, when that was a central issue. One wonders whether the reason for its absence from the debate is that Her Majesty's Government think that there are no nuclear issues to address. In paragraph 8 of the White Paper, they say that they conclude, as they did at the time of the strategic defence review, that

"no significant ballistic missile threat to the UK and its interests will exist for some years."

I imagine that some Labour Members will find that assessment exciting, because they believe that it means that an independent British nuclear deterrent is no longer needed. However, Her Majesty's Government—I give them credit for this—appear to believe that we should retain Trident, in case such a threat should emerge in the future.

However, the context of paragraph 8 is the debate about active defence against ballistic missiles. My hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), the shadow Secretary of State for Defence, spoke eloquently about that. He put to the Government—we await a response, and I hope that the Minister will respond in some detail—the assessment made to the United States Senate two years ago that proliferation of ballistic missile technology is likely to

[Mr. Tim Collins]

evolve by 2003 to the point where intercontinental ballistic missiles could threaten the continental United States.

If rogue states can threaten the continental United States, one does not have to be a master of geography to work out that probably at least by that date, if not earlier, some of those rogue states, which are geographically much closer to the United Kingdom than to the continental United States, could threaten the UK. We need to know the Government's view on ballistic missile defence. If it is the Government's policy—I very much hope that it is—to maintain an independent British nuclear deterrent, on the basis that although there may not be a ballistic missile threat to the UK now, one may evolve, what is their position on ballistic missile defence?

Will the Government take the same view as the United States that if that technology is available, it should be deployed? Will they take the view, which seems to be the majority view among our European partners, that for some reason such a ballistic missile defence would be undesirable? Will they take the worst of all positions, which was accurately described in an excellent speech by the right hon. and learned Member for North–East Fife (Mr. Campbell), and pretend that the issue simply will not arise, hoping that it will go away?

I can tell Ministers on the Treasury Bench that the problem will not go away. Anyone watching the presidential debates on either side of the political divide in the US will see that it is a live issue there. All four front-running presidential candidates, both Democrat and Republican, have made it clear that they must address the issue. It is highly likely to arise, whoever succeeds President Clinton and whichever party controls Congress after the November elections this year.

We need to hear the Government's view. Has it moved on in the past couple of months? When do they expect to announce their conclusions? When can we begin to hear the UK Government's view on the matter?

I refer again to the excellent speech from the right hon. and learned Member for North–East Fife. If I may say so in his absence, it was a speech of such fine quality that it underlines how fortunate all other parties are that the right hon. and learned Gentleman is not leader of his party, and instead it is the pale shadow of the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) who holds the leadership.

The right hon. and learned Member for North–East Fife went through the list of rogue states and seemed to conclude that, because there had been some positive political developments in the case of some—he referred to the recent Iranian elections and the re-establishment of diplomatic relations with Libya, for example—we need not concern ourselves with the threat.

One of the central tenets of sensible strategic thinking is that capabilities may take years to build, but intentions can change overnight. A regime that is friendly at present may rapidly turn into one that is unfriendly. It is the duty of any Government of this country to put in place capabilities to deal not only with the expected, but with the unexpected threat.

Our fear is that the Government's defence policy is so constrained by the Treasury that they run the risk of repeating the fundamental mistake of the 1920s, when the Treasury imposed the so-called 10-year rule—

Mr. Spellar: Which party was in government?

Mr. Collins: A Labour Government were in power at various times during the 1920s. If the Minister wants to review history, may I point out that it was not the Conservative party whose conference celebrated the entry to power of Chancellor Adolf Hitler by passing a resolution calling for the unilateral abolition of the Royal Air Force? The Labour party did that. Perhaps the Minister would prefer not to go through history.

The mistake to which I referred was the assessment imposed by the Treasury on Governments of different political colours in the 1920s that there would be no conflict for 10 years. That rule was not abolished until 1934, only five years before conflict returned to Europe. We must guard against Treasury-driven defence policy. It is a recipe for disaster, and it would not be sensible to proceed down that road.

We must be clear about the Government's view of the European defence initiative. Paragraph 20 of the White Paper states:

"This is not a European Army."

That is a clear statement. Unfortunately, as we heard earlier in the debate, it is not endorsed by the President of the Commission, who makes it clear that we are considering a European army. It is also clear that other—although not all—member states support the concept of a European army. Will the Government make it clear that they will veto the establishment of a European army?

Some Labour Back Benchers claim that the Prime Minister has made that clear. The Prime Minister said many things on the subject. As we heard earlier, in 1997, he said that he opposed any integration of the Western European Union into the European Union. An assurance from the Prime Minister is therefore not good enough. The Government should make repeated, regular policy statements because they are likely to change their policies when the House's back is turned.

Mr. Robert Key (Salisbury): I entreat my hon. Friend not to forget that the Labour party is capable of simultaneously expressing one policy in Downing street and another in the House. That happened when the Prime Minister was briefing in Downing street while the former Secretary of State, Lord Robertson, said something completely different in the Chamber.

Mr. Collins: Absolutely. My hon. Friend reminds us of yet another instance of this Administration's unreliability. That is why we would welcome some clear assurances from the Minister.

We need to know whether the Government agree with the view of the President of France, whom my hon. Friend the Member for Chingford and Woodford Green quoted earlier, that we are creating a multi-polar world and that the European dimension means creating such a world. We might as well be candid and explicit: NATO is founded on the assumption of United States strategic leadership, and on the basis that European nations benefit from active US involvement in their affairs. It is clear from the lessons

of history that when the US, through its own impetus or being pushed out, is not active in European affairs, as happened in the 1920s and 1930s, we all suffer tremendously.

We cannot have a multi-polar world, with the clear implication that the US forms one pole and Europe another, and claim that we are simply considering the evolution of different forms of co-operation. We are considering moving towards a position in which the US is on the same footing as Russia, as a different pole, and possibly a future rival. At best, the US would be a strategic partner, but it would not be the ally and a strategic leader that it is in NATO.

A Labour Government created NATO; it was probably the finest creation of that Administration, who had an outstanding Foreign Secretary in Ernest Bevin. Labour Members should therefore not find it difficult to appreciate the importance of Ernest Bevin's achievement in bringing the US into Europe on a basis that gave it clear and unequivocal strategic leadership. The Americans will not be involved in Europe on any other basis, which is why they insist on providing the Supreme Allied Commander in Europe. We have a choice between American leadership or American rivalry. We must avoid the idea that we can reach a compromise. The French do not want to do that. Since 1966, the objective of the French has been to move themselves and much of the rest of Europe further away from America.

In 1998 and 1999, the Prime Minister may have believed that he would be the first British political leader in 33 years to bring the French closer into NATO. However, as matters have evolved, it is clear that the British are not driving the French into the welcoming arms of NATO, but that, if we are not careful, the French will drive the British from close partnership and American leadership in NATO to a different, far less reliable and less safe position.

Mr. Bercow: My hon. Friend rightly points out that penetrating the darker recesses of the Prime Minister's mind is a difficult task. Does he agree that the nub of the problem is the Prime Minister's hubris in supposing that he can play along with the philosophy of common European defence in the hope and expectation that he will be able to avoid its worst excesses?

Mr. Collins: I bow to my hon. Friend in his knowledge of the Prime Minister's hubris, which I am sure is very great.

I have a final, constituency point to make. In response to my intervention, I was delighted to receive from the Secretary of State the categoric assurance that safety relating to low-flying aircraft over my constituency in Cumbria and elsewhere would not be compromised in any circumstances. I hope that all my parliamentary questions on the quantity and quality of spending on RAF maintenance of aircraft, which were tabled a few weeks ago, will be answered soon. Some have been, but others were dealt with by an undertaking to write to me. I have yet to receive a letter on that point and look forward to doing so.

I would like the Minister—either in correspondence or during the debate—to tackle the key points that my constituents have put to me. First, why do the Germans undertake a great deal of low-flying training in the United States, while British pilots train in their own country? Secondly, given that the RAF has tended to fly high in operational circumstances in recent military operations—particularly, but not exclusively, over Kosovo—is it necessary to undertake as much low-flying training? The amount seems to have been dictated by the assumptions of the 1980s and 1990s.

6.11 pm

Mr. Tam Dalyell (Linlithgow): I shall make a truncated speech to the amendment tabled by my right hon. Friend the Member for Chesterfield (Mr. Benn) and my hon. Friends the Members for Islington, North (Mr Corbyn), for Hayes and Harlington (Mr. McDonnell), for Nottingham, South (Mr. Simpson), for Luton, North (Mr. Hopkins) and for Liverpool, West Derby (Mr. Wareing), which appears on the Order Paper. It represents a strand of opinion, at any rate. My request is that, before Monday, Madam Speaker seriously reflects on whether she can select an amendment that represents the views of many people, right or wrong.

My first point relates to Iraq. There is bombing day after day. Denis Halliday, Hans van Sponeck and now Jutta Burghardt—the United Nations representatives in Iraq—have resigned on matters of principle. I cannot help noticing that there is no Defence Minister on the Treasury Bench. It is extraordinary that the Secretary of State finds it more important to do other things than attend the House of Commons on the first day of the defence debate. When I was first elected, Peter Thorneycroft and others regarded it as their top priority, whatever Cabinet Committees they were involved in, to attend the House for the two-day defence debate. What has become of the importance of Parliament? One would have thought that Defence Ministers could be present.

I referred to Iraq. How are those continual flights meant to find chemical weapons, if the Iraqis have them? As the amendment says, there have been attacks on shepherd civilians. That is a matter of fact. It might be argued that the flights are being undertaken to protect the Marsh Arabs or the Shi'a, but I saw the marshes with my own eyes and they did not correspond with the aerial pictures produced by the Ministry of Defence.

Secondly, the amendment refers to Yugoslavia. The fact of the matter is that anyone who goes to Belgrade or Novi Sad, let alone Zastava, knows that people are determined to carry on fighting. That means that Bosnia, and certainly Kosovo, have become United Nations protectorates possibly for the lifetime not of the more senior of us, but of the youngest among us. That must be taken into account in any military deployment. I was against intervention in the first place, but now that we are there we cannot up and leave. There must also be the presence of heavy armour. I for one would not sit on green Benches and allow British troops to be in that position without heavy armour to protect them from becoming hostages of people who have certainly not forgotten the fight.

The third part of the amendment refers to the UN charter. Someone must answer Mark Littman QC, who argued powerfully that what was done was illegal.

The fourth point concerns the House of Commons. If there had been the usual parliamentary debate that was obligatory in yesteryear—I am no admirer of Mrs. Thatcher, but at least Parliament was reassembled

[Mr. Tam Dalyell]

to discuss the Falklands—there would not have been the mess that the right hon. and learned Member for North-East Fife (Mr. Campbell) described, and that the hon. Member for Hereford (Mr. Keetch) may well describe next Monday, having just returned from the area.

The amendment reads:

"declines to approve a defence policy which has been used to make war upon innocent civilians in Iraq and Yugoslavia under NATO command, contrary to the provisions of the United Nations Charter, without any explicit authorisation by the House of Commons elected to exercise democratic control over the Government of the day, which involves the use of cluster bombs, and which is based upon the possession of, and threat to use, nuclear weapons, which have been declared illegal by both the International Court of Justice and a Scottish court."

The Government rightly took great credit for banning land mines under the Montreal convention. What is the generic difference between cluster bombs and land mines?

My hon. Friend the Minister for the Armed Forces and I have had questions and many letters about depleted uranium. Anyone who heard Professor Douglas Rokke from the southern United States—an American patriot if ever there was one, who served in Vietnam and is suffering from the effects of depleted uranium—will know that this is a desperately important matter.

Finally—because I undertook to speak for five minutes and no more—I ask about Mitrovica. If we are to send any British regiments—let alone the regiment whose tie I wear and with which I did national service—into Mitrovica, there must be a clear idea of exactly what we are trying to achieve. If we are simply to keep Serbs and Albanians apart, that should be made explicit. The truth of the matter is that it is a cauldron, and the House of Commons should have a full report on what is involved.

I shall sit down with a plea to the Speaker that whether people agree with it or not, at least the view that is encapsulated in the amendment should be put to the test by vote.

6.19 pm

Dr. Julian Lewis (New Forest, East): In his introduction to the Defence White Paper, the Secretary of State quotes Lord Robertson, his predecessor, praising the strategic defence review as

"providing a structure to deal with tomorrow's threats not yesterday's enemies."

The Secretary of State evidently likes that turn of phrase. In opening today's debate, he referred to the need for what he called security architecture to meet the threats that will face us in what he called this century, not the last.

In the time available, I should like to focus on three issues: predictability, the strategic deterrent and the Government's attitude to it, and the European security and defence identity.

Attention has already been drawn to paragraph 8 of the White Paper, which states:

"Although we still conclude, as did the SDR, that no significant ballistic threat to the UK and its interests will exist for some years, the US are consulting closely with us on their plans to improve their defences against a projected limited inter-continental ballistic missile threat from proliferators, and on their discussions with the Russians on the Anti-Ballistic Missile Treaty."

In my maiden speech, and in the first speech that I ever made on a defence White Paper, in October 1997, I—like my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), whose brilliant speech touched on most of my main points, which makes my task much easier—mentioned the unpredictability of future crises, and the dreadful effects of the 10-year rule. This forecast that no war would begin for the decade ahead, and was rolled forward from 1919 until it was eventually abandoned in 1933. I also mentioned the fact that, throughout that period, each of the armed forces had entirely different countries in mind as its most likely potential enemy.

My hon. Friend rightly referred to the 10-year "no war" rule. Recently, while doing some historical research, I had occasion to look at the Cabinet Office's file on the rule. In it, I found the following quotation from a memorandum from Sir Maurice Hankey, dated 9 January 1931. He argued that the rule was crippling our defences. What he said is worth listening to all these years later:

"As a nation we have been prone in the past to assume that the international outlook is in accordance with our desires rather than with the facts of the situation . . . We are also apt to forget how suddenly war breaks out. In 1870, a fortnight before the event, we were not in the least expecting the outbreak of the Franco-Prussian War. The same was true in 1914. A fortnight after the murder of the Austrian Archduke, a debate took place in the House of Commons on foreign affairs. The European situation was hardly referred to at all. More attention was given to the preparations for the next Peace Conference!.. There was no statement made on the subject of the European crisis in Parliament until July 27".

Sir Maurice concluded:

"We really had, at the outside, not more than ten days' warning of the outbreak of the first world war."

I am worried about the Government's view of the future of the strategic nuclear deterrent. I endorse what my hon. Friend the Member for Westmorland and Lonsdale said about the strange omission of any mention of it in the White Paper. In a report that has been quoted several times today, the Select Committee, just before I joined it recently, referred to the eight defence missions mentioned in the strategic defence review. It is significant that the mission to protect Britain against a strategic attack on NATO is listed last. In paragraph 55, the Committee notes:

"Not all of these eight missions carry equal weight. The threat of a strategic attack on NATO is deemed at present to be remote and a lengthy warning period is assumed in which forces may be built up."

One might well say, "Here we go again."

I have been concerned about the Government's sliding away from their commitment to preserve the nuclear deterrent for as long as other countries have nuclear weapons. My concern was first prompted in January by a statement in Westminster Hall, when the Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain) said in an Adjournment debate:

"Work is in hand to develop expertise at Aldermaston in verifying the reduction and elimination of nuclear weapons and we have made it clear that, when we are satisfied with progress towards our goal of the global elimination of nuclear weapons, we will ensure that British nuclear weapons are included in those negotiations."—[*Official Report, Westminster Hall*, 18 January 2000; Vol. 342, c. 173WH.]

Because I was anxious about what the hon. Gentleman might be getting at in the long term, I tabled a written question to the Secretary of State for Foreign and Commonwealth Affairs on 20 January. I asked whether,

"pursuant to the oral statement made by the Minister of State, the hon. Member for Neath (Mr. Hain) on 18 January 2000 . . . it remains Her Majesty's Government's policy to retain a strategic nuclear deterrent as long as other countries possess nuclear weapons."

The Minister of State, Foreign and Commonwealth Office, the hon. Member for Leicester, East (Mr. Vaz), replied:

"We pledged in our election manifesto to retain Trident as the ultimate guarantee of the United Kingdom's security while pressing for multilateral negotiations towards mutual, balanced and verifiable reductions in nuclear weapons."

However, he added:

"When we are satisfied with progress towards our goal of the global elimination of nuclear weapons, we will ensure that British nuclear weapons are included in negotiations."—[*Official Report*, 24 January 2000; Vol. 343, c. 36W.]

I was still not happy because it is one thing to say that we will keep a nuclear deterrent as long as other countries have some nuclear weapons with which they could attack us in unforeseen circumstances at some unspecified time in the future, and another to say that, when we are satisfied that other countries have made progress towards disarmament, we will put ours into the negotiations. As we all know, ours is a strategic minimum nuclear deterrent. If we ever negotiated any of it away, we would negotiate it all away.

Therefore, only yesterday, I raised the matter in Defence questions with the Secretary of State himself. He said again:

"When we are satisfied that sufficient progress has been made to allow us to include British nuclear weapons in negotiations without endangering our security interests, we shall do so."—[*Official Report*, 21 February 2000; Vol. 344, c. 1222.]

The weasel words

"without endangering our security interests"

are not worth the paper that they are now printed on. One can never know whether one will endanger one's security interests if one gives up a weapons system, unless one has infallibility in looking to the future. One manifestly does not have that.

We have been there before, as my hon. Friend the Member for Westmorland and Lonsdale pointed out. I quote from a famous American columnist and commentator, Walter Lippman, who in 1943 wrote the following about disarmament:

"In the interval between the two great wars the United States sought to promote peace by denouncing war, even by 'outlawing' it and by disarming itself, Great Britain, and France. The movement to limit armaments was, no doubt, inspired in considerable measure by sheer war-weariness and by the desire to save money. But the disinterested and idealistic theory of disarmament was that if everyone had less capacity to wage war, there would be a smaller likelihood of war. Big warships meant big wars. Smaller warships meant smaller wars. No warships might eventually mean no wars."

We know what dangerous nonsense that theory was. As Lippman noted:

"The net effect was to dissolve the alliance among the victors of the first World War, and to reduce them to almost disastrous impotence on the eve of the second World War."

Let us turn then to ESDI, which in its way may mirror the disastrous mistakes that were made then in undermining the potential security system that could have kept the peace. ESDI does not stand, as is commonly thought, for the European strategic defence initiative but for European security and defence identity. The word "identity" gives the game away, as I said in an earlier intervention. I drew attention to article B of the Amsterdam treaty, which states that the European Union

"shall set itself the following objectives".

Top of the list is the following:

"to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the progressive framing of a common defence policy."

Asserting the identity of the EU is no sound basis for tampering with tried and tested military structures. ESDI is a retrograde step in the direction of the inadequate balance of power politics that existed prior to each of the two world wars.

Time has almost run out, so I shall move briefly to a warning and a conclusion. The warning is this: we ignore at our peril the words of those people who are trying to construct a politically unified Europe, just as we ignored at our peril the words of the dictators when they set out their stalls in the interwar years.

Last October, Romano Prodi was quoted—quite accurately, I am sure—in *The Times* as describing the European Commission as the "government of Europe". Asked by *The Times* to justify the term "government of Europe", Signor Prodi said:

"But what is the Commission? We are here to take binding decisions as an executive power. If you don't like the term government for this, what other term do you suggest? Consultative commission? I speak of a European Government because we take government decisions."

I hope that, in his reply, the Minister will deal with some of these matters. Will the United Kingdom continue to possess, and appropriately replace or upgrade, its strategic nuclear deterrent as long as other countries possess weapons of mass destruction?

Will the Government take to heart the lessons that disarmament and peace are not synonymous, that nuclear deterrence has played a key role in preserving the peace of Europe, and that a nuclear-free world will be a world made safe for conventional warfare for the largest powers, as it already is for the smaller ones?

Do the Government accept the unpredictability of future crises, and the risk that so-called crisis management—which is what the ESDI is supposed to be concerned with—could easily escalate into general war?

Above all, will the Government think again about the risks of creating alongside NATO another security system—one which lacks the deterrent effect of having American involvement right at the outset?

6.31 pm

Mr. Robert Key (Salisbury): This has been a lively debate. Opposition Members were delighted when we realised that, unlike last Thursday, Government Whips were not forbidding their Back Benchers to speak in the debate. That has been a great improvement. I do hope that they will have learned their lesson on such restrictions, because we have had some very good speeches by Labour Members—as well as excellent speeches by Opposition Members.

I wonder how the story of the White Paper is being spun. The first aspect of that matter, of course, is that the White Paper is being completely overshadowed by the

[Mr. Robert Key]

Government's defeat in the other place on the Greater London Authority order. I fear that that issue, rather than our debate, will be grabbing the headlines. Nevertheless, that is the Government's problem, not the Opposition's—*[Interruption.]* I do not think that the Minister likes the defeat in the House of Lord. However, it happened in the Government's reformed, Blairite House of Lords, which was supposed to be a legitimate House of Lords. Perhaps the defeat confirms that.

The story is being spun that this White Paper is a great one. It is supposed to be about reporting to Parliament on the activities of the Ministry of Defence. The hon. Member for Halesowen and Rowley Regis (Mrs. Heal)—who was in the Chamber for most of the debate, but has just left it—was spinning that line at about 3.15 this afternoon, when she, with her minder—I am not sure whether it was a Millbank minder or a Ministry of Defence press officer—appeared with me on television. However, this is not a great White Paper at all, but a complete cop-out. It is the first White Paper that the House has been asked to consider since 1996.

Earlier, the Secretary of State told us—*[Interruption.]* What good timing; he has just entered the Chamber so I can remind him in person. We are delighted to see him. Earlier, he told the House that there was no need for an annual statement of policy. However, as we know, in its report, the Select Committee on Defence disagreed with his assessment. Indeed, its report is rightly entitled "Ministry of Defence Annual Reporting Cycle". The Ministry should have a reporting cycle, and I hope that there will continue to be one. None the less, let us not mince our words about this document—it is a shabby little White Paper.

I noticed that the Secretary of State was unable to be with us for most of today's debate, as was remarked upon by the hon. Member for Linlithgow (Mr. Dalyell), who reminded us how seriously defence used to be taken. I fear that it is part of the dumbing down of defence that we have seen since 1997.

Mr. Dalyell: It is not the dumbing down of defence, but the dumbing down of Parliament and the House of Commons.

Mr. Key: I am grateful to the hon. Gentleman, who does not hesitate to speak his mind on these issues. We should not laugh at him for making those comments, any more than we should laugh at the right hon. Member for Chesterfield (Mr. Benn), who reminds us what Parliament should be.

I have the honour and privilege to represent the constituency of Salisbury, which is one of the most military of constituencies. I shall not make a constituency speech, but put on the record the fact that I have not forgotten the military importance of my own constituency.

Her Majesty's forces deserve to know how we, both Government and Opposition, see their role in the country's overarching defence strategy. Many issues have been left out of the debate and the White Paper due to constraints on time, publication and printing. One cannot include everything when dealing with such a hugely complex matter as defence, but I want to flag up for future discussion the subject of NATO's southern flank.

The hon. Member for Eastwood (Mr. Murphy) spoke of the need to discuss defence diplomacy and other important issues, including conflict resolution. We must return to that, but we have a problem in that northern European members of NATO tend to take an Atlanticist view or to concentrate on issues that affect the north of our continent, while southern Europeans concentrate on issues affecting them. Inevitably, the new eastern members concentrate on their particular perspective. It will be dangerous if we in the northern states do not take seriously the different threats that face the southern states of NATO.

Nor should we forget the eastern end of that great area of conflict and instability that starts at the western Sahara and goes right round to the Caucasus. I refer of course to Turkey and its pivotal importance to the security of Europe, which should never be forgotten. Our thanks should go to Turkey for its contribution to NATO, which we sometimes take too much for granted.

The Secretary of State talked about deploying forces with real punch anywhere in the world. We say hooray to that; of course it should be the objective. I only wish that the defence White Paper was all about that. Instead, it is much more about how on earth the Government are going to manage over the next hand-wringing few months to cobble together policies that can be sustained in the light of their budget cuts.

My hon. Friend the Member for Romsey (Mr. Colvin) mentioned that Salisbury plain was being overrun with tanks. That is not the case as there is quite a lot else there too, not to mention AS90 guns—*[Interruption.]* As the right hon. and learned Member for North–East Fife (Mr. Campbell) points out, there are not enough tanks to overrun it anyway.

Let me point out, however, that the Ministry of Defence's stewardship of the Salisbury plain training area is remarkable and it should be complimented and congratulated on it. It has managed to take on board the tremendously conflicting aims of military efficiency and training as well as the environmental issues. The recreational use of MOD land has also improved dramatically in recent years despite the grossly misleading press reports of the past few months.

If we are talking about training, we need to mention Otterburn. As there is such pressure on the Salisbury plain training area and other training areas, the outcome of the Otterburn inquiry is crucial. I pay tribute to my hon. Friend the Member for Hexham (Mr. Atkinson), in whose constituency lies the Otterburn ranges, for his persistence in pursuing the interests of his constituents who want that range to continue to be used, just as I want Salisbury plain to continue to be used by the military. It is time that we knocked on the head the nonsense that the Petersberg tasks related to the Government's current mania for pursuing European dimensions at all costs. It was never envisaged that the Petersberg tasks would in any way decouple us from NATO. That is the great danger that was referred to by so many right hon. and hon. Members today.

I was glad that the hon. Member for Tooting (Mr. Cox), who is in his place, raised the dangers of a European caucus in NATO. We recognise that. It is a bit of the argument that appears to be lost in the new architecture of European defence. The right hon. and learned Member for North–East Fife made a remarkable speech, not least

because he appeared to agree with us that it really will not do to play the old gramophone record that all the defence cuts were the fault of the wicked Tory Government and that all parties in the House agreed that the end of the cold war must result in a reduction in the defence budget. I was grateful to the right hon. and learned Gentleman for that clear statement. As he sits on a Cabinet Committee, I hope that he will regularly remind the Government of that.

The hon. Member for Portsmouth, North (Mr. Rapson) made an excellent speech—and how well he represents Portsmouth. For 39 years he worked in the defence industry, and I have never heard him whine or carp. He has always given the House sound and solid advice. It is a pity that his party politics are so misguided and I look forward to the return of a Conservative Member of Parliament for Portsmouth, North—but not for a year or two, because the hon. Gentleman's contribution is valuable and his constituents in Portsmouth can be proud of him.

My right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton), in a remarkable speech, covered the gamut of defence issues. We are at one on the failure of the defence review, but perhaps we come at it from different directions. He is right that it was a Treasury-driven exercise and the defence debate should be about not money but capability. He raised the issue of whether it is worth spoiling the ship for a ha'p'orth of tar by trying to privatise the Defence Evaluation and Research Agency for the sake of £250 million in the grand scale of the defence budget, when there is so much to lose.

I was intrigued that my right hon. Friend talked about defence sales and I remind him of the extraordinary, but welcome, press release from the Department for International Development on 17 February, in which the Secretary of State for International Development was quoted as saying:

"military expenditure not only needs to be properly managed, thereby promoting transparency and accountability, but needs to take account of the 'legitimate security concerns' of developing countries.

In the early part of this decade, some of the debate around military expenditure appeared to ignore or deny this . . . Military expenditure was seen as bad per se—something to be cut ruthlessly without regard for the very real security threats that countries might face. This is wrong-headed and dangerous."

And so say all of us, but that is something of a conversion for the Secretary of State.

I wish to thank my hon. Friend the Member for Romsey for all the work that he has done on the Defence Committee over the years. His contribution is much appreciated by those who, like me, served under his chairmanship on that excellent Committee, and by its staff.

My right hon. Friend the Member for Fylde (Mr. Jack) did not allow us to forget the aerospace industry in the north-west, especially at Wharton and Salmesbury, both of which I have visited on several occasions. The hon. Member for Eastwood raised some important issues in his thoughtful speech. I have already mentioned his reference to conflict resolution, and we will return to that point in the future.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) raised the issue of low flying and also helped us to appreciate the importance of the nuclear deterrent that this country possesses and of ballistic missile defence. I have already mentioned the hon. Member for Linlithgow, and my hon. Friend the Member for New Forest, East (Dr. Lewis) reminded us of the hon. Gentleman's expertise on nuclear issues. We look forward to the hon. Gentleman taking the place of my hon. Friend the Member for Romsey on the Defence Committee.

We shall shortly hear the views of the Minister of State when he winds up this debate. I am sure that he will have one or two messages for us and that he will manage to make one or two references to issues such as the defence cuts brought about by the Tory Government. However, if he is going to play that old record, why do the cuts continue? If he thinks we were wrong, he must reveal his plans to turn the situation around. We will listen carefully and patiently to what he says, but he is in danger of sounding like a scratchy, heavily worn, 78-rpm bakelite disc. He is also in danger of sounding too much like his master's voice in the Treasury.

This little White Paper is a tawdry affair. It is a pale shadow of its predecessors. I look forward to the second half of this debate next week, and I end by asking the Government not to arrange future debates when the House is going away for half-term and when they know that there will be hardly anybody around. I also ask them not to split the debate over two days nearly a week apart, because that does not do defence the honour it deserves in the House, as has been shown by the contributions from both sides today.

6.45 pm

The Minister for the Armed Forces (Mr. John Spellar): I thank the hon. Member for Salisbury (Mr. Key) for his balanced response to the debate. It was so balanced that I fear for his future, but I hope that we see him when we resume the debate next Monday.

Other contributions were interesting, too. The right hon. Member for Fylde (Mr. Jack) revealed himself as a conspiracy theorist, and his careful examination of a photograph suggested an early flirtation with the communist party. He also revealed his previous incarnation as Financial Secretary to the Treasury when he skilfully evaded the direct question from my hon. Friend the Member for Eastwood (Mr. Murphy).

The hon. Member for Westmorland and Lonsdale (Mr. Collins)—or does he represent Epping Forest?—managed to avoid the fact that the vast majority of those who supported Chamberlain in that famous debate belonged to the Conservative party.

At one stage, the contribution from the right hon. Member for Epsom and Ewell (Sir A. Hamilton) was making me extremely angry, but he started to expound on delivery mechanisms for weapons of mass destruction. I thought that that amounted to friendly fire that he was pouring on his colleagues on the Front Bench.

Many valuable points were made in the debate, and I shall deal with them later. First, however, I should like to look briefly at the achievements of our armed forces over the past year.

Mr. Duncan Smith: My question does not relate directly to the Minister's winding-up speech, but rather to something that the Secretary of State said earlier when he was asked about the arrangements for Northern Ireland that were discussed in today's press. Since he made his

[Mr. Duncan Smith]

comments, I have heard that No. 10 Downing street is claiming that what the Secretary of State said did not absolutely rule out our armed forces being involved in a token disarmament.

Will the Minister for the Armed Forces, in consultation with the Secretary of State, rule out any token destruction of weapons—whether or not it is part of a special ceremony—by our armed forces in Northern Ireland? If he does not do so, the ambiguity will continue.

Mr. Spellar: Like the hon. Gentleman, I heard what my right hon. Friend the Secretary of State said. It seemed to me completely unambiguous. I have been in the Chamber listening to the debate, so I have not seen any press reports. I heard very clearly what my right hon. Friend said, and I think that the House did as well.

In Bosnia, we continue to make a major contribution as part of the NATO force helping to create the safe environment needed to rebuild the country.

In Sierra Leone, we have worked closely, and in a truly joined-up way, with the Foreign and Commonwealth Office and with the Department for International Development to help bring peace and rebuild society after the bloody civil war in that country.

In East Timor, all three services were part of the Australian-led international forces that restored peace and order after violent militias had terrorised local people. Our forces did a splendid job. Indeed, our intervention in East Timor was a classic example of how our forces should be used—going in early and using their particular skills to make a real difference, but withdrawing when the situation stabilises and others are in a position to take over.

In the Gulf, the Royal Air Force continues to patrol the southern and northern no-fly zones to make it harder for Saddam Hussein to persecute the minorities who live there. Royal Navy Sea Harriers based on HMS Illustrious also take part in work that is important and dangerous. I should like to pay special tribute to the RAF crews who place themselves at risk every day to stop Saddam repressing people who cannot help themselves.

I regret that, on many occasions, we have had to take military action against the Iraqi forces that try to shoot down our aircraft conducting those humanitarian patrols. If Saddam stopped trying to kill our pilots, we would stop responding to his aggression—it is as simple as that. However, our response is always careful, precise and proportionate.

As the House knows, Northern Ireland remains our biggest operational deployment. Our armed forces remain ready to support the police for as long as they need to. I repeat to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) that I thought that the answer given earlier by my right hon. Friend the Secretary of State was utterly unambiguous.

Mr. Duncan Smith: I have a simple request for the Minister, and I do not mind if he confers with the Secretary of State before he answers. It is clear that Downing street appears to be briefing that what is happening in Northern Ireland is different from what the Secretary of State claimed earlier. Will the Minister confirm that the Government rule out any token destruction of British Army weapons, whether or not a special ceremony is involved, in accordance with the discussions that have been going on?

Mr. Spellar: I repeat that the answer given by my right hon. Friend the Secretary of State was absolutely clear on that point, and I do not understand the hon. Gentleman's difficulty. I am sure that he will have a clear understanding of what was said earlier in the debate when he reads *Hansard* tomorrow.

Then there is Kosovo. We are still in the process of analysing the results of the crisis, and we will publish a report later this year. There are two key points to stress against the revisionist theory of history, as epitomised by the right hon. Member for Epsom and Ewell. He commented on the credibility of NATO, but given his contribution, his credibility suffered more than NATO's.

First, let us not forget that our operation was successful. We achieved our objective of ridding Kosovo of Milosevic's brutality. Indeed, had we not done so, many of those who are carping would be damning us for inaction. Nevertheless, we accept that we have very hard work to do to make Kosovo a truly peaceful, tolerant and European land. That will take time.

The right hon. and learned Member for North–East Fife (Mr. Campbell) talked about being on the brink of disaster in Kosovo. I think that that is exaggerating the position somewhat, even looking at yesterday's pictures. Yes, there was civil disorder, but it was well short of a breakdown of order—thanks, in many cases, to the magnificent contribution of our troops.

Mr. Menzies Campbell: My judgment is based not on what happened yesterday, which appeared to be capable of being contained, but on the experience of my right hon. Friend the Member for Yeovil (Mr. Ashdown), who visited Kosovo before Christmas. I think that the Minister should have a conversation with my right hon. Friend; he may then modify his view.

Mr. Spellar: I am always pleased to have conversations with any Members who have been visiting our troops and getting first-hand experience. I went to Bosnia myself just a couple of weeks ago.

Our forces there and our forces throughout the campaign performed magnificently. The Royal Navy and the Royal Air Force played an important part in the air campaign that defeated Milosevic, and the British Army has been at the centre of the NATO force that entered Kosovo to restore peace last June, and has been keeping the peace with great professionalism ever since.

I should like to turn to some of the detailed points that have been raised during the debate, although I suspect that I will not cover them all tonight and may return to some others next week, or in correspondence. The hon. Member for Chingford and Woodford Green spoke about smart procurement and tried to claim that it was part of a long-term plan in which the Conservatives had already been engaged. It is true that some elements of it had been in a number of reports over a number of years. The problem is that the previous Government did not implement them. We blew the dust off those reports; we took elements out of them and incorporated them. We worked with our advisers, with the Department and with industry in a constructive way that had not been possible

under the previous Administration to achieve a smart procurement system. In both the Defence Procurement Agency and the Defence Logistics Organisation we are changing the way in which we obtain our equipment.

The right hon. Member for Fylde demonstrated this with regard to the future offensive air system, and I thank him for his comments. The integrated project teams are working together and hope, through their work, to reduce the time from the main gate to in-service date by up to five years. It is not just about money but about shortening the product cycle time. That is a key part of the changes in procurement in industry that we have now brought into government.

On frigates, the IPT has identified the type-23 support cost savings of more than £300 million. On Challenger 2, as mentioned by my right hon. Friend the Secretary of State, cost improvements were identified that could yield some £400 million over the life of the tank. They have already gone firm on half of those. On air-to-air refuelling, the IPT has increased VC10 availability, another key component of smart procurement, as well as the financial savings. There have also been cost gains of 20 per cent. That is due to working with industry, harnessing the skills and expertise aptly described by the right hon. Member for Fylde.

My hon. Friend the Member for Tooting (Mr. Cox), a member of both the WEU and the AEEU, drew attention to the work in Europe, as did the hon. Member for Romsey (Mr. Colvin), particularly identifying the role for non-members of the European Union within NATO. We have made very clear our strong support for the principle of non-discrimination in that case.

We were also asked about the role of the European Parliament; we do not see a role for it in European defence. The hon. Member for Romsey rightly asked whether we see NATO as the cornerstone of our defence. Not only do we see it continuing as the cornerstone, but article 5 is, and will continue to be, the basis of our security.

With all the focus on the European security and defence identity, we should really be considering the defence capabilities initiative. That is the work instigated at Washington to ensure that we have not merely institutions and architectures but the capability to deliver, so that Europe does not spend two thirds of the sum that the United States spends on defence but get nowhere near the capability that it has; and equally, so that—as a number of hon. Members said—the US does not have to contribute 75 or 80 per cent. of the necessary air power, as it did during Kosovo.

That policy is not merely right from the European side: it is also critical to sustaining and maintaining the United States' engagement in NATO. Long term, we will not be able to persuade the US Congress to continue its substantial expenditure and commitment overseas, if it believes that Europe is not bearing its fair share of the burden. ESDI is not in contradiction to NATO; it is critical to the long-term sustainability of NATO and to maintaining political support for it.

On Europe, Lord Hurd now seems to be a non-person in the Conservative lexicon—joining a long list of distinguished suspects. I say to Conservative Members—in the firm expectation that they will take no notice—that I have observed that process before from the inside. I assure them that the mutual self-destruction of a party can take a long time and it guarantees a long period on the Opposition Benches. I complain not—I merely observe in the sure expectation that nothing will be done about it.

The right hon. and learned Member for North-East Fife mentioned equipment shortages. He should get away from questions put by his researcher and intended to dramatise a situation. They do not bear any resemblance to the reality. Many of the planes that he described as being not available were available at one or two hours' notice and with some minor work. The RAF's definition of planes that are ready is: those that are ready to go there and then.

The right hon. and learned Gentleman talked about tanks. Challenger 2 will be going out to the Balkans shortly and it is a magnificent tank. He also mentioned SA80 and Clansman. The report in question received such dramatic presentation, but the cameraman who filmed me when I described the situation said, "I see. There's no other news today then." In both cases, the report from Colonel Gibson of the Parachute Regiment stated that, overall, the operation was an outstanding success. The media chose to ignore that.

In the Balkans, the issue was not the SA80 rifle, but the light machine gun version. We recognise the difficulties. We also recognise that, in certain extreme temperatures, the SA80 has some difficulties, although it is a capable and accurate weapon. That is why we have been conducting tests and why I will receive a report shortly to show how we should advance.

We inherited Clansman. There was a six-year delay in the Bowman project, and we had an industrial system that would have been incapable of replacing it. We have had to direct the turn-round of that programme.

I stress that we were not taking any risks with the lives of our service men and women in any of those operations. People say that the Territorial Army did not have the signals equipment because it had gone to operations. Yes, operations are at the forefront; no, we do not take risks. General Jackson made that extremely clear in his media interviews at Christmas.

The hon. Member for West Renfrewshire (Mr. Graham) requested a meeting on Bishopton. I understand that the Department of the Minister for Defence Procurement is dealing with that matter and that, as the Minister responsible, she will be glad to see him. Even with the order that he mentioned, jobs at Bishopton would have halved. He has to accept that there has been a reduction in munitions purchase throughout Europe. Rationalisation is taking place. Indeed, that is why we have entered a long-term partnership with Royal Ordnance plc to sustain its business for the future.

My hon. Friend the Member for Portsmouth, North (Mr. Rapson)—

It being Seven o'clock, the debate stood adjourned.

Debate to be resumed on Monday.

Finance and Services Committee

Ordered,

That Dr. Lewis Moonie be discharged from the Finance and Services Committee and Mr. Stuart Bell be added to the Committee.—*[Mr. Clelland.]*

Drug misuse

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

7 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful for the opportunity to initiate this debate. The background comes from my constituent, who wants to remain anonymous, for obvious reasons. She wrote to me about her two sons, who had both become heroin addicts and who, through sheer strength of personality, have overcome their drug dependency. She wrote:

"In January I felt as if I had stepped on a land mine and my entire life was blown apart, I was left in such unspeakable pain that only another person who has endured it could understand the full horror of it. What made it unique was that there was no relief to the agony; no pain killer, operation or treatment could heal the wounds left by the knowledge that my 19 and 16 year old sons were both addicted to heroin!"

My constituent went on to point out that Gloucestershire

"isn't an area of social deprivation on an inner city housing estate in Manchester, Bristol or Glasgow. This isn't a single parent family with no positive role model to give guidance to these boys in their formative years. These are not bored disaffected youngsters with no hope and nothing to do, left to wander the streets from an early age. And yet, they became entangled in the pernicious web of evil that surrounds heroin and those who profit from it."

When I met her, she informed me how easy it is for youngsters to slip into addiction. The pernicious dealers offer free fixes to start with, until the youngsters become well and truly hooked.

After I met my constituent, I started to research the problem in detail. I found an alarming growth in the number of registered drug addicts in rural areas. In Cirencester and the east Cotswolds area which includes Cheltenham and Tewkesbury, there are more than eight new cases a week. In west Gloucestershire, there are more than 12 new cases a week. That is a staggering 1,000 new cases a year in Gloucestershire alone. The Cheltenham drugs clinic currently has 400 cases on its books.

The official statistics show that the number of registered addicts in rural areas has trebled over the past three years. I welcome the Minister of State, Cabinet Office to the debate. On 28 January, he sent me some regional drug misuse data, which showed that the figures for registered new users in Gloucestershire were 28 a year in 1997 and 63 in 1998. In the first six months of 1999, there were 96 cases. That is a huge and tragic increase.

Those figures demonstrate, in the most graphic possible way, that although the drug problem in the urban areas is well known, the mushrooming problem in rural areas is not. There is no room for complacency among the Government, the police or any of the agencies involved.

I wholly applaud the many initiatives taken by the Gloucestershire police to tackle the problem, although there is a long way to go. After all, they are the lowest funded force of any shire county. I welcome their education initiative. They have seconded four officers to liaise with the local education authority to teach citizenship, including the dangers of drug addiction.

Education is the key to alerting our children and parents in rural areas, who may not be as aware as their urban counterparts of the real danger of hard drugs. We need to demonstrate graphically that there is an enormous difference between so-called soft drugs and addiction to hard drugs, such as opiate derivatives like heroin and crack cocaine. They cause real physical damage and are far more addictive than soft drugs. However, such education must be correctly undertaken by trained teachers and officers. My constituent told me that she had recently been told by a teacher that nicotine was more addictive than heroin.

The link between drugs and crime has been well documented. It is estimated that a half of all crime is drugs related and that a third of the proceeds of crime goes to fund the drugs habit. As I have said, my constituent described the horrific experience that she went through with her sons. She had to have locks fitted on the windows and the doors to keep her own sons in while they were being treated in the withdrawal stage and to keep other addicts out who were desperate to get into her house to share needles and other facilities with her sons. Her sons stole her credit cards, stereo, cash and anything else that they could lay their hands on to fund further raps, as they are known.

At one point, there was even the possibility that my constituent would have to go to court to testify against her own son for theft, and the police were also going to charge him with possession. Fortunately, common sense prevailed and a private arrangement was made with her son to repay the money and a course of drug replacement therapy was agreed on rather than charges being pursued.

My constituent says that credit card fraud was among the worst sources of money for her son. Within an hour of stealing her credit card, he went to four local supermarkets and obtained £50 cash back from each. She therefore has some useful suggestions to make in that respect. She suggests that the banks should insist on photographs on all credit cards and on the use of personal PIN numbers when the cards are used in the shops.

Each case of drug addiction not only wrecks individual lives, but those of families, communities and the rest of us, because of the crime that is generated as a result. Gloucestershire police are involved in excellent initiatives, some of which are pilots for the rest of the country. They include a drugs arrest referral scheme with funding of £30,000 to make a trainer available to advise all those arrested. Gloucestershire police issued 92 drug treatment testing orders in 1999 and claimed a 25 per cent. success rate. They have a drugs referral scheme to ensure that those who are under arrest, on bail or probation or in custody are properly surveilled and can be counselled in the correct manner. Finally, a drugs and alcohol team will bring together all the agencies.

As the anti-drugs tsar, Keith Hellawell, recently said at a conference in Gloucestershire:

"Drugs misuse is a complex issue which can only be tackled by a partnership approach between statutory and voluntary agencies, at both local and Government levels."

I wholeheartedly agree with that, and I am sure that everyone in the House, including the Minister, will also agree.

As I have already said, Gloucestershire's police force is the lowest-funded shire police force in any county. Our schools, through the standard spending assessment system, are among the lowest-funded primary and secondary schools in the country. If we are to tackle the problem, we must have proper funding.

Gloucestershire police have informed me today that in the Stroud and Cotswold division in the past six months, there have been 46 warrants for seizure of drugs and 37 for the supply of controlled drugs, while 226 arrests for possession have been made. Although that is excellent news, it shows that the police are prioritising the addicts, who are easy targets, rather than the dealers who are much better organised and altogether more difficult to catch.

Addicts must be encouraged to seek treatment. It is estimated that for every £1 spent on treatment, £3 is saved on crime. My constituent told me that the drug replacement therapy was extremely effective for her two sons. The drug Naltrexone costs £5 per tablet and the course involves one tablet a day for three to six months. Although the initial dose can be funded by the Gloucestershire drugs clinic in Cheltenham, it can fund only that. The rest of the course has to be funded by general practitioners. Again, we come up against the funding problem, because Gloucestershire GPs, particularly in the Cotswolds, have had their budgets hit harder than almost anywhere in the country and we are losing GPs as a result. It would be a tragedy and a scandal if the funding were not always available for such drugs replacement therapy.

A far greater effort needs to be applied on a national basis by all the agencies involved, including Customs and Excise, the police and the armed forces, to stop pernicious hard drugs entering the country.

I propose a four-point plan to help stem the huge, increasing tide of drugs in rural areas. First, we need improved co-ordination to produce better education in schools, colleges and the media in rural areas. Secondly, we should re-target police priorities towards pursuing the drug dealers rather than the soft drug addicts. Thirdly, there should be an increased effort by all the agencies involved, so preventing many hard drugs from entering the country. Fourthly, there must be better funding for the treatment of hard drug addicts.

This is a huge and increasing problem in rural areas. If we do not nip it in the bud now, it will become so big that it will be much more difficult to treat later. I know that this is the second Adjournment debate on drugs that the Minister has had to attend today, but if he and the Government's drugs co-ordinator, Keith Hellawell, can bring together all Departments and agencies so that the biggest threat faced by society in rural areas can be tackled head-on and effectively reduced, this debate will have been worth while. I look forward with interest to his reply.

7.11 pm

The Minister of State, Cabinet Office (Mr. Ian McCartney): I thank the hon. Member for Cotswold (Mr. Clifton-Brown) both for what he said and for the manner in which he said it. I can honestly say that this is the first time that I shall have been able to have a dialogue on this issue across the Dispatch Box with someone who has been non-partisan and who has put forward proposals—which I hope, as I respond, the hon. Gentleman will realise are part of the central Government strategy.

First, let me make the hon. Gentleman an offer. I know what his constituent's family are going through. Every day, and certainly after every speech that I make in the House, I get significant numbers of letters from desperate people whose children have died or who fear that their children will die or that they are involved in drugs, and who do not know how to cope with the problem. If the hon. Gentleman would like to come and see me, along with his constituents, in confidence and in private, he is welcome to do so. I also invite the hon. Gentleman to meet me and the drugs team at the Department, and let me go through the points that he has made to satisfy him that we are already dealing with them in our strategy. I genuinely want an all-party consensus on this issue. Everybody in this country, irrespective of their political views, is in danger of this evil touching them, their family or their community. We desperately need a consensus about the way forward.

I hope that the Government's 10-year strategy is a consensus about the way forward on a whole range of issues. We need to create a healthy, confident society, increasingly free from the harm caused by the misuse of drugs. We will best achieve that by encouraging young people to resist taking drugs in the first place so that they can realise their full potential; by helping communities to protect themselves from drug-related, anti-social and criminal behaviour; and by providing treatment to help everyone involved to overcome their drug addiction.

That is a difficult process because addiction is a recurring, chronic illness. Many people go forward and reach the second or third phase, but some just cannot make it despite their efforts. Love is not always enough. We need to try to ensure that we have a co-ordinated approach in each and every community where people are suffering. They should be able to come forward with confidence, and we should ensure that when they do, services are available to assist them and meet their individual needs.

The hon. Gentleman is absolutely right to talk about stifling the availability of drugs in Britain. One in 12 12-year-olds, one in three 14-year olds and nearly half of all 16-year-olds have tried drugs at least once. That is the age group into which the hon. Gentleman's constituents' children fall. It is estimated that a third of all property crime is related to drugs. In some areas, a quarter of all offenders arrested have tested positive for heroin, and one in 10 have tested positive for crack cocaine. More than half of the homeless are regular drug users.

The problems that we face are therefore extremely difficult, and we must face them as a society together. No single organisation, party, person or view has the answer. We need to co-operate with each other. That is why I am pleased that, up till now, all the political parties have given their support to the Government's strategy, along with the voluntary sector, the business community, community groups throughout the country and the police. I hope that we can return to that position of consensus.

We have allocated to Gloucestershire £105,000 under the arrest referral scheme, to which the hon. Gentleman has referred. That will help the police to identify and help drug misusers to gain access to treatment. It is vital to deliver new treatment services and to support schemes to reduce drugs-related offending; drugs education schemes; and preventive strategies. We must also put money into research to find solutions that work—there are many ideas, but we need ones that work and that relate to the individuals and the communities concerned. That is why I am pleased that the hon. Gentleman mentioned drug action teams and the drug treatment and testing order pilots that the Government have introduced.

[Mr. Ian McCartney]

We need to have a drugs education strategy in schools and throughout communities. Every child has to develop an awareness of drugs and acquire the skills needed to handle a drugs-ridden society. Children must develop a sense of their own self-worth to be able to deal with peer pressure. They should know where to go if there is a problem in their family or their community, or among their friends. Teachers, educationists, parents, students and children must all acquire that awareness and understanding.

The Government's strategy contains many measures—I could speak for 20 minutes if you would allow me, Mr. Deputy Speaker. However, it is more useful if I write to the hon. Gentleman and send a copy to those hon. Members who have stayed for this debate. Then, in discussions with the hon. Gentleman, we can go though each point of the strategy, so that he can satisfy himself as to whether we are getting it right. I believe that we are getting it right by working with people.

It is important that the Government set themselves tough targets. Targets are not set for their own sake, but to enable us to judge whether our strategy is achieving what we intend it to achieve. Setting targets on tackling drugs misuse is difficult, but we should not shy away from the task. We have set ourselves targets such as reducing the number of young people using heroin and cocaine by a quarter by 2005, and by 50 per cent. by 2008; and reducing the rate of reoffending by drugs-misusing offenders by 50 per cent. by 2008.

We want to increase the number of people accessing treatment services by two thirds by 2005 and by 100 per cent. by 2008, thereby building up the capacity and the professional knowledge and skills of those who work in the community, taking referrals for drugs treatment. We want to reduce the availability of heroin and cocaine among young people by one quarter by 2005, and by 50 per cent. by 2008. We want to achieve all that against the background of addiction being a chronic, recurring illness.

The hon. Gentleman raised the question of seizing assets. I am the sponsor of a performance and innovation unit project dealing with the pursuit and seizure of criminals' assets. I shall report to the Prime Minister in the spring. We are absolutely determined to ensure that crime does not pay, to reduce crime and the fear of crime, and to raise morale among the public and law enforcement agencies.

We are also absolutely determined to equip ourselves to do irreparable damage to criminals' business activities and their businesses. Catching and jailing them is not enough; we have to damage the whole network, or it will continue after we put them in jail. We have to get to the heart of the structure. We can make our message clear to dealers by targeting both big-time and small-time dealers. We must catch, prosecute and jail the big dealers in particular, but we must also ensure that we have the weapons at our disposal to smash their business empires. If we do not, the machine will continue with others at its head.

All of those vital measures are interrelated in the overall strategy. The strategy has been running for only two years; we have another eight years to go. There is no complacency—absolutely none. We must make sure that each year significant improvements are made, step by step.

Drug education in schools is a crucial element. That is why it is so important that in the national curriculum, at key stage 1, five to seven-year-olds know about the role of drugs as medicines. At key stage 2, seven to 11-year-olds are taught that tobacco, alcohol and other drugs have harmful effects. At key stage 3, 11 to 14-year-olds learn that the abuse of alcohol, solvents, tobacco and other drugs affects health, that the body's natural defence may be enhanced by immunisation and medicines, and how smoking affects lung structure and gas exchange. At key stage 4, youngsters of 14 to 16—the age of the hon. Gentleman's constituents' children—learn about the effects of solvents, tobacco, alcohol and other drugs on their body's functions.

Throughout the long-term strategy and at each stage in the development of our children, we must give them the knowledge and skills necessary to cope with drug-related issues in their society.

Mr. Clifton-Brown: I am grateful to the Minister for giving way. His response has been positive and helpful, and I welcome the invitation that he extended to me.

I read the education initiative that the right hon. Gentleman has just outlined, and I was slightly concerned, as it seems to equate heroin addiction with alcohol, smoking and solvents, which are in an entirely different league of addiction and physical damage. That is not helpful. Will he examine the education programme, speak to his colleagues in the Department for Education and Employment and see whether it can be modified?

Mr. McCartney: For 10 years as a volunteer, I went into schools to do classroom work with young people on self-esteem and issues related to abuse. It is crucial that they have an understanding of all the factors that can cause them harm. Young people must understand the dangers, be able to assess the risks, and have the knowledge to make a choice not to become involved. Simply saying to them, "Don't do it" does not work. We must provide them with skills, knowledge and access to information. As a volunteer involved in such issues over a long period, I can say that the results are positive.

The Government are embarking on a major research programme in schools. I will send the hon. Gentleman a note about the programme and what we hope to achieve. He is right to say that education must play a major part in tackling the drugs problem. Drugs misuse is as much an education issue as it is a social evil. At each stage of the curriculum, we must get right the content and the training of teachers, so that those who are responsible for the delivery of the curriculum have a clear understanding.

A few years ago we did a survey among primary schoolchildren in my area, in Wigan. It was amazing that nine and 10-year-olds had more knowledge than the adults in the school about the drugs that were available on the streets. That is because of peers talking to brothers, sisters and cousins, and listening to the networks in the communities where they live. In one sense, that is frightening, but strategies can be put in place to deal with it.

Young people are aware, but sometimes they are not sufficiently aware of the dangers. It is therefore important that the curriculum presents a balanced approach to all the dangers that children and young people face in their development.

In trying to defend communities against the activities of drug barons, we must encourage the community to become involved with the police and others. In that way we will help the community to rid itself of the scourge of drugs. I was pleased to attend a meeting a few days ago with the Prime Minister, Mr. Keith Hellawell and the Metropolitan police, who have started the "Rat on a Rat" campaign.

During the first two weeks of the campaign, the hotline took 2,000 calls and more than 700 drug dealers and users have been arrested. A single anonymous call from an elderly lady led to a bust taking place and the discovery of a £1 million drugs factory. That was the result of one woman watching and thinking, "Something isn't right. I'll use the 'Rat on a Rat' hotline." the consequence was a massive victory for the police and the community. It is important to involve the community, empower people and show them that they are not alone in a community where drugs have become a normal part of life. It does not have to be that way; it should not be that way. People should not be isolated in their communities. We owe each community the support of getting drug dealers off people's backs and away from their families.

We are also discussing with Childline the management of a potential schools hotline. We appreciate that that needs sensitive handling, but the possibility exists of providing an additional boost to schoolchildren's understanding about the issues that surround drugs.

We are currently recruiting 300 new drug treatment workers. That will help to expand the capacity of the treatment sector. I do not have the figures for Gloucestershire tonight, but when we talk, I shall tell the hon. Member for Cotswold whether any of the new recruits will work in his area. Gloucestershire is part of the programme, and it is receiving resources.

Early evidence from the pilot drug treatment and testing orders showed that the average number of crimes committed by offenders had fallen by 90 per cent. Getting offenders tested and into treatment has a significant effect. We must maintain the effect so that they do not go backwards. They must have support mechanisms in their communities. Housing, jobs and social care can all present problems. Sometimes those young people have split from their families; sometimes they are isolated and have lost their friends through their habit. We are considering complex issues and complicated young people, who have difficult problems. However, getting them into treatment assists matters greatly. It helps their self-esteem and reduces the harmful activities of taking drugs and committing crimes to feed their habit.

We are the first Government to have an agreed comprehensive strategy. There are good signs, but we are in a war. Three thousand young people die a year; each death is a personal family loss.

Five months ago today, I had to go to Glasgow city mortuary to identify my son. When I did that, I knew that all hope was lost. During all the years of problems in the family when we tried to support my son, there was always hope while he was alive. While young people are alive, there is always a chance that the support can help them. I believe that that is wonderful, and I hope that the constituents of the hon. Member for Cotswold can sustain the progress and they have made and see their children mature into adults and fulfil their dreams and aspirations.

Hugh left us some words, which I would like to read:

"From someone who knows:

The damage the needle does
It wrecks lives and
Families, so think
Before you stick it
Into that vein of
Yours, just think."

Tragically, we cannot relive or save Hugh's life, but we can save many other victims in this dirty, sordid drugs war.

It is up to all of us to unite and win this war. I hope that the discussion tonight contributes to achieving that. We owe it to the families whose lives have been blighted and will never be put together again. There is no way of putting lives together when that happens. We owe it to the children who are no longer with them. We must sometimes think of every one of them—their faces and voices, their hopes and aspirations. In the end, the drugs war is about protecting children, and letting all of them have the opportunity to grow up in a society that respects, supports, loves and protects them, and where they can grow into adulthood and see their dreams and aspirations come true.

There is nothing more difficult to deal with than a child dying, and dying in the circumstances that we have discussed. I hope that our debate will convince people that the Government are absolutely committed to trying to ensure that we can, over time, overcome the difficulties and win the battle. If we do not, many other young people's lives will be destroyed. We must not allow that to happen.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Seven o'clock.

Westminster Hall

Tuesday 8 February 2000

[MR. MICHAEL LORD *in the Chair*]

Students (Financial Support)

Motion made, and Question proposed, That the sitting be now adjourned—[*Mr. Clelland.*]

10 am

Mr. Philip Hammond (Runnymede and Weybridge): I have been moved to secure this debate not as someone who has a particular interest in or detailed knowledge of higher education support, but as a citizen of the United Kingdom who is alarmed by the disparity of treatment of my fellow citizens—a disparity that is based on place of residence in the UK. I am concerned by the threat that such disparities—and such unjustified discrimination—pose to the consensus that underpins the survival of the United Kingdom in the face of challenges posed by devolved government.

From the enactment of the Education Act 1962 until 1997, students in higher education throughout the United Kingdom were treated broadly equally in the matter of financial support. One uninstructed in the ways of the new Labour Government could be forgiven for expecting that to continue. Indeed, only three weeks before the general election, the right hon. Member for Sedgefield (Mr. Blair), then the Leader of the Opposition, told the electorate that

"Labour has no plans to introduce tuition fees for higher education",

and the right hon. Member for Livingstone (Mr. Cook) said:

"We are quite clear that tuition fees must be met by the state."

The rules of parliamentary language make it difficult for me accurately to characterise such statements, because, three months later, those who made them were respectively the Prime Minister and the Foreign Secretary in a Government who had announced the introduction of tuition fees for students in higher education. Mountains of material are available to any hon. Member who wishes to hold an Adjournment debate on that U-turn.

Mr. Tim Boswell (Daventry): Would it not be simpler and more tactful, especially as there are overtones of the auld alliance, to describe such statements in the words of our late colleague, Alan Clark, as being economical with the actualité?

Mr. Hammond: My hon. Friend puts it very nicely; he has considerably more experience than I of skating across the thin ice of parliamentary language barriers.

It is not my purpose in this debate to revisit the rights and wrongs of the Government's butchery of the Dearing report recommendations, despite the fact that the Government claimed that they were implementing them. That was one of the earliest examples of the Government saying one thing while doing quite another. My purpose is to consider discrimination and inequality in the educational context and in the wider setting of our constitutional settlement. The Government have used the language of one nation and social inclusion, but have introduced a series of policies that are divisive and exclusive. Those policies are driven by short-term political considerations, without regard for the long-term damage that they will do to our United Kingdom.

As soon as the tuition fee proposals were scrutinised, it was apparent that fees for the fourth year of four-year Scottish degree courses would be a problem. The legitimate question was not about Scottish students, but about Scottish universities and the cherished four-year degree course. The Unionist response to that would have been clear and simple: to implement a fee structure that imposed an equal burden on all students, regardless of the length of their courses or where in the United Kingdom they undertook them, thus maintaining equality of treatment and access throughout the United Kingdom.

Tellingly, instead of such a simple and pragmatic response, the Labour Government chose to play to a narrow Scottish audience by exempting Scottish students—but not English, Welsh and Northern Irish students—from fourth-year tuition fees when attending Scottish universities. That was a radical departure from the 1962 settlement, which had effectively created a single market in higher education throughout the United Kingdom, and resulted in English, Welsh and Northern Irish students comprising as much as 45 per cent. of the student body in leading Scottish universities.

Such a decision in itself was shockingly divisive from a Government who claimed to be committed to preserving the Union, but insult was added to injury when they were forced to admit that, because of the rigours of European Union law, foreign students from EU countries would have to be accorded the privileged treatment that the Scots enjoyed if attending Scottish universities. We therefore faced the absurdity of relegating English, Welsh and Northern Irish students to second-class citizens in their own homeland—forced to pay fourth-year fees while studying alongside not only non-paying Scottish students, but non-paying EU students, whose parents had not contributed to the United Kingdom tax base over the years and who, in the great majority of cases, would not be likely so to contribute after their graduation. Such EU students are treated better than those whose families have worked and contributed all their lives in the United Kingdom.

It would have cost the Government a mere £2 million to remedy this shameful discimination, but such vas—and is—their arrogance that they refused to acknowledge that they had made a mistake, and created circumstances that, for the sake of a tiny amount of money, were bound to engender bitterness and resentment among non-Scottish UK students and their families.

The matter does not end with that grotesque act of discimination by the United Kingdom Government. With the help of its fellow travellers, the Liberal Democrats, the Labour party determined to make matters worse through the medium of Scottish legislation. It was clearly inconvenient for the Government in London and the Labour pary in

[Mr. Hammond:]

Scotland that all parties except Labour fought the Scottish election principally on the abolition of tuition fees.

Dr. Evan Harris (Oxford, West and Abingdon): Before the hon. Gentleman moves on to discuss Scotland, I should like to ask him about his use of the term "fellow travellers". Does he accept that the Liberal Democrats stood four square against the Labour Government's introduction of tuition fees in 1997, even in our manifesto, while his party prevaricated over whether to support tuition fees and did not rule them out in its manifesto?

Mr. Hammond: My party made it absolutely clear that it supported the Dearing proposal to maintain the maintenance support system for students, which had served generations of students and, indeed, many hon. Members, extremely well. I am surprised by the hon. Gentleman's intervention, because, as I shall show, his party's record on the matter north of the border has been rather less than honourable.

Mr. Bill Rammell (Harlow): If the hon. Gentleman's support for the student maintenance grant was so emphatic, why was he happy for the Government whom he supported to cut it by 50 per cent. before the last election?

Mr. Hammond: As the hon. Gentleman knows, the previous Government introduced arrangements for student maintenance that depended on a mix of loans and grants. We have never supported the proposals that this Government have implemented to abolish the maintenance grant. As I shall discuss later, it is clear from the recent panicked actions of the Secretary of State for Education and Employment that the Government have realised that, exactly as we suggested in 1997, the total abolition of the maintenance grant would work greatly to the disadvantage of the poorest students in England and Wales.

Mr. Boswell: Before my hon. Friend moves from that subject, will he recall that the number of students virtually trebled under the mix of loans and maintenance grants implemented by the previous Administration? That suggests some success of the policy.

Mr. Hammond: My hon. Friend is right. We were rightly proud of the great flourishing of higher education in this country under the previous Administration. However, I should like to make some progress in dealing with the situation that has developed north of the border since the Scottish elections.

Labour's failure to achieve control in the Edinburgh Parliament forced it to treat with the Liberal Democrats, who had campaigned unambiguously on the abolition of tuition fees as the "non-negotiable" centrepiece of their manifesto. Both parties faced a dilemma: Scottish Labour was anxious not to embarrass the Government in Westminster by conceding outright abolition of tuition fees, while the Liberal Democrats were greedy for the spoils of office for the first time in many decades but were hampered by the inconvenience of their non-negotiable policy on tuition fees. The response of putting the issue into deep freeze for a few months by ordering an inquiry is a tried and tested fallback for this new Labour Administration. For the Liberal Democrats, the abandonment of "non-negotiable" pledges is simply another twist in the wind.

The publication of the Cubie report and the Scottish Executive's response to it has been the immediate stimulus for my seeking the debate. Far from dealing with the issue, the proposed solution would deepen the discrimination against English, Welsh and Northern Irish students and institutions.

The proposed ending of up-front tuition fees for Scottish and foreign European Union students in Scottish universities—but not for English, Welsh and Northern Irish EU students alongside them, or for Scottish students who have the temerity to want to broaden their horizons by studying south of the border—represents blatant discrimination against institutions and individuals in the UK and the EU. Not only do some EU citizens seem more equal than others in Labour's new order, but the EU seems able to intervene to protect some of its citizens from discrimination yet cannot protect those who happen to be citizens of both the EU and of England, Wales or Northern Ireland.

Apparently, the UK Government have an unfettered right to discriminate against their own citizens, notwithstanding their seeming embrace of the non-discriminatory principles of the European convention on human rights. However, they cannot prevent the EU from intervening to demand privileged treatment for everyone else in the EU who wants to take advantage of the UK's generous system.

Let us be clear. A student from Birmingham or London whose parents have worked in the UK and paid taxes to the UK Treasury all their lives would pay fees if he sought to study at Edinburgh university. A Scot studying alongside that student would pay no up-front fees, and nor would a Belgian, a Spaniard, an Italian or a Finn. A student from Newry in Northern Ireland could expect to pay £4,100 in tuition fees during a four-year Scottish degree, but his neighbour a couple of miles across the border in Dundalk would pay nothing. Surely even this Government, with their arrogant disdain for our traditions and rights, must see that such a situation is not sustainable.

If it were not for the intervention of the European Union, Scottish students would have been studying alongside English and Welsh students at English and Welsh universities but, unlike their fellow students, paying no fees. As it is, Scottish students are effectively to be frozen out of United Kingdom universities, with serious implications for the diversity of those institutions and the potential insularity of future generations of Scots, who are now much more likely to be educated in Scotland.

Valerie Davey (Bristol, West): Is the hon. Gentleman not missing the fundamental concern of the Government and, to some degree, to give them their due, of the Liberal Democrats in Scotland, that those who come from less well-off homes are given priority? In the examples that he has given, those from lower-income

homes and 37 per cent. of Scottish students studying in English, Welsh and Northern Irish universities will not pay fees.

Mr. Hammond: That is right, as far as it goes. I am happy to concede the wisdom of a system that is biased in favour of the poorest students, whom we know need to be encouraged to access our higher education system. The discrimination that I am addressing is one based on the country of origin within the United Kingdom—a discrimination that works against the interests of English, Welsh and Northern Irish citizens in a way that, as I shall detail, may have serious consequences.

It is proposed that a Scottish student studying in Scotland will pay no tuition fees but will be expected to pay a contingent £2,000 tuition tax at some point. A Scottish student studying in England on a three-year course can, at current rates, expect to pay £3,075 in tuition fees, while a student from England, Wales or Ulster studying in Scotland will pay £4,100 in tuition fees. Inevitably, decisions on place of study will be made partly on financial, not academic, grounds. That cannot be good for our higher education system, on either side of the border, or for the free exchange of ideas and the development of a sense of unity in the United Kingdom. It will surely foster insularity among the Scots and among other UK citizens, at a most important and formative time of their lives.

Most importantly, having different financing systems is extremely bad for the United Kingdom. It is perhaps the first test of the devolution settlement—and it has failed. Labour said that devolution would strengthen, not weaken, the Union, but this sort of farce will, beyond any doubt, weaken the United Kingdom.

Dr. Harris: Surely the hon. Gentleman's point is that, if electors in a devolved Scotland cannot vote for something that they deem an improvement on the prevailing system in the rest of the UK—which may act as an incentive for people to invest, study, get hospital treatment or be tried in Scotland, since our criminal justice system has always been different—then nothing, even at county council level, can be done on a devolved basis because it will seem to create insularity.

Mr. Hammond: The hon. Gentleman raises an interesting point. He and I have debated such issues in the context of health matters, where there seems to be a tension between the Government's expressed desire for local determination of issues and for uniform national standards. If he will be patient for a moment, I will come to the issue of diversity, as opposed to discrimination.

The package of changes in maintenance arrangements for Scottish students were announced in the Executive's response to the Cubie report. The Department for Education and Employment subsequently made a panic response in announcing a range of initiatives in England and Wales, including the reinvention of the maintenance grant that the Government had just killed off, having realised what we told them at the time: the demise of the maintenance grant would have a damaging effect on the poorest students. Those changes created a raft of variations in the treatment of students north and south of the border. The unfairness of the evolving system will not be lost on the people of England, Wales and Northern Ireland.

I say to the hon. Member for Oxford, West and Abingdon (Dr. Harris) that, of course, there is room for diversity. That is part of the point of devolving government, whether to local institutions in England and Wales or to a devolved Parliament in Scotland. However, let us consider what happens when diversity becomes code for blatant discrimination against groups of United Kingdom citizens who have paid the same taxes and met the same obligations to their country, and when it becomes code for the relegation of some United Kingdom citizens to second-class status, while other European Union citizens, who have made no contribution to this country, are given privileged treatment. The hon. Gentleman must accept that, when diversity becomes code for such a raw deal, it is dangerous for the consensus that underpins the survival and strength of the Union. When the favoured treatment of Scottish citizens over English citizens is supported by a system that levies taxes throughout the United Kingdom, but distributes them unevenly between the countries of the United Kingdom, such consensus becomes more delicate.

Although we pay into the United Kingdom tax pot together, it has been a matter of consensus for years that public spending per capita is higher in Scotland. However, if English taxpayers are to have their noses rubbed into the difference between public funding north and south of the border by such blatant and unjustifiable discrimination in higher education funding support for students, that consensus may not prove to be durable.

Dr. Harris: I am conscious that the hon. Gentleman wants to make progress, but how does he justify the discrimination of one beleaguered species, the English Conservative, against an even more beleaguered species, the Scottish Conservative, given that the Tories in England support Dearing, who wants flat-rate tuition fees for everyone, but the Tory manifesto in Scotland called for an end to tuition fees? That is diversity. I do not condemn it; he seems to be condemning a split in his own party.

Mr. Hammond: There is not a split in our party. The hon. Gentleman knows very well that the Conservatives in Scotland campaigned on a package of measures, which would have kept a mixed model of maintenance support for students in Scotland. As for endangered species, the hon. Gentleman might look to his own party north of the border following its blatant volte face.

Mr. Boswell: Does my hon. Friend concede that one of the most unacceptable parts of this shambles is the discrimination between Scottish students studying in Scotland and Scottish students studying in England, where the fees regime is different? We are talking not about unity of treatment in the constituent parts of the United Kingdom, but about clear disparities and anomalies—even within the Administration.

Mr. Hammond: My hon. Friend is right. Discrimination against English universities will result in far fewer Scottish students attending them for financial reasons. That will be damaging not only to English institutions, but to the Scottish young people who may have attended them.

[Mr. Hammond]

Last week, on the Floor of the House, I apparently upset the hon. Member for Banff and Buchan (Mr. Salmond), who took issue with what I said about health funding in Scotland, England and Wales. He considered that my comments were unhelpful in drawing attention to the difference between national health service funding of £900 per capita in Scotland and of £746 per capita in England and Wales. That difference translates into a significantly larger number of consultants, GPs and nurses per 100,000 population in Scotland.

Despite the hon. Gentleman's interpretation of my comments, I was not attacking Scottish health care; my comments were an attempt to draw attention to the problems of health care in England. This debate is not an attack on Scottish higher education or Scottish students; it is an attempt to draw attention to the disparities between and unfairness in the treatment of English, Welsh and Northern Irish students. It is an attack on an unprincipled Government who say one thing and do another—a Government who say that they will strengthen the United Kingdom but who, by their actions and those of their client Government in Edinburgh, weaken it. The Government claim to be inclusive, but set out policies that drive wedges between different parts of the country and between different groups of its citizens.

We are trying to defend the principle of equality for all citizens of the United Kingdom in the United Kingdom. Whatever gloss the Government try to put on it, the blatant—almost farcical—discrimination between citizens of the United Kingdom and outsiders from other European Union countries, whose rights are protected by law, will only highlight for the average Englishman, Welshman and Ulsterman the damage that the Government's ill-thought-through devolution policies threatens to inflict on the integrity of the United Kingdom. It is a grotesque and absurd affront to common sense that those who work and pay taxes here should find themselves reduced to the status of second-class citizens, less well supported by the state than visitors from foreign lands whose families have never paid a penny in income tax to support this country's public spending.

We said that devolution would undermine the United Kingdom; the Labour party said that it would strengthen it. This is perhaps the first practical test on that question, and it is clear that the Government have failed it. We said that a changed electoral system would lead to weak coalitions and shabby deals, and that is what we are seeing in Edinburgh—unprincipled short-termism that will create rifts between the constituent parts of the United Kingdom, and back-room deals between Labour and its Liberal Democrat fellow-travellers, who are busily negotiating away the fundamentals of their "non-negotiable" election pledge in an attempt to cling on to the spoils of office on the coat-tails of their Labour masters. Back-room deals, broken Labour promises on tuition fees, broken Liberal Democrat pledges on tuition fees, empty Government pledges on strengthening the Union through devolution, nine tenths of the population of the United Kingdom reduced to the status of second-class citizens in their own land—such is the legacy of three years of the Government's policies on support for students in higher education.

Devolution is the Government's creature, but they cannot control it. Events in Cardiff and Edinburgh are overtaking the Government and threatening to undermine their policies in England—the creature has bitten its creator. The Government have no choice but to admit what is obvious to everyone else: the Scottish electorate has called their bluff on tuition fees. The price that the Government will pay for this shabby compromise to save the coalition in Edinburgh will be either a wholesale retreat on student support in England and Wales or a long-term and fundamental undermining of the Union, as the Government abandon the principle of equality of access to public services and support throughout the United Kingdom.

10.28 am

Mr. Bill Rammell (Harlow): I shall respond briefly to the comments of the hon. Member for Runnymede and Weybridge (Mr. Hammond). There have always been differences in public services and access between Scotland on one hand and England and Wales on the other. If we want to talk about discrimination, why not point out the discrimination for many years under Conservative Governments, whereby students in Scotland had access to four-year degree courses, but those in the rest of the United Kingdom had access only to three-year degree courses? I do not recall a single example of a Conservative Member challenging or criticising that differential.

Mr. Hammond: The hon. Gentleman is surely not suggesting that only Scottish students had access to the four-year degree courses at Scottish universities. Indeed—if my memory serves me correctly—20,000 English students are currently enrolled at universities in Scotland.

Mr. Rammell: Yes, but by dint of the cap on access, only a proportion of students had access to those courses in Scotland. There was a differential in the university system, the health service and the legal system between the provisions in Scotland and those in the rest of the United Kingdom. I am interested in all the arguments put forward by the hon. Member for Runnymede and Weybridge, but I am still not clear whether he prefers the system chosen by the Scottish Parliament or the system that applies in the rest of the United Kingdom. That leads me to think that his concerns are not universities, students and student finance; rather, he is attempting to use the issue to revisit an argument that the Conservative party lost at the general election and during the referendum on Scottish devolution.

Mr. Hammond: I was completely clear and open when I said initially that the focus of my interest was the disparity between different parts of the United Kingdom and the threat that they pose to the future of the Union. I hope that my hon. Friend the Member for Daventry (Mr. Boswell) will speak in more detail about the education aspects of the issue later.

Mr. Rammell: The hon. Gentleman still has not answered the question from the hon. Member for

Oxford, West and Abingdon, who speaks for the Liberal Democrats: if his concern is about different provisions in Scotland and Wales, why did the Conservatives in Scotland campaign on a manifesto and a set of commitments on university provision and student financial support different from those that they used in the rest of the United Kingdom? If we still had a Conservative Government, or if the election result for the Scottish Parliament had been different, the same differential and discrimination would still exist. It is nothing new. The differences are perfectly logical and permissible in a system of devolved Government. The Conservative party lost that argument at the general election and in the referendum on Scottish devolution. If it now wants to revisit the issue, it will not make substantive progress.

Part of the reason why the Conservative party—including the hon. Member for Runnymede and Weybridge—is raising the issue is not because of the merits of the argument, but to try to create an impression among the public, especially students, that the Conservative party is on the side of students, when nothing could be further from the truth.

Mr. Hammond: Will the hon. Gentleman concede that the Labour party fought the general election and the subsequent referendum on the argument that devolution would strengthen the United Kingdom? That argument remains to be proven. The point of my speech was that a policy that was so divisive between diffferent parts of the United Kingdom would weaken, not strengthen, the institutions of the United Kingdom.

Mr. Rammell: Of course the argument remains to be proven in the long run, as it will be a long time before that judgment is reached. However, I am confident on one issue: had the Conservative party been re-elected at the last general election, when it emphatically refused to consider any change in the overall constitutional settlement, that would have led to a split in the Union much sooner. There would have been no Scottish Parliament, and people would have felt that their views could not be heard through the national Parliament.

The hon. Gentleman and the Conservative party have not addressed in any way the fact that we had no alternative but to introduce a new system of student finance and student funding after the general election. To put right all the problems in the system, such as the cap on student access, student poverty and the reduction in per capita student finance that had taken place over a 10 to 15-year period, would have cost the equivalent of 3p on the standard rate of income tax. The idea that any Government would levy such a charge and then use all the proceeds on universities and students simply does not reflect the politics of government in the real world. I hope that the hon. Member for Oxford, West and Abingdon will face the fact in the debate. The Government are dealing with such issues. They are removing the cap on access and beginning to restore university funding.

My final point is threefold. First, the argument that the hon. Member for Runnymede and Weybridge advanced is partly driven by the usual Conservative party obsession with all matters European. It is clear that his real animus is against the fact that European students will have access to a new system in Scotland, whereas those in England and Wales will not. We take the view that students in this country will have access to European systems. If Conservative Members have a problem with the fact that the law as it applies throughout the European Union necessitates the kind of access arrangements that are being put into place in Scotland, they should argue for a change in those arrangements instead of using the debate, as usual, to make a case against the European Union in support of eventual withdrawal—which is what more honest members of the Conservative party have in mind.

Secondly, the hon. Gentleman's argument reflected the repugnance on the part of many Conservative Members for any form of partnership politics. I wholly reject that view. Where political parties agree with each other and can reach a sensible accommodation, they should do so. The British public are fed up with the kind of yah-boo sucks politics in this country, which takes the view that "Everything you do is wrong, and everything we do is right." That issue is now being resolved in the Scottish Parliament.

Mr. Hammond: Would the hon. Gentleman's views extend to parties that fight elections with a manifesto centrepiece that is described as "non-negotiable", and then negotiate it away in the immediate aftermath of the election?

Mr. Rammell: Negotiations and compromises occur in politics under all electoral systems. Under the first-past-the-post system, they are made before the election. Under a devolved system of government, with a different electoral system, positions are taken and, if one party does not achieve an overall majority, a sensible and open discussion then takes place about how a compromise, and a way forward, can be achieved. That is how people operate in the real world in other walks of life. It is a pity that for too long our system of government and politics in this country has not done so.

Thirdly, the Conservative party's real problem is its failure to come to terms with the new system and style of politics that is represented by the devolved settlement. It has repeatedly lost the argument on that, and has failed to come to terms with the fact that partnership and government by consent is not only possible, but desirable. Although it sometimes results in what may appear to be messy compromises, that is far preferable to the non-compromising certainty of years gone by. For example, the poll tax was a clear manifesto commitment, on which there was no fudging or compromise, but ultimately the British people lost out.

Mr. Deputy Speaker (Mr. Nicholas Winterton): I will now call Valerie Davey.

Valerie Davey *indicated dissent.*

Mr. Deputy Speaker: In that case, I call Dr. Evan Harris.

10.38 am

Dr. Evan Harris (Oxford, West and Abingdon): I come to this debate in the good position of not needing to defend the proposals of the Scottish Executive,

[Dr. Evan Harris]

because Liberal Democrat Members have a settled view that Liberal Democrats in Scotland, in using their devolved powers in the Scottish Parliament, can have different opinions from those of Liberal Democrats in the rest of the United Kingdom, in Westminster or the Welsh Assembly. Conservative Members have clearly taken that view on board, because they have different policies north and south of the border. Their position at the general election was different from their current position south of the border, and very different from their position north of the border at the time of the Scottish Parliament elections.

I do not need to defend the proposals of the Scottish Executive, but, having read them and considered their effect, I am happy to do so—although, in the context of the debate so far, that does not seem to be necessary. In his speech, the hon. Member for Runnymede and Weybridge (Mr. Hammond) did not attack the proposals and their effects, but concentrated purely on artificial arguments about disparities between students from Scotland and those from the rest of the United Kingdom studying at Scottish universities.

The core of the hon. Gentleman's argument is that those disparities are unfair and constitute unjustified discrimination. However, the only unfairness and discrimination is that students and others in this country with a vested interest in good higher education do not benefit from Liberal Democrats in government. In Scotland, Liberal Democrats have provided a package for students that is fair, promotes access and delivers on offers made at the general and Scottish Parliament elections.

The hon. Member for Runnymede and Weybridge must understand that it is the electoral system that is not fair. A party can get elected on a minority vote and implement a policy that was not included in its manifesto, which is what the Labour Government did in 1997. Students must rely on policies promulgated by that minority Government, and suffer the imposition of tuition fees, which have curtailed access and damaged student welfare.

Mr. Hammond: Does it not trouble the hon. Gentleman even a little that a student from Northern Ireland who attends a Scottish university will pay full tuition fees, but his close relative, who lives a couple of miles across the border in the Republic of Ireland, will pay none?

Dr. Harris: No, that is the nature of diversity in the European Union. The hon. Gentleman should be troubled that students from England do not benefit from the enlightened policy that the Scottish Executive coalition has agreed. Under the policy that the Westminster Labour Government have introduced, students from England, Wales and Northern Ireland who study at Scottish universities will pay exactly the same fees as before.

The hon. Gentleman is arguing that those disparities are unfair. However, the root cause of that unfairness was not the democratic decision of the majority of Scottish people to vote for parties that supported the proposed abolition of fees by the Scottish Executive, but the electoral system in the rest of the United Kingdom that cannot deliver changes to policies that are rightly anathema to the majority of people. Labour Members will remember that the poll tax, with which we had to put up for far too long, was imposed by another minority Government who did not command majority support even within their own party. Tuition fees, which the Labour party imposed through a tightly whipped vote, were opposed by its own members in the House of Commons and the House of Lords.

The hon. Member for Runnymede and Weybridge made a fair point about the anomaly of fourth-year tuition fees for UK students of Scottish universities who are not resident in Scotland. That decision, which was taken by Parliament before devolution, discriminates against some of our own constituents, and the hon. Gentleman will know that Liberal Democrats led the rebellion in the House of Lords against it. Now that devolution has given Scottish people their say, we must recognise that circumstances are very different.

Mr. Boswell: To some extent, the hon. Gentleman may have just anticipated my question, but will he explain the difference between discrimination in respect of fourth-year fees for English students in Scotland and discrimination in respect of recent Scottish Parliament proposals on the repayment of fees and charging tuition fees? As a lay person, both would seem to me to constitute discrimination, yet the hon. Gentleman finds one form acceptable.

Dr. Harris: What the hon. Gentleman calls discrimination is a diversity of policies that have been voted for not only by an outright majority of voters in Scotland, but by a majority of Members of the Scottish Parliament, who were democratically, fairly and proportionately elected, when they voted for the Scottish Executive's proposals following the Cubie report. That is different from the situation in Westminster. The intervention of democracy in political decisions may be of little or no consequence to the hon. Gentleman, but I assure him that, according to my postbag, and, indeed, the postbags of my colleagues north of the border, the electorate applaud the way in which democracy can—sometimes inconveniently for the Conservatives—intervene in decision making.

Mr. Hammond: Will the hon. Gentleman confirm that it would be right for the electorate at the next general election to regard any non-negotiable manifesto pledges that the Liberal Democrats make as negotiable in the event of their seeking to form a coalition with the Labour party?

Dr. Harris: Our position was clear: at the Scottish parliamentary election, we stood on a platform of abolishing tuition fees. Labour party policy in Scotland and in the UK was to maintain such fees. Tuition fees are to be abolished in Scotland; even Labour members of the Scottish Executive say that tuition fees have been abolished. Andrew Cubie says clearly in his report—most of which, particularly on the abolition of up-front tuition fees, has been accepted by the Scottish Executive—that tuition fees are seen to be discredited. The Executive's proposals will abolish them. Therefore,

it is a figment of the hon. Gentleman's imagination to suggest that our pledge to abolish tuition fees has not been carried out in Scotland.

Mr. Hammond: It is not only my imagination. The hon. Gentleman may have seen the article in *The Independent* on 25 January, which quoted a Liberal Democrat Back Bencher in the Scottish Parliament as saying:

"We have not got everything we were looking for but it is enough to prevent us losing face in front of the people who voted us in."

Is that not a cynical approach to democratic politics?

Dr. Harris: Absolutely not. If we had had everything that we wanted, we would have expected to be a majority in the coalition. That is how coalitions work. The hon. Gentleman is experienced enough to know that in local politics Conservative parties are engaged in joint administration with the Labour party—and with the Liberal Democrats, where we can bear it. He will find that, under a negotiated settlement, not every Conservative policy for those areas is, thank goodness, implemented. The same applies in any coalition agreement.

If the hon. Gentleman is against coalitions at all costs, even though a first-past-the-post election can deliver no party a majority—as happened for much of the time under previous Conservative Governments—that is a major new policy statement from the Conservative party. It implies that it will always want instability and minority rule in an attempt to get every part of its policy through.

We realised that we would not be able to achieve all our proposals unless we were elected in a majority, but in Scotland we said that the abolition of tuition fees was our No. 1 aim in this area.

Mr. Hammond: I thank the hon. Gentleman for giving way one more time. Does he recognise that to set out in a manifesto certain areas of policy as non-negotiable would precisely define for the electorate the areas that would not be vulnerable to compromise in the event of coalition negotiations?

Dr. Harris: The hon. Gentleman is providing me with no problems. If he looks at the manifesto, he will see a list of significant proposals for education, many of which have been carried out, including the doubling of hardship grants and more help for mature students and those in further education. We said clearly in the election campaign that our fundamental objective was to get rid of tuition fees. We have achieved that even by the admission of the independent chairman of the Cubie inquiry and the Labour Members of the Scottish Executive who have courageously performed a U-turn on their policy.

Valerie Davey: Although I accept the hon. Gentleman's tortuous argument, does he agree that the endowment fee is a fee by any other name?

Dr. Harris: I do not believe that the graduation contribution is such a fee: it is not up front and many students are exempt from it. I am happy to defend it, even though I do not have to do so, because it is not Liberal Democrat policy in this Parliament. The hon. Lady must understand that the funds raised by the graduate contribution will be payable only on graduation rather than up front.

Students who drop out—sadly, many do—will not be worse off. The total debt will be less than currently, and the repayment will be at the same level as current loans, and, in most cases, at a lower level. Those funds will be used to provide much needed maintenance bursaries for less advantaged students entering higher education. On that basis, it is a sensible and ingenious approach, which the Liberal Democrats in Scotland have little problem defending.

The hon. Member for Runnymede and Weybridge cannot have it both ways. He cannot claim, as he did, that the Labour party in Scotland has made a U-turn on keeping tuition fees, while claiming that the Liberal Democrats in Scotland have made a U-turn on abolishing tuition fees. That is not worthy of the hon. Gentleman's ability. I know, from previous encounters, that he has a precise mind, and he will recognise the inconsistency of his argument.

The Labour party recognised correctly that it was important to increase access in the UK, especially for the least well-off students. However, its proposals to do so were crazy. Those policies included introducing fees, abolishing the grant, continuing to deny poor students access to benefits, introducing means testing and continuing parental contributions, which resulted in many students assessing that they would have to drop out. That has had an impact on access, as shown by the figures, especially for the first year after the introduction of tuition fees for mature students. That was especially sad because the Government commissioned research on whether mature students would be deterred by the imposition of tuition fees. That research found that they would be deterred, although the Government's objective was to improve access for less well-off people and encourage lifelong learning. The Government initially refused to publish the research, and it took many months before it was dragged out of them and placed in the Library.

The Government's policies have damaged access and increased student poverty—as shown by high drop-out-rates, whether because of parental contributions not being received or higher and higher debt. Students who cannot access sufficient, or any, hardship funds, are forced to drop out. Indeed, some students have to work to support themselves through university, and may fail their exams as a result.

Despite policies designed to raise money for higher education, even at the expense of damaging access, increasing student poverty and promulgating student drop-out, the unit of funding in higher education has dropped under this Government. It is projected to continue to drop, even with the continuation of tuition fees. For all those reasons, voters in Scotland decided that they wanted no more of such a policy. On mature reflection, Labour Members of the Scottish Executive recognised that that policy could not continue.

Mr. Rammell: The hon. Gentleman is delivering a critique with which I do not agree. He called for substantial public funding increases to abolish tuition

[Mr. Rammell]

fees and restore the student grant. Unless he says where that money would come from, his argument is less than coherent, and less than credible. Given that the extra penny for education has already been spent many times over in other areas of Liberal Democrat manifesto policies, will he explain clearly where that money will come from?

Dr. Harris: The hon. Gentleman knows that that is not our policy. He creates a false scenario and challenges me to fund it. Our policy at the previous election was clear and costed—we did not propose the reintroduction of grants. Our policy was to treat those aged 18 as independent. We argued that it was wrong for students to be means-tested on parental income. Failure of parents to make contributions is one of the leading causes of student drop-out and the high drop-out rate.

Our manifesto did not have to say how we would fund the introduction of grants, because that was not a commitment. I recommended that the hon. Gentleman read that manifesto and our costing supplement—we were the only political party to provide one—which explains how we would use the income that would be raised from an extra penny in the pound on education. We estimated that about £2 billion would be raised, and our policy did not involve the introduction of tuition fees. The Government's introduction of tuition fees meant that the money that we would have raised by adding an extra penny on income tax—we called for that in Budget debates—could have been used to offset tuition fee costs. The hon. Gentleman should study our costings, which are available in the Library, and which show how we would fund the abolition of tuition fees.

The hon. Member for Runnymede and Weybridge, who initiated this debate, is a Conservative Member, and I want to discuss the Conservative party's record. Its policy at the previous election was to wait for the Dearing report. In his charming but rather disingenuous way, the hon. Gentleman said that his party's policy at the previous election was back to Dearing—but Dearing had not reported at that date. There was a conspiracy between the then Government and Opposition to ensure that the Dearing report appeared only after the general election. That allowed the then Government to avoid having to explain how they proposed to introduce tuition fees, which was Conservative party policy.

We learned what Conservative party policy was only when the Dearing report came out. However, *Hansard* makes it clear that Conservative policy was all over the place. The line that was adopted from the Back Benches by the right hon. Member for Charnwood (Mr. Dorrell), who is a former Minister, was completely different from that adopted by his colleagues on the Front Bench. The Conservative party's national policy was to retain tuition fees, but the Scottish Tories proposed their abolition, at a cost of £37 million. To be fair, the Scottish Tories explained how they would raise the money: they would use not a fair means of taxation, by which people would contribute according to their ability to pay, but an approach that involved recouping the money from poorer students by doubling the interest rate on loans to commercial levels. That may be the most regressive policy that has ever been dreamed up. It takes a particular species of beleaguered creature—the Scottish Tory—to come up with such a regressive approach.

Mr. Boswell: To make the point in the round, the hon. Gentleman should mention that my Scottish colleagues also proposed making Saltire scholarships available to meet the needs of students in Scotland.

Dr. Harris: The proposals of Scottish Conservatives have become lost in the mists of time. The hon. Gentleman, who I hope will speak presently, should explain the confusion. Is he happy for Scottish Conservatives to campaign for a policy that would introduce diversity—the hon. Member for Runnymede and Weybridge may call it discrimination—into the United Kingdom and for Conservatives in the rest of the country to campaign for a different policy? The hon. Member for Runnymede and Weybridge has not established that democratically approved diversity is undesirable.

Thanks to the intervention of Liberal Democrats, the Scottish Executive proposed a scheme that will have huge benefits, as the Scottish people recognise. A speech by a Member of the Scottish Parliament, George Lyon, made it clear that mature students will no longer have to pay tuition fees. They will benefit from additional free support worth £10 million, which will be worth an average of £2,000 or more to many students. Those students will be exempted from the graduate contribution—I hope that that reassures the hon. Member for Bristol, West (Valerie Davey)—and they will retain their entitlement to full loan support. That means that students will receive extra cash to the value of £2,000 and that they will not incur a penny extra in debt.

Students with a family income of less than £10,000, whom we need to encourage to enter into higher education both north and south of the border, will not have to pay tuition fees. They will benefit from £8,000 in free maintenance grants and they will receive in cash £2,000 more to live on than they would have received under the current loan scheme. Their debts when they graduate will be £4,000 lower.

I could continue to preach the virtues of the proposals—

Mr. Hammond: As the hon. Gentleman is preaching the virtues of those proposals, is he urging his friends in the Labour party to implement such proposals not only in Scotland but in England, Wales and Northern Ireland?

Dr. Harris: That is a reasonable point. The Liberal Democrats will look at that policy at a federal level. We have a democratic way of making policy, and it is not for me to change our party's democratically agreed policy on the strength of a seductive intervention.

There are clearly enormous benefits to be gained from the Scottish Executive's proposals. At the next election, we may well change our policy from the good one that we now espouse to the one proposed in Scotland. The Conservatives will have to address that issue. Indeed, the Labour Government will also have to decide whether they can go into the next election continuing to

propose an unfair tuition fee system that damages access, creates student poverty and does not provide the expansion of funding on a per-student basis that is much needed in this country.

11 am

Mr. Tim Boswell (Daventry): This has been an interesting debate and I congratulate my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) on introducing it with characteristic clarity, elegance and moderation.

It is right to draw attention to the disparities in student support throughout the United Kingdom. I found the two intervening contributions highly revealing—and I have a soft spot for both contributors. The hon. Member for Harlow (Mr. Rammell) resembles a stock medium-pace bowler who flings a few balls down the wicket in the hope that, somehow, an incautious batsman will get an edge. The hon. Member for Oxford, West and Abingdon (Dr. Harris) reminds me of an extremely slow left-arm bowler, who, by guile and confusion, seeks to winkle the batsmen out.

To stay with the metaphor of the game, both hon. Gentlemen are batting on a sticky wicket in trying to defend the indefensible—as, I suspect, will be the Minister, when he replies to the debate. Although one might promulgate a degree of partnership, or even consensus, in politics—towards which purpose this Chamber is to some extent directed—it is unacceptable to defend the indefensible under these slogans. The hon. Gentlemen have sought to do so today.

The simple approach to these matters is the biblical one. Despite all the tergiversations and excuses, the system is unsatisfactory. By their fruits ye shall know them. This is not right. In raising these matters, we should not stray beyond our narrow remit into debating the principle—or refighting the battle—of devolution, let alone, according to the wilder assertions of the hon. Member for Harlow, the principle of our membership of the European Union, to which I, and, more significantly, the Leader of the Opposition, are firmly committed.

We are concerned here with the little local difficulties experienced by Labour and the Liberal Democrats in Scotland, where both parties have had to reinterpret election pledges in a way that no reasonable voter could have anticipated from their manifestos. Also at issue is the interaction with European law that has created and added to those anomalies. In practice, the result is a shambles across the United Kingdom. That shambles was defended by Scotland's First Minister, the right hon. Member for Glasgow, Anniesland (Mr. Dewar), on the "Today" programme on 4 February. He described the proposals as

"An imaginative, a brave and a very Scottish solution."

I accept one of those observations. It is a Scottish solution for a Scottish problem.

I also note that—in a parody of the self-restraint that we have sometimes wished on Scottish Members, post-devolution—no Scottish member of either the Labour party or the Liberal Democrats has attended this short debate to justify or explain the decisions of the Scottish Parliament. That has been left to English Members. It is a Scottish solution, but is it imaginative and brave, as the First Minister said? If so, I should like to see what he would consider a cynical and timid compromise, which is what I believe it to be. Let us not be mealy-mouthed about it. When discussing whether tuition fees and graduate contributions are the same thing, I am reminded of nothing more than the children's joke, which asks, "When is a door not a door?" The answer, of course, is, "When it is ajar." The answer to the question, "When is a graduate contribution not a tuition fee?" is "When it is deferred for long enough to provide a tissue of excuses for not so describing it." A graduate contribution is effectively a tuition fee, even if it is deferred—assuming that it is practical to collect it.

Our criticism of this hotch-potch is threefold. Unusually—and, remembering how the French tend to put their arguments, in the spirit of the auld alliance—I shall move from the general, and the remarks of my hon. Friend the Member for Runnymede and Weybridge on education, to my particular worries. I start with what I believe to be the greatest real-world problem, which is the threat that those ramshackle arrangements pose to the integrity of the British higher education system.

I shall not be precise about dates, but when the Minister for School Standards and I graduated, there was a simple, integrated system with a common support mechanism, although it was delivered in rather different administrative ways. For example, the Scots centralised the payment of student maintenance, perhaps sensibly so, long before the English considered doing so. When I graduated, universities throughout the United Kingdom were expanding. Friends of mine became lecturers in various universities in the UK, irrespective of the nation; one went to Coleraine in Northern Ireland and is still there, and others went to Scotland. Until his recent retirement, a cousin of mine, who is a Scot, worked for the whole of that time at Glasgow university, but he has always considered it to be part of a United Kingdom system.

Valerie Davey: The hon. Gentleman waxes eloquent about the past perfect, but before he continues, he should recognise the vast discrepancies that existed when he and I and other hon. Members were at university, which depended on whether one went to Oxbridge or Keele, or took a four-year course in Scotland. Few of us had any concept of being part of a European system of higher education. However, we are now part of Europe, and there is a mix and match of youngsters going between European and UK universities.

Unfortunately, in the earlier part of the debate, we did not develop the analogy of the inadequacies of provision for post-16 students with the better provision that is now being made in Scotland and England for 16-year-olds. The concept of being part of further and higher education—

Mr. Deputy Speaker: Order. This is a very long intervention. I had sought to call the hon. Lady to speak, but it appears that she is making a speech and not seeking to intervene. Would the hon. Lady bring her intervention quickly to an end?

Valerie Davey: I apologise, Mr. Deputy Speaker. I simply challenge the hon. Gentleman's concept that we do not have a better, more integrated system in Europe than we had then.

Mr. Boswell: I have some sympathy with the hon. Lady's comments. It was a Conservative Government

[Mr. Boswell]

who dramatically expanded student numbers. It was also a Conservative Minister—myself—who negotiated the last Erasmus programme, which hugely expanded British participation in European higher education. I was about to make that point, but first, to avoid doubt and to save time after that intervention, I may refer, as if in shorthand, to English students. It may be assumed that I include Welsh students—my wife is Welsh—and Northern Ireland students, to whom my hon. Friend the Member for Runnymede and Weybridge has referred. The anomalies lie between England, Wales and Northern Ireland on one hand and Scotland on the other.

Although I would not claim that the situation in the 1960s was ideal—we have evolved since then—the integrity of the system is now under real threat. Moving into a European structure under the umbrella of European law—the Gravier judgment bears particularly on those issues—we find, as a matter of course, that our student children now want to go to Europe. It is odd that they find themselves discriminated against not when they move from England to Belgium, for example, but when they move from England to Scotland. That is a retrograde step and it has wider implications, because if we create barriers to the natural movement across the border into Scotland, there will be repercussions for academics, courses and the integrity of the British higher education system.

There are concerns, on which I shall not expand now, about research selectivity, which has a different principle and rigour in Scotland. That may damage the Scottish research universities. All that is gradually prising apart what has always been an integrated system. There is nothing wrong with an English student wishing to study Gaelic, for example; he or she would have to go to Inverness or to Glasgow to do that. I looked at the UCAS website the other day and saw what subjects were available, from A to Z: there is authoring, or communication, authoring and design, at Coventry university and, under "zone", coastal zone and marine environment studies at the university of Glamorgan. A Scottish student wishing to study those subjects has to face a new hurdle. There is differentiation between English and Scottish students in Scotland and a whole raft of subordinate discriminations. However it may be justified, such discrimination is sheer injustice.

Such discimination is not all one way: some of the rules under the modified version of Cubie that has been adoped in Scotland require repayment at £10,000 a year of income, which is more rigorous than the British system. The Minister's announcement on hardship funds in England, which has not yet been fully analysed, may well mean that some individual English students do better than their Scottish equivalents. However, there is substantive discrimination against English students going to Scotland. There is also discrimination against Scottish students moving to England, paid for out of their block grant. European students are discriminated against according to whether they go to England or Scotland and European students in Scotland may well benefit from the fact that the tuition fees—now renamed graduate contribution—cannot be collected from them if they move outside the jurisdiction.

There is therefore an overall threat to the British higher education system, which has successfully functioned as a whole for many years. The anomalies, which cannot be justified under any terms, are a threat to the decisions and the welfare of individual students.

Finally, there is the threat of legal challenge. The Mininster and his officials will know that the Department for Education and Employment has in certain respects taken the lead in the matter of judicial review. A senior legal adviser there, who has now moved elsewhere, wrote an admirable book, "The Judge Over Your Shoulder", to which all senior officials and Ministers should have regular recourse. I am not a lawyer but, partly fired by that document, I take an interest in those matters. So, clearly, do the Government because the original intention of the Scottish Executive was to rebate the fees for all Scots, wherever they were studying, including the 6,000 Scots studying at English, Welsh or Northern Irish universities. However, the Commission's legal services put a spanner in the works by pointing out that that would discriminate against European students studying in England, of whom there are perhaps 90,000, and that the privilege would have to be extended, under the best treatment or the no-detriment rule, to all those students. So the Government backed down and produced their compromise, which is more favourable to Scottish students in Scotland than in England, even if they cannot find in Scotland the courses that they want to study. Having tacked in that direction, perhaps the Government will succeed in avoiding European Union law, although my colleague from the east midlands, Mr. Chris Heaton-Harris, a Member of the European Parliament, is in active communication with Commissioner Reding as to whether the discrimination is acceptable.

The only way in which EU law can be avoided is by a solution that the European Commission's legal spokesman described as being

"discrimination internal to a member state".

That would concede the point that such a solution would be discriminatory. If it is, I suggest that Ministers ought to consider the fact that they have signed up to the European convention on human rights. It already has force in Scotland and will shortly do so throughout the rest of the United Kingdom, so Ministers should consider long and hard whether their obligations under it are being adequately discharged through such ramshackle arrangements.

As my hon. Friend the Member for Runnymede and Weybridge said, the plain fact is that the solution is wrong and will be seen as wrong by students and universities throughout the United Kingdom. I predict that the matter will end in tears.

11.16 am

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): We have had a useful debate, and I thank the hon. Member for Runnymede and Weybridge (Mr. Hammond) for choosing the subject. I also thank the hon. Members for Oxford, West and Abingdon (Dr. Harris) and for Daventry (Mr. Boswell), who made use contributions, as did my hon. Friends the Members for Harlow (Mr. Rammell) and for Bristol, West (Valerie Davey).

The hon. Member for Runnymede and Weybridge used an extravagant vocabulary in his introduction. I make no complaint about that. It is early in the

parliamentary day, but his speech included the words "grotesque", "fellow travellers", "arrogance", "panicked" and "back-room deals", and made much mention of second-class citizens. I hope that he will excuse me if I approach the issue in a calmer manner. In part, the debate has been about the public policy implications, as illustrated by the important case of higher education, that result from our United Kingdom's devolution and changing nature.

While listening to the hon. Gentleman, I could not quite remember whether his party had done a U-turn on the issue of the Scottish Parliament and Scottish devolution. I think that I am right in saying that the Conservative party now accepts the logic of a Scottish Parliament. If it does, it must recognise that, on some important matters, devolution can lead to diversity and differentiation. To judge from the hon. Gentleman's contribution, the Conservative party is clearly having problems with that.

I have checked my sources to confirm that the U-turn on devolution took place. The hon. Gentleman might find it useful if I quote from the Scottish Conservative party's schools pack, which seeks to explain the party's position on devolution. It states:

"The Scottish Conservative and Unionist Party has had to travel a difficult constitutional road in the course of the last year. We have had to evolve our policy of staunch opposition to the creation of a devolved Scottish Parliament in both last year's General Election and the devolution referendum, to being one of persuaders for the Union through the medium of the Scottish Parliament.

We now wish to see the Scottish Parliament succeed and we shall be working constructively in a wide range of ways to ensure that it does."

Rather tellingly, it concludes:

"To an uninformed observer, these standpoints may seem to be logically inconsistent and incompatible. That is an entirely understandable reaction."

In travelling the road, the hon. Gentleman is taking only his first steps. He clearly does not accept the logic of devolution and the Scottish Parliament: from time to time, it will lead to differences between our two systems, which we must accept.

Mr. Hammond: The key phrase that the Minister quoted was "persuaders for the Union" in the new settlement. We accept the new settlement, but does he accept that there is tension in the Government between the desire for matters to be settled locally, for reasons of democratic accountability, and the desire to impose national standards? In England, the Government have increasingly tried to tackle the problem by ring-fencing grants to local authorities and controlling what local authorities can do. They do not have that power over Scotland simply because they do not control the Scottish Executive.

Mr. Wicks: The balance to be struck between national policies and strategies and local diversities is a feature of democratic politics, which we are now witnessing on a grander constitutional scale in the United Kingdom. However, as my hon. Friend the Member for Harlow pointed out, there have always been evident differences between the Scottish university system and the English and Welsh system. Indeed, even before higher education, England and Wales have A-levels, while Scotland has highers. The four-year degree is more a feature of the Scottish system than of the English and Welsh system. We must accept diversity.

Mr. Boswell: Does the Minister agree that the record of their evolution shows that the British education system and student support were designed to minimise such differences for the student and to enable students easily to move around the system, rather than creating barriers to such movement, which is the substance of our anxiety?

Mr. Wicks: The hon. Gentleman, like his party, is in difficulty: he cannot say that he supports a Scottish Parliament but he always become angry when it proposes a different system from that of England and Wales. If no differences were involved, a Scottish Parliament would not have been necessary. As one of my hon. Friends pointed out, the system also gives British students the right to study in universities elsewhere in Europe and to benefit from national arrangements in other countries. Students' rights in Europe consitute one of the exciting aspects of education in the 21st century.

We had to tackle the system that we inherited. The hon. Member for Daventry did not mention the fact that, between 1989 and 1997, unit—or per student—funding for higher education decreased significantly, by 36 per cent. In expanding higher education, we shall not take the cheap option of allowing standards to decline. We want quantity and quality to march hand in hand. Under the previous Administration, quality declined.

We had to tackle the student funding system because, inevitably, at the moment, it tends to be people from higher socio-economic groups who benefit from higher education. Under the old system, which did not involve tuition fees, we essentially asked most of the population, who had not benefited from university education—including some rather poor employees—to pay for the tuition fees of the minority. It was time to introduce some fairness into the system, and that is what we are doing.

As we all know, people who gain a degree are, on average, financially far better off than those who do not. By their early thirties, graduates earn about 20 per cent. more than people with A-levels, and far more than people with even fewer qualifications. It is not unreasonable to ask that group to make a contribution—only a small proportion—to the cost of their teaching at university. We introduced the loans system to enable people to maintain themselves. It is a fair system, given the funding implications for students, parents and universities.

I should emphasise that, because of the nature of the income test, those from low-income backgrounds do not have to pay tuition fees. By 2001-02, about 50 per cent. of students will not have to pay fees and only 30 per cent. will pay the full contributions. It is important to highlight that repayments will start only when salaries reach about £10,000 a year. Below that threshold, no repayments are required. For example, someone on an income of £12,000 will pay back £180 in one year. That is fair, and it will become a major way in which to fund the university sector. Indeed, income from student contributions to tuition fees alone will reach £460 million a year in 2001-02.

Mr. Hammond: The Minister's argument is interesting, but does he believe that it is right that, with all the new opportunities to which he refers, a student from England, Wales or Northern Ireland can go to any other country in the European Union, except Scotland, and be treated in the same way as a resident of that country, but if he goes to Scotland, he will be discriminated against?

Mr. Wicks: The hon. Gentleman is struggling to understand the logic of devolution and of enabling the people of Scotland to elect their own Parliament and have their own Scottish Government. In Scotland, such choices are made and, inevitably, there will be differences and diversities. If he has not understood the logic of his own party's U-turn on devolution, he should discuss it with the Leader of the Opposition.

There is evidence that student numbers are holding up well; they are increasing. Concern has been expresed about the decline in the number of mature students entering the system. That may have something to do with the buoyant labour market, but we are encouraged by the fact that the number of part-time students is increasing.

We have a new student support package, designed mainly to help mature students, many of whom, we recognised, were in difficulty. We have listened to them. Some are lone parents and have particular problems with child care. That is one of the reasons why we are introducing at some cost a new bursary of £1,000 a year for mature students, dependent on income. We are also doing more to help with child care costs and to assist mature students who have children with the costs of school meals. We are also trying to ease access.

We asked Sir George Quigley to look into four-year fees for students, in accordance with the Teaching and Higher Education Act 1998. Sir George has delayed his report to take account of the Scottish Executive's response to Cubie, but his findings will be with us by April. The system that we have arrived at for England and Wales is right. Where it needs modification, we will listen—hence our package for mature students and for students from poorer areas. If we are to expand the university system, it must be fair to students, taxpayers and parents, as it is to universities.

Hundreds of millions of pounds are now coming in under the system. By 2001–02, income from tuition fees and loan payments will total £710 million. Are Opposition Members really saying that we should find from other resources the hundreds of millions of pounds that it will cost to move towards the Scottish system? Would it be raised by cutting nursery education or funding for the national health service or primary schools? I am not sure whether the Conservatives are making a pledge. If we are serious about the quality of higher education, we must be rigorous about the funding element. We believe that the student support system is fair and efficient: student numbers are increasing, the number of our young people going to university is increasing and quality standards are being maintained. Opposition Members must understand the logic of devolution.

Mr. Deputy Speaker: Order. We must now move to the next debate.

Iraq

11.30 am

Mr. Tam Dalyell (Linlithgow): In December 1998, when I went to Baghdad with the former Taoiseach, Albert Reynolds, who is really the father of the peace process in Northern Ireland and a deeply serious man, we were invited by Tariq Aziz to his house for supper. I think that we were the first people to be invited to his home since the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) all those years ago. One of the things he said to us was, "You may think that Saddam Hussein, the revolutionary council and I are extremists. This is a general view in the west. If sanctions go on and there is continued military action, we will be succeeded by people who are far more extreme than us." I have to say that I believed him. There is a real crisis.

I know that there are those in the Foreign Office who suspect that I am sympathetic to the Iraqi regime, but on the contrary, it is a very brutal regime. So are others. The middle east is a very brutal place and others are now beginning to take the same view. Toby Dodge, writing with the authority of Chatham house, said:

"The rapid and externally driven decline in living standards and social structures since 1991 could produce an alternative scenario—the rise of militant nationalism. The widespread state inspired credo of Arab nationalism has historically found support amongst a population convinced that their country is unjustly treated by the West and wider international society."

One has to go to Iraq to understand the intense feeling. They ask why this is being done to those who were the west's shields during the Iran-Iraq war. Dodge goes on:

"The present situation heightens such perceptions. There has also been a dangerous polarisation of society between those reduced to poverty and those elevated to the ranks of the super rich. Sanctions, whilst impoverishing the majority, have helped create a small group of nouveau riche profiteers associated with the inner circle of the ruling elite. Their wealth is a conspicuous target for resentment."

From observation, I do not believe that that applies to all the ruling elite. Dodge continues:

"These two factors may coalesce in demands for a militant, active nationalism focused on re-establishing Iraq as a regional power. The potency of such a movement—comparable in some ways to post Soviet Russia or Weimar Germany—would be enhanced by fondly re-imagined memories of when Iraq was strong and could take care of its population."

Incidentally, in the 1970s Baghdad got a prize for being the cleanest city in the middle east. Dodge goes on:

"If this took hold, a populous government in Baghdad would find it relatively easy to mobilise a population already angry and alienated from the international community. The widespread dislike of the post Gulf War border settlement with Kuwait could serve as a potent rallying call with which to reassert power within the region."

The Chatham house paper goes on:

"Just what will emerge from a post Saddam or post sanctions era is a crucial issue of geostrategic significance that goes far beyond the Gulf and the wider Middle East. Since 1991, United States and British policy has been focused on the more immediate goal of removing, or at least containing, Saddam Hussein. But after ten years of coercive diplomacy, the regime in Baghdad appears to be as strong or indeed stronger than at any time.

Pre-occupied with more pressing issues, policy makers in the five permanent United Nations Security Council member states appear to have paid scant attention to the very problem of what type of Iraqi state and society will emerge in the medium to long term. The post 1991 stalemate has enforced dramatic and widespread suffering on the population through no fault of its own. Inside Iraq, if not elsewhere, the blame for this has been placed on the governments of the United States and Britain.

The danger that seems to have escaped serious consideration among western policymakers is that of an angry population, mobilised by ten years of suffering, venting its ire either on the institutions of the Iraqi state itself and attempting to destroy it, or turning its frustration onto the external forces the regime has blamed for their dire situation. Either way, on the anniversary of the beginning of the Gulf war, surely it is time to think about the possible future of Iraq, for the sake of the Iraqi population, the stability of the wider Gulf and the West's relations with the Middle East."

That is exactly the situation that Albert Reynolds and I saw in 1998, even more clearly than when I went in 1994 with John Smith's retrospective approval.

I talked over the weekend by phone, when preparing this debate, to the former UN co-ordinator, Dennis Halliday, in Ireland. He talks now about "intellectual genocide".

Halliday is a heavyweight. He was not even seen by Foreign Office Ministers when he was here, though he went to the Prime Minister, President and Foreign Minister of France. I gather that it is also the considered view of Hans von Sponeck, who is being rubbished. I was very impressed by von Sponeck. His evidence to the Select Committee has still not been published, heaven knows why. These are very serious people, who have the gravest of doubts.

Perhaps the most recent visitor was the journalist Felicity Arbuthnot, who I know is not popular in the Foreign Office. She was in Edinburgh on Saturday at the Quakers. She talks about the devastation that she sees, of the pre-industrial age, of women too malnourished to breast feed—chronically malnourished. The calorific value in whole areas of Iraq is now lower than in Mali. One third of the children are suffering. When asked whether it was worth the death of 500,000 children—those are the UN figures—to get rid of Saddam Hussein, Madeleine Albright replied yes. If I may say so without being personal, those are simply not the values that my hon. Friend the Minister of State had for so many years of his active political life.

The radiation in Basra is 10 times higher than it should be. We went to the presentation by Doug Rokke, whose views are known to the Foreign Office. He was a medic in Vietnam, and is a patriotic American from the southern states. However, one can see in his person the effects of depleted uranium. He is a leading expert on the matter. His reaction in Basra was simply, "Oh my God."

Felicity Arbuthnot, who recently returned, describes a society that is breaking down. People are selling all their possessions—even their marriage presents. There is no work for all the talented engineers. The trauma caused by the bombing is felt every single day. Iraqi children are the most traumatised on earth. Those should not be the effects of a Labour Government's policy. What is the point of bombing flocks of sheep? All we succeeded in doing was letting loose rockets and killing a few shepherd boys. What is the long-term object of it all?

The article by Robert Corzine in yesterday's *Financial Times* states:

"UN officials say Iraq has received less than $300m (£180m) in oilfield equipment out of a theoretical $1.5bn".

[Mr. Tam Dalyell]

How can they achieve anything without the supply of what is necessary for the oilfields?

Finally, I want to touch on what is possibly the most serious question of all—the water in the dam. I received two separate briefings: one from Balfour Beatty—a firm with which I have had good relations in the past in constituency matters—and the other from those who predict up to a 45 per cent. reduction in the flow of the Tigris over three years. When I was in Baghdad, I was told that the Tigris was lower than it had ever been in recorded history, and in 1994 I saw that the Euphrates had become little more than a trickle. Balfour Beatty argues that the dams are just for hydro-electricity, and that the flow will be unaffected, but I am not sure. I do know, however, that a proposal exists for another dam at Cizre, in the south. That could take off a great deal of water, which, apparently, is to be used for irrigation.

There are real problems, and many people will be extremely interested in the Government's comments.

11.43 am

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): I am grateful to my hon. Friend the Member for Linlithgow (Mr. Dalyell) for the opportunity to debate the important subject of Iraq. He has taken an expert and informed interest in Iraq over a number of years, and I have never questioned the integrity of his views or his genuine humanitarian concerns about the plight of the Iraqi people. I share those concerns.

First, we should remind ourselves why the United Nations Security Council imposed sanctions on Iraq in the first place. They were imposed following Iraq's brutal and unprovoked invasion of Kuwait in 1990. At the end of the Gulf war, in 1991, Iraq accepted the terms of United Nations Security Council resolution 687—the so-called ceasefire resolution. That resolution, and others implementing it, imposed a series of obligations on Iraq, including accepting the destruction of its weapons of mass destruction under international supervision, submitting full details of locations, amounts and types of weaponry, undertaking not to use, develop, construct or acquire weapons of mass destruction in the future, and co-operating with UNSCOM in carrying out those obligations.

Resolution 687 also set out the circumstances in which the Security Council would lift the sanctions imposed on Iraq. The resolution provides that sanctions will be lifted following compliance by Iraq with its weapons of mass destruction obligations, and following a review by the Security Council of Iraq's policies and practices, including its implementation of all relevant resolutions. By persistently avoiding compliance with its undertakings under resolution 687, Iraq, not the international community, has prolonged the sanctions regime—which was originally envisaged as lasting for only a period of months—for over nine years. Iraq is responsible for the fact that the sanctions are still in place.

I shall give some examples of Iraq's poor record on compliance. More than 600 Kuwaitis detained by Iraq during the Gulf war are still completely unaccounted for. That represents about 0.1 per cent. of the Kuwaiti population, which would be the equivalent of 50,000 British citizens. Eighty-seven per cent. of the Kuwaiti missing are civilians, some of whom are elderly. To date, Iraq has provided sufficient information to close just three of those 600-plus cases. Meanwhile, the families of those who remain unaccounted for continue to live under a cloud of uncertainty over the fate of their loved ones.

On weapons of mass destruction, because of Iraq's persistent evasion, obstruction and mendacity, the obligations under resolution 687—which could have been completed within just a few months if Iraq had co-operated fully with the weapons inspectors—have still not been met. That is not just our judgment; it is the judgment of an independent United Nations panel which met last year. Until those obligations are met, Iraq will remain a threat to regional peace and stability.

Let us not forget that Saddam Hussein has used his weapons of mass destruction before, with devastating results. We remember in particular the Kurdish town of Halabja, where Saddam ordered the use of chemical weapons, including nerve agents, killing 4,000 to 5,000 civilians and injuring perhaps 10,000 more. Saddam also used chemical weapons against Iran during the Iran-Iraq war. We are not prepared to run the risk again that he will use those weapons.

Mr. Dalyell: This is part of the difficulty. When I went to Iran on holiday, I saw the war memorials, which are like our first world war memorials. Although the Iranian people suffered terribly during that war, the Iranian Government's official view—as expressed by the Foreign Affairs Minister when he visited this country—was that sanctions should be lifted, because they strengthen, rather than weaken, Saddam Hussein's regime. That is the view of people who have suffered from it.

Mr. Hain: What I find interesting about the deployment of that argument is that nobody—including my hon. Friend—has suggested an alternative policy to the lifting of sanctions.

Mr. Dalyell *rose—*

Mr. Hain: Perhaps I could just finish this point. We all share the concern about the humanitarian situation in Iraq. However, it is not right to blame sanctions for that suffering; nor would the situation necessarily improve if sanctions were lifted.

Mr. Dalyell: I suggest that as a first step the Foreign Office should talk to some of the former distinguished ambassadors, such as Sir Stephen Egerton, Sir John Moberly and Sir Harold Walker. There is a good case for starting to talk to the Iraqis.

Mr. Hain: I am happy to talk to former ambassadors; indeed, we talk to them and to others. The suffering of the Iraqi people is caused by the policies of Saddam Hussein's regime. The evidence is there for all to see, and I am surprised that my hon. Friend does not take account of that. The latest report by the Secretary-General on the implementation of the oil for food programme notes that a quarter of all medical goods delivered to Iraq since the programme began have not

been distributed. In the meantime, basic items such as antibiotics remain in short supply. That is the Iraqi regime's responsibility.

Iraq claims that the problem is caused by lack of vehicles, but thousands of vehicles have been authorised by the sanctions committee since the start of the oil for food programme. The real problem is the Iraqi regime's lack of commitment.

In February 1998, the United Nations Secretary-General recommended a daily food ration of 2,463 calories. Iraq responded not by accepting that, but by setting a lower ration of 2,200 calories and failing to order sufficient food to make up even that reduced level. The Secretary-General's latest report on the oil for food programme notes that Iraq is ordering insufficient quantities of pulses and dairy products and not including sufficient protein. At present, the average daily food ration is just 1,993 calories, which is significantly less than the ration that was set.

The Secretary-General also recommended targeted feeding programmes aimed at a population of just under 2 million. After considerable arm-twisting on the UN's part, Iraq allocated only $9 million—a fraction of the sum available—to those programmes. The Secretary-General called on Iraq to increase funding for targeted nutrition, so that children's nutritional status could be expeditiously improved.

Iraq's distribution plan for the oil for food programme allocates insufficient funds to key areas such as food and medicine, but allocates $10 million for the purchase of bank note counting machines. How will that assist humanitarian relief? The Secretary-General has refused to approve that allocation.

Iraq is also exporting humanitarian goods. We know that it has sold food to Syria and tried to sell food to Jordan. If it had any concern for the humanitarian plight of its people, it would not do so. Several vessels exporting goods from Iraq have been intercepted in the Gulf.

During the past few days, evidence has come to light that Iraq is exporting oil outside the oil for food programme. That oil could, and should, be exported within the programme, thereby attracting humanitarian relief. By exporting oil illegally, the regime is depriving the programme of revenue and the Iraqi people of humanitarian relief. The revenue goes straight into the pockets of Saddam Hussein and his cronies, and the Iraqi people see none of it.

Some argue that the oil for food programme is inadequate. It may not be perfect, but we firmly believe that, while sanctions remain in place, it is the best way in which to address the humanitarian needs of the people of Iraq. According to the Secretary-General's most recent report, the implemention of the oil for food programme is making a difference to the humanitarian situation in Iraq. It has delivered 12 million tonnes of food, and medical supplies worth more than $700 million, but, as Kofi Annan himself has noted the programme's potential impact is far greater. Unfortunately for the Iraqi people, it is not being realised because the regime appears indifferent to their suffering. It is no coincidence that the oil for food programme has had a substantially greater impact on the humanitarian situation in northern Iraq, where the regime is not involved in implementing the programme, than in Baghdad-controlled Iraq.

While, for its own propaganda purposes, the Iraqi regime allows the people of Iraq to suffer, the international community has sought to protect them from the effects of the embargo and the regime's cynical policies. Britain has consistently taken a lead in those efforts. Our most recent initiative was resolution 1284, a comprehensive resolution which was adopted after months of painstaking and intense negotiation. That was an excellent result and a remarkable achievement for British diplomacy. The resolution provides a new platform for the Security Council's dealings with Iraq on matters such as weapons of mass destruction, and humanitarian and Kuwaiti issues. The creation of UNMOVIC, a new disarmament body, represents a real opportunity for Iraq to make rapid progress on the remaining disarmament issues. That, in turn, would trigger the suspension of sanctions, for which my hon. Friend the Member for Linlithgow has consistently argued. If Iraq implements the resolution, the opportunity will exist for sanctions to be suspended.

The resolution also implements a range of humanitarian measures that provide for a bigger and better humanitarian programme—including the immediate abolition of the ceiling on the amount of oil that Iraq is permitted to export under the oil for food arrangements—and the speeding up of UN sanctions committee procedures.

Our priority is implementation. We welcome the appointment of Dr. Hans Blix as executive chairman of UNMOVIC. Work is well under way on the implementation of humanitarian provisions. We are very encouraged that all members of the council, including those who abstained in the vote on the resolution, voiced their commitment to its implementation. Meanwhile, Iraq's refusal to accept and implement the resolution yet again cynically denies the Iraqi people the prospect of relief from sanctions for which my hon. Friend the Member for Linlithgow so eloquently argues.

My hon. Friend also raised the question of the no-fly zones over Iraq. I would first like to record our gratitude for the invaluable role played by the RAF air crews who have risked their lives for eight years to protect Iraqi civilians from repression. The no-fly zones were established to protect innocent Iraqi civilians from persecution at the hands of the Iraqi air force. Although 1991 may seem a long time ago, it is still vivid in the minds of those Iraqi Kurds, Assyrians and Turkmen who fled their homes in fear as Iraqi helicopter gunships attacked their villages. That was not the first time that those villages had suffered. In the 1970s and 1980s, Iraqi forces destroyed more than 3,000 Kurdish villages. That is never referred to by the critics of our policy in the debate on sanctions.

On the question of the chemical weapons attack on Halabja, I recently met Professor Christine Gosden of Liverpool university. She has expert knowledge of the awful medical conditions suffered by the people of that town: infertility, miscarriages, congenital abnormalities, and cancers. They also suffer from respiratory problems caused by the inhalation of mustard gas. These dreadful illnesses continue to afflict people born in those areas even today.

Anyone who has seen the effects of such attacks on innocent civilians will want to ensure that such atrocities can never happen again. That is what our pilots do in the

[Mr. Hain]

no-fly zones over Iraq. They patrol the zones every week, as they have for the past nine years, to deter Iraqi air attacks on Iraqi civilians. That happens not only in the north. RAF aircraft have also patrolled in the south since the establishment of the southern no-fly zone in 1992, to limit the repression of the Shi'a Muslims.

My hon. Friend mentioned water issues. He will recall the devastation wreaked by Iraqi forces in the southern marshlands. They burned houses and fields, demolished homes with bulldozers and deliberately drained the marshes, destroying a vast regional wetland for ever.

Mr. Dalyell: I have made an unannounced visit to the marshlands at Querna, and I do not believe that having seen the area with my own eyes.

Mr. Hain: I am surprised by the hon. Gentleman's statement. As well as causing grave environmental damage by diverting water flows and burning large areas of reeds—[*Interruption.*]

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. If the hon. Member for Linlithgow wishes to intervene, he must do so in the proper way and not from a sedentary position.

Mr. Hain: As well as carrying out the damage that I have just mentioned, Iraqi forces did much to destroy the way of life of the marsh Arabs. The persecution continues today. In March last year, Iraqi firing squads summarily executed a number of alleged demonstrators from Basra, who had already been tortured while in detention. Afterwards, they were buried in a mass grave. Why is no attention focused on that?

We must not forget what happened in the years leading up to the creation of the no-fly zones, nor should we ignore the repression that continues on the ground. Security Council resolution 688 called on Iraq to end its repression. The zones were set up in support of that resolution. Since December 1998, Iraqi forces have maintained a sustained campaign to try to shoot down our aircraft, which are defending the rights of Iraqi citizens. Iraqi forces have shot at, or otherwise threatened, UK and US aircraft more than 630 times. Those threats are real, and our forces have responded in a proportionate manner, in self defence. That is their right under international law, and their safety must be paramount.

I must make it clear that we do not target civilian infrastructure. All defensive action is strictly limited to responses against Iraqi weapons and facilities that pose a threat to our forces. Our forces make every effort to minimise the risk to civilians when responding to threats. I urge hon. Members to treat Iraqi reports of civilian casualties with great caution. As my hon. Friend is aware, the Iraqis have, in the past accused us of killing civilians on days when we have not even been flying, and of damaging buildings later shown to be intact.

My hon. Friend also raised the question of the Ilisu dam. We have received representations from the Iraqi and Syrian Governments about that project. That is reflected in the four key concerns that were listed by my right hon. Friend the Secretary of State for Trade and Industry in his statement on 21 December. One such concern involves the need to ensure adequate downstream flows to neighbouring states. It is worth nothing in this regard that the construction in the 1980s of the Anatolian gap project on the Euphrates by Turkey has had no demonstrable effect on Syria's water supply. The Ilisu dam is a hydro-electric project, not an irrigation project, and there should therefore be no disruption to downstream flows along the Tigris. No decision has yet been taken about cover from the Export Credits Guarantee Department—

Mr. Deputy Speaker: Order. We must moye on to the next debate.

Moluccan Islands

12 noon

Rev. Martin Smyth (Belfast, South): I appreciate this opportunity to raise this issue. You will be aware, Mr. Deputy Speaker, that I have sought for some time to raise it in the House of Commons. It is opportune to raise it today—it comes in the midst of a visit by the President of Indonesia and by journalists and politicians from Indonesia. It is a privilege that the Minister of State, Foreign and Commonwealth Office will respond to the debate—I am aware of his interests and commitments in this regard.

Perhaps I should explain my interest in this matter. Why should an hon. Member who represents Belfast, South be interested in developments in Indonesia? Some might wonder whether I do not have enough problems at home. I am a minister of the Presbyterian Church in Northern Ireland, which for years has enjoyed fellowship with the Indonesian Church, especially in Halmahera. When I became a Member of Parliament, I discovered that one of my constituents, who is currently the moderator of the Continuing Church in Australia, was a theological professor in a college in Halmahera. He has been in touch with us about this debate. The moderator of the Indonesian Church had to flee from Ambon by boat to get to Jakarta to try to represent his people and to deal with the tremendously serious situation in which the Indonesian Government are involved. Our eyes have always been on East Timor, but problems were developing in other parts of Indonesia, which is the largest country in the world with a significant Muslim community. It is a vast country with a vast population, and it is made up of a huge network of islands.

Tragically, the situation has escalated since the election. Throughout 1999, incidents led to the deaths of at least 1,500 people. I say "at least" because I am aware that different people exaggerate casualties. I am also aware that those from the Islamic community claim that many more than 2,000 Muslims have been slaughtered by Christians, although there is no evidence to support that. Tragically, those from the Christian community have retaliated—some have sought vengeance, and some, who were defending their local situation, were involved in the deaths of their fellow citizens. I seek not to defend all the actions of Christians but to deal with the tragedy in the Moluccan Islands, which some may know better as the Spice Islands. Historically, there is a strong trade connection between our country and those islands.

The situation in eastern Indonesia is grave. Recent violence in the region—it is the one province of Indonesia's six provinces that contains a non-Muslim majority or only a slight Muslim majority—has been perpetrated largely by Muslim extremists against a Christian community in the province, in which Christians slightly outnumber Muslims. Since the violence began in January 1999, more than 1,500 people have died and thousands have been made homeless. Various figures have been presented. They show that 100,000 have been displaced in Maluku and about 50,000 in Sulawesi. Figures supplied by the Department for International Development show that more than 200,000 people have been displaced. That gives us an idea of the extent of the crisis and the needs.

Not only have people been made homeless, but many churches have been destroyed. Five mosques have also been burnt and Christian-owned property destroyed. We are aware of the report of the Jubilee Campaign United Kingdom, which has been involved over the years with British parliamentarians and raises human rights issues throughout the world. Its report confirms the situation outlined in numerous media reports.

I have recently noticed a more balanced presentation in the United Kingdom media, but I was concerned, in early January, to see some of our press reporting as if the Christians were attacking the Muslims. When we tried to find out what lay behind that, we discovered that the head of the Indonesian news agency is an extreme Muslim, appointed by the former President, Mr. Habibie. We must remember that even countries such as ours with a free press must balance reports, because most papers have their own emphasis. We should treat with caution some of the reports that come from the Indonesian news agency. It seems clear that widespread human rights abuses are being perpetrated by Muslim extremists, aided and abetted by army elements. As hon. Members will be aware, I have already tabled early-day motion 294 on this subject.

I find it somewhat ironic that over the past week the Government and the European Union have sought to isolate Austria on the ground that its democratically elected Government have formed a coalition with a party whose policies they find repugnant—as a child of the 1930s, I can understand some of the reasoning behind that—yet they appear unwilling to use influence to compel the Indonesian authorities to end the violence in the region and ensure the protection of life, property and freedom of religion. I recognise that it is looked on as an internal conflict, but that was the case in Austria, too. If people in a democracy vote in a certain way, they have a right to be represented in that way. That is not the case in Indonesia, where the election went against the extreme Islamic people. The national ideals of Indonesia, over the years, until Suharto came in, allowed tolerance.

We have seen the tradition of "pila", which allowed communities to co-exist with one another, set aside. One of the messages that I get from Muslims and Christians in Indonesia is that they long to go back to that tradition. In the struggle in Ternate, the sultan and the moderator of the Presbyterian Church, representing their communities, appealed for peace, restraint and co-existence.

The nature of the violence is such that it appears to be organised and directed by those in positions of authority. It is open to question how far it is an Islamist plot, led by former President Habibie, Islamic elements in the Indonesian army and Islamic militants, to establish an Islamic nation and to control the major international trade routes in that part of the world.

In a report in the *Jakarta Post* of 3 February, President Wahid mentioned attempts by hard-line generals and Muslim militants to destabilise the country. I can refer to no higher authority than the President, who lends support to my reading of the situation. It is certain that elements of the army, particularly Muslim units from the island of Java, have been guilty of siding with Islamic extremists. Indeed, one army group so involved is the Kostra unit, which has clearly taken an offensive position against the

[Rev. Martin Smyth]

Christian community rather than fulfilling a peace-keeping role and trying to restore law and order in the community.

We must press home that question. Have the Government made representations to the Indonesian authorities about accepting a team of human rights observers to evaluate and balance reports of what is happening there, so that the world at large might have an objective view of it?

I can understand those who say that I am not speaking objectively but, speaking as a Presbyterian minister who has sympathy for the Christian population in Indonesia and the Moluccan Islands. I speak also as one who over the years has had Muslim friends in my home and elsewhere, so it is wrong to suggest that I speak only on behalf of the Christian community. However, it is true that it is the Christian community that is suffering most.

Will the Government urge the Indonesians to implement measures to prevent inflammatory statements and material being distributed? I know how difficult that can be. I know that the underground press works differently in different countries. I know that slogans are posted and that mobs get carried away, but we should restrict the media from publishing such slogans, as they can give the appearance of credibility and reliability, and, if necessary, measures should be taken to punish those found guilty of incitement to violence.

Have the Government made any attempt to encourage and facilitate reconciliation betwen the Muslim and Christian leaders in the Moluccan Islands, to allocate funds for reconciliation efforts and to offer British Government expertise in policing sectarian conflict? I realise that that can be done only by invitation, but our people are always standing by to provide such help if it is requested. We are part of a global village, and we cannot stand apart from issues that cause others to suffer.

It is important to ask the authorities in Indonesia to act swiftly and impartially to provide humanitarian aid and assistance to those displaced and in need, and to investigate, identify and prosecute those responsible for provocation.

I shall come to a close so that the Minister has time to respond. I remind him that it took the world 25 years to come to the aid of the people of East Timor. I understand that that was a separatist conflict, and that East Timor was never recognised as part of Indonesia. However, the law-abiding Christians and Muslims of the Moluccan Islands cannot wait for 25 years.

12.15 pm

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): It is many years since the House of Commons debated Indonesian matters, so all hon. Members will be grateful to the hon. Member for Belfast, South (Rev. Martin Smyth) for raising the subject. It is a great tribute to him as the representative of Belfast, South that, even in the circumstances that he has had to deal with, he has called our attention to suffering communities in Indonesia and has made them a priority of his work in the House. We are grateful that he has retained his personal contacts and been able to share his detailed experience with us. His speech in this Chamber is an important part of the formal records of the House of Commons. The speech and my reply will be read by others and by other Governments, including that of Indonesia.

The Government have watched the spread of violence through the Moluccan Islands with great concern, and all hon. Members will join me in deploring the violence that has brought pain and suffering to the communities there. We deeply regret the loss of life and the inter-communal violence that has taken place since the troubles began early last year. Communities that have lived in peace for many years, despite that long tradition of peaceful co-existence, are now sadly shattered with tension, conflict and fear.

We must exercise caution in rushing to a quick-fix solution. We know from conflicts much closer to home that rebuilding trust and peace is usually a long and painstaking process. Before we begin that process, we must understand the situation's roots and causes. The Moluccan Islands lie 1,700 or more miles from the Indonesian capital, Jakarta, and there are more than 1,000 of them in an area some three and a half times the size of the United Kingdom. When we look at the globe, I sometimes fear that we underestimate the size, scope and space taken up by the islands that compose Indonesia. The population of 2.1 million speaks about 150 different dialects.

In October 1999, the then Maluku province was divided into North Maluku and Maluku, the capitals of which are Ternate and Ambon respectively. Taken together, about 59 per cent. of the inhabitants of those regions are Muslim and 41 per cent. are Christian, although the proportions vary according to province and island. For example, Christians are in the majority in Ambon. That approximate balance is rare in Indonesia but has existed in the Moluccan Islands since the 16th century. The two communities lived in close proximity. Traditionally, inter-faith relations were protected by a twinning system that linked Christian and Muslim villages.

The balance between Muslims and Christians has shifted, over recent decades. President Suharto implemented a transmigration policy forcing many to move from one part of Indonesia to another. The Church in Maluku has stated that the transmigration policy favoured Muslim rather than Christian migration to Maluku.

The two communities had lived peacefully side by side for many years before the outbreak of hostilities in and around Ambon in January 1999. Since then, sporadic outbreaks of violence have occurred in different parts of the territory, most recently in the northern province.

Although the violence between the two communities has been described in religious terms, the origins are more complex, as I know the hon. Gentleman recognises. Nobody can say with certainty why the violence broke out when and where it did. To a large extent, it should be seen as the product of the economic crisis of 1998–99 and an adjustment to the end of 30 years of authoritarian rule.

A combination of political changes at the national level in Indonesia, migration issues, local rivalries, land disputes, as well as religious differences, have all

contributed. There are also rumours of provocateurs from outside the region. All those factors provided the tinder that ignited the violence.

The official death toll, as of 16 January 2000, since the break-out of violence, is 1,902. However, since mid-December 1999, more than 1,000 people are thought to have been killed in fighting in North Maluku which began between two opposing Muslim communities. The immediate trigger appears to have been an incident on Boxing day when a Christian bus driver ran over a Muslim, but there was sporadic violence throughout December involving both Muslim and Christian communities. Although it is difficult to obtain clear and reliable information—which the hon. Gentleman emphasised—about the situation in the islands, it is apparent that both Christian and Muslim communities have suffered many deaths and casualties. Both sides have been accused of committing attacks and of committing atrocities against the other, and property and places of worship on both sides have been targeted and destroyed in two waves of violence, the first in January and February 1999, the second beginning last August. In addition to the large number of deaths, many tens of thousands of inhabitants from different villages across the Moluccas have fled their homes. Official Indonesian figures suggest there may now be as many as 205,000 internally displaced people who have fled as a direct result of the violence, while the joint assessment report issued on 6 February suggests a total of 370,000, including 123,000 who have escaped to Sulawesi.

The most recent violence took place on Halmahera and Haruku islands up to the weekend of 5 and 6 February. Ambon, which has seen some of the worst incidents, has been relatively calm since the deployment of large numbers of fresh troops in January. Although there have been reports of over-reaction and partisanship from a few police and military units, generally speaking, the reports suggest that the police and military have played a positive role in trying to calm the situation. The death toll would now be far higher if police and troops had not been deployed or had been withdrawn from the province. However, we will take account of the hon. Gentleman's well-made points about partisanship.

We welcome the positive steps that have been taken recently to address some of the key problems. The policy of sending troops who have no personal connection with the region, as well as a more careful religious balance among the troops, has helped the situation. The regional military commander is a Christian and the chief of police is a Hindu from Bali. They have succeeded in stemming the violence in Ambon and are taking steps to stop the shipment of arms into the Moluccas and to prevent troublemakers travelling from island to island to stir up trouble. The security forces are reported to have sheltered thousands of displaced people. Restoring some security to the troubled islands is an essential first step that only the military can take.

Rev. Martin Smyth: I am interested in the points made by the Minister. Will he confirm that those who say that it is separatist battle are wrong? Will he also confirm that, although it is true that the situation has tightened up recently, some 1,000 white-clad jihad warriors have arrived in the area by boat?

Mr. Battle: I do not know the details of those allegations, but they should be registered. I do not mean "allegations" pejoratively, because the hon. Gentleman's comments and the reports have to be taken seriously. The reform of the military is a key theme for the new Indonesian Government.

The role of the Indonesian Government will be crucial in finding a just and long lasting solution to the troubles in the Moluccan Islands. My right hon. Friends the Prime Minister, and the Foreign Secretary and I discussed the situation in the Moluccas with President Wahid when he was in London last week, following the delegation to me, led by the hon. Gentleman. President Wahid reaffirmed his commitment to secure lasting peace between the two communities. We have no reason to doubt his sincerity to find a solution, and will support him vigorously in his efforts. However, we should be under no illusion about the enormity of the challenges facing the new president. He has inherited a country of huge diversity and huge problems, as the hon. Gentleman acknowledged. Separatism in Aceh, Irian Jaya and Riau, serious inter-community violence in the Moluccas, and extensive poverty in other territories present a host of regional problems. The Indonesian economy, which has been hit extremely hard by the Asian economic crisis and corruption, has yet to begin a sustained recovery. President Wahid took over a country with a poor human rights record, the legacy of authoritarian rule with which he is now trying to deal.

We are just catching up with the changes. A quiet, peaceful, democratic revolution has taken place in Indonesia. President Wahid is the first democratically elected president. In his short time in power since October he has released all political prisoners, appointed a civilian Minister of Defence, the first for more than 40 years, a Human Rights Minister, who is Acehnese, and an Attorney-General who is a committed human rights campaigner and an activist himself. Indonesia has renounced its claim to East Timor and withdrawn its troops from the territory.

The biggest challenge remains taking the military out of politics and establishing full civilian control over the military and the police. President Wahid has made important moves in doing that, such as signing a decree to retire Cabinet Ministers who are serving military officers from their military positions, which will take effect from 31 March, and appointing an admiral as head of the armed forces, an appointment that used to be held by the army.

We welcome those moves and the publication last week of the United Nations commission of inquiry report and of the Indonesians' own national inquiry into the appalling human rights violations in East Timor. The perpetrators of those crimes must be brought to justice, and we are pleased that President Wahid has shown such a strong determination to establish a credible domestic judicial process. We believe that President Wahid's democratic Government are fully committed to finding a fair and lasting solution to the regional troubles in the Moluccas and elsewhere in Indonesia, and we want to help that process in any way possible.

[Mr. Battle]

Like Indonesia, in Britain, we understand the tragedy of sectarian violence, and we have had to learn the painful lessons of fostering reconciliation between deeply divided communities. During the President's visit to London, the Prime Minister offered to share with Indonesia our experience of that process and of inter-communal relations in some of our major cities and urban areas. We can work together to share inter-faith dialogue, for example.

The hon. Member for Belfast, South has suggested previously that the answer to the violence in the Moluccas may lie in the establishment of a UN peace-keeping force to separate the two communities. As he acknowledged, however, no clear parallel can be drawn with East Timor, because the international community never accepted that East Timor was part of Indonesia, whereas the Moluccas clearly are part of Indonesia. Therefore no legal basis exists for international intervention in the Moluccas. As the hon. Gentleman said, intervention would have to be invited. Nor should a request necessarily be expected. In investigating lasting solutions to help the democratic Indonesian Government tackle the problem, we can work as friends of Indonesia, offering help when it might be useful to support the process, especially of community reconciliation. To that end, we fully support the efforts of the UN development programme, which recently conducted an initial mission to Maluku and North Maluku with the Indonesian Government, and this week presented a full needs assessment to the international donors.

Our ambassador in Jakarta, Sir Robin Christopher, accompanied the UN mission. The report was released only yesterday, and we shall now work with the Indonesian Government to assess what we can do to carry it forward. By agreement with the Indonesians, we shall build on earlier work done by the British Council in training community leaders in the Moluccas in reconciliation and conflict resolution techniques and in training the local and national Indonesian media, to which the hon. Member for Belfast, South referred, in reporting the conflict truthfully, fairly, and responsibly and without fanning the flames.

A group of Indonesian parliamentarians and journalists are in Britain this week as guests of the Government. The journalists attended a British Council seminar in Cardiff, and they and the parliamentarians are spending a week studying in detail the operation of the House, if not the Chamber. I spent some time with them yesterday, discussing the role of the media, the need for fair and truthful reporting and the relationship between the media and a modern democracy.

A key element in formulating a solution to the problems will be encouraging reconciliation between the two deeply divided communities through an inter-faith dialogue. We have been encouraged by President Wahid's determination to promote that. His own experience as leader of the world's largest Muslim organisation will be invaluable. He is widely respected as an Islamic scholar, as is his Foreign Minister. When they visited London last week, the need to raise an inter-faith dialogue internationally is something to which we could all contribute, not least because of our experience of British inner cities.

Council Housing (Negative Subsidy)

12.30 pm

Mr. Bill Rammell (Harlow): I welcome the opportunity to introduce a short debate on councils in negative subsidy and, in particular, the impact that the move to resource accounting for housing revenue accounts will have on those councils. Unless the current proposals are amended, they will have a dramatic and disproportionate effect on several councils whose stability will be threatened, as will their ability to cope with the programme of change and modernisation that the Government and local communities want to take place in local government. I am not having a general whinge that central Government are not doing enough for local government, but as someone who was a local councillor for 12 years until 1 May 1997, I can see the difference in what is happening now.

My local authority in Harlow has, for the first time, a local government settlement that has not led to central Government-directed cuts. It has seen the phased release of capital receipts and the replacement of compulsory competitive tendering by best value. All such measures have been welcomed; all of them were campaigned for by local government for a long time and all of them have been delivered by this Labour Government. Yet now, with the proposed move towards resource accounting, all those changes could be undone. It could, I fear, lead to cuts on a cataclysmic scale, and it is no exaggeration to use such terminology.

I shall describe the impact of the proposals on my local authority. If they were implemented unamended, there would be a cut of £3.1 million from Harlow's annual general fund budget of £12.4 million—a 25 per cent. reduction, leading to a slashing of services or a 55 per cent. increase in the council tax. I could not justify such a reduction or such an increase in the council tax. It is not as though my local authority and others in a similar position have had it easy over the past 10 to 15 years and have much fat and inefficiency to trim from the system.

Before the capping regime was introduced to small district councils when the de minimis provisions were abolished in 1992–93, Harlow had a budget of £24 million. Today, that budget is £12.4 million. I know of no other local authority in the country that has seen such a proportionate reduction in its budget. Having gone through the pain of that experience, difficult decision making, the impact of such action on the community because of the loss of services and the impact on the staff with significant numbers of redundancies and, finally, having felt that with a new Government we are on an even keel and we can go forward, now to be faced with the prospect of a further 25 per cent. cut in council services would be intolerable and unachievable.

I am not making a case for every council in negative subsidy, but I am making a case for Harlow and similar new towns, which, because of the nature of such communities, are in such a position. It is worth examining why such areas will be affected so dramatically by the proposed changes. I understand that the major part of the reason why Harlow is in negative subsidy derives from what the council did with some of its housing capital receipts in the 1980s. Some were used to reinvest in the ageing infrastructure of the new town in non-housing projects.

Why did Harlow and other new town authorities undertake such action? First, they had the money available from the sale of council houses. Secondly, there was no guidance from Ministers or civil servants that there was anything wrong in using the money for that purpose. In fact, the reverse was the case. The use of the money for that purpose was actively encouraged. Thirdly, new towns that have to consider that kind of approach face a particular problem. Unlike other communities, such towns are not masters of their own fate in terms of disposing of land and reinvesting the proceeds in regeneration. Major elements of our local communities are owned not by local councils but by the Commission for the New Towns—now CNT and English Partnerships—which has a specific mandate and direction from the Treasury to maximise the financial return on disposable assets. That generates £150 million for the Treasury per annum, largely without the community gaining. For those three reasons, councils did not have an alternative to what they did in the 1980s. It is therefore hardly surprising that that is how they spent those resources.

The nub of the problem is that that expenditure, and the on-going transfer of the interest from the notional use of capital receipts from the general fund to the housing revenue account, is a major part of Harlow's negative subsidy. That constitutes £1.4 million of the £3.1 million that I mentioned earlier. Without that statutory transfer, the problem would not be of the scale that we face today.

Mr. Philip Hammond (Runnymede and Weybridge): I assure the hon. Gentleman that that problem does not affect only new towns. I thank him for raising the issue on behalf of many other authorities, including my own in Runnymede, which are affected by the problem.

Mr. Rammell: I am aware that it it not only a problem for new towns. New towns, however, have a special problem.

The problem was also created by the commuting of CNT debt in 1996. My local authority, and others, were not engaged in an activity of which the Government were not aware. The Minister wrote to the chair of Harlow's housing committee as recently as December 1998 on the issue of the transfer of the surplus created through negative subsidy from the housing revenue account to the general fund. He stated:

"the transfer from the HRA to the General Fund is intended to benefit the authority by recognising that its overall ability to spend in a particular year should increase by the amount of the surplus."

It is clear that, as recently as a year ago, Ministers and civil servants were aware of the practice, and, on the basis of that letter, endorsed it. The sudden removal of that ability, under resource accounting, would contradict what Ministers have said and done under this and the previous Government. I acknowledge that the Government understand that there is a problem. They have already talked about transitional protection, which is welcome. Given the scale of the problem that we are facing, however, that does not go far enough.

It is also worth while arguing the case in terms of the Government's objectives in moving to resource accounting. Their motives are contradicted by the way in which capital receipts in the 1980s would be treated under the proposed system. As I read the Government's intentions, they want subsidy for local authority housing to be regarded as a national programme. Assumed surpluses in subsidy calculation would be pooled and redistributed to authorities in assumed deficit. That would involve transferring resources from councils with less relative need to those with greater relative need.

The fact that negative subsidy exists is not an accurate indicator of lack of need. It is obscured and masked by the previous use of housing capital receipts for non-housing capital purposes in the 1980s. If Harlow had not used the money for that purpose in the 1980s, its negative subsidy would be reduced by more than £1 million. Under the proposed new system, therefore, the redistribution from Harlow to other local authorities would be reduced by more than £1 million. That distortion means that the system does not accurately reflect housing or other need.

It is easy to criticise a set of proposals. However, I am arguing that there should be more than transitional protection for those local authorities that have been affected substantially. A distinction should be made between local authorities that are affected substantially and those that are not. The Government's consultation paper identified a cumulative total of about £100 million in respect of councils with negative subsidy, but I have analysed the way in which that figure breaks down, and for local authorities that are substantially affected, the amount is much less than £100 million. For example, if the system were so amended that any local authority could not lose more than 10 or 15 per cent. of its general fund standard spending assessment, the cost to the Government would be much less than £100 million.

I would argue for a maximum percentage loss as a percentage of local authority standard spending assessment, and the Government should respond favourably to that. Clearly, it would have to be provided on an on-going basis through a permanent compensatory grant.

On the specific problem of the treatment of capital receipts in the 1980s, I urge the Government not to maintain the current statutory requirement of an item 8 statutory credit transfer for councils with negative subsidy. The Government should allow the notional interest gained from the use of those capital receipts to go to the general fund, rather than the housing revenue account. In my local authority, that measure alone would resolve £1.4 million of £3.1 million, and other new town local authorities would derive a similar benefit.

Substantial transitional protection must be provided for a number of years. The changes, which will occur in just one or two years, will have a huge impact on local councils and cause major problems. This might seem a rather arcane issue, but to judge by the number of hon. Members in attendance it has given rise to considerable concern. I hope that, in the long term, the Government's response will be positive, but I am saying on my constituents' behalf that we need help on this issue. The local authority in Harlow and authorities elsewhere are not to blame. They were simply doing something that the system had enabled them to do for many years. Ministers knew that they were doing it, and they were actively encouraged to do it in the light of circumstances. I see

[Mr. Rammell]

no reason why those local authorities—and, more importantly, their communities—should be penalised in such a dramatic way.

Good government is about pursuing sensible reform, and this Government are demonstrating that in a number of different areas. Sometimes, Mr. Winterton, sensible reform—

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. In this Chamber, there are four hon. Members to whom reference should be made not by their names but by the titles, Madam Deputy Speaker or Mr. Deputy Speaker. I have hestitated to draw that to hon. Members' attention but, whether or not we merit those titles, that is the decision of the House.

Mr. Rammell: I ask for forgiveness, Mr. Deputy Speaker. That goes to show that I should not listen to the radio programme "Yesterday in Parliament". According to last week's report on proceedings in Westminster Hall, an acting Deputy Speaker said that Deputy Speakers should be referred to by name. I apologise for my confusion.

Mr. Deputy Speaker: Perhaps I can help hon. Members. On certain occasions, in addition to the four hon. Members who have been appointed as additional Deputy Speakers, senior members of Madam Speaker's Chairmen's Panel may also chair sittings in Westminster Hall. They are addressed as "Chairman" or by their surnames.

Mr. Rammell: I thank you, Mr. Deputy Speaker, for that information. I am duly put in my place.

I was saying that good government is about pursuing sensible reform. Some kinds of sensible reform, which are otherwise perfectly desirable, may have unintended, adverse and dramatic consequences. The move towards resource accounting, and the impact on councils in terms of negative subsidy, is an example of that.

Mr. Tony McWalter (Hemel Hempstead): Is my hon. Friend aware that the council that stands to lose most in this respect is Dacorum borough council? Because of its huge overhang of commitments, almost every worthwhile project in my area is on hold, possibly for ever.

Mr. Rammell: I am aware of that, and my hon. Friend makes a telling point. The change is like a sword of Damocles hanging over local authorities that are affected. It puts a stop to the kind of long-term planning and modernisation that I know that the Government want to see in local councils. How can we begin to undertake such modernisation processes if such large cuts, or increases in council tax, are to be borne as a result of the proposals?

I understand much of the rationale behind the Government's move towards resource accounting, but I hope that they recognise the unintended consequences that may result in terms of the scale of cuts that would affect my local authority and many others. I strongly urge the Minister to reconsider the matter and amend the proposals.

12.46 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I congratulate my hon. Friend the Member for Harlow (Mr. Rammell) on his success in securing the debate, and his courage in raising the subject of housing finance, which is highly complex, as hon. Members who have been involved in it will be aware. He expressed those complex issues well, and it is right and timely that matters of concern to his constituency and elsewhere should be aired.

As my hon. Friend knows, I cannot give a complete or final answer to all his questions today, because we are currently consulting on the proposals, and it would be wrong for us to come to any decision before all those who feel that they will be most affected—such as his constituents—have had an opportunity to comment, and we have been able to consider their responses. However, I hope that I can respond to some of his concerns about the impact of our proposals on Harlow and other authorities in terms of so-called negative subsidy.

One of the problems with the present system of local authority finance is that it no longer meets the demands that are placed on it. We recognise that, and are committed to reforming it. Last year, my right hon. Friend the Minister for Local Government and the Regions announced proposals to improve the system. We propose to introduce resource accounting into the housing revenue account, and to change it to a purely landlord account. As always when such a change is being considered, it is the details, and how the details will affect people, that have to be worked through. We accept that. Concern about the effects of those details has been well expressed by my hon. Friend.

The purpose of the housing element part of the housing revenue account subsidy is to bridge any shortfall between notional income and notional expenditure in each authority. It covers expenditure on maintenance, management and debt charges, and other miscellaneous expenditure. The housing element also takes account of rental income and interest received by an authority on mortgages and investments. When we do the calculation, we find that some authorities have a notional surplus on their housing element, while others have a notional deficit. That means that there are more resources in some parts of the country than would be needed to provide a standard level of service, and too few resources in other parts of the country. In other words, there is an inequity in the distribution of resources.

We need a mechanism to allow us to transfer those resources to where the housing need is greatest. The mechanism that we currently use reduces another subsidy stream—the rent rebate subsidy—by the amount of any surplus, so there is an offset. That does not entirely work in the case of Harlow and about 60 other local authorities, because their notional surpluses are so large that they still have a surplus even when the whole of their rent rebate subsidy has been taken into account.

Authorities go into negative subsidy when they have very low debt or significant assumed investment income. Some authorities, for example, have a small number of properties in their HRA and there is perhaps significant

income, often from the assumed investment of the set-aside resources generated by the transfer. Other authorities have a large and active HRA, but very little debt, and a below-average proportion of tenants available for rent rebate subsidy. As my hon. Friend said, authorities such as Harlow took responsibility for property from the Commission for the New Towns when it was wound up, but the debt that was transferred was commuted in 1996, so such authorities have relatively little debt. That is what creates the equation for them.

There is a legislative requirement for authorities in negative subsidy to transfer the amount of their remaining actual surplus into the general fund. The sums involved, as we have heard today, can be quite substantial for some of the 60 authorities. Nationally, we expect that about £100 million will be transferred from housing revenue accounts into authorities' general funds.

Those transfers can make a major contribution in individual cases to the amount of money that is available in an authority's general fund, which will either allow the authority to spend more than it could otherwise afford or allow the level of council tax to be held down. We expect some £3.3 million to be transferred in the case of Harlow in 1999–2000.

Our proposals for the changes to the housing finance system will also do away with that system. We believe that it is wrong that local authority tenants, who are for the most part among the poorest in the community, should subsidise the generality of council taxpayers in an authority. Such a cross-subsidy cannot in principle be right. I take my hon. Friend's point about the way in which that situation has developed over many years in constituencies such as Harlow, but that is not a justification for not doing anything about a cross subsidy.

Mr. Rammell: In principle I accept my hon. Friend's argument, but will she bear in mind the fact that the 50-plus legislative change introduced during the last Conservative Government created a stack of cards? The problem that the Government face is that councils responded by pulling out one card. That has many dramatic knock-on consequences.

Ms Hughes: I accept that the situation of some authorities, such as Harlow, has arisen because of the actions of the previous Government, and that the authorities acted in good faith. Nevertheless, it is not right that a cross-subsidy should effectively be paid for by some of the poorest members of the community. My hon. Friend's arguments cannot be used as a reason for doing nothing. That is our starting point.

We intend to make two changes to the housing finance system that will first reduce and later end this cross-subsidy. The first step will be introduced in April 2001. From that date we intend to pay authorities an additional subsidy as part of their housing element, which will be called the major repairs allowance, the MRA. It will help to focus scarce resources on local authority housing repairs to maintain the value of those assets, and we hope that it will provide a more stable framework for housing authorities. We do not yet know how much money will be available for MRA—that depends on the outcome of the spending review—but it will substantially reduce the assumed surpluses on authorities' housing element. In particular, it will reduce, and possibly in some cases extinguish completely, the transfers that authorities in negative subsidy would otherwise continue to make to their general funds. We are consulting separately on the MRA.

Even when the MRA is paid, some authorities will continue to cross-subsidise council tax payers. That problem will be solved by the more effective mechanism that we plan to introduce to capture and recycle all housing element surpluses. We are consulting on that mechanism now. To introduce it would require primary legislation. Our objective is to pool the assumed surpluses on the housing element across all authorities, so that they can be distributed according to need. The change will mean that authorities in negative subsidy will no longer be able to transfer resources to their general fund; instead, they will transfer the resources to the pool for redistribution to other housing authorities.

Criticism may be made that those pooling mechanisms are not in principle correct and that surpluses are local resources that should remain with the authority. That may be at the root of some of my hon. Friend's points. We take the broader view that local authority housing is not a purely local service, although it is managed locally. It is a national resource and needs to be considered as such, not least because it is funded extensively by the taxpayer centrally. The financial structures must reflect that.

Mr. Hammond: Does the Minister envisage that councils that are forced to transfer to the pool will keep their rents static and gradually allow the surplus to be eroded over time?

Ms Hughes: No. The equation that will produce the notional surplus or deficit for any authority will take into account not only rents, as it does now, but the proposed changes, including the major repairs allowance. It will be a different way of calculating whether an authority is in surplus or deficit. We need a system that can ensure that the best use is made of national resources that can be devoted to the housing sector. That means finding a way of allocating those resources to take account of relative need.

We realise that the introduction of the major repairs allowance and, in the longer term, the pooling mechanism, will have a significant effect on the finances of some authorities, such as Harlow and Dacorum, which will remain in negative subsidy even after the introduction of MRA. My hon. Friend the Member for Hemel Hempstead (Mr. McWalter) has explained some of the difficulties. To end the cross-subsidy from housing to council tax as soon as we introduced the new measures would cause difficulties for the authorities concerned. We want to address those difficulties.

As I have said, we are consulting on our detailed proposals for the changes to the housing finance system. As part of that consultation, we asked whether transitional arrangements should be introduced for

[Ms Hughes]

negative subsidy authorities. I cannot pre-empt the results of the consultation, but my hon. Friend the Member for Harlow has made some important points and suggestions for that process. I know that a number of authorities have expressed concern that transitional measures would not be available from April 2001, but only at the second stage when pooling is introduced. I assure my hon. Friend that we have not ruled out the introduction of transitional measures from April 2001, when the MRA is paid for the first time. We need to consider both the form that such measures might take and the authorities to which they might apply, a point that my hon. Friend made clearly. We would consult on our detailed proposals for the transitional measures in due course.

I assure my hon. Friends that the Government are aware of the difficulties that they have raised. We have not ruled out transitional measures in the first phase of the introduction of MRA, but want the transitional arrangements to soften the impact as far as possible. Because of our longer-term objectives to produce a fairer housing finance system that relates national support to the areas of greatest need, this is a process on which we must embark. However, I am grateful to my hon. Friend the Member for Harlow for providing me with the opportunity to make the position as clear as I can. I assure him that we shall listen to the points that he and others have made and shall consult on them particularly on the arrangements for transition.

Question put and agreed to.

Adjourned accordingly at one minute to One o'clock.

Westminster Hall

Wednesday 9 February 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Air Services Agreements

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Jamieson.*]

9.30 am

Mr. Tony Lloyd (Manchester, Central): May I begin by saying how pleased I am to see so many people here this morning, from across the party political divide? The issue of air transport is fundamental to consumer choice, which should be at the centre of any such debate, and to economic development. If I may speak slightly parochially, the statistics showing the importance of Manchester airport to the national economy as well as that of the north-west are a testimony to the tremendous importance of air travel. Manchester airport already delivers £500 million to the economy of the north-west and about £1.7 billion to the national economy. It provides 85,000 full-time equivalent jobs. It is important not only to the future of the north-west region, but to the whole of the north of England: indeed, it is not fanciful to say that it is one part of the infrastructure that is vital to the future of the national economy. It is in that context that I make my first point.

For far too long, Governments have shown a strange reluctance to recognise the importance of airports outside the south-east. Airport policy has been fixated on the development of Heathrow and Gatwick. Regional airports were considered as a bolt-on, viewed simply in terms of the way in which they affected the development of air transport into the south-east. Such an approach may have been understandable, but it is unacceptable in terms of regional development and, indeed, runs counter to the national interest.

In the past, air transportation initiatives have been driven by the need to protect the interests of BAA, the airport operator, or British Airways, rather than those of the consumer. That view was fundamentally mistaken. I restate that the central issue is how to develop consumer choice—how we give consumers the freedom to exercise the choice to fly from where they are best served.

In the non-south-east air travel system, BAA and British Airways have been at best uncertain friends. I pay tribute to the importance of British Airways to the development of Manchester airport and other non-London parts of the system. British Airways is, of course, the dominant United Kingdom carrier. Nevertheless, it has too frequently adopted what it believes is a reasonable, commercially sensitive approach, leading to withdrawal of services or the failure to develop services outside Heathrow and Gatwick. Most recently, British Airways withdrew its service from Manchester to Islamabad, justifying its decision on the preposterous ground of consumer choice. It is difficult to explain to people living in Macclesfield, for example, how their choice is increased when their travel to Pakistan involves them taking a detour through a London airport.

In the past, British Airways has responded to competitive pressure only when forced to by other airlines choosing to use Manchester. British Airways has then put on rival services. My critique of British Airways is not meant to be hostile—rather the opposite. It is a recognition that it is important to the development of regional air transport. However, it will always operate in its own commercial interests, which we understand.

In the same way, nothing that I say should be seen as a criticism of BAA. It is a matter of practicality that, for a long time to come, consumers in my city and region will have to look to the London airport system for many of their long-haul travel requirements. Flights to Africa, the far east and Latin America, for example, will involve routeing from Manchester through either Heathrow or Gatwick. Therefore, it does not serve the interests of Manchester or any other region outside London for air travel in and out of Heathrow or Gatwick to be restricted.

For every passenger who travels through Heathrow or Gatwick, two passengers travel from United Kingdom regions to European airports, such as Charles de Gaulle, Schiphol and Frankfurt and then go further. That is an astonishing statistic; it means that the use of United Kingdom resources is already being eroded as people are forced to make a different choice. This is not efficient for consumers either in terms of economics or in terms of choice. Consumers are best served if they can fly from an airport that can be conveniently reached from the place where their journey begins. That is best enhanced by the development of a strong regional airport framework. I include Manchester, of course—but everything I say about Manchester could equally be applied to Aberdeen, Glasgow, Prestwick, Newcastle, Leeds-Bradford or Birmingham. This is not simply an argument about Manchester; it is about maximising consumer choice across the nation.

Slots in the London airport system are being severely restricted. That is a fact of life. Slot reductions—or slot rationing, to be accurate—impact on what happens regionally. It takes place not just at Heathrow and Gatwick but more widely. I mentioned passengers travelling through European airports. Last spring, KLM began running a service from Sheffield to Amsterdam. Passengers from South Yorkshire could end their journeys there or—which was more likely—travel on from Schiphol to their final destination. However, KLM came across a slot problem at Schiphol and has now ceased operating that service. Only if services are developed directly from the point of departure such as Sheffield can we be certain that consumer choice will be maximised in the long term.

I hope that my hon. Friend the Minister will be able to give us some comfort on my central theme. We want this notion of fifth freedoms—rather an inelegant expression—maximised so that regional airports can benefit. By fifth freedoms, we mean the ability of airlines to fly into our regional airports from their country of origin and go on elsewhere. Where that happens, it is good for airlines and for the travelling public.

In a rare moment of weakness, I will admit that Manchester airport faces a problem that Heathrow and Gatwick do not have. Demand for services from Manchester is clearly not as strong as at the London airports. Any airline that get its hands on a slot at

[Mr. Tony Lloyd]

Heathrow will take it, so Manchester's argument for fifth freedoms does not necessarily parallel Heathrow's. Heathrow can fill slots simply by offering them. Manchester's position is different, as the airport is still developing and needs to encourage airlines to come in. The ability for an airline to fly from its point of departure, disembark and pick up passengers at Manchester, and fly on elsewhere would give that airline a strong guarantee that it would make more money than it would if the service were restricted to flying from its point of departure to Manchester and back again.

I ask the Minister to think radically about regional airports and fifth freedom rights. There once seemed to be a total ideological blockage on the concept of fifth freedom rights, but we have seen some movement. However, not all the changes have been helpful. For example, FedEx was granted the right to operate fifth freedoms from Prestwick airport for commercial services—freight. As a result, FedEx was able to fly from the United States to Prestwick and on to the far east. Polar Air, which had flown from Manchester, chose to relocate at Prestwick precisely because it could have fifth freedoms from Prestwick but not at Manchester. It is ludicrous that an airline should have to relocate for economically rational reasons because fifth freedoms are available at one airport and not another.

I warmly applaud the decision to grant Olympic Airways the right to fly from Athens to Manchester, and from Manchester to Boston. It is hoped that flights may go on to Toronto, although there are difficulties on the Canadian side. I hope that the Canadians will recognise that it is not in their national interest to restrict flights.

That decision displayed a welcome change of thinking in central Government, but I must temper such free public applause with some criticism by asking Ministers to liberate their thinking. Ideally, we would like unlimited fifth freedom access to regional airports. That idea receives much support from airports, including Manchester, that would welcome the ability to develop their own air services without restriction. The Department of the Environment, Transport and the Regions argues that a bargaining process must be maintained, and that the Government are the custodian of long-term development. It is suggested that short-term consumer satisfaction may not always be best in the long term, and I accept that argument.

However, any restrictions on development of air transportation and the ability of consumers to use air services should be imposed in a way that is consistent with consumer choice, and, therefore, with leisure patterns, family travel and business travel. Too often, agreements on Manchester have been tied to decisions affecting the interests of London airports or British Airways. In the case of Olympic Airways, for example the knock-on deal with Greece—welcome though it was—was that British Airways should have parallel rights in that country. I have no objection to our increasing the capability of a British carrier, but I would be concerned if such trade-offs might jeopardise development at Manchester.

Let me give two examples. First, Biman, the Bangladeshi airline, wanted to travel in and out of Britain. It was offered flights to Manchester, but it wanted flights to London and was not prepared to accept Manchester as a second-best option. The irony is that Biman would have accepted a deal if it had been told that it could fly into Manchester and fly on from there. Forced to enter into a bargaining process, Biman was not prepared to accept a deal. Manchester has been frustrated for no clear national gain.

The other example involves Singapore Airlines, which was offered the chance to fly from Singapore through Manchester to New York, but was not prepared to accept that as a second-best option to flying via London.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): Is my hon. Friend suggesting that we should unilaterally grant fifth freedom rights to countries in which our carriers are subject to restrictions that we would not tolerate?

Mr. Lloyd: No. I want the Minister, in any negotiation on regional airports—Manchester, of course, but also Birmingham, Sheffield and others—to bear in mind the development needs of those airports. It is, of course, necessary to put pressure on others to exercise the same freedoms and develop the same services that we have, but we must get away from thinking that development in Manchester must involve some deal for London airports or for British Airways as the national carrier. We want regional transport to develop for the sake of the regions, but also for the sake of the national airport system.

Air travel is growing enormously, and that will continue. There are also restrictions at Heathrow, Gatwick and other major international airports such as Charles de Gaulle and Schiphol. If British people from outside London are to enjoy maximum choice, we need strong development of regional airports and a strategy that sees them not as an add-on, but as a central part of national air travel.

If that development does not come, Heathrow and Gatwick will suffer. They are already at saturation point, and demand for development at Gatwick will be locally resisted on environmental grounds. There are restrictions on how many people can fly through Heathrow. Granting fifth freedom rights to regional airports is therefore strongly in the national interest.

I know that negotiations are taking place on that, particularly regarding Pakistan's PIA, which may fly into Manchester. The Minister may not be able to comment on the negotiations, which have taken place in recent days and even hours.

My appeal is that we should unblock the thinking that regional development must be conditioned by the view that the true national interest lies in the London airport system; it does not lie there, it never did and it certainly never will. Regional development is a national good. I look forward to a strong indication from the Minister that that old thinking is now a thing of the past, and that in future there will be a strong endorsement of flights into and beyond airports such as Manchester.

I realise that other Members want to speak and I hope that I have said enough to give the flavour of the matter. My hon. Friend the Member for Wythenshawe and Sale, East (Mr. Goggins) is in rather a difficult position as regards the debate, because he is a Parliamentary Private Secretary. I pay tribute to him because he

provided the instigation for the debate, as the Member in whose constituency Manchester airport lies. He has played an important role in pushing for the developments to which I referred.

9.50 am

Mr. John M. Taylor (Solihull): I am grateful for the opportunity to speak in this debate. I do so simply and solely as the Member of Parliament for Solihull.

International access to regional airports is of considerable importance to my local airport, Birmingham international, where only foreign airlines currently provide long-haul services to key business and leisure destinations. Indeed, a previous Conservative Administration first brought that about, by allowing American carriers to start services to regional airports from the United States without reciprocal rights for UK airlines. As a result, Birmingham now has two daily transatlantic scheduled services.

In the absence of UK airlines that are willing to serve regional airports such as Birmingham, the Government should encourage foreign carriers to do so instead, on a third or fourth freedom basis, but also on a fifth-freedom basis. UK airlines should not be able to prevent foreign airlines from doing that through the influence that they can exert over existing bilateral negotiations.

If foreign carriers were allowed to operate such services, the economic benefits to the regions would significantly outweigh any detrimental impact on UK airlines. It would also demonstrate that the Government were looking after the interests of UK consumers, who increasingly want to fly from their local airport, irrespective of the nationality of the airlines that operate there. That last category also includes me.

9.53 am

Mr. Peter L. Pike (Burnley): I am glad to have the opportunity to say a few words in this important debate. I congratulate my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on initiating the debate. Like him, my main purpose in speaking is to draw attention to the effects on services at Manchester airport. However, my remarks also apply to the other regional airports.

Manchester airport is not merely the airport for Manchester; it serves the whole north-west region and beyond—Yorkshire, for example. Without question, it is the most successful regional airport in England. That is because the former Manchester city council was always prepared to invest in it.

In the 1960s, in Manchester, I was a backroom boy, as a Labour party political organiser, when decisions were taken to develop the airport. People said, "It will not pay until 2000." Yet those developments of the 1960s have long since disappeared as air traffic has grown—terminals 2 and 3 and other developments make what was done at that time seem insignificant.

The difficulty is that we still expect people to travel into the country via London, and we should not do so. A few years ago, I was asked—as a representative of the House—to visit NATO in Brussels. I had to travel on a Monday morning and was told by the House authorities that I had to come down to London, because they expected me to travel from here. No one took into account the facts that the fare was dearer, that I had to come down to London on the Sunday before, or that a convenient flight from Manchester arrived in Brussels 10 minutes before the flight that I was expected to catch from London. None of that was included in the equation. It was only when I insisted that I would not go if I could not travel from Manchester, that it was conceded that I could do so. Even our own House authorities sometimes do not do all that they can to encourage the development of our regional airports.

My hon. Friend the Member for Manchester, Central referred to fifth freedoms; that is extremely important. We want more freedom to be opened up. However, I understand the difficulty to which my hon. Friend the Under-Secretary referred: such reciprocal arrangements can pose problems. Nevertheless, it is nonsense for a plane to touch down at an airport without being able to pick up passengers—it is not economic.

At times, all Members who have an interest in regional airports have received letters from various companies, such as Singapore Airlines, which want to fly into different airports but have not been given slots to do so. In many cases, they battle for several years before they are finally allowed to run flights into those airports. We want other airlines to be able to do that too.

I regret the decision of British Airways not to use Manchester airport for their flights to Islamabad. That is a retrograde step because many people in the north-west want to travel to Islamabad with BA. It is true that they can use another airline, but they should have been given the choice of using BA.

There is always too much concentration on bringing people to the south-east. How many tourists come into the country through London who would have found that the north-west, or even Scotland or other parts of the UK, have as much to offer? They could fly into those places and visit them, rather than having to travel into London and fight their way out of it to get to other parts of the nation. Instead of visiting Stratford-on-Avon and other parts of the country for a couple of days, they could base their holiday in those places and visit London from them.

I look forward to the Minister's response on these important issues, although I accept that they are difficult ones. We want our airports to be given more freedom to develop their traffic potential, so that airlines can use all the regional airports. We also want our airlines to have the same freedoms to pick up passengers in other countries. The point is to give passengers—the consumers—what they want. We do not want them to experience the difficulty of having to come to London and to travel from Heathrow or Gatwick when it is not necessary. That is a major problem.

My hon. Friend the Member for Manchester, Central has focused attention on these issues. As a Member representing a Lancashire constituency, I support his case, because the bounds of Manchester airport go well beyond Lancashire. We want Manchester airport—and others, such as Birmingham—to grow and flourish, and to give passengers freedom of choice.

10 am

Mr. Nicholas Winterton (Macclesfield): I support fully the excellent case advanced by the hon. Member for Manchester, Central (Mr. Lloyd). Like the hon. Gentleman, I pay tribute to the hon. Member for Wythenshawe and Sale, East (Mr. Goggins), who I hope will catch your eye, Dr. Clark, in the debate. He plays an important role as the chairman of the all-party group that seeks to promote and represent the interests of Manchester international airport.

I speak as the Member for Macclesfield, an important constituency in the north-west. That area contributes substantially to the economy and to the viability of the region. The benefits that flow to my constituency from the locality and the existence of Manchester international airport are very great.

I hope that the Minister will understand from the number of Members present in Westminster Hall today the strong feelings that exist about the importance of regional airports. From my point of view, Manchester is important, but, as my hon. Friend the Member for Solihull (Mr. Taylor) pointed out, Birmingham international airport is, too. Regional airports play an important role not only in transport, but in the overall economy of the United Kingdom.

We hear that there are problems with overcrowded skies in the south-east. Why do the Government not direct their attention to those parts of the country, such as the north-west, that could take the pressure off the south-east? There is room in the sky and runway capacity in the north-west. Many of us will be more than aware that the second runway at Manchester airport will come on stream in the not-too-distant future. As the hon. Member for Manchester, Central said, Manchester is only too willing to accept additional flights and they will bring great benefits to the economy of the region.

The north-west economic strategy identifies the development of Manchester international airport and other airports in the area as very important to the future prosperity and development of the region. In particular, it identifies the system of international route licences operated by successive Governments as a continuing constraint on the growth of international scheduled flights

"which are the key to attracting new investment and supporting economic growth".

The Government rightly state—successive Governments have done so—that they want continuing economic growth in the United Kingdom. A more realistic approach to regional airports could make a major contribution to support the growth that we all want to see.

The hon. Gentleman cited statistics on Manchester airport. He said that, in 1998, it had been estimated that the United Kingdom income impact of Manchester airport was £1.7 billion, of which £585 million was in the north-west. As I am sure we all agree, that is a dramatic statistic. The hon. Gentleman also referred to the impact on total United Kingdom employment, which was estimated to be 85,000 full-time equivalents with more than 15,400 jobs on the airport site itself. He did not add that the 1999 census on working population shows that 17,900 people are employed on the site at the airport, an increase of about 2,500 in 12 months, which is the equivalent to the creation of seven new jobs every day. Is that not something that we want to encourage and to continue?

Forecasts of traffic at Manchester suggest that the airport could be handling—this is an amazing figure—40.7 million passengers in 2015, with a UK income impact of £4 billion to £5 billion and an employment impact of between 137,000 and 177,000 full-time equivalents. The catalytic effects, such as those on tourism, are not included in those estimates. However, the passenger forecasts are underpinned by the assumption an increased range of destinations will be served, and frequencies offered in international scheduled services. The hon. Gentleman ably made that case. I emphasis to the Minister that regional economic impacts will not be achieved if further liberalisation of air services does not take place.

I stress that several Members from across the political divide are here today to highlight the importance of regional airports. My hon. Friend the Member for Solihull made an excellent case for Birmingham international airport. Before I represented Macclesfield, I lived close to what was then Elmdon airport in Birmingham. I know just how important the international airport is to that major industrial centre. Obviously, I claim that Manchester is the second capital of the United Kingdom and its industrial contribution to the country is substantial. In 2002, Manchester will host the Commonwealth games and, if many colleagues visit Manchester, they will see a city and a region that has been transformed in recent years.

As a Conservative, I am happy to pay tribute to the contribution that the Labour-controlled council has made over the years to the economic success of Manchester. Members from the north-west appreciate the role of Manchester and there is often cross-party support for many of the actions that are necessary to ensure that the city can continue to play a major role in the economy not only of the north-west, but of the United Kingdom as a whole.

There is full liberalisation of air services in the European Union and the Government have accepted that. It has resulted in many new services to regional airports throughout the United Kingdom. There is unilateral access to UK regional airports for United States carriers on what is known as the third and fourth freedom basis. That is a complicated term, but those who understand the subject know what it means. The Government have also accepted that, and it has resulted in additional services to Manchester and to Birmingham.

The transport White Paper identified a role for regional airports to maximise the contribution that they make to local and regional economies. In addition, as I have already said, they should reduce the pressure on congested south-east airports. I refer particularly to Heathrow and Gatwick, but I might also include in that equation Luton and Stansted because they contribute to the overcrowded skies in that part of the United Kingdom.

We need also further to minimise unnecessary surface journeys. Expanded scheduled services to Manchester, Birmingham and elsewhere in the regions can make a major contribution to that. The hon. Member for Manchester, Central has drawn attention to FedEx and

the problems resulting from its development, which has contributed directly to an increase in lorry movements on our roads, which the Government say they want to reduce.

I say to the Minister that regional airports cannot fulfil the role that the Government and others want them to fulfil while they are subject to bilateral constraints that prevent services from operating where there is demand.

Airports are major economic engines in the areas that they serve. They create local jobs, on and off airport sites, offering the widest range of skills. As the hon. Member for Macclesfield, I know that they stimulate the local economy, and that is a prerequisite for social inclusion. The regional liberalisation deal has had only limited take-up, and further action is necessary. It is not the correct mechanism; it is flawed and misunderstood, and it has not maximised the potential contribution that regional airports can make.

I hope that the Minister will respond positively to the debate. The subject raised and initiated by the hon. Member for Manchester, Central has strong cross-party support. I hope that the Minister will try to get his Department and the Government to make changes that will bring immense benefits not only to Manchester international airport, which is so important to my constituency, but to other regional airports that can contribute to the improvement in the UK economy.

10.12 am

Mr. Paul Goggins (Wythenshawe and Sale, East): I, too, congratulate my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on securing this important debate, and thank him for his warm remarks about my role. I thank also the hon. Member for Macclesfield (Mr. Winterton) for his warm remarks, and I pay tribute to his role in articulating strong arguments in favour of Manchester airport in particular, and regional airports in general. It is important that different parties and regions are represented in the debate.

My starting point is as the Member of Parliament for Wythenshawe and Sale, East, which is home to Manchester airport. As we all know, there have been many debates about the development and growth of the airport, not least about the construction of the second runway. Opinion in my constituency and throughout the region is strongly in favour of the airport's development because 18,000 people have a job there and the possibility of future growth is a great cause for optimism in the local economy.

The regional development agency, local businesses and the local authorities that own the airport all agree that it is a major driver in the regional economy. It connects the people of the north-west with destinations throughout the world. Crucially, it is a gateway through which global companies come and invest in the north-west of England.

Clearly, there is no dispute that the Government acknowledge the role of regional airports in transport policy and economic development, and they said as much in the 1998 transport White Paper. In that White Paper the Government promised greater liberalisation and they have already delivered the open-skies policy for airports other than Heathrow and Gatwick, provided that there are reciprocal arrangements with other countries and carriers.

At about the same time as the White Paper was published, we had a report on regional air services from the Environment, Transport and Regional Affairs Committee. The report went further than the White Paper and made a strong recommendation for

"unilateral liberalisation of international access to regional airports, including fifth freedom rights, in addition to the limited liberalisation that has been announced."

Clearly the Government have not so far heeded that advice, and no doubt the Minister will go to some lengths to explain why that is so. The debate gives us a good opportunity to take stock and assess the current position.

I want to suggest, as colleagues have done, ways in which the system of air agreements could be improved, but we have to set those recommendations against the success that has already been achieved in the UK's aviation industry. As a whole, it contributes some £10 billion to gross domestic product. UK airports are now handling around 160 million passengers a year, and it is predicted that by 2015 that number will almost have doubled.

Some 180,000 people are employed directly at airports, and a further 200,000 are employed in service industries that support the aviation industry. A figure that bears repeating is that for every extra 1 million passengers who are attracted to airports in this country, 1,000 jobs are created. The industry is therefore important and already very successful.

As we look to the future, we have to tackle a number of constraints. My hon. Friend the Member for Manchester, Central spoke eloquently about the first, which concerns not only a physical but a psychological and cultural barrier: the belief that one can only run an international airport from London—that regional airports are only there to offer holiday charter and low-cost flights and are served by low-cost carriers, and serious international flights must go to Heathrow or Gatwick.

Mr. Pike: On that point, should we not stop calling Manchester a regional airport? Is it not a national airport that happens to be in the north-west?

Mr. Goggins: Indeed, I generally refer to it as Manchester international airport, because that is not only the reality but reflects the airport's aspiration. Just over half the flights out of Manchester are chartered, and just under half are scheduled, and the majority of the scheduled flights are international. The aspiration is to increase not only the number of passengers travelling through Manchester airport, but the number of scheduled flights and the proportion of such flights with international destinations. Manchester airport is becoming more international, and that should be the aspiration of other regional airports.

If it is possible for Denmark, which has a GDP smaller than that of Manchester airport's catchment area, to have an airport such as Copenhagen, there is no reason why a regional airport such as Manchester should not also be an international hub. If Milan and Frankfurt, as regional capitals, have major

[Mr. Goggins]

international airports, why cannot some of our regional airports also be major international airports? The London-centred mindset must be fought on a number of fronts, but it is particularly important to overcome it in aviation.

The second constraint is economic development. Time will not stand still, and if we do not succeed in turning some of our regional airports into major hubs, business will simply pass us by and passengers and carriers will go to other European international airports. My hon. Friend quoted a figure that demonstrated that far too many people from the north-west have to travel internationally via London, but twice as many go to international airports in Europe, such as Paris and Amsterdam. If we do not act now, when Gatwick and Heathrow are full to bursting, passengers and carriers will go to other European hub airports, and we will miss the opportunity fully to develop our regional capacity.

The third issue is fifth freedoms—an inelegant phrase, as my hon. Friend the Member for Manchester, Central said, but essential to the development of long-haul services to our regional airports. Fifth freedoms have been essential to the development of Manchester airport's long-haul routes. Qantas Airways first developed its route from Melbourne to Manchester via Amsterdam, and other airlines did similarly—Emirates Airlines from Dubai via Zurich, and flights from Hong Kong via Amsterdam and Paris, and Pakistani International Airlines from Islamabad via Copenhagen.

The end result of the development of a fifth freedom may eventually be a direct route, but fifth freedoms are essential for carriers if they are to minimise risk, to develop passenger numbers, and to develop the market. As my hon. Friend said, the present negotiations on fifth freedoms are far too London-centred, and far too focused on the interests of Heathrow and Gatwick and the demand of international carriers for slots there. As a result, we are missing the opportunity to develop travel through our regional airports.

The fourth point to be confronted is a current issue. It seems that many of the partial liberalisations and mini deals are not working or are beginning to unravel. We all hoped that mini deals would lead to progress, but I fear that they are taking us in the wrong direction. Only last week, the possible mini deal between the UK and the United States appeared to have stalled. That has massive implications for Manchester and the north-west region.

Mr. Winterton: Has the hon. Gentleman received the letter that I have from British Midland, commenting on the failure of the talks between the UK Government and the United States, which could put under threat the 2,000 jobs that British Midland had hoped to create, many of them in the region? Does that not show how important it is that we get it right?

Mr. Goggins: I entirely agree. As I understand it, Mr. Deputy Speaker, some 600 jobs have been lost from Manchester as a result of the difficulties in negotiating that mini deal.

We heard earlier about the fifth freedoms granted to FedEx and Polar Air for daily flights to Prestwick, but we also heard the recent announcement from FedEx that it is suspending those flights. FedEx also wanted fifth freedoms to Stansted, and regards it as unprofitable to have fifth freedoms into Prestwick only.

Although the intention behind the partial liberalisations and mini deals is entirely honourable, they do not always work out as we hope. There is a strong argument for removing uncertainty by taking the politics out of the matter. We should leave it to the airports and carriers to work out the routes and services, making those decisions on the basis of their commercial assessments. I recognise, as the my hon. Friend the Minister pointed out in his intervention, that the protectionist attitude that exists in some other countries and among some carriers must be confronted, but if we do not move ahead, we will miss a huge opportunity to develop our regional airports.

Manchester airport will soon have a second runway. It is under construction as this debate takes place. The airport has the aspiration, and by 2015 will have the capacity, for 40 million passengers a year to travel through it. Gatwick and Heathrow are already approaching capacity, with little or no likelihood of further expansion in the near future.

We have a choice, Mr. Deputy Speaker. Either we create a level playing field which gives regional airports in this country a real opportunity to grow, or passengers will simply move elsewhere. They will travel via Paris, Frankfurt, Amsterdam or Copenhagen. The implications for jobs, growth and prosperity in our regions are immense.

Dr. Michael Clark (in the Chair): Order. For the convenience of hon. Members, may I point out that there are four Deputy Speakers allocated to this Chamber. I am not one of them. I am a member of the Chairmen's Panel, standing in for a Deputy Speaker. Therefore it would be appropriate to address me by my name.

I call Mr. Harold Best, confident of the fact that he will accommodate me by bearing in mind that I have three Front-Bench speakers to call, starting at 10.30 am.

10.24 am

Mr. Harold Best (Leeds, North–West): Thank you, Dr. Clark. I echo the observations made by previous speakers about the importance of international airports in various corners of the United Kingdom. It is difficult to overstate their importance to industry, commerce and people.

The idea of regional international airports is not new. We have heard references to cross-party support, and there is also trans-Pennine support for Manchester's airport. When I was a member of West Yorkshire county council, we joined others in trying to impress upon the Government of the day that such an international airport should be developed in the north of England.

Caroline Flint (Don Valley): Is my hon. Friend aware that in my constituency there will, we hope, be Doncaster Finningley international airport, which will be the only airport in Yorkshire able to provide the long-haul services that our region desperately needs and the finance that Manchester currently enjoys?

Mr. Best: I am aware of those proposals, but my hon. Friend is not entirely right. The airport in my

constituency, Leeds-Bradford, has that capacity now and for some years has been able to handle flights to anywhere in the world. Concorde is a regular visitor to the Yeadon site in my constituency—not always welcome, however, because of the noise that it makes and the pollution that it leaves behind.

The freedom to get goods, services and people in and out of a region is essential for the future of the northern part of the United Kingdom. That is why I find that intriguing phrase, "the fifth freedom", so attractive. However, there are problems, which it would be remiss not to mention.

There is resistance in my constituency to the further development of an intercontinental airport, because of the huge increase in the associated road traffic and the pollution that that might bring. With considerable foresight, the planners and developers of the international airport in Manchester supported the idea of a permanent rail link between that airport and Leeds city centre. It is now possible to travel freely in both directions, making use of a good service.

An important factor in the control of pollution and damage to the local environment is the simple, almost accidental fact that the railway track that serves Harrogate through Leeds passes within three quarters of a mile of the end of the airport runway at Yeadon. A study is under way to examine the feasibility of extending and developing a terminal for the railway service at Yeadon airport. That will not detract from other facilities, but will expand in an intelligent and environmentally friendly way the services essential to such an airport.

I am mindful of your injunctions, Dr. Clark.

In my constituency, we welcome the expansion of air transport. It is important that it should be seen to be fair and evenly distributed throughout the United Kingdom—"fair" not just in the sense that one should play the game fairly, like cricket, but fair in the sense of industrial, commercial and travel opportunity for the people of the United Kingdom.

Only those who have to face the certain knowledge of the nightmare journey from the north of England to Gatwick or Heathrow to catch a plane to other parts of the world understand the pain of travelling and the massive inconvenience that it causes to the commercial and industrial interests of the north.

It is difficult to resist the arguments that have been advanced for an expansion of the fifth freedom. I believe that we should have open skies, as far as that is possible and practicable, but we should do what is necessary in planning terms to protect the immediate environment and provide the transportation facilities to ease the burden on our existing road network.

10.30 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): We have had a useful and timely debate on an important subject. I congratulate the hon. Member for Manchester, Central (Mr. Lloyd) on choosing the subject and securing the debate.

Having listened to the debate for the past hour, it is incumbent on me to provide not only an element of political balance—hon. Members have stressed the consensus that exists—but a small amount of regional balance. The speakers have been predominantly from the north-west, especially Manchester. I pay tribute to Manchester airport, which has received a great deal of political support. It is a successful airport, which will develop this year through the second runway. However, to someone from north of the border, Manchester is to the rest of the regional network what the London airports, especially Heathrow and Gatwick, are to Manchester and other places. We are lured to Manchester to go on our holidays.

Caroline Flint: It took me more than two hours to get to Manchester airport by public transport last year. It also takes me two hours to get to London. A long-haul airport in the south of Yorkshire is important for my constituents and the other 4 million people who travel south to go abroad.

Mr. Moore: I welcome that intervention and I wish the hon. Lady every success in securing a regional airport for her area. It is important to strike a balance, not only between London and the rest of Britain, but within the regions.

The basic proposition that we have discussed is well understood. We all agree that strong regional airports are good for regional economies. Many hon. Members have referred to both Birmingham and Manchester international airports, as well as using the old names by which those airports were known 20 or 30 years ago. We know Edinburgh international airport as Turnhouse airport as much as by its modern, wholly appropriate name. That airport is being vastly expanded so that it can cope with the huge growth in demand that it, like many other airports throughout the United Kingdom, is experiencing.

Dealing with air service agreements and providing for the fairest and most open system possible are crucial to ensuring the development of the success that has been achieved so far, and making the most of it. There is a chicken-and-egg aspect to our considerations. Does a successful regional airport drive the local economy, or does a successful local economy drive the need for a regional airport? Many hon. Members in the Chamber are frequent fliers. I applied to become a member of two frequent-flier schemes, as I travel from Edinburgh to London. We are often stacked over Watford, and have to wait for a long time to land in London airports.

Our areas provide evidence of the development of regional airports and the importance of giving them the strength—through the extension of the fifth freedom deal, or other measures—to improve their contribution to their local economies. Airports contribute to the local economy directly through jobs and indirectly through the service suppliers to the industry. Several hon. Members have highlighted the direct leverage effect of increasing the number of passengers in specific airports. The growth in leisure travel and cargo is crucial to complementing the lucrative business markets with which many of us may be most familiar.

When we are considering the development of our regions, many of us focus on the importance of inward investment. Good regional airports, be they in Yorkshire, the north-west or Scotland, are important in attracting that inward investment. Until recently, I served on the Select Committee on Scottish Affairs. Last

[Mr. Moore]

year, we carried out an important investigation into inward and outward investment. Time and again, we were told by officials, agencies such as Locate in Scotland, or companies, which described their motivations, that the infrastructure links, especially air links, were crucial to the decision to locate in an area. Tourism, which is vital to our regional economies, can be developed only if there are worthwhile and useful air links to promote it.

Airports are not much use if the business, leisure or cargo services are not available at them. I want to focus briefly on two issues that have been mentioned in passing this morning: the impact of disputes over transatlantic scheduled services, and cargo. Regional airports' efforts to develop transatlantic services will be stymied if we cannot make progress on the issues affecting Heathrow. The hon. Member for Macclesfield (Mr. Winterton) referred to the letter from British Midland. I also received a copy. As a keen supporter of that airline's role in increasing competition and providing consumer choice—another theme of this morning's discussions—it is important the such airlines can develop their services and participate in transatlantic flights. Clearly, the immediate focus is on Heathrow, but British Midland has suggested that it is keen to work with Manchester airport.

Many participants in the debate will have followed the recent transatlantic talks and watched as public expectation increased that a break-through would occur. The break-down of those talks is worrying and I hope that the Minister will be able to shed some light on it. It is widely suspected that the commercial interests of British Airways and Virgin may have been as influential as the American Government in curtailing the talks and causing them to fail.

Let us consider cargo. Many references have been made to Prestwick. The relaxation of fifth freedom rights for Prestwick was widely welcomed in Scotland. However, that welcome has been turned on its head by the disappointing news that FedEx will cease its service. Again, commercial negotiations, and the desire to fly in and out of Stansted, are clearly important. I agree with the hon. Member for Wythenshawe and Sale, East (Mr. Goggins) that piecemeal developments in fifth freedom rights are not the answer. However, they can be important in such areas as Prestwick, where airports have developed their businesses largely through their cargo facilities.

I echo the comments of the hon. Member for Leeds, North–West (Mr. Best). If we are to develop regional airports, which are key drivers of local economies, and if we are to gain the necessary freedoms to increase the flights and respond to consumer demand, we must consider the integrated nature of the available transport. It is a source of constant amazement that there is no rail link from Edinburgh airport, which is 200 yd above the main east-coast rail line to the north of Scotland, to the city. That story is repeated in many places around the country. Perhaps the Minister will comment on that in his reply.

There is cross-party consensus that liberalisation and responding to customer demand are important. The Government must knock heads together to ensure that we do not stymie important local developments.

10.39 am

Mr. Damian Green (Ashford): The number of hon. Members who have spoken or who wished to speak, and the passionate advocacy of the various airports that we have discussed from Members representing all political viewpoints will have convinced the Minister that the negotiations in which the Government engage in pursuit of liberalisation of air services are vital not only to the industry, but to many people in the areas surrounding those airports. I take the point made by the hon. Member for Burnley (Mr. Pike) that we should perhaps not refer to them as regional; they are international airports that happen to be in the regions.

Conservative Members are entirely in favour of liberalisation. As the Minister and others will be aware, the previous, Conservative Government consistently negotiated hard and did an enormous amount to achieve a degree of liberalisation—although not enough—in Europe and elsewhere. The Minister will also be aware that that liberalisation must be balanced with the interests of airlines and airports and their right to maintain their business as best they can with the travelling public. We have discussed the development of various airports. Manchester has a number of advocates, but Birmingham international and Leeds-Bradford are equally important, as are other prospective international airports that hon. Members clearly desire for their regions. They have all done a lot to encourage economic growth in the areas surrounding them and to achieve regional development. That has been possible under the existing terms of air service agreements and much has been achieved through flights between United Kingdom regional airports and the United States.

Negotiations with the US are often at the heart of the problems that we face. The Bermuda 2 agreement is clearly not perfect, but it represents a step forward. We must be realistic and recognise that we have to build on what is in place. Despite the restrictions and imperfections of Bermuda 2, the UK aviation industry is a success story and has done much to encourage regional development. The link between successful airlines and successful airports is clear, as is the link between successful airports and regional development. The debate is about how we can best maximise the growth and continued success of the aviation industry and the associated benefits that that brings to the regions.

We must consider the negotiations and refer in particular to the FedEx and Prestwick case. I hope that the Minister can explain where he sees that going. I understand that FedEx was given fifth freedom rights at Prestwick with no reciprocity, which disadvantaged other airports around the regions. Also, there was no benefit for British carriers to the US, which was a double whammy on the downside. As we have all heard in the past few days, after that rather dubious agreement was reached, FedEx pulled out anyway, leaving Prestwick with no benefit and the disadvantage of hoped-for jobs not being created. That is a catalogue of disasters by any standard.

Mr. Moore: The hon. Gentleman should bear in mind the fact that FedEx represents 10 per cent. of cargo handling at Prestwick. He may be giving the impression that it represents cargo handling in its entirety.

Mr. Green: No, no. The hon. Gentleman is exactly right, but I am sure that he agrees that an enormous head of optimism built up on the back of the FedEx deal. Obviously, that has been deflated and I hope that the Minister will explain where he sees things going.

The problems over the FedEx deal bring home the importance of cargo issues. Most of the debate dealt with passenger services, but, as the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) said, cargo is equally important. Indeed, cargo is a key industry for some airports. For example, DHL has done much to bring investment to East Midlands airport and independent cargo airlines such as Channel Express have invested heavily in Bournemouth airport.

Caroline Flint: Is the hon. Gentleman aware that cargo and maintenance needs in Yorkshire are not being met by any of the Yorkshire airports? That niche could be filled by Finningley, especially if air services were liberalised.

Mr. Green: The hon. Lady is persistent in getting her message across, but I have no intention of engaging in what appears to be an intra-Yorkshire debate. I have learned in life and in the House that it is wise to steer clear of them.

The British Cargo Airlines Alliance estimates that access to the US market could create 4,000 UK jobs by 2005. Everyone would welcome that, but it depends on the Government achieving the best possible deal for UK carriers in the open skies negotiations with the US. I hope that the Minister reaffirms that they will continue to push for a slice of the American market for UK airlines. The direct impact on regional airports would be not only economic growth, but the environmental benefits of which he will be aware. For example, the more we spread the freight load being carried to different international destinations, the shorter lorry journeys will be. With the right infrastructure around airports and if more freight could be carried from different airports around the UK, heavy-lorry traffic would be minimised.

Several hon. Members mentioned the British Midland letter and expressed disappointment about the failure of the negotiations, but I was struck by how positive it is about using Manchester airport. The letter says that

> "Manchester Airport has been supportive of our efforts to establish a new hub . . . this remains a key element of our . . . strategy."

That will be welcomed by those who advocated the case of Manchester international so eloquently. Many such problems inevitably hit the logjam of the question whether the Government can negotiate successfully, with the Americans in particular, and there will be no progress without successful negotiations.

The underlying figures are slightly disturbing in respect of not only the individual competitiveness of our regions, but our national competitiveness. British business travellers can travel direct to only 10 US cities, but there are 18 direct services from Frankfurt for German business travellers. Greater diversity of services from this country is clearly necessary. For example, Manchester provides only 48 direct services a week—operated by the four UK-US airlines—to only five cities and no services to the US west coast, which is a vital and growing market. We would all like those services to be increased. Birmingham, which is at the heart of many of our industries, has only two airlines operating 14 services direct to only two US cities. Glasgow has only one direct service. Not only is that inadequate for the individual airports and cities concerned, but it puts the whole country at an economic disadvantage compared with some of our European partners and economic competitors.

The Minister will be aware that he and the Government have an important job to do in negotiating those various new services. We are all aware that Ministers face a difficult task and he will have heard this morning that, effectively, he is being urged to give unlimited fifth freedom access to many of our airports, even though that may not be in the interests of some of our carriers. I am also aware that "open skies" means something different in America from what it means here. The American definition seems to exclude cabotage, ownership and control, wet leasing, the fly-American policy and other arcana of the debate.

Perhaps the Minister could spend a few minutes explaining what the future negotiating stance will be after the recent failure of the talks. That stance will be important not just to airlines and to the various airports, but to the possibility of successful regeneration in many cities. I hope that the Minister will give us some information and comfort on that point.

10.50 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): I thank my hon. Friend the Member for Manchester, Central (Mr. Lloyd) for initiating what proved to be an interesting debate in which, possibly with one exception, Members of all three main parties have spoken with one voice.

My hon. Friend made the central charge, which others echoed, that for too long airports policy has been fixated on London. I assure him that we recognise the importance of the regions. Indeed, I represent a seat in the north-east of England which has an expanding airport at Newcastle. I am sure that it would make the same arguments as my hon. Friend has made on behalf of Manchester airport.

We also recognise that, given the demand for air travel is increasing exponentially, it is inevitable—even if we did not want it to be the case, and we do—that there will have to be an expansion of air travel and services from regional airports. One of the great challenges facing this and any Government in the next 20 or 30 years is to reduce the 70 per cent. of air journeys that originate from the three London airports, and to spread the load more equally around the country—for environmental reasons as much as for any other. It is inevitable and desirable that greater development takes place in regional airports.

I concede that the policy may have centred too much on London and on carriers' interests. However, I think that that policy was beginning to change even before we were elected—the hon. Member for Ashford (Mr. Green) asked me to acknowledge that—and we intend to continue in that vein.

[Mr. Chris Mullin]

My hon. Friend the Member for Manchester, Central made a balanced speech. He was generous enough to concede that it was the Government's job to balance other interests, and the hon. Member for Ashford made the same point. We face the dilemma that I put to him in an intervention: do we concede freedom to countries that resolutely exclude or limit our carriers, or do we try to get something in return?

I should add that some foreign carriers are also fixated on London, and it does not follow that, were we unilaterally to grant the freedoms that some have called for, those carriers would necessarily all take advantage of services from regional airports. A number of airlines—my hon. Friend mentioned Biman, the Bangladeshi airline—have been offered freedoms from Manchester but have rather contemptuously declined them. I hope that, on reflection, they will realise that great value is to be gained from those freedoms.

Those are some of the problems that we must take into account. Several hon. Members have referred to environmental considerations. We should not have such a debate without recognising that neither regional nor national airports are entirely popular with some of our constituents, especially if they happen to live next door to them. One way of mitigating the great expansion of regional airports that will inevitably and desirably take place is to ensure that there are proper public transport links. My hon. Friend the Member for Leeds, North–West (Mr. Best) referred to the rail link at Leeds, which is very welcome, and the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) talked of the lack of such a facility at Edinburgh. The Government are trying to encourage all regional airports to develop proper access by public transport, and thereby reduce pollution and disruption.

In the short time allotted to me, I shall do my best to address some of the other points made by hon. Members. In 1998, the Government decided to make an offer to all states with which we have bilateral aviation relations and where services to the UK regions were not already liberalised. The offer was to open up all UK airports, other than Heathrow and Gatwick, to services by foreign airlines, without restrictions on capacity or frequency. The only condition was that UK airlines should have the same rights to fly from those UK airports to whichever airports in the relevant foreign state were available—often just the national capital, rather than regional airports.

Of the 74 states that we contacted with that offer, 17 have so far agreed to it and 25 have responded negatively. We continue to remind the others of our offer, and take every opportunity to raise the matter when we have air services discussions with them. So far, by our calculations, two new long-haul services to Manchester, two to Stansted and one to Birmingham have commenced as a direct result of that regional policy.

Many states realise that demand for services from their territory to UK regional airports does not exist. They are therefore simply not interested in the offer. Others are instinctively hostile to liberalisation and are not ready to follow the lead that we have taken. Because of those factors, the take-up rate of our regional access offer has been relatively low.

Some, including the Select Committee on the Environment, Transport and Regional Affairs, have urged us to make our offer on a unilateral basis. That point was made in the debate. They want us to offer to accept foreign airlines at UK regional airports without restriction, while UK airlines remain prevented from flying the same routes, or restricted to a certain frequency. The Government have been reluctant to do that. The granting of monopoly rights for a foreign carrier to serve a UK regional airport may, in itself, be an attraction to start services, but we do not believe that it is in the long-term interests of consumers to put foreign Governments in a position to keep UK carriers off specific routes and to leave development of a route entirely in the hands of a foreign carrier.

The Select Committee, Manchester airport and others have also argued that we should unilaterally concede fifth freedom rights from regional airports in the UK on the ground that such rights can help to swing a decision by a foreign airline in favour of commencing operations to a regional airport. Again, the Government have not been convinced that the merits of such a policy outweigh the drawbacks. Capacity increases, fifth freedom rights or more flexible tariff frameworks are frequently sought by UK carriers from foreign states, and it would weaken our ability to negotiate such rights for our own airlines if we unilaterally granted fifth freedom rights to others.

However, we have been prepared, on a case-by-case basis, to examine requests by foreign carriers for fifth freedom rights from UK regional airports. In each case, we ask the Civil Aviation Authority to conduct an evaluation of the benefits and disbenefits of such services for UK airports, for the regions in which they are situated and for UK carriers.

Following such an analysis, we have recently approved an application by Olympic Airways for fifth freedom rights from Manchester to Boston and Toronto. Those services are due to start in April. Singapore Airlines operates fifth freedom services from Manchester to Bombay. In addition, Emirates Airlines has in the past made use of the fifth freedom rights that it enjoys from Manchester to a number of European points, but no longer does so. We have also indicated to Emirates that we would be willing to consider fifth freedom rights from Manchester to New York, but it has preferred to concentrate its efforts on obtaining such rights from London. Similarly, Singapore Airlines has been offered transatlantic fifth freedom rights from all UK regional airports but rejected the offer because fifth freedoms from Heathrow were not available. My hon. Friend asked about Pakistan. We are having further talks with Pakistan regarding its service, and I am told that those talks are going well.

Several others points have been raised. I would have liked to say something about the difficulties that we are experiencing in talks with the United States, but time does not permit. I shall be happy to follow that up with my hon. Friend in correspondence if he so desires.

I reiterate the point that I made at the outset. We accept that past policy may have been tilted too far in the direction of London, but that will not be the case in the future. We recognise the desirability of expanding regional air services.

Fishing Industry

11 am

Mr. Tim Loughton (East Worthing and Shoreham): I am very pleased to have secured this debate on the fishing industry after several months of putting in for it. It might not have been necessary if the House had had a full day's debate on the whole subject of the fishing industry on 13 December. In the few hours allotted to us at that stage, it was noticeable that no Conservative or Labour Back Bencher representing a coastal constituency was given the opportunity to express his or her views.

I want to examine at the fishing industry today on two levels: first, the complete failure of the common fisheries policy, its devastating impact on the British fishing industry and its total failure as a conservation measure; and secondly, and more important for me, the trickle-down effect of that failure on small fishermen, particularly those in my constituency of East Worthing and Shoreham, and its impact on non-pressure stocks such as sea bass, which is causing problems off the Sussex coast. Again, it might not have been necessary for me to raise these issues if the Minister, who I am glad is here today, had agreed to meet a delegation of fishermen from my constituency, but he has declined to do so on two occasions.

The common fisheries policy has failed, first, to treat British fishermen equitably. There is no level playing field, or whatever the marine equivalent of a level playing field is, in Europe. However, the industry is still important for the United Kingdom. According to the latest figures, it still has 7,800 vessels, catching 980,000-odd tonnes of fish, with a value of £620 million. It employs 18,600 people directly, and gives work to 3,000 fishmongers and a great many more people in supporting industries.

Recent common fisheries policy developments have been singularly unfair to the United Kingdom. The total allowable catch cuts proposed by the European Commission at the end of last year are substantial. The cost to the UK fishing industry is likely to be £88 million, out of a total industry of £622 million. That is about 14 per cent. of the catch in value terms. Inevitably, that will lead to more decommissioning of boats and job losses. Yet there never seems to be the same impact on other EU fishing fleets. Cuts by other member states have equalled those in the UK numerically, but not as a percentage of national fleets. Thus, some other member states, mainly Spain and Portugal, have cut their industries by a smaller proportion, yet received support grants for having been judged to have complied.

The UK gets a particularly poor deal from grants. The United Kingdom was the fifth largest recipient of FIFG grants between 1994 and 1997, receiving 173 million ecus, compared with Portugal receiving 248 million ecus, France 267 million ecus and Spain a massive 1,163 million ecus. It seems that still we have that problem, and the Minister is still proving unsuccessful in standing up to the Treasury. One of the reasons for the disparity is that the Treasury is unwilling to allow MAFF to apply for the multi-annual guidance programme grants awarded for decommissioning, because of the Fontainebleau agreement, which requires 71 per cent. of moneys granted to be removed from the national rebate. That has implications for the modernisation of the UK fleet, which is now much older than the equivalents in Spain and Portugal, for example, and becoming less efficient. Effectively, the United Kingdom has paid £100 million towards the upgrading of the Spanish fleet, while our own is being increasingly decommissioned.

In recent quota cuts, the Minister failed to stand up for Britain by invoking the Hague preference for North sea cod. That would have given the UK an additional 4,350 tonnes to catch. The Hague preference exists to give sensitive regions extra quota when TACs fall, but the Minister failed to play that card for Britain. The United Kingdom continues to get a poor deal from quota hopping, which always hits the headlines. Despite plenty of hot air from the Government, foreign-owned vessels fishing UK quotas still account for around 25 per cent. of the tonnage of the UK fleet. We increasingly see other ways being found around the restrictions, such as foreign vessels unloading their catches at UK ports straight on to freezer lorries destined for home port markets on the continent.

England also faces added competition because the Scottish Parliament now has its own Scottish Fisheries Minister, with powers to discriminate against English, Welsh and Northern Irish vessels operating in the Scottish zone. The Scottish fishermen have a Minister arguing solely for their interests, while England loses out. We have nobody to speak out against the excesses of Scottish vessels, which now come as far south as the south coast of England.

Another problem facing the UK industry is that of safety grants, another disgraceful example of the way in which the UK fishing industry is operating with one hand tied behind its back. MAFF's decision to axe safety grants was a disgrace. The interminable delay in reinstating them does no credit to the Government and speaks volumes about the place of fishermen's safety in the Minister's priorities.

The industry is now faced with the working time directive regulations, ignored by most European fishermen, under which the courts can decide whether or not the directive should be applied, despite the Minister's assurances. As with so many things, regulation weighs particularly heavily on the smaller operators, as the larger commercial operators can afford to take advantage of the increased regulatory burden to force uncompetitive practices on the smaller competition.

It is little wonder, therefore, that the National Federation of Fishermen's Organisations recently called for the Minister's resignation. Its chief executive went on record recently as saying:

> On practically every major front, the industry is being forced onto the back foot. It is intolerable that the Minister has asserted that the fishing industry is doing well under the present Government. Nothing could be further from the truth. The catalogue of failure, fudge and callous indifference clearly shows that the interests of the industry in England, Wales and Northern Ireland have taken a back seat."

The second failure of the common fisheries policy is on conservation, where it has failed dismally. Last November's announcement about cuts in the TAC, understandably described as massive, was surely an admission that the CFP is not working as a conservation measure. The cuts recommended were indeed massive:

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for cod 47 per cent. in the North sea and 69 per cent. in the Irish sea; for haddock 26 per cent. in the North sea and 40 per cent. in the Irish sea. Those were pretty desperate measures, as the cuts are usually capped at 40 per cent. for any one year. We are told that cod and haddock levels are at their lowest for 30 years, which is hardly a vindication of the CFP or a mark of its success.

The truth is that the CFP has no role as a conservation or environmental measure, because British fish stocks were particularly healthy prior to our joining the EEC. The whole approach to conservation in the CFP is completely wrong. Quotas do not reduce the amount of fish caught. Instead, boats trawl again and again to find the catch for which they have a quota to fill. They are more likely to catch non-quota stocks and then throw them back into the sea dead, including many juvenile specimens. It has been estimated that possibly 30 per cent. of fish stocks have been thrown back. A MAFF study conducted a few years ago near my constituency, off Brighton, showed that the survival rates of fish thrown back into the sea can be as low as 40 per cent. The coley example is a good one, because there is a small quota available for coley, which breed prolifically in the North sea. However, apparently annually some 80,000 tonnes have been dumped back into the sea to die and pollute the oceans.

Throwing dead fish back into the sea totally undermines any attempts at conservation of our fishing stocks. It is ironic, therefore, that, as from 1 January this year, the minimum landing sizes for 11 species of sea fish—including brill, turbot, dab, and black and red sea bream—were abolished, allowing the legal landing of postage stamp sized fish, which are particularly popular in foreign markets.

Fishing News, not surprisingly, says:

"Reducing or scrapping MLS sizes is an act of stupidity and no British fishermen wanted to see any reduction in MLS sizes. We have been calling for increased MLS sizes for so many years that we now see MAFF paying lip service to the EU."

The upshot of all this is the creation of a climate of environmental failure and a dog eat dog mentality among United Kingdom and European fishermen—or, perhaps, dogfish eat dogfish—between Scottish and English fishermen and, now, between larger commercial fishermen and smaller operators, often fishing off-beach, as is the case in Worthing. Alas, it is my fishermen in Worthing and Shoreham who are, as it were, the last dogfish on the menu and whose very existence is at stake. Already, only the last vestiges of a fishing fleet remain there.

Let me say something about the local situation. Sea bass in particular have caused great problems among my fishermen, who brought the matter to my attention last summer. At that time, for the second season running, the livelihoods of Worthing fishermen have been threatened by larger fishing boats which come along the coast—particularly from Newhaven, in East Sussex—and scoop up large quantities of fish using nets slung between a pair of trawlers.

Pair trawling is a real problem. Two trawlers operate typically 200 yds apart. Up to six pairs have been operating in the area during the season, and they have started the season early. They drag heavy steel wire lines in water as shallow as 20 ft. Heavy weights are attached to hold down the gear, which are in contact with the sea bed. Heavy wire sweeps herd fish into the nets with a funnel effect, and heavy chains and rubber bobbins scrape along the sea bed, overturning boulders, smashing rocks and uprooting kelp beds, which provide feeding grounds for bass and other fish and where small species such as crabs hide in the dark.

Often, after the pair of trawlers have been along, there are no fish for other fishermen. The fragile kelp beds, which have been deteriorating off Worthing for the last 15 years, are now virtually gone. It is said that they were deteriorating in any event, but dragging heavy gear along the sea bed cannot help the position.

Mr. Peter Bottomley (Worthing, West): I pay tribute to my hon. Friend for going out with the fishermen of Worthing and Shoreham, and maintaining contact with them. When I was the Minister in the Northern Ireland Office responsible for agriculture, we did a fair amount of research in Strangford lough on the effects of dredging. I suspect that the results we obtained were the same as those found in the near coastal waters of the south coast and elsewhere. The practice is very damaging, and I will support any recommendation that my hon. Friend makes to the Minister that it should happen way offshore, if it happens at all.

Mr. Loughton: My hon. Friend knows the position in Worthing as well as I do. I have seen photographs taken 10 or 15 years ago, and compared them with those taken by divers over the past few years. There is very little left—which is especially galling for Worthing, given that, arguably, its name is derived from the Saxon word for seaweed. Worthing has had problems with seaweed for many years: it has made a mess on the beach, and in summer it stinks. However, although the stink has gone, the fish will go as well because of the lack of seaweed.

Another problem with pair trawlers is that they have been coming closer and closer to shore. Some have come as close as 50 yds from the end of the pier, causing a danger to swimmers. As local fishermen will testify, after pair trawlers have hauled in their gear, vast amounts of small bream and whiting can often be seen floating dead or dying on the surface, feeding the seagulls. That does no good to anyone, apart from the seagulls.

I acknowledge that, as it stands, the practice is entirely legal, as long as it is restricted to boats of less than 14 m in length using a net mesh of 90 mm or more, and provided that the boats do not come within a quarter of a mile of the shoreline. Pair trawling is perfectly legitimate, and is not restricted under European Union legislation. I do not suggest that the fishermen operating out of Newhaven—whom I have also met—are flouting the regulations. I believe, however, that the practice is damaging the fish for everyone, and is weighing unduly on small fishermen who are restricted in terms of the distances that they can travel.

Pair trawling is an increasingly effective way of fishing. The amount of sea bass caught in that way has increased by 500 per cent. over the past two years. In 1997-98, 43.3 tonnes were landed; in 1998-99, the amount had increased to 216.2 tonnes. Because of that enormous increase, a number of full-time commercial boats are now fishing for bass. The number has increased substantially over the past five or six years.

My fishermen in Worthing and Shoreham are very aggrieved that some of the best bass fishing grounds of Sussex are being systematically denuded. Since working with them, I have received letters of support from all over the country—from as far afield as Glamorgan, Somerset, Cornwall and Nottinghamshire. I have been out to see the pair trawlers, and I have been out with the conventional fishermen as well.

The response from the pair trawlermen is understandable, and in many respects I sympathise with them. They are caught by the common fisheries policy like everyone else. Because of the lack of pressure stocks and the decreasing quotas for cod, sole and plaice, they are having to look for alternative catches, and the position is worsening. They are having to look further afield for new species that are not covered by the quotas and the TACs. I was recently told that a colony of scallops had appeared in an area that the men do not usually fish; they scooped them up and moved on, leaving no scallops behind.

The problem in Worthing is that shoals of bass come close to the shore and are easy prey for the pair trawlers. Bass is rather a lucrative catch. The trawlers plough up and down all day long and then fill their nets. The Sussex fishery is typical of the eastern channel. A variety of species arrive season by season—for instance, Dover sole, turbot, brill, cod and mackerel. Now, as I have said, trawlers are coming down from as far away as Scotland to take advantage of the position, because of pressures in the North sea. The sea bass stocks, which are not covered by quotas, are inevitably coming under pressure, as evidenced by the catch limits per week being imposed on boats.

A fisherman from Somerset wrote to me about the problem of pair trawling. According to him:

"Pair trawling is not a sustainable method of fishing a relatively small sea or arguably any sea area, particularly for one of the less numerous species of fish albeit one with a culinary price on its head which has the unfortunate habit of forming very dense shoals when spawning and is therefore easy prey for these high tech vessels. Sea anglers and artisan fishermen as well as the knock on effect on the local tourist trade pay for the consequences of this overfishing."

The letter also mentions the MAFF report on offshore bass fishing, which was issued last year. It is the result of a pilot study, and is entitled "MO802". According to another letter:

"The Report which was conducted during the winter of 1998-99, clearly shows that this fishery has become a recruitment fishery which is relying on each new year class of fish as soon as they enter the adult stocks. The catches consist predominantly of small adults in their 1st/2nd year of spawning. Very few fish were present in the widely sampled catches that exceeded ten years of age in a species that normally lives in excess of twenty five plus years and does not successfully spawn until aged six/seven years."

One of the most serious problems affecting the state of world fish stocks is the level of spawning stock biomass for each species. I am sure that you, as a scientist, appreciate that, Dr. Clark. Only mature fish can spawn, and thus contribute to the replenishment of stocks. World fisheries, however, are now increasingly targeting fish that are immature or only recently mature. Those fish have had little or no opportunity to spawn, and cannot contribute to the long-term health and survival of the stock. The plight of the sea bass is a prime example of the problem.

We have to look only at MAFF's consultation document on the subject, which was produced last October, to highlight the problems. Again, I quote:

"When the adult bass return inshore in spring, following spawning, they supplement the summer fishery, but these fish are now perceived to be returning in much reduced numbers. As a consequence, effort on juvenile bass may be intensifying, thus undermining the current conservation package aimed at protecting these fish."

It goes on:

"the trends in the Fishery are worrying. They may indicate that the offshore stock is depleted and that the depletion is already affecting the Inshore Fishery."

That is serious. Pair trawlers are doing, and have the potential to do further, large-scale, long-term damage to the future of sea bass around our shores. In Ireland and the United States, pair fishing has been banned as not sustainable and harmful to quotations. The influence on south coast and south-west fisheries needs to be properly looked at before it is too late here as well.

What is the Minister doing about it? He has twice refused to meet a delegation of fishermen from my constituency, who are suffering from the problem, but who will not give up because their livelihoods are at stake. His actions are just encouraging pair fishermen. I went to see them last summer and tried to broker a gentleman's agreement, whereby they would respect certain lines of demarcation. Initially, they were keen to do that, but when word got round that the Minister was not taking the case seriously and refused to meet my fishermen, they got back to me and said, "If the Minister does not think that it is a problem, we will carry on and take as many fish out as we can." An unhelpful state of affairs has resulted.

The Minister keeps deferring to the Sussex sea fisheries committee, which operates out of Newhaven—from where those very boats come. It constantly denies that there is any such problem, which flies in the face of the evidence. It claims that pair fishermen are using gear that is designed to skip over the ground, rather than carve through it. That is patently not the case, as anyone who has seen photographs of the gear that they use will know.

The complacency on the boats coming too close to shore is worrying because swimmers were endangered last year. The chief fisheries officer of the Sussex sea fisheries committee is quoted in the paper as issuing the advice:

"anyone who swims near a trawler should know to avoid it."

That is hardly helpful advice in the circumstances. We still have a tourist trade and sandy beaches in Worthing and we do not want to discourage tourists in that way.

Worthing fishermen have few options. Some boats target cod in the summer, but they have now moved a long way offshore, on to wrecks in deep water, and are accessible only to a few larger boats. If the quota for cod is exhausted and a blanket ban put on in summer, what can those few boats do for the season? There is a problem. The common fisheries policy and fish stocks covered by quotas are one thing, but the effect on non-pressure stocks should not be overlooked. The livelihoods of many small and part-time fishermen in and around my constituency are seriously threatened. The whole tradition of fishing long associated with places such as Shoreham and Worthing could

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disappear. Clearly, we have a problem in Worthing and in the UK as a whole; it is no good pretending that everything is rosy.

It is not for me to say what the UK Government's policy should be, but, clearly, the CFP has failed and is failing large vessels, and its trickle-down effect means life or death for my fishermen. Carrying on the way we are will end in the wide-scale demise of the Europe-wide fishing industry, particularly the British fishing industry, which poses a serious threat to the long-term sustainability of fish stocks and the health of marine varieties that depend on them.

We need to regain greater control over our national fishing waters. The 2002 review of the CFP and the potential expiry of derogation is an opportunity to thrash out a proper long-term sustainable policy once and for all. I, for one, would favour the permanent extension of national and local management to 12 miles, empowering EU member states actively to manage the fisheries themselves, sensitive to local needs and circumstances and with sustainable social and environmental safeguards. That is the view that the Royal Society for the Protection of Birds took. We can learn much from Norway—it manages its fishing industry without the necessity to dump dead fish and it uses complex and technological monitoring mechanisms and zonal management.

The CFP is a perfect example of everything that is wrong with the EU. It is rigid, centrally applied and has no flexibility. When dealing with a natural resource such as fish stocks, a large degree of flexibility is needed both over time and between areas. The Commission has imposed the quota system from Scandinavia to Gibraltar with no diversity; hence it is failing in all areas. Instead of promoting flexibility, the Commission has introduced a permit system that will take effect from the end of 2002, whereby all vessels that fish outside the six or 12-mile limit will be part of an EU fleet under the Commission's control. That does not bode well for UK fishermen.

The last vestiges of the fishing industry in Worthing are in crisis. It is a microcosm of the desperate state of the UK fishing industry as a whole and it is getting worse. In the interests of the UK fishing industry and the sustainability of European fishing stocks as a whole, that decline must be urgently reversed. That cannot be achieved by a Government who constantly try to con people into believing that they have never had it so good.

We need a Minister to stand up for British fishermen and to take a lead in Europe with radical reform of the CFP, starting with the extension of the derogation to national Governments of control of the 12-mile limit, rather than taking the soft option of caving in every time. We need to hear his proposals for 2002 very quickly. We need a Minister who will stand up to the hoarding mentality of the Treasury, while grants to UK boats that desperately need modernisation and extra safety measures are effectively closed off.

We need a Minister who will have the good sense to acknowledge the plight of smaller fishermen such as those in my constituency, who will be prepared to listen to their views and their experiences at first hand and include them in the whole equation when discussing the fishing industry. I urge the Minister again to receive a delegation of Worthing fishermen, or to come down to Worthing to meet them.

11.27 am

Mrs. Joan Humble (Blackpool, North and Fleetwood): I congratulate the hon. Member for East Worthing and Shoreham (Mr. Loughton) on securing the debate. I was one of the many Members who were not fortunate enough to be called when we had our annual fisheries debate last year, so I welcome the opportunity to take part in today's debate. However, I shall not repeat the speech that I had prepared for that occasion because it concentrated on the proposals on quota cuts for this year and things have moved on. Instead, I would like to concentrate on the proposals that were recently agreed in Brussels to close part of the Irish sea fishery, which will have a serious effect on the fishing industry in Fleetwood.

As the Minister is aware, Fleetwood lost its distant water trawler fleet in the cod wars with Iceland in the 1970s, but successfully built a flourishing inshore fleet. Unfortunately, that fleet has gone down from about 70 vessels to 20, so there are serious concerns about its viability. We need not only measures to ensure that it continues in the short term, but measures to secure its long-term future.

The cuts in quota that have been agreed for this year because of the parlous state of fish stocks will make it difficult for Fleetwood fishermen to sustain their industry. Therefore, they were especially concerned when they learned of proposals to close part of the Irish sea fishing ground.

My local fish producers organisation well understands the need for conservation of fish stocks and spawning grounds. It also recognises that the Irish sea as a whole is suffering from over-capacity. Fleetwood has been trying very hard to ensure that it does have a sustainable fishing industry.

Fishermen are remarkably resourceful people and the fishermen of Fleetwood are certainly among their number. They have invested locally and they work closely with the local authority. The catchers have been working with the producers and auctioneers in the market, with everyone pulling together to ensure that the fishing industry remains. Fleetwood owes its birth to fishing. Even though not so many people are now employed in that industry, it is still part of their heritage and they want to keep it going. They are working hard to ensure that it does.

The producer organisation has proposed various conservation measures and is looking forward to the opportunities presented by the review of the common fisheries policy in the run-up to 2002 to ensure that this country, and indeed Europe, has a viable fishing industry. The fishermen would support a total ban on fishing in the Irish sea to protect spawning stock of cod and juveniles, but they are bewildered why beamers from Ireland, Holland and Belgium are to be allowed in to fish. Beam trawlers are large vessels and they are moving ever closer to the 12-mile limit. Fishermen from the Fleetwood inshore fleet tell me that beamers regularly come inside that limit and that they have reported the sightings to the Ministry of Agriculture,

Fisheries and Food. I urge them to continue to report such incidents because, clearly, policing the 12-mile limit is at issue.

As the Minister is aware, trawlers in the beamer fleet take by-catches of cod. Boxes of codling are offered for sale to merchants in Fleetwood, so fishermen from those trawlers are coming ashore. My local fishermen tell me that some of the by-catch from those larger vessels is more than the total catch of the small inshore fleet—what is seen as a by-catch for larger vessels is their livelihood, which adds to their concern.

I read with interest an article in *Fishing News* on 4 February in which the Minister explained the background to some of the recent measures taken by the Council of Ministers. It is an excellent article and outlines the issues in detail. I noted, in particular, that the background to the debate was:

"to protect the immature cod which will spawn this year during February, March and April;

to maintain those fisheries that would not conflict with the spawning cod;

to impress on the Commission and the UK industry that the industry's involvement in the process was essential if a realistic plan was to be developed."

I agree entirely with what my hon. Friend said in the article. I want all that to happen. My fishermen and I agree that immature cod have to be protected and want their fishery to be maintained during the time that the cod are to be protected. They also want to work closely with the Commission and the Government to produce a realistic plan.

I hope that my hon. Friend will respond positively to this debate and let me know how these fishermen can become actively involved in the Irish sea cod recovery plan. Without fish, there will be no fishermen. That is why Fleetwood fishermen are realistic about the problem.

Representatives of the local producer organisation and Fish Forum are to attend a meeting in Belfast next Wednesday, when the matter will be discussed further. My hon. Friend the Minister is aware that interesting moves are afoot to study a regionally based plan for the Irish sea. That fishery concerns not merely men from Fleetwood but people from Northern Ireland and Eire, as well as other European countries. At last, they are talking to each other constructively and I want that constructive dialogue to be maintained.

In the meantime, Fleetwood fishermen would certainly welcome an opportunity for MAFF scientists to accompany them on one or two of their inshore vessels on short trips to those grounds to monitor fishing activity and take samples of the fish caught. They also want the opportunity to accompany MAFF survey vessels on their observations. I often find myself in the difficult position of, on the one hand, listening to and reading accounts from scientists of what is going on, and on the other, listening to fishermen who have fished those waters for 20 or 30 years, and I find that their accounts do not always marry up.

It is important that scientists and fishermen study carefully the data that scientists are collecting, as well as taking into account fishermen's knowledge based on their own enterprise. We need to ensure that quotas are properly allocated, based on the availability of the stock. If scientists and fishermen disagree, the industry will not work together as we would all welcome.

My hon. Friend the Minister has agreed to meet with some of my fishermen. He has visited Fleetwood on two occasions, I think, and he impressed local fishermen with his profound knowledge of fish, the fishing industry and his commitment to their long-term sustainable future. Having met them, he knows that they are people who express their opinions forcefully. They will express their concerns to him at the meeting that we hope to have next week. They very much welcome the opportunity to meet him to discuss the issue. The Irish sea is the only fishing ground for Fleetwood's small inshore fleet. If it is closed, they will have nowhere else to go. They need to consider carefully how conservation will give them a long-term future, but also what measures can be taken now to ensure that they will be in a position to take advantage of that future when that is being discussed as part of the wider debate on the CAP.

Fishermen understand the need for conservation and for quotas. They understand that scientists have a role to play in advising on the state of the fish stocks. They want to take an active part in the process. My local producer organisation recently appointed new officers to lead it and it is determined that the voice of Fleetwood will be heard when the fishing industry is discussing its future, and that it will be a positive voice because they want the industry to succeed in Fleetwood and elsewhere.

11.38 am

Mr. Christopher Gill (Ludlow): I congratulate my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) on obtaining this important debate and compliment him on the cogency and fluency with which he put his case.

I am pleased to see the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food and my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss), the shadow fisheries Minister in their places. I have always found the Parliamentary Secretary to be unfailingly courteous in dealing with these matters. Within the constraints imposed upon him by his stewardship of a pernicious and unworkable regime, he has always been unfailingly helpful.

I have never understood how a person with the hon. Gentleman's strong views on animal welfare has been able to reconcile those views with support for the common fisheries policy, which positively encourages wanton destruction of precious marine life. Nevertheless, the fact remains that the hon. Gentleman and the Labour party condone the CAP, which, as we all know, results in more than half of all the fish that are caught being dumped back dead into the sea. That is all done, as we know, in the name of conservation.

What is even more extraordinary is that there has not been a squeak out of the animal welfare lobbyists on the subject. They are very busy opposing fox hunting and fur farming, but, when it comes to the utterly unnecessary and totally immoral destruction of millions of fish, there is not a peep. Every day of every week, thousands upon thousands of perfectly saleable fish are needlessly discarded, but the animal welfarists remain strangely—and suspiciously—silent. Here is an open-and-shut case of wanton destruction of animal life, but they have absolutely nothing to say. Hon. Members

[Mr. Christopher Gill]

might like to ponder why that is. They might even conclude, as I do, that the motivation of those self-styled champions of animal rights is purely political.

As I am on the subject of political motivation, I should return to the Minister himself. The hon. Gentleman might resent being called a communist—

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): It is not very new Labour.

Mr. Gill: There is, however, no escaping the fact that the Minister and his Government colleagues are supporting a collectivist policy. How else would one describe a regime that, from the centre, tells fishermen what they may catch, in which sea areas, in which quantities, and even—from last year—at which ports they may land them, and, in some cases, between which hours that landing may be made?

The Minister and the Labour party are totally committed to that policy. They are the ones who condone the evil regime. They are the ones who are responsible for what can only be described as an environmental outrage. They are the ones who have acquiesced in the scrapping of the minimum landing size on the 11 species that were mentioned, quite accurately, by my hon. Friend the Member for East Worthing and Shoreham. They are the ones who, far from reducing the sand eel total allowable catch, are party to its being increased.

Mr. Morley *indicated dissent.*

Mr. Gill: Before the Minister intervenes, I should say that I recognise that there is now a closed area for sand eels. However, as he will know, that area has been created for the sake of the birds. In the modern idiom, the whole of the policy is for the birds. The policy is certainly not for the sake of fish or for the good of fishermen.

Mr. Morley: Will the hon. Gentleman give way?

Mr. Gill: If the Minister will let me finish on this subject, I shall gladly give way.

I should like the Minister to listen to what a Scottish fisherman has to say on the subject. In a letter to *Fishing News*, published on 17 December, Mr. George Stephen, of St. Combs, in Scotland, had this to say:

"From midnight on 31 December I will be subject to constant satellite surveillance. . .

Why? What have I done to warrant this electronic tagging? I am not a paedophile, drug dealer, murderer, gun runner or released IRA terrorist, neither do I cruise Clapham Common, trade in porn or smuggle booze. Nor am I a burglar, mortgage swindler or an illegal immigrant.

My crime? I am a fisherman, a so-called 'enemy of the environment'! In 30 years at sea I have never caught a whale, destroyed a dolphin, killed a seal or dumped nuclear waste, but I have been forced by the EU to dump hundreds of tonnes of edible fish in the name of 'euro-conservation' CFP style."

Mr. Morley: The hon. Gentleman is making a speech in his usual robust style. However, I should like to clarify a couple of issues. First—and we have been through this before—the vast majority of fish that are dumped are dumped because of the nature of fishing itself and the fact that they are immature or non-target species. Nevertheless, that is not an excuse for the extent of dumping. It is a technical conservation issue that must be tackled, and we are doing that.

As for closed areas for sand eels, science on the impact of sand eel catches on birds was used to justify the closure. However, there is no doubt that the closure has had benefits for migrating salmon and other commercial food stock species. Moreover, it was the United Kingdom that argued for a limit on sand eel catches. Although I concede that that limit was far too high and that I should like to revisit the issue to obtain such reductions, we shall have to have science to back our arguments.

The impact on the sea beds is part of the science—

Dr. Michael Clark (in the Chair): Order. You are making an intervention, Mr. Morley, and I should be very grateful if you could keep it intervention length. You will have a chance to sum up later.

Mr. Morley: Thank you, Dr. Clark.

Mr. Gill: I shall be only too happy to respond to that intervention, Dr. Clark. One of my complaints about the common fisheries policy is that, for 25 years, we have known that there is a problem, and that, for 25 years, Ministers—people who have gone before the current Minister—have been saying that something needs to be done. The Minister and I have crossed swords on many occasions when I have explained to him that the prospect of reforming the common fisheries policy in any radical or meaningful way is impossible. He and I know that it requires unanimity; otherwise, or that, if the changes are proposed and are passed under qualified majority voting, at least one nation—I suspect the Spaniards—will take the European Union to court on the ground that there has been discrimination.

The Minister also did not tell the Chamber that the outcome of the Government's representations on sand eels to the Council of Ministers was that the sand eel total allowable catch was increased from 1 million tonnes to 1,020,000 tonnes. However, anyone with the least knowledge of fishing and fish stocks realises the importance of sand eels as a feedstock for fisheries.

The fact that the European Union has increased the sand eel TAC is mind-boggling. Currently, the sand eel catch is less than half of the approved catch limit. The estimate is that, in 1999, 430,000 tonnes of sand eels were caught. Moreover, the catch has been decreasing by about 100,000 tonnes for each of the past three years. Why on earth Ministers decided that they needed to increase the sand eel TAC is a matter that the Minister will perhaps deal with in his slightly longer intervention at the end of the debate.

I do not think that you were in the Chair, Mr. Jones, when I read extracts from a letter by Mr. George Stephen, of Aberdeenshire, but I do not think that I need to say more about that letter—the gentleman said it all. The common fisheries policy is devoid of any semblance of common sense and is entirely hostile to the environment that it purports to sustain. Indeed, the

policy is hostile to that most precious of infinitely renewable resources—the fish themselves—that it purports to conserve. The policy is entirely bereft of any sense of morality.

The greatest scandal, however, is that the CFP continues to be supported by politicians—people such as hon. Members in the Chamber now. There can be no excuse for that situation. Thanks to the tireless efforts of Save Britain's Fish, there is no longer ignorance about the facts of the common fisheries policy—how it originated, how it works, and what it will inevitably lead to. We carry on down that path at our own peril. Furthermore, the guilt of destroying one of nature's most priceless assets will be on our shoulders.

I should like the Chamber to know exactly where the Conservative party now stands on these issues—*[Interruption.]* I shall make it abundantly clear, without a shadow of a doubt, and hope that I shall not embarrass my hon. Friend the Member for North-East Cambridgeshire. On 15 December 1998, the previous shadow fisheries Minister, my hon. Friend the Member for Teignbridge (Mr. Nicholls), said:

"We have to bring fisheries policy back under national control"—[*Official Report*, 15 December 1998; Vol. 322, c. 845.].

He echoed the words of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who stated as long ago as 1997:

"There are several areas where the EU is exercising powers which could be devolved to the member states. Another candidate for repatriation is fisheries policy . . . Fishing grounds out to 200 miles or the median line could be brought back under national control, with sensible bilateral agreements and recognition of the historic rights of other countries."

The last word must go the Leader of the Opposition, my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), who, in a letter to Mr. George Wiseman of Fraserburgh, dated 9 March 1999, stated:

"I do not believe the current CFP arrangements are working . . . Our aim has therefore been set out unequivocally . . . our approach will succeed in regaining national control of our own fishing waters."

That is unequivocal. That is where we stand, and where we shall fight. We shall stand up for a vital British interest. We shall fight to retain what remains of a once-proud industry, and we shall take back control of our own waters out to 200 miles or the median line.

I applaud that outbreak of common sense. I rejoice in the fact that my party now has a policy which is distinct from that of the Labour party and the other Opposition parties. I further rejoice that the Conservative party is now on the right side of the argument. I welcome this renunciation of collectivism.

I challenge the European integrationists and the proponents of the common fisheries policy—some of whom are present in the Chamber this morning—to explain what distinguishes this collectivist policy from communism. *[Laughter.]* The hon. Member for St. Ives (Mr. George) laughs, but he will have an opportunity to answer the question. I have posed it to many others, and they have all failed to answer. I shall be delighted to hear what the hon. Gentleman has to say.

One of the consequences of collectivisation is that what everybody owns, nobody owns. A regime that denies individual fishermen any sense of ownership is the absolute enemy of conservation. The Chamber will be grateful to my hon. Friend the Member for East Worthing and Shoreham for his graphic description of how the common fisheries policy is failing the fishing industry, failing the nation and prejudicing the very existence of the fish themselves.

11.53 am

Mr. Andrew George (St. Ives): I congratulate the hon. Member for East Worthing and Shoreham (Mr. Loughton) on an eloquent and thoughtful speech, and on securing the debate. He rightly pointed out that the annual fishing debate—the pre-eminent opportunity for us to review the state of the industry—was so severely curtailed that we had little debate at all. I ask the Government's business managers to ensure that next year's debate provides an adequate opportunity.

The substance of the hon. Member for East Worthing and Shoreham's speech was local, but it has resonance around the coast of the British Isles in relation to local, coastal and low-impact fisheries and their impact on other economies in the area, including tourism. The hon. Gentleman referred to the failure of the common fisheries policy, as did the hon. Member for Ludlow (Mr. Gill). I do not think that any Member here would condone or support, as the hon. Member for Ludlow put it, the common fisheries policy in its present form. I and members of my party—and other hon. Members—have criticised the common fisheries policy for being an almost complete failure on almost every count. When I came into the House in May 1997, that was the situation I found, and we must deal with that situation.

The hon. Member for Ludlow claims that it is a collectivist policy, and that the Minister therefore must be a communist. If so, the previous Tory Government were, for 18 years, communists also.

Mr. Gill: I do not think that the hon. Gentleman should be allowed to get away with that. I said that the Minister would probably resent it if I called him a communist.

Mr. George: I am sure that the hon. Member for Ludlow would resent that, too, but that is the inevitable conclusion that one must draw from the hon. Gentleman calling anyone responsible for trying to manage the common fisheries policy in government a communist or a collectivist. As the hon. Member for East Worthing and Shoreham pointed out, there are serious issues to address, such as conservation and quota management.

I wish to refer to safety and to minimum landing sizes, and I agree with the hon. Member for East Worthing and Shoreham about the working time directive. He will find that the Liberal Democrats strongly opposed the introduction of the working time directive into the industry in its present form, but we failed to secure the support of Conservative Members when we tabled a motion in the House just over a year ago.

Mr. Loughton: I was a member of the European Standing Committee which debated the working time directive, and the Conservative members did vote against it.

Mr. George: I accept that, but the motion tabled in the annual debate in 1998 emphasised that the directive

[Mr. George]

should not be imposed on the fishing industry in the proposed form. The fact is that we failed to secure the support of Conservative Members at that stage.

The hon. Member for Blackpool, North and Fleetwood (Mrs. Humble) referred to the impact of the annual cut in quotas, and how substantial the cuts have been. All hon. Members have been struck by how severe the cuts have had to be this year. We have called on the Minister to say whether the Government have had further opportunity to consider the possibility of introducing multi-annual quotas. We cannot simply go on limping from one year to the next with the 11th-hour brinkmanship over the setting of quotas. We do not know two weeks before the commencement of the next fishing year what the quotas will be. There is some indication of quotas, but clearly that is not good enough.

I have enormous sympathy with the substantive point that the hon. Member for East Worthing and Shoreham raised about the damage done to the inshore fishery in the Worthing area, and I was interested in his comments about Worthing and seaweed. In my part of the country, seaweed was seen in the past as a great resource and the kelp industry was an important part of the local economy. Perhaps if there is a lot of seaweed, especially kelp, in the area, the hon. Gentleman should encourage some of his constituents to consider that as a potential economic development opportunity.

On the Cornish coast around my constituency, we have similar problems, although the problems created by pair trawlers beyond the 12-mile limit are a matter of great concern. The Minister knows my criticisms of the way in which the Government introduced the 15 tonnes per month rule at a very late stage, when we were previously looking at five tonnes per week. As far as the bass longliners in Cornwall are concerned, that has meant unwelcome continued fishing opportunities for pair trawlers, whereas the five tonne per week limit would have curtailed some of those fishing opportunities. Line-caught bass around the Cornish coast is an economically viable industry. Low-impact fisheries are economically viable and they should be encouraged, not damaged by pair trawlers, which, by the ratio of catch per person employed, do not have the same beneficial impact on the local economy. Therefore, I encourage the Minister to monitor the impact of the 15 tonnes per month limit and to consider withdrawing it to protect the bass stocks and encourage low-impact fishing around our coast.

The hon. Gentleman may also be interested to learn that I have disagreed with the hon. Member for Totnes (Mr. Steen) about the damage done by certain types of fishing methods, such as scallop dredgers, in inshore areas. I have argued that they have damaged important fishing grounds, especially crab and lobster grounds, but the hon. Gentleman has strongly argued in favour of continued freedom for scallop dredgers. Attitudes to the issue depend on local circumstances and the concerns of the local fishing fleet.

I shall be interested in the Minister's response to the points raised by the hon. Member for Blackpool, North and Fleetwood on the closing down of part of the Irish sea. The industry has agreed with the broad thrust of local management agreements, and it will be interesting to see whether the way in which the closure will be achieved will be altered under the devolved regional management plan proposed for the area. The industry in Cornwall has long argued for seasonally closed areas and satellite surveillance, because responsible fishermen recognise that if they are to follow the rules, other fishermen must also, and they need effective policing to ensure that. Therefore, I can tell the hon. Member for Ludlow that many fishermen welcome the introduction of satellite surveillance to ensure that their conformity to the rules does not put them at a disadvantage.

I was also interested in the hon. Gentleman's clarification of Tory party policy on the common fisheries policy. It will be interesting to hear in a moment whether the hon. Member for North-East Cambridgeshire (Mr. Moss) concurs.

Mr. Gill: Our policy is better than yours.

Mr. George: The hon. Gentleman's policy is for the birds, because policies have to be achievable in the real world. The Liberal Democrats have long argued for a radical reform of the CFP, which involves decentralisation, along the lines proposed for the Irish sea, to regional management boards, which would include scientists and fishermen. That would give fishermen some say over fishing policy in their areas. With power comes responsibility, and the fishermen recognise that. If we could achieve that through reform of the CFP in future, it would be very welcome.

The Minister has reassured me that we are reasonably confident of maintaining the six and 12-mile limits and relative stability beyond 2002, but we need further reassurance that the Minister is fighting hard to achieve, as far as possible, a regional fishing policy along the lines proposed by the industry. I know that the Minister has shown some sympathy for the proposal.

I share the concerns of other hon. Members who have raised the issue of minimum landing sizes today. I appreciate that criticisms of discards made by the hon. Member for Ludlow and others have also been made vociferously by the industry, but it is now saying that discards are better than scrapping the minimum landing sizes altogether. I believe that the fishing industry in this country is responsible, and there is little or no market for juvenile and undersized fish in this country. Therefore the scrapping of minimum landing sizes will probably have little impact in the UK. However, the danger is that it will give a green light to irresponsible fishermen who may target juvenile fish because there is a market for them in other parts of Europe.

I look to the Minister for some reassurance that action will be taken, because a reformed CFP should contain more robust mechanisms to ensure that the rules are enforced evenly across Europe. The Minister will know that many British fishermen have little faith that their conformity with the rules is matched in other countries.

Fishing safety is an issue of great concern. I know that the Minister is not directly responsible for that, but the Deputy Prime Minister held out the prospect of reinstating the fishing safety grants for six months. Only a couple of weeks ago, after he had let the fishing industry down, he criticised fishermen for their irresponsible and cavalier attitude to fishing safety. That

is not good enough, and it has not gone down well with the fishing industry that the Minister who claimed that he would be responsible for reintroducing fishing safety grants has taken that attitude. We have recently seen tragic loss of life in the fishing industry, and in my own constituency in 18 months we have lost 11 men to the sea. That is an issue of grave concern, because no other industry has such a record of tragedy and loss of life. I look to the Minister for some reassurance that the issue will be a top priority for the Ministry.

12.10 pm

Mr. Malcolm Moss (North-East Cambridgeshire): May I congratulate my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) on his success in securing this debate? May I also compliment him on making a competent and cogently argued case? It contained many points to which I will, I hope, give the Minister enough time to respond. We never seem to have enough time for our fishing debates. It has already been alluded to several times that our annual debate was very short and very few Back Benchers managed to contribute to it. One would encourage Back-Bench colleagues to put in for more fishing debates in this environment.

I support my hon. Friend's plea for action on the sea bass problem. I have had several letters from around our coast, but particularly the approaches in the channel, showing that this is now a very serious problem. My hon. Friend referred to last year's offshore bass fishery report, which confirmed that the bass targeted by the pair trawlers were shoaling bass which were about to spawn. Given that evidence, one wonders why little if no action has been taken since that report came out. It is also in direct conflict with Labour's charter for anglers. Under the heading of sea angling, Labour said that it would introduce a coastal planning policy that would recognise important areas of sports fishing and closed areas for spawning and preserving breeding stocks. We have not seen much of that policy; perhaps the Minister will tell us why the Government have been a bit dilatory in coming forward with it.

I want to give the Minister plenty of time to respond to the very important points that have been made this morning. However, I also want to give him the opportunity to answer the six-point indictment from the National Federation of Fishermen's Organisations which recently called for the hon. Gentleman's resignation. This must be the first time that such a body has called for a Minister's resignation. *[Interruption.]* The Minister has had plenty of time to answer the main points that were put in *Fishing News* and in the federation's press release. Perhaps this morning he will begin to answer some of the key criticisms that have been made. First of those was his failure at the European Commission meeting to invoke the Hague preference for cod in the North sea. It is a critical aspect of fishing in that area. As my hon. Friend pointed out, it could have meant an additional 4,350 tonnes which, in pounds and pence, represents £6 million to the industry. That cod was clearly traded off for some other priority. It would be helpful to know why the Minister did not invoke the Hague preference and what other deals were done as a result.

The federation believes that the Commission's plan for Irish sea cod will fail to build on the industry's proposals to protect the spawning cod. It will also fail to secure vital haddock fishing during the main season. The federation points out that British vessels will have to be tied up or undertake expensive conversion to remain in business.

On fleet modernisation, the usual point is made that there is a continuing decline in the British fishing industry, and that nothing has come from the Government in the way of grant aid for decommissioning or scrap and build.

Safety has been debated both in the Chamber and on the Floor of the House, and promises were made. On 11 June 1999, the Deputy Prime Minister wrote to Barrie Deas of the National Federation of Fishermen's Organisations regarding the decision of the Ministry of Agriculture, Fisheries and Food to close the national fishing vessel equipment scheme. The right hon. Gentleman said:

> "We share that concern, which is why, speaking for Government as a whole, I have made clear that the fishing vessel safety equipment grants would continue."

He has not repeated that position, speaking for the Government as a whole, but he wrote on 2 November saying that the problem was that since he wrote on 11 June, there had been devolution. He continued:

> "MAFF's previous regulations which covered this scheme are no longer valid. Nor can they simply be restored, either for the UK or England alone, because of what the regulations' text actually provides . . . In light of this, it makes sense to draw a line under the previous scheme, and to consider whether to introduce a grant scheme for this purpose in the future."

The key word in that is "whether", whereas in his earlier letter, the right hon. Gentleman had more or less confirmed that the scheme would be reintroduced.

Finally, the federation believes that the Government's enthusiasm for the working time directive has led to the interests and concerns of the fishing industry being brushed aside. If applied to the industry, the working time rules will mean that most vessels will be unable to operate in a viable way. I add to that list the fact that the Minister, who supports minimum landing sizes—or used to—failed totally to hold his corner at the meeting. As a result, the issue of minimum landing sizes—which the federation and most people looking at the industry believe to be a key ingredient of all conservation measures—has been swept aside for certain species.

I rest my case there. I have not spoken for very long, but the Minister has many questions to answer and I hope that, in the time available, he will do just that.

12.16 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): There have been some very good contributions in this debate, and I add my congratulations to the hon. Member for East Worthing and Shoreham (Mr. Loughton) for the way in which he made his case. I do not agree with all the points that he made, as I will explain in a moment, and I shall deal head on with the local issues that he raised.

It is true that the National Federation of Fishermen's Organisations has called for my resignation. Calls for fisheries Ministers to resign are not unusual; it is an occupational hazard. I have been around the industry for a very long time, and if the hon. Gentleman would like to talk to those of his right hon. and hon. Friends

[Mr. Elliot Morley]

who have held this post, he will find that a call for one's resignation, in the context of the history of the relationship between fisheries Ministers and the industry is pretty small beer, frankly. I recognise that there are genuine frustrations and concerns in the fishing industry. If it makes fishermen feel better to call for my resignation, I am not one to complain.

I have never said that the industry has never had it so good. Although some parts are clearly having a very difficult time, it would be wrong to think that all sectors are on their knees. However, I do not want to gloss over the problems that the industry faces, and I will deal with them.

As this debate was secured by the hon. Member for East Worthing and Shoreham, I should like to deal with his points before dealing with the general issues. I accept the points that have been made about the time available for fisheries debates. That is a fair comment, although I think that it was helpful to have a three-hour debate on the Select Committee report on fisheries. That extra debate gave many hon. Members the chance to speak.

I accept the need to look after the inshore sector. I am very keen on the inshore sector—I have introduced a consultation document for inshore fishermen which deals with how they can protect their interests. I have increased the underpinning of certain stocks for the inshore sector. As for quota hoppers, one benefit of the new economic link regulations was that some of those vessels actually gave back all their quota—50 tonnes of sole—directly to the inshore sector to assist it. So I understand the sector's needs; I am keen to support it and want to do more.

I did not accept the hon. Gentleman's request to bring a delegation of local fishermen to see me, and I should like to explain why. Generally speaking, I am only too pleased to meet hon. Members and fishermen to discuss their problems. The hon. Gentleman would have been only too welcome if he had stopped me in the Lobby to discuss the matter in more detail. Indeed, some of his hon. Friends have no qualms about discussing fish with me whether I want to hear them or not. I offer him that courtesy; we are all constituency Members and I want to help all hon. Members to deal with constituency issues.

However, I did not feel it appropriate to meet the hon. Gentleman's delegation on the particular issue on which he requested the meeting. The matter is dealt with by the sea fish committees. I appreciate that the hon. Gentleman's fishermen are concerned about pair trawling, which may damage kelp beds and disturb the inshore fleet and even sea angling. As soon as the hon. Gentleman wrote to me, I raised this serious matter with the Ministry's sea fisheries inspectorate and the Sussex sea fish committee. Both bodies assured me that pair teams working off Worthing respect the committee byelaw that puts a maximum length of 14m on vessels within the SFC district. The teams also used larger meshes than local single trawls did, which is also regulated by the byelaw. I am keen to see people using larger meshes than required because it is good for conservation.

I was further informed that there was no evidence that the pair trawlers were damaging what remained of the kelp beds. The hon. Gentleman referred to problems with the gear being used. The SFC is dealing with that and I would be reluctant to trespass on areas that are the responsibility of local sea fish committees. I favour devolution and regional management, and the sea fish committees are an important part of that. My responsibility as a Minister is simply to confirm that byelaws made by SFCs are made after due consultation. Operation of the byelaws is a matter for the committees, which represent a range of interests in their regions.

If I met a delegation that wanted to raise the type of complaint identified—quite legitimately—by the hon. Gentleman, I can guarantee that the hon. Member who represents the interests of the pair trawlers would also demand to see me. The pair trawlers have a very different tale to tell on this matter, and I should have to try to arbitrate in a local dispute that is the responsibility of the sea fish committee.

I was concerned to hear the hon. Gentleman say that pair trawlers are using the fact that this is a matter for the SFC as an excuse to do nothing. I appreciate that the hon. Gentleman is trying to reach an agreement, but that role lies with the SFC. In at least one part of the country, there has been an example of what happens when an SFC cannot achieve agreement locally. In that event, the Ministry of Agriculture, Fisheries and Food has to take over by introducing temporary byelaws and taking a role in local regional management. I do not believe that we should do so. Inshore management should be a matter for the committees, involving local fishermen and other people.

That is why I felt it inappropriate to become involved in the dispute on which the hon. Gentleman wrote to me.

Mr. Moss: Will the Minister explain why agreement was given for a massive increase—500 per cent.—in the sea bass catch?

Mr. Morley: I am not sure that the hon. Gentleman is right in referring to an increase in the sea bass catch as there is no quota on sea bass, which is a non-pressure stock. We have, in fact, introduced measures to restrict the catch of sea bass.

I shall try quickly to cover the points made by my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) and the hon. Members for North-East Cambridgeshire (Mr. Moss) and for Ludlow (Mr. Gill). Funds have been made available for decommissioning, and funds remain available for a small decommissioning scheme, which we may have to introduce as part of our multi-annual guidance programme. By and large, we have achieved our MAGP target for the bulk of our fleet, so we do not have to decommission. I am glad about that. Although we have sometimes had to decommission, that does not resolve the problem, and unbalanced decommissioning can cause particular problems in ports around the country.

We had a detailed debate on fleet modernisation, and I do not think that it would do any good for the inshore fishermen represented by the hon. Member for East Worthing and Shoreham if the Government used public funds to modernise vessels so that they were more efficient and could increase their catches. In some cases, we would be giving people money to build vessels that they could not sustain on their normal catches. That does no one good, including fishermen.

Mr. Loughton: I entirely agree that that would do no one any good. Why, in that case, are we giving

£100 million of United Kingdom taxpayers' money to Spanish fishermen to do exactly that? May I remind the Minister that the problem is generally one of pair trawling, and, as the hon. Member for St. Ives (Mr. George) said, that also affects other parts of the country. Will the Minister meet my fishermen on the subject of the damage that pair trawling is doing, even if he meets those represented by other hon. Members at the same time? That is the point I should like him to consider. Expansion in the industry is making it exceedingly efficient and effective, and that is having a detrimental knock-on effect on people such as my fishermen.

Mr. Morley: I want to help the hon. Gentleman. That was not the point that he put in his original letter. If he and his inshore fishermen wish to see me about an issue for which I have policy responsibility—pair trawling may be such an issue—I shall of course consider his request sympathetically, as I would for any hon. Member. He may wish to ponder on what request he wants to make.

Time is short, but I shall try to deal quickly with points made about the Hague preference. In the Fisheries Council of the European Union, I must negotiate in the best interests of our country. Our national interest relates not only to the North sea, but to the English channel, the waters off the south-west and the Irish sea. The future of the Hague preference is also an issue for consideration. We do not have an automatic right to impose the Hague preference, but can do so only with the Commission's support once it has gone through the Council of Ministers. Four member states objected in the most recent negotiation.

We must focus on the benefits. We have managed to negotiate a quota of 34,360 tonnes of North sea cod for this year. As the actual catch in 1999 was 33,357 tonnes, we have managed to negotiate a quota larger than the amount caught last year. Yet all science suggests that cod stocks are in poorer shape this year than they were last year. I should tell the hon. Member for Ludlow that that has nothing to do with the common fisheries policy, but has more to do with cod breeding cycles and rising sea temperatures.

All countries that are not in the CFP also apply quotas. The CFP can of course be criticised—it is not perfect, and the Government have never said that it is. However, there must be an alternative to quota management. Every other country uses quota management, and Norway employs a discard policy that involves ships landing their discards, although the authorities in Norway have told me how difficult it is to enforce that policy.

I do not have time to go through all the points raised this morning. If hon. Members feel that I have not touched on particular burning issues, I ask them to write to me. My hon. Friend the Member for Blackpool, North and Fleetwood raised several important points, and I shall take them seriously. She is bringing a delegation to see me, and I hope to discuss those points in more detail then.

In conclusion, important issues have been raised, and we must tackle them properly. I was not convinced by what the hon. Member for Ludlow said about Conservative policy. Recognising historical rights is tricky—

Mr. Barry Jones (in the Chair): Order. We must now move to the next debate.

Objective 2 Funding (Southend)

12.30 pm

Mr. David Amess (Southend, West): The hopes and aspirations of thousands of my constituents depend on the outcome of this debate—such is the responsibility that has been placed on the shoulders of the Minister for Competition and Consumer Affairs, the hon. Member for Pontypridd (Dr. Howells).

I shall state what I am trying to achieve at the outset of my remarks, because there is a chance that, as I continue, the purpose may be lost. On behalf of my constituents, I want to obtain a plain answer as to why their Member of Parliament was not given the courtesy of being told by the Government, at any stage, that Leigh and Chalkwell would be removed from objective 2 status. Later on, I shall give more details of the circumstances of my inquiry. However, my constituents need to know why their MP was treated so discourteously.

I hope that the Minister will be able to explain who—precisely which body or individuals—decided to take Chalkwell and Leigh out of that bid. Only six wards were removed; hey presto, that included the only two that were in my constituency. Someone must have been responsible for that decision. Was it the Government, the council or Members of the European Parliament?

Finally, I hope that the Minister will tell me whether anything can be done to change that original decision. If that is impossible, can something be done to help my constituents in Leigh and Chalkwell?

This is my maiden speech in Westminster Hall—this dreadful poor relation to the Chamber. I thoroughly disapprove of this arena, but I have been trying to secure a debate on the Floor of the House for such a long time that I decided to accept its being held in Westminster Hall. However, I do not aspire to some consensual, European style of diluted government.

I want to share with the Minister the background to the bid. It was never my idea to get involved in any bid for objective 2 status. The local authority is controlled by 12 Liberal and 8 Labour councillors, against 19 Conservative councillors. Through its officers, the council asked me to support its bid for objective 2 status. I did so enthusiastically.

Given that the UK is such a huge contributor to the EU budget, although I voted "no" in the referendum on Europe in the 1970s, I was only too delighted to try to secure some of that money to help my constituents. My goodness, they need help.

In the larger world, there is an impression that Southend, West is a well-heeled community. When the Guinness family represented the area—as they did for 100 years—that may have been so, but it certainly is no longer true. I live in the heart of the community and I know only too well the challenges faced by my constituents. That is why I secured an Adjournment debate in the Chamber on 30 April last year. The then Under-Secretary of State for Trade and Industry, now the Under-Secretary of State for Education and Employment, the hon. Member for North Swindon (Mr. Wills), replied to the debate and we had a useful exchange of views.

After the debate, he suggested that I arranged for a group to meet him to set out in greater details the reasons why Southend was entitled to objective 2 status. That meeting took place on 28 June at the Department of Trade and Industry and was most agreeable. At the end, I looked the then Under-Secretary straight in the eye and said, "If we are successful, I will thank you; if we are unsuccessful, I will blame your boss."

There was some delay before an announcement was made. I have had a great deal of correspondence on the matter. The deadline kept being pushed back; I do not know whether that was because our officials could not agree with European officials. There was some difficulty in drawing up the map for objective 2 funding.

The subject is complicated and technical. I have yet to meet anyone who has a real grasp of all the details—we are only human beings. However, I deduce from the map that there was much double-speak before it was finalised—I shall explain that in due course. After much correspondence, we heard the wonderful announcement that Southend was to be promoted. I have the document in front of me; it was published in October 1999. It gives the names of the successful areas, with the joyous news that Southend was to be proposed as qualifying for objective 2 status—two of the wards were in my constituency, and we were delighted that Leigh and Chalkwell were to qualify for that status.

I am sure that the Minister for Competition and Consumer Affairs understands that the local community worked extremely hard to draw up various proposals as to how to spend £15 million over 10 years. I pay tribute to Daryl Godbald, who leads the local fishermen, and to Steven Dell, who leads the local cocklers. They drew up a wish list of different proposals.

For instance, we have been hoping for some time that Leigh creek would be dredged—for various reasons. It would enable fishermen and yachtsmen to keep their craft afloat, with access to a lock. It would attract considerable income and employment to the town from permanent moorings and visiting UK and continental craft. It would be an ideal stopping-off point for continental yachtsmen visiting London.

Other large schemes were proposed; for example, cockle sheds at Leigh straight wharf, with improved road access. We planned to extend Bell wharf by 100 m—the list went on and on. The bottom line is that those proposals would have transformed our area.

Sometimes a false impression is given of Southend. Anyone who knows Southend knows that the fishing and cockling community is extremely important. Many families in the town have been involved with that industry for many years. The community gave magnificent support to this country at Dunkirk.

It is sad to see what has happened to that community over several years. I have had several discussions with the former Under-Secretary for Trade and Industry, who has done his best to help. The proposals to which I referred would have transformed the area; there can be no doubt of that.

There are arguments to be made about the facts and figures that were considered during the bidding process—the amounts may seem small to some people, but they are important to my constituents. However, to underpin our qualification under the fisheries strand, it should be borne in mind that 10 years ago there were seven boats in Leigh; at present, only three work full time. There were five boats in Chalkwell; currently only one works full time. By and large, the area is supported

only by the cockling industry. For instance, the firm of Gilson's used to employ 23 people, but that number is now down to eight. I therefore found it extraordinary when I received a letter from a Minister telling me that we did not qualify under the fisheries strand because there had not been a reduction in jobs.

So seriously did I take the local authority's call to support the bid that I not only had meetings with Ministers but went to Brussels. I met two of our European Members of Parliament, Mr. Robert Sturdy and Mr. Geoffrey Van Orden, and the lady responsible for working up the east of England bid. We made sure that Europe was made well aware of the position.

I now come to what has incensed me most. On 26 November last year, I was at the switch-on of the Leigh lights with the chairman of Leigh town council. He asked me whether I had seen the local newspapers and I said that I had not. A huge group of people attended that day, but the chairman of the council told me that, if I read the local newspapers, I would see that Leigh and Chalkwell were no longer going to obtain objective 2 status. I could not believe it. Such is the style of politics these days that elected representatives count for nothing. The media are much more important and they get news three weeks before elected representatives. It is an absolute disgrace that a democratically elected Member of Parliament should find out from local newspapers what is going to happen to a project that would have meant a great deal for his constituents.

I can do no better than to quote the letter written to me by the clerk of the council:

"The Town Council was very seriously concerned to hear last Friday (26th November) that Leigh and Chalkwell Wards may be excluded from support through Objective Two, and replaced by two other Wards. This means that the two Wards originally planned for this support which are in the Town Council's area"

will not receive any support whatever. He adds:

"Leigh is the registered Port for the area, and the centre of the fishing and cockling industry . . . These two activities have been severely hit over recent years by a variety of problems and directives, which limit the times at which they can operate and also the levels of catches they can make . . . There are also problems in relation to Leigh Creek".

The letter describes the consequences of that and continues:

"In addition to these industries, the whole of the foreshore needs attention . . . Attention to a part of this area only would lead to a marginalisation of the West of the town; unemployment in Chalkwell is currently 6.4 per cent., against an average for Southend of 5.8 per cent. and for Essex of 3.7 per cent."

I blew a gasket when I learned the news. I was elected to the House on the same day as the Prime Minister. In the years I have been a Member of the House, I have not thought that party allegiances determined whether letters were replied to. Ever since we have had a Labour Prime Minister I have never received a single letter back when I have written to him personally. Someone in his office has presumably told his staff, "If you get anything from a Conservative Member of Parliament, bung it on to the Minister." That is a disgrace. Unless we are called in the House – and that is a lottery – how can we make our points? How on earth can we speak on behalf of our constituents? What is the point of being a Member of Parliament any more? Let us not bother with elections; let the media and the civil servants run the show.

Since I received the news on 26 November 1999, I have done everything to raise the matter in the House, so here I am in the new Westminster Hall to do just that. I shall not make personal remarks against the Minister, but it seems that I have not even got the right Minister to answer the debate. He and I have had no contact on this issue. All the letters are from different people. What does that say to my constituents? Does it say, "You've got a Conservative Member of Parliament and they are a lot of old rubbish. They are down to 164 and we have are not going to have an Opposition. It is only Labour Members and Labour areas that count"? If that is the game, I am not putting up with it. The sooner the general public become wise to it, the better. Such an attitude would be a disgrace. However, I am sure that the Minister will be able to reassure me that that is not what happens.

The town council wrote directly to the Minister for Trade to raise several points. It wanted to know why the decision had been made, on what basis it had been taken and what he was going to do about it. I have seen the exchange of correspondence and the Minister for Trade has written most courteously to the town council. However, I do not agree with the contents of his reply. We seem to be at an impasse. We are told that when the UK case was put to Europe, it did not quite fit and that changes had to be made. Throughout the United Kingdom, six wards were taken off the list and it was my bad luck that two of them happened to be in my constituency. It would be interesting to know whether any other Member's constituency lost help as a result of the ward changes. I bet my bottom dollar that I am the only Member of Parliament in that position.

We were then told that we qualified under the urban strand. I have examined the criteria for that, and what has gone on is barking mad. I am delighted that the other constituency has qualified for the money; I do not want to take money from it. However, it is extraordinary that one of the wards included in the urban strand is regarded as the most affluent in the whole of Southend.

I have not even mentioned Westborough ward in my constituency. It is the most challenging area, with the highest crime rate in the whole of Essex. It faces huge pressures from asylum seekers; it has the largest primary school in Essex; and it has high unemployment. However, Westborough ward does not even get a look-in. I am expected to accept that we do not qualify under the fisheries strand, but that we qualify under the urban strand. However, when I consider one element that has been included in the urban strand, there is no way that at least one of the wards in Southend, West should not have been included. That is an absolute disgrace.

I pay tribute to the councillors who have continued to make the case for Leigh and Chalkwell. They are Councillor Mike Dolby, the chairman of Leigh-on-Sea town council, Councillor John Lamb, a Leigh councillor, and Mr. Richard Brown, Mr. Charles Latham and Mrs. Leslie Salter, who are all in the Chalkwell ward and continue to raise this matter with me. However, it is desperately disappointing that, despite the fact that we have tried diligently to engage the Government in dialogue, we have not got anywhere. I know that officials talk to each other, so how was it that UK and European officials did not talk on the telephone or exchange letters to agree things in the first place? It is extraordinary that they did not.

[Mr. David Amess]

Why were we told that we would have objective 2 status when I read in the local newspapers that we could not? The whole thing stinks. It is an absolute disgrace that my constituents have lost out.

I am delighted that the Government have secured objective 2 status for Southend and supported the local authority's bid for that status. I pay tribute to the Southend council officials who spent about two years drawing up those proposals. However, it is a shabby outcome for my constituents. Southend, West is a tiny constituency of seven wards, and if two of them had benefited from the decision, that would have been marvellous.

I know that when the Minister responds he can do only as he has been advised, and he will say that Southend is getting the money, so my constituency will benefit. I invite anyone to come to Southend. They will find that people in Leigh and Chalkwell do not feel an affinity with people in other parts of the town. They seem to live in individual communities, and the fishing community will not feel any benefit from what is going on in another part of town.

I represent a tight-knit community who were overjoyed that they were to get help via objective 2 status. I know that the Minister will not have time to respond in detail to the points that I have made, but will he and his officials reflect carefully on my remarks? The Parliamentary Secretary, Privy Council Office, was able, in the Christmas Adjournment debate, to give me some hope, although I think that the facts were not as he had understood them. If the Under-Secretary is unable to say anything positive today, I hope that he will at least reflect on the matter, whether to see there is any way in which he could possibly help us in future. I ask only for fair treatment for Southend, West, and we have not received it so far.

12.52 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Dr. Kim Howells): I thank the hon. Member for Southend, West (Mr. Amess) for raising this important issue. There is a great misconception throughout the islands that if a town is situated in the south-east of England, it must be wealthy. I know that Southend is not wealthy and that it shares many of the problems of coastal towns, especially those in Kent.

To put forward a forceful case, the hon. Gentleman should have been much better informed than he was about the ways in which structural fund decisions are made. I shall not try to defend those methods. An MP should be consulted about any changes that are to be made. During the negotiations for reallocations, some Members made representations and were part of the process, but I know that it is very easy to miss those stages, and the hon. Gentleman has told us how he fell into that trap. There is nothing worse than finding out about an important decision affecting one's constituency by reading it in the press.

I want to concentrate on the basis of the change. I am sure that the hon. Gentleman knows that there are several criteria, or strands, that determine whether a particular part of a city or region can qualify for structural funding under the objective 2 changes. Those strands are industrial, urban, rural and fisheries. If the hon. Gentleman does not have the information on what each of those four criteria comprises, I will gladly send it to him.

When the wards were first considered, they were included in the fisheries strand because, as the hon. Gentleman pointed out, there have been big changes to the pattern of the supply of sea products along the Thames estuary and elsewhere. The fisheries strand areas have been identified as ports showing a decline in fisheries jobs between 1992 and 1997, or between 1995 and 1997, whichever is available. However, the Commission also required a minimum programming area of 50,000 population for urban and fisheries areas and 100,000 population for industrial and rural areas, so we have had to build up programming areas.

If the hon. Gentleman will set aside for a moment the problems that he has had in communicating with Ministers—he made a fair point when he said that we have never before communicated about this subject—I will try to explain the criteria by which structural funding decisions are made. The programming area criteria meant that we had to include some non-qualifying wards and exclude some isolated qualifying wards, which is an unavoidable consequence of the rules.

While the hon. Gentleman was speaking, I asked my officials about the loss of jobs in his area. EU regulation 1260/1999, which governs the structural fund, says in article 4, paragraph 8:

> "The areas dependent on fisheries . . . shall mean coastal areas in which the number of jobs in the fisheries industry as a percentage of total employment is significant and which are facing structural socio-economic problems relating to the restructuring of the fisheries sector which result in a significant reduction in the number of jobs in that sector."

The hon. Gentleman has admitted that the number of boats involved is very small. My hon. Friend the Member for Newport, West (Mr. Flynn), who is also present, has witnessed a decline in his constituency in the numbers of people who earning their living, not necessarily from deep sea fishing, but from working the waters of the Severn estuary. There is no question but that there have been great changes in fishing. The European Commission did not accept that the loss of fisheries jobs between 1992 and 1997 or between 1995 and 1997 in the wards mentioned by the hon. Member for Southend, West was sufficiently significant, and that is indisputable.

As the hon. Gentleman said, there was then an effort to include those two isolated wards in the urban strand, and link them with the most problematic wards with the greatest unemployment and social deprivation. The Commission would not accept the inclusion of those "islands", even though they are very deprived. As the hon. Gentleman and others know, there are many such cases throughout the country; for example, a troubled council estate may lie on the edge of a town that has a population of fewer than 50,000 but has severe problems.

It must be exceptionally irksome for the hon. Gentleman to see his constituency deprived of a couple of wards and that money shifted to other wards not far away. I imagine that that would generate a great deal of anger and debate.

For the first time, Southend will benefit from objective 2 funding. It is the only place in Essex that will receive that extra money. I trust that, despite his disappointment about his own wards, the hon. Gentleman will devote his remarkable energy and forthrightness to ensuring that the jobs that are created in Southend, East will benefit his own constituents in the deprived wards of Southend, West.

I can offer no other explanation. It is always problematic when someone else sets criteria about how money can be distributed. The hon. Gentleman has clearly expressed his disappointment with that process. If we are to ensure that the fine-tuning of objective status allocations is not to happen in future, I hope that the Government and the European Union and the Commission will look carefully—

Mr. Barry Jones (in the Chair): Order.

Pensioners (Minimum Income Guarantee)

1 pm

Mr. Paul Flynn (Newport, West): Today is an auspicious day, because it is the day when I am fully qualified to join the Southwark pensioners action group. I already qualified as a resident of Southwark, but from today onwards, I qualify as a pensioner. It will be a great boost to me to belong to an organisation of which I will be, at least briefly, the youngest member.

The story that we have to tell is a grim one. In spite of all our hopes through the long years of opposition, pensioners as a group have not had a fair deal from the Government. While we were in opposition, we said many times that when Labour came to office, we would concentrate on the poorest pensioners. The credibility of our policies rests on that.

Let me quote what the then Secretary of State for Social Security said after we had been in office for just over a year. She stated in July 1998:

> "There are some pensioners who are even poorer than those on income support. They are some of the very poorest people in Britain. They are the pensioners who are entitled to income support, but are not getting it; those who are slipping through the safety net altogether—the forgotten pensioners. This is not a marginal issue involving just a few slipping through the net. We estimate there are as many as 1 million of these forgotten pensioners. They are mostly very elderly, and nearly all women."

The Secretary of State went on to say:

> "Now we are taking action to bring the guaranteed minimum income to them, too."

She promised that, starting from the following April—April 1999—

> "we will be introducing, for the first time, a new national programme of personal advisers for pensioners. . . Through new technology, we will for the first time use the information that pensioners have already given us throughout their lives. . .
>
> The pensioner will then be contacted by the personal adviser, who, over the telephone or through a visit, will assess their entitlement, and then fill in the forms for them. All that pensioners will have to do is sign, and their extra money will come through the following week."—[*Official Report*, 17 July 1998; Vol. 316, c. 704.]

A sophisticated system was supposed to be in place to provide that, but, almost two years later, nothing has happened. The minimum income guarantee is crucial, because it is the Government's alibi for not restoring the link—about which we spoke for many years in opposition—between basic pensions and earnings. With that link, the basic pension would not be £67 from April this year, but £95.

The Government show no inclination to restore the link. Indeed, they have argued that the poorest pensioners would lose by it, but the reverse is true. Pensioners who are not getting income support would have benefited pound for pound from the restoration of that link.

What has happened since 1998? The minimum income guarantee has been introduced, but it amounts to very little. It may just be window-dressing—a change of name. We see that throughout the history of social security since the war. The minimum income guarantee is the old basic state pension, plus income support. That has existed for a long time.

It is disgraceful that those who contributed to their pensions throughout their lives are getting pensions below the level that the Government say is the minimum on which they should live.

[Mr. Paul Flynn]

We are told that the number involved is now about 700,000. That is the new figure given this week—700,000 who, according to the Government's figures, are losing £18 a week. That is a huge sum. We have pursued the issue through many avenues, to ensure that it is taken up. The next general election is rapidly approaching and we have failed to honour our promises.

Is there money available? Yes, there is ample money in the national insurance fund. There are surpluses described by the Government Actuary as "unneeded surpluses", and that is over and above the £6 billion that is regarded as a working surplus.

Until about a fortnight ago, the surplus was described as £5.9 billion, but, according to the most recent calculations, it is £9 billion over that level and will be increased further if, contrary to what the Minister said in the House on Monday, the Government go ahead and introduce the cut in SERPS that they promised. There is no doubt that the money is available for the changes. Even if the link to earnings were restored for a period of five years, the money is there.

On Monday, the Minister said, referring to take-up:

"There is an issue about who is being missed out—hence the research. We cannot be certain about the figures. There is a broad spread of figures; they come from the general household survey."

A new figure was given by the Minister. He said:

"Following the Benefits Agency work, we estimate that the figure is a little over 2 million."

He continued:

"Those people will be targeted in three tranches anyway. There will be television and press advertising. We will make an early announcement about the way in which we intend to go forward; we certainly will make the announcement before the end of this month. There will then be a large Government-sponsored take-up campaign, with a telephone national line and television advertising.

The work has been done, in the sense that we have seen the scripts and literature, with 'minimum guarantee' on leaflets and drafts. At present there are no posters or leaflets with minimum income guarantee on them. There are no documents, but there will be: we have seen the proofs. To that extent, we are on the verge of being able to launch that campaign. It is important that we get the money to the people who deserve it."—[*Official Report*, 7 February 2000; Vol. 344, c. 77-78.]

That statement is disappointing, and there are points in it that we must take up. After two and a half years in office, the Government are planning an advertising campaign, of the same type, presumably, as Governments have run several times over the past 50 years. None has had a lasting effect, for various reasons.

There is no mention of the data-matching or the personal advisers that we were promised two years ago. Unless advisers are available, the scheme will create a little flurry of publicity and then be forgotten. It will not reach the persistent cases who are not claiming the income support to which they are entitled.

Will my hon. Friend tell me in his reply whether the data-matching and the personal advisers have been dropped? With regard to the number of pensioners involved, what on earth does

"a little over 2 million"

mean? We previously heard the figure of 700,000. Has it suddenly risen to 2 million? That is alarming, if it is the case. How did it happen? If the Minister was referring to all the people who are currently getting income support, the figure should be higher than that. We need clarification.

The fact that there are no posters or leaflets with "minimum guarantee" on them means that nothing has been done so far to encourage claims, two and a half years into a Labour Government. The number of non-claimants is almost certainly the same now as it was a year ago, despite the introduction of the so-called guarantee.

If the missing pensioners are to be targeted in three tranches, it will take many months before the final tranche is reached. In the meantime, the pensioners who should have been getting extra money from July 1998 have missed out on £1,000, on average. On the basis of all previous law on social security, according to which payment is made on the date of entitlement, attempts will be made to persuade the Government that all the pensioners who miss out—not through their fault, but because of the Government's inaction—should receive the back-pay to which they are entitled. Otherwise that money will go straight back into Treasury funds. That is elementary.

One of the most disappointing aspects of our Government is that they talk about giving money to the people who "deserve" it. That gives the game away. The winter fuel allowance was announced as if it was a gift from the Government. There was even a stunt in which a large cheque was offered, to show that this generous Government were giving money to pensioners. Pensioners do not get money because they are deserving; the Government need to be reminded that pensioners have paid out money throughout their working lives of 40 or 50 years. Their contributions are made in accordance with the rate of inflation. The money is not a gift or a handout, but an entitlement. When the Government speak as though it were a gift, they incur pensioners' anger—and rightly so.

We appreciate that many pensioners do not take pensions because they are disabled or intimidated by the forms. However, the main reason for not taking them up is that some people never lost a day's work and never claimed supplementary benefits, national assistance or income support, and it is a matter of pride to them that they never accepted a state handout; they do not intend to begin now. That is profoundly important. If the money is added to the basic pension, it becomes an entitlement. If it is left as a so-called minimum income guarantee, it becomes a handout, and many people of my generation find claiming it a demeaning experience.

London Labour party members received an extraordinary document from the Prime Minister's office, which states:

"For pensioners . . . we have introduced a £100 winter fuel allowance"—

that is fine—

"free TV licences for the over 75s and restored free eye tests for the over 60s. Together with the Guaranteed Minimum Pension"

whatever that is—

"these measures mean that the poorest pensioners will soon get almost £20 a week more than when we came to office."

A letter from the Minister comes to a different conclusion. He cites those changes, but concludes that, as a result of Government measures, pensioner

households will be better off by £300 a year, and those over 75, who tend to be the poorest, will be better off by up to £500.

Why has the Prime Minister written to hundreds of people in London and multiplied the figure by two? The Minister's figure is fairly optimistic, but perhaps he can contact the Prime Minister and ensure that he sends a correction to all the people who received the letter to London Labour party members. What is a guaranteed minimum pension? It is another example of the new language. It is neither a pension nor guaranteed; it is the basic pension that pensioners have earned through their contributions, plus a little income support.

I want to give the Minister plenty of time to reply to the debate, but the Prime Minister's letter referred to other Government measures. For example, it states:

"the poorest pensioners will get almost £20 a week more than when we came to office."

If the arithmetic is wrong, perhaps we should be told.

Like other Labour Members, you and I, Mr. Jones, fought the election on a promise in our manifesto to ensure that all pensioners would share fairly in the nation's growing prosperity. Early-day motion 1 and early-day motion 2 have been tabled on the minimum income guarantee. They are regularly signed by 100 Members of Parliament. We have achieved good things for many pensioners, and we have been fairer—I shall not say more generous—than previous Governments. However, the confidence trick continues to be played on pensioners. Many Labour Members feel unhappy and have bravely spoken against the leadership and the policy line. Their views are based on genuine unhappiness in the pensioner community.

It is a shame that pensioners do not take a leaf out of the book of the often well-heeled, rich groups, which persistently and enthusiastically lobby Parliament. The pensioners' lobby is much too polite; pensioners do not often block streets or take action. They do not get the Government's attention.

A deep and continuing injustice is perpetrated against those who built this country; many of them built the party to which you and I belong, Mr. Jones. They are being cheated by a Government who promised them a great deal. The Government should examine events in Britain in the past 12 months, which hold a terrible, unacknowledged lesson for us. A man who was told that he was not fit to be a Labour party candidate not only won an election, but got the biggest majority of any candidate in Scotland. In Wales, people in Llanelli, Islwyn and, of all places, the Rhondda, deserted the party. The same may happen in London. Many of them are elderly. They feel, "We won the election, but we lost our party." The Labour party is losing people who voted Labour before new Labour was invented.

The Government must restore pensioners' confidence and faith. They are our core supporters; they created our Labour party many years ago. We currently put up attractive sums of money—£100—which appears to be a great deal more than £2 a week. That is reminiscent of the tricks played by rotten employers who cheat their workers in their pay packets every week but give them a turkey at Christmas. The Government present skilful propaganda, half-truths and figures that are exaggerated or misrepresented, but, as a Government and as a party, we do not deliver for the mass of pensioners. As for the poorest pensioners, on whom we promised to concentrate, we are cheating them.

1.18 am

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I congratulate my hon. Friend the Member for Newport, West (Mr. Flynn) on his 65th birthday today. He is a model Member of Parliament. However, I seriously question some of the language that he used. The Government are not playing any tricks on pensioners. We must be careful not only about the language but about the figures we use.

My hon. Friend has questioned one or two figures. Before I reach the thrust of my remarks, I shall answer his questions about figures. There is no contradiction between the letters that he has received from me and the letter from the Prime Minister. I am happy to provide detailed figures, although I cannot give them at length because there is not time to do so.

I cited the figure of £500, which relates to single pensioners over 80 between April 1998 and April 2000. This includes the winter fuel payment of £100 a year, for which my hon. Friend almost said thank you, and the reduction in VAT on fuel, from 8 to 5 per cent. That is only £16 a year, but that money still counts. The minimum income guarantee increase over the Rossi price index represents £293, and the free television licence, which comes into effect later this year, takes the figure to £510. The figure that he gave—I do not have the letter from the Prime Minister in front of me, but I understand that he was quoting—refers to 1997-2000 and older pensioner couples aged over 80. I have taken advice, and I know that the figure must come from there. The comparable figure for 1998-2000 is almost £13. We are not playing around. We consider couples and singles and use different years, whether 1998-2000 or 1997-2000, so figures are bound to change.

Mr. Flynn: Do I understand correctly? Is the Minister saying that £13 a week is almost £20 a week?

Mr. Rooker: No. I am saying that £13 a week applies to 1998-2000 and £20 a week must apply to 1997-2000. One figure applies to two years and the other to three. There is a difference, so the figures are bound to be different. The Government came to power in 1997 and the Prime Minister's figure refers to when we took office. I was referring to 1998-2000, in respect of which the figures are £672 for a couple—almost £13 a week—and £500 for a single person. We are considering couples and singles over two years or three; one has to look at a common figure. All the quoted figures are correct, but they apply to different groups over a different time scale.

My hon. Friend quoted at length what I said on Monday evening In respect of the forthcoming take-up campaign, I want to make it absolutely clear to him on the record that I did not say that 2 million people are missing out. I repeated our broad estimate of between 530,000 and 870,000—the average figure is 700,000—but we do not know their addresses. If we did, we would contact them. The figures come from a statistical extrapolation from the general household survey. To make the take-up campaign meaningful and to reach those people—on the assumption that they exist—we

[Mr. Rooker]

have looked at the information that the Government have within the Benefits Agency and used data matching and data sharing. From this, we have identified about 2.1 million pensioners who look most likely not to take up their entitlement. We plan to contact them personally in three tranches—by post, at specific addresses—so that we can cope with the feedback and the telephone line can cope with the inquiries that we shall receive. We have estimated the use to which the line will be put.

We will not send out a 40-page leaflet—lengthy forms are a big put-off in respect of MIG or income support—but will use a filter system to identify the most likely to be eligible and put them into the system to see whether they are eligible and whether they have been missed out because they have not claimed. Some may wilfully refuse to claim, but it is many years since I met a constituent who knew that they were eligible but wilfully refused to claim. Since I became a Social Security Minister, and following MIG's introduction, I have not dealt with a constituent without savings who survives on the basic state pension of £66.75, and neither have the two Age Concern branches in my constituency, which are very active. I am not saying that such people do not exist, but they may not fit the stereotype—a single pensioner living alone in a damp flat with a two-bar electric fire who refuses to claim because of pride or because he has been told that the minimum income guarantee is a state handout—language I did not use. The people whom we will find through the take-up campaign will not fit that stereotype. However, that is not the issue.

The money is there to be claimed, but we will never be able to backdate it simply because it is means-tested. Money is paid only from the day on which people make a claim, and my hon. Friend has to take that on board, but we must overcome the barriers to making a claim. I know from experience that people do not want to go to the social or the DSS. They do not want to be equated with the kind of people whom they perceive as using the social unfairly and affecting the unemployed, the disabled, people of working age on income support, and lone parents. Pensioners do not want to be associated with the DSS. I do not agree with that attitude, but I understand it. However, it is not necessary to go to a DSS or Benefits Agency office to claim the minimum income guarantee. That can be done through a home visit, by post or, in many parts of the country, over the phone. The information can be taken and the application completed at the other end and sent to pensioners to sign—that is all they would have to do.

The take-up campaign will not be in full swing on the day it is announced, which, as I said on Monday, will be before the end of the month; but it will be stepped up over the spring. We will then be able to use an electronic claim form, which will do wonders as people will not have to see all the questions that they do not have to answer. I freely admit that lengthy forms are a big put-off, although I am told that form design is reviewed every six months. For heaven's sake, there has not been much improvement in the past few years, let alone the past few months. There has been no literature or posters carrying the words "minimum income guarantee" in post offices or anywhere else visited by pensioners. That has been a big mistake. It does not matter whether anybody argues that MIG is income support dressed up as something else because it is different. MIG has been related to earnings in the way that my right hon. Friend the Chancellor said it would be and we have to market it as MIG. That is what we will do.

As I said on Monday, we have seen the leaflet proofs. They refer to MIG and are simple, clear and easy to understand. They will be used as a filter to see whether people might be eligible before we get them into the main system. Obviously we have to check their means and know about their assets. There is no doubt about that. I say to my hon. Friend, with due humility, that this will not be like other Government take-up campaigns, which he so easily dismissed and which I accept have not always been successful: this one will be carried out on a different scale.

Much to my annoyance and distress, when I arrived at the DSS last summer, I discovered that we could not launch the campaign before Christmas. We could have made a start or introduced it this month, but it would not have worked. The planning has taken a considerable time; the cost will not be zero; and we have had to organise the resources to run it properly, which is what we intend to do. The Government have a moral obligation to see that everyone who is entitled to the benefits that Parliament has said are available—based on need and as of right—receives those benefits. They must not miss out because of ignorance.

People may choose not to claim, even if we remove all the hurdles that are present and perceived to be present one by one as we assess them. But let us be realistic: millions of pensioners claim means-tested council tax benefit; millions of pensioners claim means-tested housing benefit; and 1.5 million pensioners claim means-tested income support—MIG now. Forget the research, forget the statistics; because of my constituency experience, I do not accept that there is a massive stigma in claiming. Millions of people consider those benefits—which are based on their needs—to be a right, not a handout. We are getting that money to them, either from central Government or, if it is represented by housing benefit, via the local authorities.

Mr. Flynn: Will the Minister give way?

Mr. Rooker: No, I do not have time; there is only a minute left.

My hon. Friend said in his first sentence that pensioners have not had a fair deal from the Government. Even though it is his birthday, I say to him that that is simply not true—I rebut it. The party to which he and I belong will lose seats if its own Members peddle an untruth, wherever it is peddled. It is not fair to say that there has been trickery in the Government's dealing. There has been no trickery and our record on providing for pensioners, based on their income and their needs, stands comparison with that of any previous Government.

Second Home Ownership

1.29 pm

Mr. Andrew George (St. Ives): I am pleased to initiate this important debate. Since the House resumed in October, I have been requesting a debate on second homes. The Minister for the Environment made a statement on this matter to a fringe meeting at the Labour party conference. No doubt, when he replies to the debate, the Under-Secretary will address himself to that statement and the Prime Minister's response to it.

I welcome the new hon. Member for Ceredigion (Mr. Thomas). "Agas dynargh", as we say in Cornwall. Perhaps there is a translation of that into Welsh—we may find that out later.

It is my experience that it is impossible to raise the issue of second homes without the debate becoming deeply emotional. I want to emphasise that, in calling for this short debate, I am not, unlike some others, engaging in the politics of envy, seeking to wreak revenge or fanning the flames of an absurd class war across rural Britain. That is not my purpose. I simply want to probe Government thinking on this important aspect of policy and to make it clear that we are talking about second residences that are entitled to a 50 per cent. discount in council tax, not about holiday homes on which business rates are payable.

I emphasise that my reasons for raising this issue are not personal. There are many second homes in Cornwall and on the Isles of Scilly, and we are pleased for their owners to come to our communities. Many of them are close friends of mine, so I do not intend my remarks to be personal. Those people are a bonus for the community. Although they cannot be there supporting local services all year round, they make a limited contribution and take pleasure in investing in the local economy. Of course, for some people personal wealth and privilege go hand in hand with arrogance, pomposity and a patronising attitude, but such people constitute a small minority and do much to undermine the good name of the majority, whom I have found to be pleasant and sensitive to local people and to have a genuine interest in the local community.

I seek the Minister's recognition of the social and economic costs of high second home ownership in areas of high unmet local housing need where local services—shops, schools and businesses—become unviable. I am not suggesting that second home owners should be inappropriately penalised, merely that they should not be subsidised as they are at present.

Before concentrating on policy points in detail, it is worth dealing with some of the myths that still surround the often highly charged debates on this subject. Those who defend the purchasers of second homes often maintain that local people, by selling their properties at extortionate prices, have cruelly and cynically exploited unwary and innocent second home purchasers, whose sole interest was to protect vernacular architecture and the fabric of rural areas. That has been the serious contention of people defending such sales, but it ignores the reality of how the housing market works. If a local person sells his house, he must buy another, equivalent house, so he must sell at the market rate. Local people have not sold their birthright. Where will they live? That contention is clearly not valid.

The other contention is that it is not possible to apply policy in this area because it is impossible to define a second home. Those who follow this debate found it remarkable that, when it became possible to obtain a 50 per cent. discount on council tax on second homes, amazingly and miraculously thousands of people were, overnight, suddenly able to define their properties as second homes. We all noted that with great interest.

I accept that in some areas—the north and the islands of Scotland and other places—there is little or no unmet housing need, and second home ownership protects properties from falling down. Such injection of capital in those rural areas may be valuable.

Mr. David Drew (Stroud): The hon. Gentleman is making a good case. The problem with second home owners taking on a run-down property is that they often knock two cottages into one. They take those properties out of the housing market for ever and a day for people who may, with some support, be able to buy back into the market. Does he agree with that?

Mr. George: I welcome that intervention. The hon. Gentleman is assiduous in this regard. Yes, any property loss—whether it be two properties knocked into one or any property in a rural community where there is a high unmet local housing need for affordable housing—adds to and fuels the house prices in that area, so that they are above that which the local community can afford. That is the issue that we are dealing with.

Cornwall, with a population of 500,000, has about 200,000 properties. A survey in which I have been involved professionally in the past and information from other sources suggest that there are about 20,000 people with an unmet housing need, half of whom—the figure varies from time to time—are on local authority waiting lists. Therefore, the figure is about 10,000, sometimes more and sometimes less. There are about 20,000 second and holiday homes, including those in the business sector, half of which are second residences for the purpose of recreation. It is interesting to relate that housing need to the number of properties that are taken out of local availability in Cornwall.

Such homes are concentrated in some areas more than others. They are in largely coastal areas, estuaries and other areas where there is a lot of sailing, such as Roseland and St. Minver. I am pleased to see that my hon. Friend the Member for North Cornwall (Mr. Tyler) is present. Certain identifiable locations contain higher numbers of second homes and are concomitant with higher house prices. In many communities—some in my constituency—30 or 40 per cent. of the housing stock is under second home ownership.

The new earnings survey produced annually by the Government shows that Cornwall has been pretty well on the bottom since records began. It has the lowest earnings and the lowest gross domestic product of any comparable area. We have one of the biggest mismatches of house prices and earnings anywhere in the country, and that is of great concern.

Mr. Paul Tyler (North Cornwall): Does my hon. Friend agree that the most significant aspect of this matter is that it is an accumulation of many local

[Mr. Paul Tyler]

problems. The last thing we want is for someone from Whitehall to lay down a strategy for dealing with this situation. We want local communities to have the freedom to say when enough is enough—whether in the Lake district, the west of Wales or our own end of Cornwall. Those who know best about saturation and the economic and social problems are the local people.

Mr. George: I am grateful to my hon. Friend for that intervention. It helps me to make a point that I shall refer to later. There is no doubt that the implementation of new policy in this area would have to be applied variably across the country. Local authorities should be able to interpret the policy as it applies to their own areas, and use their power flexibly in one area as opposed to another.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I first congratulate the hon. Gentleman on securing time for this very important debate and thank him for allowing me to intervene very briefly. He may know that two years ago I introduced a ten-minute Bill to deal with this problem. My suggestion then was that local authorities could use the classes order: if a property was a part-time property, it would have to have planning permission, in which case there would be the flexibility in each local area to deal with the problem.

Mr. George: Once again, I am grateful for a very helpful and positive intervention. What the hon. Gentleman says falls entirely within Liberal Democrat party policy. It has been our policy for a very long time. I entirely support and endorse the purpose of the hon. Gentleman's ten-minute Bill.

In addition to covering mainland west Cornwall, my constituency includes the Isles of Scilly where the problems are much more highly focused. The Isles of Scilly consists of five inhabited islands and many uninhabited islands, with about 2,000 people and 1,200 properties. About 30 per cent. of those properties are second homes. As in Cornwall, there are very low wages on the Isles of Scilly, but it also has even higher house prices. The smallest house on the islands costs £200,000, and it costs £160,000 to buy a council house there. On the off islands, one might obtain an assignable lease for a small property starting at about £300,000. Clearly, anyone on local wages cannot even look at that kind of property. They have to go to the rented sector, where they can find it. Low-earning islanders do not have the option of commuting to work from a low house price area somewhere on the mainland. That is physically not possible.

There are four areas of policy concern. I shall deal with the first two briefly, because they do not form part of the Minister's brief. The first is capital gains tax, under which cohabiting couples can avoid paying the tax if they register their two homes under different names. Secondly, a matter that concerns many hon. Members is the fact that during national elections second home owners can choose where they can most effectively vote. If one home is in a safe seat and another in a marginal, where, if they are politically aware, will they most effectively place their vote? They can have a disproportionate influence on the way in which elections are decided, and, as there are thousands of second home owners, it is a matter of concern.

I hope that the Minister will respond on the third matter, which concerns the 50 per cent. rebate on council tax referred to earlier. Even the much hated and socially divisive poll tax did not dare do that; people simply paid the poll tax twice. Then, in the haste to introduce the council tax, the clause giving the 50 per cent. discount was introduced. It was justified by the previous Government on the basis that second home owners did not use the more expensive personal services, such as education and social services. But the council tax is a tax on property, at a rate which varies according to the value of the house. It does not depend on which services the council tax payer uses. Many local people who do not use the most expensive service, which is education, are not entitled to a discount or a rebate.

The Government response so far has been disappointing. I have been pushing Ministers. The Under-Secretary wrote to me on 15 November saying:

"council tax is generally working well as a local tax and . . . there are no fundamental problems which require our urgent attention."

Similarly, the Economic Secretary to the Treasury wrote to the secretary of the south-west branch of the Local Government Association on 29 September 1999, saying that the Government's review

"concluded that the council tax had no fundamental problems"

and was widely accepted as working well.

With regard to proposed amendments, the Economic Secretary to the Treasury said in the same letter, in reply to proposals that the discount should be removed:

"As far as the effect on local revenue is concerned, you will know that the proportion of local authority second homes attracting the 50% relief is reflected in the calculation of Revenue Support Grant."

In other words, there are no financial benefits for local authorities if they wish to vary the contribution that they are seeking from second home owners. However, even if that were true in all circumstances—this assumes that all local authorities stick to their standard spending assessments—what about the interests of the taxpayer at the end of the day? If a local council taxpayer does not subsidise the second home owner, the effect, to judge by that reply from the Economic Secretary to the Treasury, is that the national taxpayer does. Therefore, the Government should take a second look at this matter.

There have been proposals from my Liberal Democrat colleagues, from Liberal Democrat councils and others that local authorities should, as my hon. Friend the Member for North Cornwall suggested, be given the powers to vary the rate of council tax in the affected areas. Perhaps that additional income should be ring-fenced to be directed towards affordable homes for local people, or to contribute towards local services that would otherwise not receive the same kind of support because of the existence of second homes in those areas.

The Government need to review that matter again. The rather complacent response that I have received from Ministers so far with regard to their review, saying that the council tax system is working very well in this area of second home ownership, is not accepted on the ground by local authorities that have to work the system.

The fourth matter is one of planning control. Proposals for change in the use class order have been made. On 1 October, the Secretary of State for the Environment, Transport and the Regions proposed the banning of second homes in certain areas. Either way, there would need to be a definition and some kind of use class order—some kind of regulation—to implement such a proposal.

I draw attention to something that the Minister will see in his own records, as I told him before the debate. The Isles of Scilly has pointed out that section 319 of the Town and Country Planning Act 1990 allows the Secretary of State to make orders modifying the Act's application to the Isles of Scilly. The Town and Country Planning (Isles of Scilly) Order 1992 is an example of that—it relates to local authority housing.

Without introducing primary legislation, the Minister could introduce an order giving the Isles of Scilly the power to have a use class order for second homes, use that as an initial experiment and then relate it to other areas. I hope that the Minister will take that on board. The councillors from the Isles of Scilly who have requested a response have not so far received a satisfactory answer.

I shall conclude now because I want the Minister to have ample time to respond to the points raised. I am interested primarily in equity and social inclusion, not in penalising second home owners. I am interested in probing the Government's thinking on this matter. I hope that the Minister will accept that my questions and comments are intended to be constructive. Judging from other comments made by the Government, I believe that this is a matter of concern for some members of the Government. I am asking for simple recognition of the fact that one person's apparent freedom may have both social and economic costs which are worthy of consideration, and that these costs should be reflected in policy, and not overlooked. I look forward to the Minister's reply.

1.49 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): The hon. Member for St. Ives (Mr. George) has raised an important issue and has presented his case very reasonably and forcefully. I shall do my best in the 11 minutes he has left to me to address the points that he raised, although we may have to follow one or two of them up by correspondence.

Although the quality of life is in many respects higher in the countryside than in the city, shortages of affordable housing in some areas are a matter of real concern. I lived in the west country 30 years ago, and even then the issue of second homes was a serious problem in some of the more scenic areas. In many rural areas, particularly those like the south-west, demand for housing is high, both from local people and from those who want to retire to pleasant surroundings or buy a second home. As the hon. Gentleman says, people on low incomes are easily squeezed out.

On a national level, the number of rural second homes is relatively small, amounting to less than 1 per cent. of housing stock. According to the hon. Gentleman, the proportion in popular tourist areas is as high as 30 or 40 per cent. I was informed that it was 20 per cent., but the hon. Gentleman probably has more detailed knowledge of the position.

As we are heard today, such concentrations of second homes are of real concern to communities that are rightly keen to ensure that there is enough affordable housing locally. The Government recognise the important contribution that housing makes to balanced, sustainable rural communities and the need for affordable housing, especially for those on low wages and for young people.

The area represented by the hon. Gentleman is very beautiful, but it is also an area of contrasts. The available employment is predominantly seasonal and low paid, and unemployment, especially in winter, is well above the United Kingdom average. When I was a reporter on the *Sunday Independent* in the west country, I was sent to St. Ives to write a feature on high unemployment outside the summer season, and I know that such unemployment makes it difficult for many local people to afford housing.

Local authorities, however, can and already do act to alleviate the problem. Penwith district council is currently advising owners of empty properties on how to return them to use. The council is now a member of the West Cornwall partnership with Carrick and Kerrier authorities, which are commissioning housing association projects jointly with the Housing Corporation. That should create some more affordable housing. Penwith has received a 50 per cent. increase in its total allocation from the housing investment programme for the current financial year, and I understand that it proposes to increase its financial support for registered social landlords during the year.

Cornwall and the Isles of Scilly will receive up to £314 million from European structural funds over the next seven years to increase economic prosperity. Although the funds are not targeted directly at housing, they have the potential to support housing initiatives indirectly. I acknowledge that the Government also have a part to play. We have introduced a number of initiatives to help people to buy their own homes through low-cost home ownership schemes; we have also taken steps to improve the quality and increase the supply of affordable rented housing.

The Government have a good record on social housing. We have increased investment significantly: local authorities will receive an additional £4.4 billion for housing during the life of the current Parliament, which will enable many of them to begin to tackle the backlog of renovation. They can use some of the money to provide new social housing in order to meet local priorities. Of the extra resources, roughly £20 million will go to Cornwall, representing an increase of about two thirds.

Local authority housing expenditure programmes will be based on the priorities identified in their housing strategies, which should be based on robust assessments of local need and must take proper account of the needs of rural communities. It is vital for authorities to consult local interests such as parish councils in developing rural housing strategies. The Housing Corporation and the Countryside Agency are jointly funding a project to develop a good practice guide for local authority rural strategies.

The Housing Corporation continues to have a significant role in the delivery of new housing. It will deliver about 40,000 new social lettings in England

[Mr. Chris Mullin]

during the present year, some in Cornwall. To ensure that sufficient priority is given to the needs of small communities, we have set a rural housing target each year. The current target is that 3.4 per cent. of new homes provided by the Housing Corporation should be in villages with populations of fewer than 3,000. Since 1989, when the programme began, it has provided an additional 16,000 homes in rural areas. The Housing Corporation has also established a rural housing advisory group, which is examining current approaches to establish whether they can be improved.

The planning system also has a part to play. Where there is evidence of a need for affordable housing, both low-cost market and subsidised, local planning authorities can require an element of such housing to be included as part of a wider residential development on suitable sites. The rural exceptions policy enables local planning authorities in rural areas to grant planning permission for land that would not otherwise be released for housing. A condition is that "exceptions housing" must be occupied only by people on low incomes.

Both the hon. Gentleman and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) suggested that the spread of second homes could be controlled by the creation of a separate category of land use in the use classes order. I have been given a lengthy explanation of why that might not be possible for legal reasons, but time does not permit me to read it all out. I shall merely say that I should be glad to follow up the point in correspondence.

The hon. Member for St. Ives said that my Department had received a formal request from the Isles of Scilly for the Secretary of State to introduce secondary legislation requiring planning permission for housing that is to be used other than as a main residence. The wider issue of second homes has been raised by many people during consultation on the rural White Paper, and the concerns of the Isles of Scilly are likely to be considered in that context.

The hon. Gentleman made a forceful case for changes in council tax. He pointed out that second home owners had no difficulty in defining themselves once it was known that doing so would bring some financial advantage. There may well be a case for doing away with the discount for second home owners, but that might not solve the problem that the hon. Gentleman seeks to solve. Given that second home owners are by definition more prosperous than others, most can easily afford to pay the difference. I accept that that does not deal with the question of whether it should be done, but it is relevant to the problem that the hon. Gentleman has raised.

The hon. Gentleman said that he had received a rather complacent response from the Government, and, indeed, I have here a rather complacent response, which I will not read out. I merely say that the issue was reviewed about a year ago, and at the time there were no sufficiently cogent reasons for a change. I am, however, willing to follow up the point in my Department. Perhaps we can discuss it later.

I entirely accept the point raised by the hon. Gentleman. I am well aware that it is a serious issue in communities such as his. I regret to say that there are probably no easy answers: some problems can be solved, but others are more complicated. I hope that I have at least demonstrated, and that the hon. Gentleman will acknowledge, that action is being taken to address the problem of low-cost housing in his constituency and others, but I recognise that more needs to be done.

Mr. Andrew George: Will the Minister give way?

Mr. Mullin: I think that you are about to stop me, Mr. Jones, but the hon. Gentleman can try his luck.

Mr. George: May I return to this issue of the Isles of Scilly? The Minister says that the Government are reviewing the possibility of introducing secondary legislation. Are they considering a planning rather than a council tax regulation, and will they write to the council shortly?

Mr. Mullin: We shall be responding to the council, and, as I have said, the issue is likely to be reviewed in relation to the rural White Paper, which will have to address the whole issue. We have no plans to do what the Isles of Scilly wants in the immediate future, but I realise that the problem there is serious—perhaps more serious than the problem in any other part of the country.

It being Two o'clock, the motion for the adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 10 February 2000

[SIR ALAN HASELHURST *in the Chair*]

Badgers and Bovine Tuberculosis

[*Relevant documents: Fifth Report of the Agriculture Committee, Session 1998–99 (HC 233), and the Government's response thereto (Session 1998–99, HC 612).*]

Motion made, and Question proposed, That the sitting do now adjourn.—[*Mr. McNulty.*]

2.30 pm

Mr. Austin Mitchell (Great Grimsby): I rise as acting Chairman of the Select Committee on Agriculture. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) has moved on to higher things—or lower, depending on one's view of the Whips Office. I was pushed into the breach, but I am getting to like the job.

I commend the fifth report of the Select Committee on Agriculture on badgers and bovine tuberculosis and I shall speak about the progress made on implementing its recommendations. I should start by saying that the report is good, which is my sincere opinion. The Committee was assisted by Professor Peter Hudson and Professor Tim Roper, who were excellent, stimulating and exciting advisers. The report was the first one produced by our Clerk, Lynn Gardner, who did a skilful and effective job writing it. The inquiry was well handled and I found it fascinating. I knew nothing at all about badgers before we produced the report—I had thought that they lived up in the Press Gallery. The report is a study of animal husbandry, farm procedures, wildlife and the activities of pressure groups on both sides of the issue, so its production was an educational experience.

The inquiry was undertaken because of the rapid spread of bovine tuberculosis. In common with Ministers and the report, I emphasise that bovine TB is not a human health issue, as the risk that it poses to humans is extremely low. However, the disease is an important issue, because herd breakdown is a devastating experience for farmers and destructive to their business. The National Farmers Union and the Country Landowners Association argue that compensation arrangements are inadequate, because, even though compensation is paid for slaughtered cattle, no account is taken of farmers' on-going finances. Herd breakdown is a devastating experience that has important repercussions on animal welfare, and it hits an industry that is already hard hit by the BSE crisis.

All those factors have to be taken into account when examining the problem of bovine TB, which is another of the good things that come from the south and spread to the north. Those things include high interest rates, although they have come from the south-east, whereas TB is moving up the country from the south-west. I see from the MAFF report that it has reached the Staffordshire-Derbyshire border, around Ashbourne. As it spreads up the country, its incidence and impact increase: in 1992, 1,626 compulsory slaughters were carried out; in 1998, that figure had risen to 6,086; and in the first half of 1999, it had risen to 3,756. It appears that the figures will increase again next year.

That spread and the alarm it generated led to the commissioning of the Krebs report, which was completed in December 1997. It argued that there was compelling evidence of a link between badgers and bovine TB—a link that some badger supporters, including Friends of the Badger, still deny, pointing to other possible sources of infection. The Select Committee report said that all such sources should be considered and researched to see whether the badger is the animal responsible, as the Krebs report suggested. We argued for research on trace elements and for new guidelines on animal husbandry, which the Department has since produced. The Committee also argued that other wildlife species should be considered in the research, and the Ministry acted on that recommendation as well.

However, I have to tell my hon. Friend the Minister that the National Federation of Badger Groups says—in a document that I received this morning, a copy of which I presume the Ministry has also received—that some of the recommendations have not been implemented. Specifically, the National Federation of Badger Groups states:

> "The Committee recommendation that MAFF ensure that a thorough and well-designed sampling procedure of wildlife species other than the badger be put in place in the trial to determine if M.bovis can persist in other species when badgers are removed"

has still not been acted upon; the work has still not started. Nor has MAFF provided more funding for research into the relative importance of cattle-to-cattle transmission, which was also recommended in the Select Committee report. I look forward to hearing the Minister's reply and hope that he will tell the Chamber whether those accusations are justified or whether those recommendations have been responded to.

The Select Committee also recommended that other alternatives should be considered, which is only right and proper if the research is to be adequate. We must point the finger of blame where the blame actually lies and be satisfied that there are no other methods of transmission. The Krebs report was unable to prove scientifically that badgers are responsible—it was unable to demonstrate a causal connection—but it pointed the finger of blame in that direction none the less. As a result, people believe that badgers are responsible and badger extermination by angry farmers continues because they are worried about the risk to their herds.

To determine where the blame lies, Krebs recommended that a proper scientific study be conducted, with 10 triplets in TB hotspot areas. Three different research strategies were to be pursued in each area. The first two were: total extermination—the proactive killing or bumping-off of all badgers at the start of the study; and reactive culling, where badgers are killed as a result of a herd exhibiting TB. The third group was a control, in which there was to be no culling at all—in so far as it is possible to prevent farmers from killing badgers unilaterally.

The Government accepted the Krebs report and set up the Bourne group to oversee the study. Then, in August 1998, the Government announced that they

[Mr. Austin Mitchell]

would go ahead with the Krebs recommendation, which is where the Select Committee came in. The Select Committee was somewhat worried that the experiment would be over-elaborate and difficult to carry out. The problem is not one of pure science: because it involves ecology, husbandry and human relations, it is not like a laboratory experiment in which it is possible to produce sound results.

The study was always likely to be subject to vagaries, such as whether farmers would continue to kill badgers illicitly. That is an inevitable human reaction, on which—unfortunately—I commented during one of the Committee's sittings. It was unfortunate because a friend from New Zealand had sent a group of badger enthusiasts down from Craven, having first told them that I would as least give them a fair and favourable hearing. The delegation then heard the hon. Member for Great Grimsby saying that, if he were a farmer, he would go out with a machine gun and mow the bastards down—not the delegates, the badgers. That incautious remark attracted an enormous amount of mail, mainly abusive and some of it purporting to come from badgers, but it made me realise that I should keep my mouth shut. Those are not my feelings—[*Interruption.*] My hon. Friend the Member for South Derbyshire (Mr. Todd) tells me that they are, but I was, as a representative of an urban constituency, merely speculating on the possible reaction of farmers to the disruption.

The trials could be disrupted by badger enthusiasts who decide, on humanitarian grounds, to make it harder to kill badgers. It was always going to be a difficult scientific approach and it will be hard to be consistent. I suggested that the trials should be cut down and speeded up. My amendment to that effect was vetoed tumultuously—the voting figures are in the back of the report, if hon. Members want to discover the extent of my sarcasm. However, the Krebs recommendations were simplified and modified by the Bourne report to make them acceptable to the Select Committee. Our main concern was one of speed and delay.

The Select Committee report is dated April 1999—a document of the last century, and it is distressing to find that it has not been implemented as fully, quickly and effectively as we wanted it to be. The delay puts greater pressure on farmers to act unilaterally and creates more difficulties in the areas in which bovine TB is spreading. Herd breakdown is a problem that is galloping ahead of us, and the Ministry must catch up quickly. If research is delayed, there will be increased pressure from farmers: they will want to know why we are floundering around when something more should be done immediately. Farmers will not view this as a scientific or academic issue, but as one that is vital to their livelihoods and continued activity on their farms.

I accept that MAFF is a piggy in the middle—that is, perhaps, not the best phrase to use, given that Agriculture questions today were largely devoted to the pig industry crisis. The Ministry is under pressure from Friends of the Badger and the farming lobby, yet has had a counsel of perfection urged upon it. However, the major delays in establishing the triplets that had occurred before the Select Committee met have continued. The Select Committee and the Bourne report wanted the system to be up and running by February 2000, but here we are, in February 2000, and the Governments first report tells us that, although progress has been made, only six of the 10 triplets have been enrolled and culling has begun in only three.

We are well behind schedule. The latest Bourne group report, which was published last week, is moving the target for identifying the triplets to the end of this year, with culling starting in only seven of the 10 triplets. The problem has arisen because of disruption and the difficulty in recruiting staff and identifying areas, but it is longstanding and urgent action is required. We need accurate information that allows us to pin the blame where it belongs and to develop an approach to cope with the problem, but we may not get that information until 2005, or possibly later. Meanwhile, bovine TB will rampage on, and that is exactly what the Select Committee wanted to avoid.

Delays happen for all sorts of reasons. I deprecate the fact that badger lovers have interfered with the trials: by so doing, they have failed to put their case as effectively as they should have done. It is no use blindly or blandly asserting that the badger is innocent: we need to know, and there is no way to identify the problem without the research. Nor is it useful for the Friends of the Badger to put great emphasis, as that organisation did in its evidence to the Committee, on vaccines, whether for badgers—which would be difficult—or for cows. The Committee recommended greater research effort in respect of both, but laid the main emphasis on cattle vaccine. Effort must be made to develop vaccines, but we do not have one yet and a vaccine might not solve the problem anyway. In the meantime, the Krebs recommendations must be implemented so that we can discover what is responsible for herd breakdown.

I am not here to adjudicate between badger lovers, who in some ways have overreacted, and MAFF, which has in a sense underreacted. It has been too dilatory, perhaps for financial reasons. I know, from the impact on the fishing industry, the state of MAFF's accounts.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley) *indicated assent.*

Mr. Mitchell: I see my hon. Friend the Minister nodding his head in worry. I hope that such problems are not blighting his life, but they are certainly not making the research any speedier.

The Select Committee's view was that research to secure an understanding of the matter needed to be expedited. One issue to be addressed is the delay in getting started, but another relates to research on the road traffic accident survey—post mortems on badgers killed on the roads. Unless we are to assume that a badger infected with TB is more vulnerable to being killed on the roads, because it moves less quickly or is more stupid, it is safe to suppose that sampling from badgers killed on the roads will give us an idea of the incidence, scale and spread of the disease. The CLA has stated in representations that post mortems have been halted because of health and safety concerns. Have they been halted? When will they restart? It is difficult to picture dead badgers in cold storage waiting for the research to resume—or for MAFF's period of

overspend to pass so that the funding can be provided, but it must be provided, because badger autopsies do not come cheap. The Government's latest reply on the issue is not very cheerful.

The Government need to get on with appointing an independent statistical adviser to verify the statistics and the results. MAFF's initial reply to the Select Committee was that that would be done, but I understand that it has not been done. The Select Committee made various suggestions on how to fine tune the research to make it more sophisticated and effective. We wanted more information and progress reports, better public awareness and education and better liaison with the Bern convention. We got action on that: in July 1999 the Government did what our report recommended and, in December 1999, a standing committee of the Bern convention agreed that the cull proposed in the triplets was in accord with the convention. One might wish that that statement had been made earlier, but it came and it was a direct result of the Agriculture Committee's intervention. We wanted more information: we wanted to know when cattle had their last tuberculosis test and better liaison with farmers.

The sophisticated recommendations have been acted upon, which narrows the focus of our concern to issues of money and speed of action. The report's main point remains the most important, nine months on. Bovine TB is a serious issue, and the short-term problem is getting worse, causing increasing anxiety in the farming community. The longer the research is delayed, the more long-term policies and proposals get put back. As the Committee's acting spokesman, my message to the Minister is, "Get on with it".

2.51 pm

Mr. James Paice (South-East Cambridgeshire): On behalf of the Opposition, I start by congratulating the Select Committee on Agriculture on its report, and the hon. Member for Great Grimsby (Mr. Mitchell) on his introductory speech. He is not renowned for sycophancy and he lived up to his reputation this morning, but I am sure he agrees with my thanking my hon. Friend the Member for Mid-Worcestershire (Mr. Luff), who was Chairman of the Agriculture Committee when it deliberated on the important issue that we are debating today.

I understand that either the Government or MAFF put a great deal of pressure on the House authorities to prevent today's debate from taking place. If that is true, it is a great shame. I regret that our debate is being held in Westminster Hall and not in the Chamber, because, as the Minister said in the Chamber earlier today, the issue is crucial. The former Minister of State, the right hon. Member for Birmingham, Perry Barr (Mr. Rooker), used to say that, as an issue facing MAFF, bovine TB was second in importance only to BSE, and I would not disagree with his conclusion.

I shall refresh hon. Members minds as to the scale of the issue. The Krebs committee, set up by the previous Government, reported in December 1997; it used 1995–96 statistics, which are now out of date because of the spread of the disease since that time. The latest figures, which go up to the end of October 1999, show that, in the preceding two full years, there was a 47 per cent. increase in confirmed cases of the disease in England and a 44 per cent. increase in Great Britain as a whole. Although we welcome it, no one can understand why the figure for Great Britain dropped to 14 per cent. in the first 10 months of 1999.

Equally serious is the number of incidents in herds that have not had breakdowns in the previous 10 years. In what was the county of Avon, 15 of 25 incidents were in herds that had not had a breakdown in the previous 10 years; in Cornwall, it was 103 of 139, and in Devon, 54 of 99. That shows that more than half the outbreaks take place in new locations, among herds that have not had an outbreak for 10 years. The frontier counties into which the disease is spreading show a similar, or worse, picture: in Staffordshire, 29 of the 30 cases were in herds that had not had an outbreak in 10 years; in Shropshire, four out of five cases; and all six cases in Derbyshire occurred in herds that had not had a case for 10 years. The figure on MAFF's website for England, excluding the west region, shows that there were 17 cases in 1995, rising to 57 cases in 1998, in herds in which there had been no previous incidents. As the hon. Member for Great Grimsby said, the number of cattle slaughtered rose by 76 per cent. in those four years.

The Opposition support the outcome of Professor Krebs's deliberations, but we must recognise that the situation has worsened considerably since his committee considered it. Wherever I go in the country, there is talk about how helpless farmers feel and their threat—I shall use no stronger word—to take illegal action because they feel that nothing else is being done.

The Government abandoned the previous Government's policy of interim culling as soon as they took office. It is not unreasonable to conclude that that might be one reason why outbreaks in 1998 rocketed by more than 40 per cent. The Opposition do not advocate unnecessary culling, but a sense of proportion is required. The badger population in this country is not under threat—studies have demonstrated that there are between 300,000 and 450,000 badgers—and the animal health issue is an important one. The hon. Gentleman is right to say that it is not a major human health issue—touch wood; we hope that it does not become one—but we must address the animal health issue, which affects not only cattle but other wildlife species, including badgers.

Mr. Geoffrey Clifton-Brown (Cotswold): Does my hon. Friend not see a paradox between the Government's attitude on taking a precautionary cull outside the Krebs trial plots where badgers are linked to TB and their precautionary principle in banning beef on the bone?

Mr. Paice: If my hon. Friend will forgive me, I shall consider areas outside the trial plots later.

Paragraph 127 of the report says clearly:

"We are also concerned at the lack of urgency displayed by MAFF officials in implementing the trial and other aspects of the programme."

Paragraph 7.8.20 of the Krebs report says of the trial:

"We recommend that it is initiated within four months (by the spring of 1998)."

[Mr. Paice]

Professor Bourne's report, issued 19 months after Krebs, stated that culling had started in three triplets. The hon. Member for Great Grimsby incorrectly said that culling had started in seven.

Mr. Mitchell: I said that it would have started in seven by the end of this year.

Mr. Paice: I apologise if I had misunderstood. There are currently only three, with no more until the end of the closed season—culling will not take place until the summer.

In two years, only six out of 10 triplets at most will be up and running; four have not yet been identified. There are countless examples in the Committee's report and in the Krebs report of problems due to the delays, to which the hon. Member for Great Grimsby referred.

The Opposition believe that the trials are essential and that they should be supported by those on all sides of the debate. The hon. Gentleman was right—we must find out the facts. Even those who are rightly and understandably concerned about the culling of badgers should accept that we must get as near the truth as it is possible to be, given the vagueness of science. We could finally clear up not only whether there is a link between badgers and the spread of bovine TB, but how significant the link is in the spread of TB and whether culling makes any difference.

Mr. Lembit Öpik (Montgomeryshire): Does the hon. Gentleman agree that farmers' anecdotal evidence should still be considered? It might not be statistical, but it could suggest what is going on.

Mr. Paice: I entirely agree—there is a mass of anecdotal evidence about badgers, which is widely believed in the farming community and outside. As Krebs himself recognised, everything points to that, although there is not the scientific evidence to prove a link. I hope that the trials will either prove it or disprove it.

I wholly condemn any disruption of those trials and any threats to or victimisation of the operators, who are fulfilling a need. I hope that the Minister will assure us that the Government will use every method possible to protect the operators and ensure that the trials proceed as quickly as possible. However, given what the trials involve, it should be borne in mind that the Ministry and its operators are under an obligation to ensure that the trials are conducted as humanely as possible. Last year's television programme clearly showed that the guidelines were not being followed in at least one or two cases, so the Government must ensure that they are.

Conclusion (h) of the Committee's report states of the rate of incidence of bovine TB:

"MAFF should pay more attention to identifying the principal cause of this increased rate. One approach would be to apply models and examine whether the spatial and temporal patterns observed could be accounted for as a consequence of the cessation of the badger cull in 1997."

I entirely agree with that, but it is wishful thinking to believe that the Government would do it. MAFF would worry that such an approach would prove that the cessation of the culling had made the problem worse.

The Committee addresses the issue of vaccines at length. Krebs rightly points out that cattle vaccines would be easier to develop and certainly easier to administer than badger vaccines. We also need to develop a test to determine whether a cow is infected with TB that would not be compromised if the cow had been vaccinated. Thus, a double development is needed. Krebs also says—Professor Bourne said the same—that it will be 10 or 15 years before such a vaccine is developed. Interestingly, that has been the figure given for the past 20 or 30 years: in previous investigations into TB in cattle, a cattle vaccine has always been said to be 10 years away, so it does not seem to be getting any closer. That might not be surprising when seen in the light of one of Professor Krebs' statements. He said:

"Currently no money is targeted at this specific area although 26 per cent. of MAFF's total TB research budget is spent on the related area of badger vaccines."

Will the Minister tell us how much is now being spent on the development of cattle vaccines?

The question of husbandry rightly received some attention from the Select Committee. Professor Krebs made various recommendations, including one that

"the possibility of testing various proactive husbandry strategies should be explored with the farming industry."

I am aware that the Government have now set up a husbandry panel, but its first meeting was about a month ago—more than two years after the outcome of the Krebs report in December 1997 and therefore another example of immense delay. The previous Government published advice leaflets that, I acknowledge, were withdrawn more than five years ago; however they were replaced only in the middle of 1999, despite the advice of Krebs and Professor Bourne.

Mention was made of carcase testing and the Health and Safety Executive's prevention of the testing of badger carcases for TB, whether they come from the trials or are traffic accident casualities. I hope, but doubt, that the Minister will tell us that those laboratory tests are to recommence. There is a huge backlog to be dealt with, which will prevent the recommencing of any road traffic accident testing, although that approach has a lot to commend it.

As my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) suggested, I shall turn to the issue of farmers who are outside the trial areas.

Mr. Patrick Nicholls (Teignbridge): My hon. Friend will be aware of the nine-point action plan recommended by the National Farmers Union in light of the Krebs report. Does he agree that farmers in the control areas are at special risk and remain completely exposed? Does he think that there is a case to be made for comprehensive compensation, bearing in mind the fact that those farmers are quite helpless and—mixing my metaphors like the hon. Member for Great Grimsby (Mr. Mitchell)—are being made into guinea pigs?

Mr. Paice: My hon. Friend is absolutely right. Indeed, I would have made that point if I had kept going for another 30 seconds.

We welcome the Government's decision to increase the compensation rate to 100 per cent. of the animal's value. We have no wish to decry that. The Select Committee referred to the NFU's proposals and urged

the Government to give serious consideration to its nine-point plan. The NFU proposals were sent to the Ministry of Agriculture, Fisheries and Food a year ago, but they have yet to be acted on. The Government's latest response is that discussion is in progress. A year on, we are no further forward; in the meantime, as has been said repeatedly, in the Select Committee and elsewhere, breakdowns are continuing at an ever increasing rate.

The NFU told the Select Committee that the average cost per farm of a breakdown is £3,000 a month. The whole process costs the vast majority of those who experience it at least £18,000. On average, about 1,200 herds are under restriction at any time. Therefore, the cost to the industry is more than £3.5 million a month, at a time when dairy and beef sectors are in serious difficulties. The NFU estimate that 50 per cent. of breakdowns may occur outside areas that are covered by the survey or by control areas of triplets in which there is no culling.

The independent study group examined the idea of culling outside trial areas and concluded that that would serve no useful purpose. I hope that that proposition has not been wholly discounted and that it will be re-examined when the Government panels have given the matter further consideration. However, the study groups's report, which was published only on Monday, stated that illegal culling would hamper the trial and would, at the very least, extend it before it had any sufficient statistical power in relation to triplet years. That is another reason why farmers and others, however desperate, will not take part in illegal culling.

Nevertheless, many farmers feel that they have been hung out to dry during the trials, which involve a much greater time scale than was envisaged by Krebs. It will be 2005 before the 50 triplet years are complete, which Krebs said was necessary for statistical power to be achieved. In the meantime, much of the country—involving, perhaps, 50 per cent. of the outbreaks—receives no help at all. The Government should re-examine consequential costs with a view to securing at least some compensation. That would discourage farmers from taking the law into their own hands.

I shall make a few more proposals in the spirit of productivity. There has been no study of the terms of the existing movement restriction rules, which have been the same for many years. They may be too lax, too tight or just right; what is certain is that they have a huge impact on farms, as the NFU figures demonstrate. Under those restrictions, farmers can only move their stock to slaughter, so they require extra housing, possibly extra winter forage and certainly more working capital, which is not easily come by at present.

At least the calf processing scheme provided an outlet for farmers who traditionally sold their calves at a few days old. Now, they are just one more example of animals being shot at birth, which is happening in all too many parts of the country today as a result of the crisis in the industry. I hope that the Minister will also consider introducing a specific calf processing aid programme for farms that are under restrictions because of an outbreak. He might also agree to instigate an immediate study of those restriction orders. It may show that they are perfectly correct, but in view of the huge impact that they have on farms, it is reasonable at this stage to ask that such a study be carried out.

My second point concerns TB testing. Most areas of Great Britain are tested every four years. According to EU directive 97/12, annual testing is required unless less than 1 per cent. of the herd is infected; testing is required every two years if infection is between 0.2 per cent. and 1 per cent. and every three or four years if it is under 0.2 per cent. I understand that, in practice, decisions about the frequency of testing are left to the local office of the Ministry and the State Veterinary Service. Annual testing is done only in the real hotspots. There is a strong body of opinion that says that we should change to annual testing everywhere, because it would identify infected cattle much more quickly, before they developed visible lesions.

I would not go quite that far, but I remind the Minister that, not only is the incidence rising, but it is spreading into frontier counties in the midlands, north-west and south Wales. He should immediately reintroduce annual testing in those areas to try to stop the disease spreading further, even while the Krebs trials are taking place. I know that not all farmers would welcome annual testing, but that would be better than watching the spread going on and on and the breakdowns continuing to rise at their current rate.

I am grateful to you for your forbearance, Mr. Deputy Speaker, in allowing me to respond on behalf of the Opposition to an excellent report that covers a number of issues. It is a pity that the Government sent their response to the Committee, because it is not now available to the rest of us as a result of no longer being the Government's property. The Minister kindly said that he would have given it to me if he could, but he could not. He knows what is in it and members of the Committee know what is in it, but hon. Members who are not members of the Committee have not seen it because the Committee itself is required to publish it. That will obviously detract from the debate.

Overall the report is a sad indictment of MAFF and a tale of woeful complacency in taking action on the Krebs recommendations. The Government talk of urgency and all their rhetoric is about the need to address a serious problem, but they are taking years to do what should have been done in months. It is another example of the Government saying one thing and doing another. At the end of the day the Government will be judged on their actions, not their rhetoric.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food has an opportunity this afternoon to convince the industry, not only that he takes the issue seriously, but that he will put enough money into all aspects of the independent study group's recommendations. He could say that money is not a problem when addressing such a serious crisis. I hope that he will immediately decide what he is going to do in the rest of the country, which is suffering while these trials are taking place.

I am worried about how disillusioned and dispirited farmers, who are already desperate because of the economic situation in their industry, will react if they feel that nothing is being done to address the problem in the majority of the country. The Government have a lot of questions to answer, and I am not the only one asking them. Farmers the length and breadth of the country, whose livelihoods are under immense threat because of

[Mr. Paice]

the spread of this scourge of a disease, want answers. I hope that the Government will take heed of the Committee's recommendation and act now.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Before I call the next speaker, let me remind hon. Members that if the Government have replied to the Select Committee but the reply has not been published, the document is still privileged and its contents should not be referred to. So let us stop getting into trouble before we start.

3.14 pm

Mr. Colin Breed (South-East Cornwall): As I have not seen the document, I shall not be falling into that trap.

Many aspects of this difficult and tragic problem are matters of dispute, mainly between farmers and their representatives and those who rightly want badgers protected. We often find ourselves in the crossfire and it is difficult to provide an objective way forward. I congratulate the Select Committee on its report, which is balanced and well presented. It should be read by anyone interested in the subject.

Three things are beyond dispute. First, delays are not due only to the present Government. I recall that the previous Conservative Government were undecided about what to do, even before the Krebs group was established. Time was lost and we are now many years down the line from when farmers first began to suffer from the problem. There were delays in getting the triplets study set up; the report, dated April 1999, was delayed; and the Government's response in June was delayed. We are now nearly a year on from when the report was first presented and we have heard about many other delays.

Secondly, we all recognise that the situation is complex and that there is no definitive explanation, despite an enormous amount of anecdotal and other evidence. It is not a simple problem and there is no simple solution. Those on either side of the argument who pretend that there is a clear and simple solution are doing themselves no credit.

Thirdly, no one can deny that the incidence of bovine TB is increasing. It is increasing as we sit here debating it today as it has over several years. The disastrous effects should be tackled urgently. We can surely all agree about that.

I am sure that Professor Krebs' proposals are scientifically sound, but they depend greatly on the link with bovine TB in cattle and the clear presumption that badgers are the culprits. The trials have sought to prove that link. However, we know that bovine TB is found in other animals—deer, rats, squirrels and other wildlife. It can be argued that the trials are insufficiently rigorous about causes other than the assumed badger-cattle link, which could prevent us from searching for other potential links.

The Ministry is vague about the impact on animal husbandry, another area of great difficulty. The benefit of improved husbandry on the incidence of disease is not examined fully enough. Are the arrangements in non-trial areas adequate, as mentioned by the hon. Member for South-East Cambridgeshire (Mr. Paice)? It must be worth examining the NFU's proposals about action against small satellite outbreak areas, even during the trial period. It is difficult to envisage how it would affect the scientific data arising from trial areas.

There is a lack of a sense of urgency to develop a vaccine for TB. I did not realise that it had been going for quite so long. However, research and development were always going to take a long time and there seemed no great urgency to begin. Now here we are so many years down the line and still there are no concrete proposals for developing a vaccine. That lack of progress is in a way a criticism. We are always focusing on the badger, which may be right, but if we do not keep an open mind and fail to put money into other potential aspects, the criticism is fair.

A triplet trial is taking place in my constituency. Some of the officers and others have undoubtedly suffered in that their vehicles have been vandalised and some badgers have been released and so on, which is deplorable. That does not assist experimental trials or the preparation of the relevant data. We need to speed up existing trials. Perhaps the Minister will tell us why the trials have slowed down when the matter is clearly urgent.

Farmers who are asked to participate in trials and are part of a control area where no badgers are to be culled are clearly exposed to the continuing effects of the disease. It is difficult to understand why they should not be compensated for their negative role. They feel that they are contributing to the experiment and to information that comes from it, and feel keenly about being made to pay such a heavy price.

Post mortem testing has been mentioned. I have never seen quite so many badgers at the roadside as I have in the past year or two. I do not know whether it is to do with driving or the number of badgers, but there must be enormous potential evidence that should be of great assistance to the data that will be made available. Surely this makes sense in post mortem testing of badgers.

We also feel that the Government should work much more closely with the industry. We are delighted that the TB forum has been set up. It will help farmers to feel more involved in the process. I welcome that and hope that their deliberations and any reports will not be kept secret, because a certain amount of openness will be helpful, even if from time to time it brings emotions to the fore.

The Liberal Democrats are glad that the Government have decided to act on Krebs, and we welcome again the TB forum. The need is urgent, but the current trials are clearly going too slowly. It has been suggested that that is due to a lack of resources, but I hope that that is not so. Perhaps the Minister will say something about it. We hope that the post mortem of badgers will be restarted. The incidence of the disease in the country is increasing; in the far south-west it is an extremely difficult matter. Farmers are faced with it, and there is no slowing down. A sense of urgency needs to be re-injected into the whole process of experiments.

We trust that the Government will reconsider the compenation question, especially for farmers involved in trials and control, as well as—this was again turned down this morning—the consequential loss suffered by producers on account of herd breakdown. This disease has potentially the same devastating effect on the

industry as BSE. Part of the problem with BSE was that we did not get hold of it quickly enough. I hope that the same will not occur with bovine TB and that the Government will put resources in at the front end and inject a sense of urgency, to enable us to understand the disease, decide how it is spreading and tackle it as quickly as possible.

Several hon. Members rose—

Mr. Deputy Speaker: Order. Before I call the next speaker, may I make clear my previous ruling? It referred to the document received by the Select Committee yesterday, not to the Government response dated 30 June 1999.

3.25 pm

Mr. David Drew (Stroud): Thank you, Mr Deputy Speaker. I shall be wary about what I read. I am not sure which document we are talking about, because there have been so many, so I shall tread gently.

I am delighted to take part in the debate on what is clearly a complex, detailed and emotive subject. Those of us who have studied it in depth for some time know the conflicts and difficulties of trying to reach a preferred position. It is important to consider the position as a whole. We are here to discuss the Select Committee's report, which follows the Krebs and Bourne reports. This week, we received the report of the independent scientific group, which made many points about the progress of the experiment.

To me, the background is daunting. So prevalent is the disease that I do not think that there is a dairy farm in my area—which is mainly dairying—that has not been shut comparatively recently, or that is not shut now, or that does not live under continual fear of being shut. The hon. Member for South-East Cambridgeshire (Mr. Paice) pointed out that the numbers tailed off a little last year. It is too early to say anything about this year. Gloucestershire is the focus of a major cluster, as the path of the disease leads out of the south-west.

We have to try to understand the complexities. Several hon. Members have commented on what might be deemed to be the cause of the disease, but we must tread carefully because, as the hon. Member for South-East Cornwall (Mr. Breed) said, we cannot be certain about the root cause. I should like to talk a little about the transmission mechanism which in some senses is more important than the cause.

I am fortunate in having within my constituency the Woodchester project, which has been investigating the issue for more than 20 years and probably knows more about it in the round than any other scientific investigation. As for my background, I have only recently joined the Select Committee so I have no ownership of the report. I sat in on some of the evidence-giving sessions and found them illuminating. They gave rise to a debate that was worth while, even if it offered no greater clarity about the cause of this dreadful disease.

The subject is sensitive and emotive, and my knowledge of some of the problems in the field is only second-hand. It is difficult to criticise the Government for things that may be only partly within their control. As anyone who knows anything about the trials is aware, there have been considerable difficulties in attempting to carry them out. Given the pressure to get on with them, we must use common sense when describing what has taken place and in explaining the reasons why the trials have not progressed as smoothly as they might have done.

We agree that bovine TB is apparently getting worse. As it is apparently a cyclical disease, it should by now have begun to wane; there was some evidence of its waning last year, but the disease is spreading. the potential height of the peak causes us to fear what may happen in future, so we want to know what causes the increased incidence. We must look beyond the areas that traditionally suffer—the south-west is the core—and recognise that the disease is spreading outwards and causing alarm in places that have traditionally not feared it.

Although we must discuss animal welfare issues, about which various arguments are made, we should recognise that, fundamentally, we are dealing with raw economics. The suffering of farmers who have to deal with herd breakdowns should not be underestimated. At least one person whose farm is currently closed is present for the debate. I know what closure does: it has an enormous effect on income and expenditure, as well as on human beings. Having witnessed breakdowns, I cannot think of any worse psychological experience than having to sit and wait for your next test—at best a rather rudimentary procedure—and then wait for your results to emerge. Those of us who are not in farming cannot understand that unpleasant experience, but we can at least sympathise.

There is concern that bovine TB is attracting more of a stigma because of increasing knowledge about it. A farm that has been closed subsequently has to go on with its business subsequently. It may encounter problems in selling animals, although I do not want to emphasise that too much. Traceability makes the cause of problems more obvious, which does not make the job of the farmers concerned any easier.

We must start by considering what is ruled in and what is ruled out. For all sorts of reasons, the Government maintain that the wholesale slaughter of badgers should not be considered. In response to Krebs and in other statements, they have said that such a slaughter is not on the agenda, and previous Governments have concurred with that view. We are looking for solutions, and the Committee's report is clearly a part of that process. We are also trying to bring different parties on board: I remind hon. Members that, even with the best will in the world, some of those parties will not necessarily agree—there is a degree of conflict, not only about the practicalities, but about the science and the philosophy of which is the most important animal. We cannot hide from such disagreements.

Every other strategy tried has failed. We can see that by looking back to the early days, when my own county discovered the impact of bovine TB—I should say rediscovered, as the disease is not new. My hon. Friend the Member for South Derbyshire (Mr. Todd) was just whispering to me about a series of programmes on farming in the 19th century. Bovine TB may not have been understood then, but some of its impact was realised. It came back to haunt us with a vengeance in the early 1970s—some would say that it returned even earlier. At that time, various badger control strategies were considered. Farmers were licensed to kill badgers

[Mr. David Drew]

in those days, but that did not solve the problem. They then went through the gassing episode; that option was eventually ruled out, even though some would argue that it was the only effective way of dealing with the problem. Gassing was seen to be too cruel and it did not stop the disease, which came back yet again.

Attempts to tackle the problem included the Zuckerman review; the Dunnet review, which introduced the clean-ring strategy; and proactive culling in Thornbury, in a constituency next door to mine. I do not know whether any hon. Members have read the interesting report on the Thornbury experiment, which changed my mind to some extent. I am told that, although it was not a scientific appraisal, it gave a clear exposition of the impact on cattle of clearing an area of badgers and keeping it clear. The previous Government led us into a sort of moratorium, which, with the best will in the world, has not worked. There is now an even greater incidence of bovine TB.

That is the nature of the problem. Anybody who thinks that there is a quick fix—a strategy that can be implemented and will work within months or even years—is deluded. No scheme yet implemented has worked. That is the difficult background against which we must consider this awful disease. The Government have a clear five-point strategy, the first strand of which is to protect public health. The second strand is vaccine development, even though there is concern that the wholesale vaccination of cattle might mean that you affect TB-free status.

Mr. Deputy Speaker: Order. We are talking about bovine tuberculosis. The hon. Gentleman's speech contains too many "yous", which refer to me, and I have not been tested for tuberculosis since I was 12.

Mr. Drew: I apologise Mr. Deputy Speaker. I would not say that you were in any way part of the tuberculosis problem.

The Government's strategy also includes the prevention of cattle-to-cattle spread and research trials. We have concentrated on those trials, but they are only part of the overall programme investigated by the Select Committee. That is what we should be discussing.

The basis of my argument is that science has caused the problem and we must use science to sort it out. The background is immensely complicated and the disease itself is unpredictable. The problem involves animal welfare: we need to protect cattle, badgers and other species that might play a part in the spread of disease. Some of those animals—rats, deer, foxes, ferrets and feral cats—are being trapped as part of the Government's programme. I am trying to avoid what might be described as "speciesism", because there are dangers in that approach, but I am alarmed when people say, "It can't be the badger", or, "It must be the badger". Both arguments are wrong. We must learn how science can enable us to find real explanations.

One reason for the delay is that the Government's strategy has been questioned. In clarifying their intentions to the Bern convention, they proved that they are neither involved in the worst sort of animal welfarism, nor culling for the sake of it. There is a rationale and we are in the midst of a long-term strategy. I hope that we will get some early evidence, but it must be borne in mind that it will be years before concrete results emerge. The issues are complicated, involving epidemiology, pathogenesis and immunology, all of which need to be investigated before we decide whether we can vaccinate.

I want to separate the causal features from the transmission features, because it is important that we examine both. Although one can lead to the other, they are not necessarily a sequitur. In terms of causes, we always start with the strong circumstantial evidence that there is a badger-to-cattle infection. However, if that is the case, why not consider cattle-to-badger or cattle-to-cattle transmission, or even a path of transmission involving other live animals? Such issues must be clarified.

People allege that differerent factors are involved in the transmission mechanism, so the Bourne group will test those in an effort to explain why the incidence may be getting worse. One factor is climatic change: the fact that we no longer have a winter has an impact on whether we can kill M.bovis, which is on the ground. Soil conditions, location and the ecology—including, of course, the ecology of the badger—are also relevant factors. Tuberculosis is a stress-related disease: those who oppose culling come what may argue that increasing stress levels could spread the disease, rather than eradicate it. There may be a question of trace element deficiency in what badgers or cattle eat. Are some animals more susceptible than others?

Animal husbandry and the movement of animals also need to be considered. It has been said that bovine TB might have been imported when so many farms had to restock as a result of BSE. I do not know whether that can be proved. *[Interruption.]* I see that the former Select Committee Chairman, the hon. Member for Mid-Worcestershire (Mr. Luff), is nodding. I am sure that he will comment on that in due course.

I welcome much of what the Government have done, and I do not want to go over ground that has been covered by other hon. Members, save to say that I am glad that an attempt is now being made to increase data collection and analysis. Everyone seems to welcome the TB99 form and so do I. More support is being given to farmers, which is overdue. It is possible to criticise the two leaflets that have been issued on the grounds that they could contain more information, but at least it has been recognised that information is needed.

I want to discuss animal husbandry in more detail. It is not my way to criticise farmers or to say that their destiny is in their own hands. I do not think that that is entirely true. However, farmers could do more to help themselves if they could be persuaded that the transmission of the disease could be reduced. That is not necessarily a matter of doing anything complicated; it might be achieved by addressing such questions as where troughs are put and whether maize or silage is fed to cattle. The benefits that might be obtained thereby must be explained and demonstrated.

The issue is one of managing risk. Some, at the extremes of opinion, have argued that there should be no dairying in the south-west. That is pretty crass, because dairying is part and parcel of the south-west, but it was mentioned as a possibility in the Select

Committee report. That suggestion deserves to be ruled out just as much as removing all the badgers from the south-west. Neither option is acceptable or practicable.

The possible link with human beings must be recognised. Perhaps my hon. Friend the Minister will confirm that, in Gloucestershire, there has been a couple of cases of young people apparently infected with bovine TB of the same strain that has caused the farm on which they live to break down. Although it is very rare, cases occur and the human dimension must never be underestimated, even though pasteurisation of milk seems to deal with that side of the problem. We still—wrongly—allow into the food chain animals that have gone to slaughter because they have been deemed to be reactors. I know that testing has always tended to prove that the likelihood of spread of bovine TB is very low, but that is one risk too many. I should welcome a response on that point. We need better tests that are able to show the path of the disease more accurately. Perhaps, as well as testing cattle, we should revisit the question of testing live badgers. That was ruled out before because the tests were so inaccurate, but it might help us show how the disease is spreading.

During Agriculture questions, I raised a point about consequential losses. Having talked to farmers in my constituency, I feel strongly that they could ask that several measures be adopted, some of which would be of limited effect, but all of which have a monetary value. They would certainly like MAFF to be a little more flexible with the budget, especially in relation to how and when money is paid. They have incurred costs, which there is no way of recovering, unless they are fortunate enough to have an all-embracing insurance policy. However, it must be increasingly difficult to get insurance because the likelihood of risks being realised is increasing.

There is also the cost of having to feed more animals, which is an animal welfare issue. Just as we may have to take action against badgers, it is also cruel to keep animals penned up: there are strict controls on closed herds and farmers, who might be without an income, must feed those animals. Likewise, there is pressure in terms of the milk quota. Farmers might have to milk more animals, but it is doubtful that they will receive any assistance in that. The very farmers who want to collaborate to farm their way out of the current problems may be those who are most disadvantaged: they might want to move their herds to the next-door farm to share milking costs, but they are faced with the terrible dilemma that, for several months of the year, they might be unable to do so because the herd is closed. As I have already mentioned, sale onwards may also be affected.

The tenor of the debate has been that the Government have been slow to act, more could have been done, and my hon. Friend the Minister, who is partly responsible for the matter, must talk to the people involved and try to gee things up but the answers are not as easy as that. Whisper it quietly—and slowly: causation might be as difficult to ascertain as it has always been. However, that does not mean that we should not work on transmission mechanisms as a means of controlling, if not eradicating, the disease.

The issue is one of money and securing the support of farmers. It is also about trying to get the support of those who oppose culling. I wish that badger groups would understand that no one wants to kill badgers—no one goes out, gung-ho, to get badgers. I know that my hon. Friend the Member for Great Grimsby (Mr. Mitchell) made some light-hearted remarks about confrontation, but there is no point in exacerbating such problems. We must find solutions, even if they have to be for the long term. I hope that badger groups will understand what the Government are doing. The Government have the support of all the hon. Members who have contributed to the debate, and anything that they and we can do should be welcomed.

This is an important debate, although it might have taken place some months ago. We can now begin to deal with an incredibly difficult situation.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next speaker, I should say that, if all hon. Members take more than 20 minutes, there will not be sufficient time for everyone to make a contribution, so it is up to hon. Members to limit their speeches.

3.48 pm

Mr. Peter Luff (Mid-Worcestershire): During Agriculture questions this morning, I heard the Minister describe this exercise as an experiment: it is a trial, not an experiment, as we were forcfully reminded by the advisers during the inquiry. The hon. Member for Great Grimsby (Mr. Mitchell), who so ably opened the debate, is, in a sense, on trial himself. [HON. MEMBERS: "He is the experiment."] I shall not respond to that. The hon. Gentleman certainly demonstrated his usual wit and flair, coupled with a new-found sense of responsibility. I am told that he behaved himself well in Brussels earlier this week, which is a surprise to many of us.

Mr. Mitchell: It is difficult to do anything else in Brussels.

Mr. Luff: When I told the hon. Gentleman that he had to lead the Select Committee delegation to Brussels, he suggested that he might go armed. The usual cry from the Conservative Back Benches when a Member behaves so responsibly is, "Give him a job." The Government Whip is in his place and I commend that course of action to him. The time has come to give the hon. Member for Great Grimsby a job.

I approach the debate with mixed emotions. Technically, in the eyes of the House, I am still Chairman of the Agriculture Committee, even though, since I joined my hon. Friends the Members for West Derbyshire (Mr. McLoughlin) and for Cotswold (Mr. Clifton-Brown) in the usual channels, I have had to relinquish that responsibility.

Mr. Deputy Speaker: Order. I hope that that is not a criticism of me, because with another hat on, I am trying to do something about that.

Mr. Luff: I would not dream of criticising the Chair, especially not the current occupant.

I pay tribute to the Agriculture Committee. Its report was very good and I am glad that the hon. Member for Great Grimsby paid tribute to the authors of the report

[Mr. Luff]

and to the Committee's advisers. The Select Committee conducted its work in a spirit of genuine bipartisanship and examined issues on the basis of the facts before it. That greatly strengthened its criticisms of the Government and, occasionally, of their predecessors. I, too, pay tribute to Professor Krebs, and to Professor Bourne and his group, who so ably understood the problems and intepreted them. There are real problems, and I am delighted that the Government, at least in their rhetoric, take them so seriously. To the best of my knowledge, this is the first time that the Government, voluntarily, have responded twice to an Agriculture Committee report. I shall not breach the terms of your ruling, Mr. Deputy Speaker, but the current response may or may not be entitled the first progress report, which suggests that there is a determination to produce further responses, which I would welcome.

If the Minister wants to get such reports published, he has the option of publishing the Command Papers, which would be a speedier process than referring them to Select Committee. If he had taken that option, we would have been able to refer to the Government's response to the report—something that I would not dream of doing. I hope that the Minister will allude to one or two of the more important themes in the response when he replies to the debate.

I pay tribute to the right hon. Member for Birmingham, Perry Barr (Mr. Rooker), who was deeply committed to the Krebs and Bourne processes and who spoke with great honesty and integrity, having changed his mind, I suspect, on the basis of the evidence put before him. That is a tribute to him. Baroness Hayman, who is the Government spokesman on the issue, is similarly committed to the process. I do not criticise the Minister, as the noble Baroness cannot be present. The authorities of the House may like to consider inviting Ministers in the House of Lords to reply to debates in Westminster Hall when they have Government responsibility for those issues.

Mr. Patrick McLoughlin (West Derbyshire): No.

Mr. Luff: My hon. Friend cries, "No," and, in my new position, I must defer to him, so I withdraw my suggestion.

The issue is urgent. All hon. Members with rural constituencies, whether they are in the south-west or the midlands—I believe that Shropshire is part of the midlands—know of farmers, many of whom are among our personal friends, who are in real difficulties because of the mounting crisis caused by bovine tuberculosis. My hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) quoted figures drawn from NFU statistics. It is not just a matter of money: dairy or beef farmers in such circumstances find it an emotionally traumatising experience, and the Government understand that. The welfare of farmers and that of badgers and cows must be weighed in the balance.

Previous speakers have referred to the NFU's suggestions and, in the interests of brevity, I shall not repeat them. However, I hope that the Government will seriously consider the NFU's action plan. It is a moderate, sensible and practical way forward, which has considerable merit. I am sorry that it has taken so long for the Government to consider it.

The Government say all the right things, but do not go far enough in acting on them. I can refer to one document that tests that hypothesis: the second report of the independent scientific group on tuberculosis. The Select Committee hoped that there would be quarterly reports from that group. The National Federation of Badger Groups, in a helpful briefing document, drew attention to that recommendation and clearly hoped that the group would report more frequently. Far be it from me to be cynical, but I note that that response is dated December 1999; it is no small coincidence that the Government's new response document and the document before us were published this week, which shows the importance of debates on Select Committee reports, in principle, and on this issue. The second report is a helpful document, which justifies making further reports on a regular basis.

In his introduction to the report, in a letter addressed to the Minister dated 17 December 1999, Professor Bourne states:

"The field trial, which has inevitably received much media attention, is only one part of the overall research strategy."

We must remember that although debate on the issue focuses only on the field trial, there is so much more to it. It cannot be said too often that it is part of a coherent strategy; an holistic approach is being adopted, and however effective our debate, it is only one part of the process.

In his short letter, Professor Bourne also states that

"there have been some delays with implementing field work about which we have expressed concerns".

He acknowledges that there have been delays, about which he is concerned. The report re-emphasises in paragraph 1.0.4 that the field trial lies at the heart of our understanding of the process. It cannot be said too often how little we know about the processes involved. I fondly imagined that we knew all that there was to know, and it was a matter of collating, as a desk research exercise, what was known of the experiments in Ireland, for example; but that is not the case. Professor Bourne helpfully reminds us that the trial is essential to a proper understanding of the subject. The whole project, including the controversial field trial, is essential.

Professor Bourne says in paragraph 1.0.10:

"It is disappointing and frustrating that circumstances have limited the number of triplets put in place."

I say amen to that. The original MAFF response states that the Government recognise that in implementing the strategy there has been "some slippage" compared with the original aspirations, which is quite a popular word in political debate at present. It states that the Government fully accept the Committee's emphasis and the need to keep up the pressure to see the programme through. Keeping up the pressure on the Government to see the process through is what the debate is all about.

The non-compliance issues are important and they are highlighted in the most recent document. However, the act of non-compliance that really matters is the risk that farmers may partake of illegal culling, which would destroy the power of a trial. It is not a laboratory experiment; I have heard badger groups argue that,

because all the badgers in a proactive cull area are not killed, it invalidates the process. It does not: it is a real-world trial designed to encounter all the obstacles that may be faced. However, it would undermine the process if farmers took the law into their own hands. The evidence suggests that that is not happening, but I endorse the comments of other hon. Members who say that we should try to find a way of easing the financial consequences for farmers in the control areas who have to bear the knowledge and the fact of being able to do nothing about the problems on their farms. There is a strong case for improving the power of the experiment by considering that possibility.

One of the most puzzling features of the report from Professor Bourne's group is paragraph 4.34, in which reasons for delay are identified. It states:

"Recognised from the outset as factors which could not be managed, terrain and weather have significantly influenced progress on the ground. In particular, surveying work has often been hampered by unyielding geography and inclement conditions."

I know what rural England looks like, and what the weather is like. I find it surprising that the group has apparently only just woken up to the fact that it occasionally rains in Devon and Cornwall, and in Herefordshire, Worcestershire, Gloucestershire and Shropshire.

Mr. Owen Paterson (North Shropshire): Does my hon. Friend agree that that statement is insulting to dairy farmers, who have to go out twice a day to get the cows in, regardless of the weather?

Mr. Luff: I hope that my hon. Friend is not suggesting that I was being insulting, but is referring to the report. That is a little uncharitable, but I agree with the spirit of what he says. The matter demonstrates a troubling ignorance of conditions on the ground.

Interference is alarming. A full triplet trial close to my constituency has been delayed as a result of activities by the animal rights lobby. Such interventions go well beyond what people expect and incredible threats have been made. The democratic process is being challenged. The Government have rightly decided to pursue the matter, which has been debated at length. Those who stand up for badgers' rights have had an opportunity to put their case, but the matter has been settled. That is regrettable and extremely worrying. Indeed, it raises important issues that go well beyond this narrow debate. From a local point of view, I selfishly hope that the Government will recommence abandoned operations as soon as possible.

I offer a small apology to the wildlife trusts which, regrettably, were criticised in the report for being non-compliant. I stand by that criticism, which sends farmers an important signal about responsible organisations' capacity for non-compliance. However, some operators of nature and bird reserves also failed to comply. I therefore apologise for singling out the wildlife trusts, but stand by the thrust of the criticisms. Mercifully, non-compliance is not a major issue and the report makes encouraging remarks about compliance levels. Trials that are working appear to be delivering the goods.

I want to emphasise the importance of the road traffic accident survey. Perhaps the most surprising thing of all in Professor Bourne's recent report are his remarks on the road traffic accident survey. I have no recollection of the matter being raised during the Select Committee's extensive investigations. Professor Bourne says:

"During lengthy consideration of the possible ways forward, however, it has emerged that a considerable amount of data were already being generated by the informal, ad hoc collection of badger carcasses by a number of the State Veterinary Service's divisional offices. In 1998, some 1200 carcasses were collected and examined—a similar sample size to that envisaged for the seven counties survey."

That is a reference to the counties most at risk of bovine tuberculosis. Professor Bourne continues:

"MAFF agreed with the ISG that this ad hoc work was of limited value and could be put to better use."

That is hugely worrying. The Government have discussed the road traffic accident survey in the response to which we cannot refer. However, will the Minister comment in detail on the matter in his winding-up speech? Bizarrely, many badger carcases which we believed were going to waste were not.

I shall repeat the fundamental criticism made by my hon. Friend the Member for South-East Cambridgeshire and several other hon. Members. Lack of resources seems to be the problem. The delay in getting the triplets up and running is a matter of great concern. As the hon. Member for Great Grimsby said in his opening remarks, we are seeing the fruits of MAFF's tight budgetary settlement. Why else is it thinking of closing down the Worcester regional service centre and other service centres?

I see someone screwing up his face. However, I have seen documents from the trade unions showing that there is a direct and genuine threat to MAFF's regional service centres. That is a matter of deep concern and another example of the financial pressures on MAFF. The issue is so serious that those pressures must not be allowed to get in the way of speedy implementation.

I do not know what the trial will eventually demonstrate. Badgers are a significant part of the problem, but other species are involved. Husbandry issues are also crucial, but I shall not elaborate on those matters again. Cattle-to-cattle transmission is of much greater importance than has generally been acknowledged.

The trial must continue. Farmers must sit on their hands and not interfere with the trials' effectiveness. Badger groups and the animal rights lobby must back off, otherwise more badgers than necessary will die as the trial is extended. If they do not do so, they will cause more suffering to the animals they claim to be helping. It is crucial that they allow the trial to happen and the results to come out so that a proper scientific policy can be developed. The Government must show that increased resources are available to enable the trial to be completed speedily.

4.4 pm

Mr. Mark Todd (South Derbyshire): I will try to be brief. Unlike my contributions to other Agriculture Committee reports, I was relatively light on this one, mainly because the report was excellent and I agreed entirely with its conclusions. What have we learned since? First, I want to bring in a human element by referring to a farmer who works not far away from my constituency whose farm has suffered from TB. He illustrates the problems that farmers face when that happens. He says:

[Mr. Mark Todd]

"I was absolutely devastated when I got the news. They are the words nobody wants to hear. Me and my family were tested . . . Thankfully we were all clear but I was holding my breath. Less than a week after that first case was discovered a badger roadside fatality was recovered near us which was riddled with TB. I had been told by the Ministry of Agriculture not to wash out the dog's bowl in the kitchen sink and make sure that the dogs are kept out of the way. The families should not get too close to the badgers, but tourists coming into the countryside to walk their dogs or for a day out wouldn't think about the possible risks that badgers and their waste pose. The dog could be sticking its nose and paws everywhere and still be petted the same by its owners. I think we are sitting on a time bomb here and unless something is done to control the badger population I think we are going to have a serious problem on our hands."

I do not share every intuition and thought quoted there, but it is a genuine comment and I have heard the same from other farmers. I am fortunate that bovine tuberculosis has not yet reached my constituency, but it is extremely close. My constituency borders that of the hon. Member for West Derbyshire (Mr. McLoughlin). He has the burden currently—and it is a major burden—but I regularly hear from farmers on the Staffordshire-Derbyshire border of their worries about the potential effect of TB on their herds. The problem clearly has dramatic effects on the economics of a farm and I shall speak later about what we should do about it.

The problem also has a wider impact on the rural community: it restricts movement, interferes with the normal social relations of the farming community and spreads considerable alarm and concern among people living in the area. That shows the impact on the locality, but it has a major national impact to.

If we allow TB to continue to spread slowly but steadily across our nation, infecting more and more of our cattle, it will place us in the role of international pariahs once again with respect to our livestock produce. We are gradually working our way out of the BSE problem and we do not want other countries to claim that our herds are riddled with TB and to have nothing further to do with our livestock industry as a result. Unless we take steps to control the problem, there is a real risk of that happening.

Animal health is another issue. It is worth saying that TB is an unpleasant disease for badgers as well as for cattle. We have a duty to seek solutions to the problem. As I said, the approach attempted so far is holistic. We have already debated field trials. I agree with my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) that some of the flaws are inherent to field trials. Professor Krebs never intended to transport the laboratory to the countryside and precisely replicate the scientific disciplines that would apply. He was testing two particular approaches to controlling TB and was aware of problems of non-compliance, deliberate obstruction and, occasionally, of farmers extending their responsibilities. He saw those problems as part of the trial; they were recognised from the start. The report has been criticised as flawed on that account. We all recognise that, although it was not a precise process, we could learn a great deal from it. I always felt that we should continue with the trial. I will not go into the criticism that has been made, but it concerns the speed with which we proceeded. Clearly, it has been much slower than we would have hoped.

What would I do in addition to the trial to extend the holistic approach? First, it would be useful to extend testing in herds beyond the immediate area affected, which is an approach similar to that suggested by the hon. Member for South-East Cambridgeshire (Mr. Paice). There is merit in considering the frequency of testing and, when there is a TB outbreak in an area, we should consider the scope for an immediate review of the testing arrangements in that area and around the edge of it to discover the extent of the outbreak at the earliest opportunity. There is much to be said for that.

Secondly, there is merit, if we have the resources—and there is an argument for making available the resources for this—in extending the use of the TB99 form to other parts of the country. Currently, it applies in the test areas and where TB outbreaks occur outside the test areas. However, if we are taking a holistic view and wanting to find out more about the incidence and non-incidence of the disease as well as its relationship to animal husbandry, ecology, the environment and other species, that is a legitimate learning process which could also be applied to livestock herds in non-affected areas. Having seen the TB99 form, I know that completing it is a labour-intensive exercise; indeed, the Committee criticised it for that. Nevertheless, it would be valuable if, over a period, we rolled it out in other livestock areas to identify what other issues we might learn about outside the immediate TB-affected areas. I recognise that that would have a lower priority than some other activities, but we might learn a good deal.

Then there is the issue of how better to compensate and motivate farmers. I will not repeat what has been said, but those who are part of the control element within the trial areas deserve something for their forbearance when their living is being destroyed. The 100 per cent. compensation is a welcome step, but we all recognise that it does not cover a farmer's loss of income. A review of that would be welcome. Bearing in mind the fact that TB99 is also applied to areas outside the trials, we could extend that view to those outside the trials whom the law also prevents from taking pre-emptive action against their badger population. We should be encouraging those farmers to see that we recognise their plight. I would extend such compensation to all farmers who are affected by a TB outbreak on their farm, not just to those in the trial areas. In a sense, they are also part of the trial because they are providing data for it.

On road traffic accidents, there was discussion about the slightly inadequate intelligence that we had at the start of the exercise. However, there is evidence that the Government have not pursued with sufficient rigour the need to analyse the outcome of road traffic accidents among badgers. Resources are clearly required, and I imagine that there are health concerns among those who are given the task of examining the corpses. We need to review carefully how we provide the resources—as rapidly as possible—so we can analyse those outcomes as well as the corpses from the trial areas themselves, where there is currently some difficulty in collecting proper scientific evidence.

The Committee strongly recommended that, although there was evidence that badgers were a prime source of infection, research should be undertaken to try to understand the other possibilities that exist in the animal kingdom. I have seen no evidence of sufficient

vigour in that respect. I can understand why badger groups think that the finger is being pointed at badgers and that not enough attention has been given to other possible sources of infection—deer, rodents and so on.

Mr. Luff: Does the hon. Gentleman share my slight sense of regret that, by entitling our report "Badgers and Bovine Tuberculosis", we have perhaps given the misleading impression of having prejudged the outcome of the process?

Mr. Todd: That is a fair point, and the hon. Gentleman may be right.

I love badgers, too. As a child, I used to observe them. Indeed, a badger either lives on my property or visits it regularly, and it is a delight to see. I do not hold any brief for the mass slaughter of badgers, and I hope that the exercise is as short term and focused as possible to achieve an outcome.

It is hard to criticise what has happened with vaccines because this country has a long history of vaccine research, both for badgers and cattle, although it has produced relatively little outcome. I am not persuaded that the Government have as yet produced a programme that is robust enough to reach a solution. We realise that vaccines are promising; they are possibly the only long-term solution, so research must be given the highest priority.

Mr. Luff: Does the hon. Gentleman agree that it is important to emphasise, as did the Committee, that the most promising way to find a vaccine is to piggyback on human tuberculosis vaccine research, rather than to rely on freestanding cattle vaccine research?

Mr. Todd: I thank the hon. Gentleman for that remark, which is certainly true. I struck that comment out of my speech because I thought that I might have been speaking for too long already.

Mr. Geoffrey Clifton-Brown (Cotswold): Vaccines are often cited as the hallelujah solution to the problem, but is the hon. Gentleman aware that, as long ago as 1980, the Zuckerman report said that a vaccine would be available in 10 years? Indeed, in 1997, the Krebs report said that a vaccine might take 15 years to develop. A vaccine could be a long way off.

Mr. Todd: I accept that willingly. Indeed, having taken the evidence in the Committee, I am well aware of the longevity of the problem and that the target appears to move further away as time passes.

The Committee was critical of the lack of proper husbandry advice for farmers. Husbandry advice has now appeared, but it has been produced too slowly and additional measures should have been taken. Badger groups have made the point that many common-sense measures could be taken. Farmers could be advised how to keep cattle away from badger latrines and other areas frequented by badgers and how to secure barns so that sick badgers cannot go inside. Those are reasonably obvious points, but they need to be reiterated. The advice documents were simply not available for a long time, which was an omission.

The Committee was critical of the communication about what the Government were trying to do and, at the micro level, about what was being attempted locally, including establishing trials. Those problems have continued. This is a highly sensitive and difficult issue about which none of us is especially comfortable. We must achieve as much openness as possible, consistent, sadly, with the possible actions of a tiny minority of people. This is not an accusation against badger groups in general. In my contacts with them, people have been responsible and have recognised that there is a problem. However, a tiny minority wish to take action that is dangerous to some of the people conducting the work and clearly that must be considered.

One of the reasons why I suggested using the TB99 more widely relates partly to communication. We must try to get it across to the farming community as a whole that this is a collective matter for farming to solve rather than an isolated issue relating to the south-west and parts of the midlands. We must try to share the process of collecting information and data across all cattle farmers, not just those in that part of the country. We also need to improve communications on a wider scale. One step that could be taken is to establish clearer lines of communication between farming and badger representation groups and scientists about how the exercises are proceeding. That is hard because there is a lack of trust within that exercise, but it should be attempted.

My final point concerns human health. I am aware of the cases that my hon. Friend the Member for Stroud (Mr. Drew) referred to. There is a human health dimension. We should not be alarmist about it, but it exists. If we do not take firm action to find a solution, we risk human health implications already that exist on a micro scale. We should be aware of them. I was not entirely convinced how the relationship between the Department of Health and the Ministry was operating to ensure that risk to human health was clearly placed in the forefront of people's minds. I certainly would not want to take part in a debate of this kind in five or 10 years' time in which people were surprised that there was a human health implication. It is not a great surprise. It is possible and we should address it.

4.22 pm

Mr. Patrick Nicholls (Teignbridge): One of the problems in approaching any debate about agriculture in the south-west is that one keeps using words like "crisis" and "dire" and saying that people's livelihoods are being destroyed. One runs out of superlatives to describe just how bad it is to a lay audience. Certainly, if it were not for all the other crises in agriculture at present, one would say that this is a crisis of truly enormous proportions. It may say something about the context in which it finds itself that such a major crisis is debated not on the Floor of the House but here in Westminster Hall.

Mr. Deputy Speaker: Order. For all practical purposes we are on the Floor of the House of Commons.

Mr. Nicholls: That is why I kept my remarks about that deliberately short.

Moving on to less contentious areas, a great deal could be said to illustrate just how bad the crisis is. I will do no more in view of the shortness of time than to make

[Mr. Nicholls]

this point. According to figures from the National Farmers Union, 1,670 herds were placed under movement restrictions in 1996. In 1998 the figure had increased to 2,303 herds, which represents an increase of 32 per cent. The figures up to October 1999 show that that level has increased to 2,221.

When I first became the Member of Parliament for Teignbridge, I knew no more about this matter than any other layman. I was generally aware of the debate, but no more than that. When I had my first meeting with the NFU, I was struck, to put it as neutrally as I can, by the intensity of the feeling of people who were convinced that their livelihoods were being destroyed by a perfectly clear causal connection. They were convinced that the connection between badgers and their cattle caused the disease. We have had experience of TB in my family and, even though the link between animal and human may not be particularly direct, anyone with my background would be worried about it.

In common with other hon. Members, I read such evidence as was available at the time. Having read Zuckerman and Dunnet, it seemed that the case had been made. I say that not as a scientist, but as a lawyer. Sometimes laymen say that evidence is only circumstantial: there is nothing wrong with circumstantial evidence, provided that people realise that it is circumstantial. My reading of the science then, as now, is not absolutely 100 per cent. However, I am left with the conviction that there is a centrality in the argument about the badger, which cannot be denied.

It was sad when the hon. Member for South Derbyshire rightly made the point that tuberculosis is a frightful condition for any animal. Some of the letters that I have received from people who view themselves as the badger's best friend were a model of moderation, balance and concern. However, I have received other letters from people who take it as a personal affront to the badger when it is suggested that that animal might have TB like horrible cows. I cannot understand the thought process behind the view that if a disease is caused only by cows and not by badgers, it is all right. It is a dreadful condition for any animal.

At my many meetings with farmers in Devon the subject inevitably arises. There is both despair and anger about it. There is despair at the devastation that the presence of TB can inflict on a whole way of life. As the hon. Member for Stroud (Mr. Drew) said, it is not a question of sitting down and waiting for the next test to come through. There is anger, too, among farmers about politicians of all political complexions who have wanted to shy away from the issue. The politicians are reluctant to talk in public about a process that could lead to the death of badgers. The British population, brough up on "Tales of the Riverbank" in an increasingly urban age, do not want to contemplate that. Farmers are therefore desperate about the effect on their livelihoods and about the beliefs of an urban population who simply refuse to face up to what is happening.

I have seen no meaningful evidence of farmers following through their own conclusions and taking matters into their own hands, although there may be isolated incidents. It is remarkable and shows an extraordinary degree of restraint among the farming community, which should make us acknowledge that less law-abiding, less decent and less honest people could have gone about things very differently.

It is easy for us in this marvellous Chamber this afternoon to ignore the experience of others. I used to be interested in fisheries. I am still interested, but it would be out of order to expand on it today, apart from saying that scientists did not believe that fishermen knew anything about the migratory habits of fish. Fishermen would tell scientists that the fish had gone elsewhere, which the scientists found hard to cope with. Similarly, scientists often find it difficult to cope with the anecdotal evidence of farmers. When you live on the soil, and you have been bred on the soil for generations—

Mr. Deputy Speaker: Order. The hon. Gentleman is using "you" too much. Although I lived on a farm as a boy, I do not bear out the hon. Gentleman's descriptions.

Mr. Nicholls: I thought that I would be accused of having royal pretensions if I said "one" all the time. However, if one has lived on the land and one has lived there for generations, one comes to realise that one is wholly in tune with nature, does one not? Farmers have experience that may be hard to quantify in scientific terms, but it exists. We owe it to farmers to understand them when they say they believe that the badgers argument has centrality. They are probably right. So what do we do about it?

It is easy to indulge in party-political point scoring, but that is completely against my nature. We could say that the previous Government should have set up the Krebs group sooner, but the key point is that Krebs was set up and that it has reported to the Government. One of the fun things about being a Minister in a Government is that the buck stops with Ministers. Whatever has happened in the past, Krebs has now reported. My hon. Friend the Member for South-East Cambridgeshire, who knows more about such matters than I do, reminded us that the trial areas were originally supposed to be up and running in 1998. It was then said that they would be up and running by the end of 1999, but they are not.

I want to hear from the Minister when the groups will be established, and an unambiguous assurance that the Ministry has the money to do the trials properly, comprehensively and speedily. I do not want to hear that he will do his best with the resources available. The job must be done, and we must hear today when it will be completed.

As many hon. Members have said, those in the control areas are putting their livelihoods on the line—there is unanimity on the issue. The matter is not about having another whinge on behalf of farmers of the west country, but about partnership. It must be recognised that such people are in a unique position and should be compensated.

Farmers have shown great restraint. Badgers are central to the argument; the studies may note other matters. Everyone must realise—both those who regard themselves to be "in loco badger" and farmers who might wish to take further action—that Krebs is the only show in town for dealing with the problem. We owe

it to animal lovers, and to farmers whose livelihood is being wrecked, to understand that. The sooner that there is a conclusion, the better.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next hon. Member, I should note that three hon. Members wish to speak before I call the Minister. We have a little less than an hour to go, and the Minister will probably need time to respond, so will hon. Members please keep their contributions as short as possible?

4.31 pm

Mr. Patrick McLoughlin (West Derbyshire): So far, we have had a reasoned and responsible debate on a subject that is causing huge concern to the countryside, especially areas in which bovine tuberculosis is present.

I hope that the Minister will explain the situation. The Leader of the House announced the debate some time ago. The Government tell us that they take Westminster Hall and Parliament seriously. It was outrageous that they sent a report on the subject to a Select Committee yesterday, which might have been available to members of the Committee but not to other hon. Members. The fifth report was published last April. We have waited for an opportunity to debate it. We secured a debate and were then informed that the Government sent a report to the Select Committee yesterday.

Mr. Mitchell: That is not altogether fair. We have an advance part of a report on progress and the Committee's reports. It was given to the Committee before the main report—restricting it was a service to the Committee and not an insult to the House.

Mr. McLoughlin: I do not want to spend too long on the matter. I hear what the hon. Gentleman says. The simple fact is that the House has not had the opportunity enjoyed by the Chamber to discuss the report. To find that the Committee has papers giving an update, which are not available to other hon. Members, is a great pity. It has been said that it could have been issued as a Command Paper, so that we could have had such a debate in the House.

Mr. Luff *rose—*

Mr. McLoughlin: I do not want to get too bogged down on the issue. I have made my complaint and I hope that it will be taken seriously.

The fifth report starts by saying:

"Bovine tuberculosis . . . is a disease with a terrible history in the United Kingdom. In the decade before the Second World War, there were 50,000 new human cases each year and an annual death toll in excess of 2,500 people, largely caused by drinking unpasteurized milk from the national dairy herd where as many as 40 per cent. of the cows"

were infected. That is the history of the disease but, in truth, it is recent history for many farmers in my constituency.

The hon. Member for South Derbyshire (Mr. Todd) read a moving letter from a farmer from a neighbouring constituency that summed up the worries. The hon. Gentleman knows well that there have not yet been cases of bovine TB in his constituency, but he also knows that there have been cases south of Ashbourne, which is close to the borders of his constituency. The worry shared in such areas is that cases might occur, as they have in mine. The NFU stated in its briefing that, while the disease essentially remained regional and has been confined so far to the south-west, Wales and parts of the west midlands, it is spreading.

I have been especially concerned by the rise of TB in Derbyshire. County-by-county figures of TB cases available on the MAFF website show that, in 1997, an incident of TB had been confirmed in one herd. In 1998, the figure was six. Provisional figures for January to September 1999 show that 16 new herds have been affected by TB. The increase in incidents has been dramatic in an area that has hitherto had none. My hon. Friend the Member for Teignbridge (Mr. Nicholls) noted that, in the south-west, the problem has existed for a considerable period; it has not in Derbyshire.

Mr. Paterson: My hon. Friend touched on an alarming matter. I talked this afternoon to John Newell, the senior policy adviser of the NFU in the west midlands, who said that there were 11 new cases of TB in Derbyshire in 1997, 17 in 1998 and 48 in 1999. My hon. Friend cited MAFF figures, which were remarkably lower.

Mr. McLoughlin: I was going to come on to the issue. MAFF has tended to use a different criterion for its analysis from the NFU. I want to use MAFF's figures rather than the NFU's.

During the recent recess, I attended a special evening in Ashbourne about TB incidents, which was addressed by MAFF officials. I was struck by farmers' deep concern. The issue is one aspect of the severe crises facing agriculture, with declining farm incomes and falling prices for products such as milk. The Minister will no doubt say, "Well, it is all very well for Opposition Members to complain, but we do not have the money." The Government can find money when they want to—they can easily find £32 million to launch an inquiry into BSE when they think that it politically advantageous to do so. I find hard to accept that the Government cannot find the money.

Mine is a large rural constituency. When I was first elected to West Derbyshire in 1986, it was rare to see a badger that had been killed in a road accident, but it is more common now. The points made by many hon. Friends about roadside casualties were serious, and should help the Minister. Although I criticise particular aspects of the Government's approach, I accept that the issue is difficult and that there are no easy or straightforward solutions.

My hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) spoke about testing. One of the problems of testing about which farmers have expressed concerns to me is its effect on a herd. Earlier today, I spoke to a farmer called Des Simms, who farms in Ashbourne. He had to have a test on his herd and the result was clear; it showed that there was no problem with his herd. However, he told me that one of the cows tested was in a late stage of pregnancy and aborted after the test. He referred to the discomfort of cattle, to the obvious inconvenience, to restrictions and to other problems.

[Mr. McLoughlin]

We have heard from many hon. Members about various reports that have predicted that a vaccine will be available by the end of the century, by 2005 or by 2020. I fear that we are being given the same sort of response about when implementation will start and about when the Krebs results will be available. First, it was 2003 and now it is 2005, and I fear that the date will for ever move on. There is growing frustration in the countryside. Nobody wants farmers to do things that may damage the end results of the tests, but some of them are living on a very short fuse. I hope that the Minister will reassure hon. Members that the Government are taking the matter as seriously as people in the countryside.

4.41 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am pleased to have the opportunity to participate in the debate. As my hon. Friend the Member for West Derbyshire (Mr.McLoughlin) said, whatever the facts and prognosis on the problem of TB in our national bovine herd, it is compounded by the other difficulties that our farmers face. TB is a serious problem that is deep and far-reaching. Governments have initiated a number of reports, including the 1980 Zuckerman report and the Dunnet report of 1986. The Krebs inquiry was set up by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) because he felt that we needed an update on the latest scientific thinking. He also felt that we needed to act on the basis of scientific evidence to justify embarking on a larger badger cull. I wholeheartedly support him in that prognosis; we must act on the best scientific evidence available.

One cannot deny that the problem is becoming considerably worse. It is especially bad in the south-west and, unfortunately, in Gloucestershire and in the Cotswolds escarpment, which I have the privilege of representing. Whether or not there is a link between bovine TB and the badger population, there is no doubt that the badger population is increasing at a huge rate. We all know that the badger has no natural predator. I like to see badgers and I have sat in a hide, fed badgers with peanuts, watched them come out at dusk and photographed them. They are wonderful animals to watch. However, if there is a link between TB in the bovine herd and badgers, the Government must take it seriously.

I have received many letters from constituents who sadly afflicted with the problem of TB. Sadly, one in five of all herds in Gloucestershire has had TB reactors or is now affected. Although farmers are grateful to the Government for increasing compensation from 75 to 100 per cent., they are faced with all the other pressures to which I have alluded and they have to carry out more testing. Last Friday, I attended a regular meeting with my branch of the National Farmers Union. I was told that carrying out the tests is a huge financial and physical burden for farmers who are doing all the work on their farm on their own, as other people must be brought in to help with the tests. I hope that the Minister will recognise that the tests are difficult, both physically and economically, for those farmers. I urge him to provide some compensation to cover the extra costs that are involved in carrying out the tests. That would ease the day-to-day pain of testing, if not the psychological trauma that is experienced by farmers who are waiting for the next reactor to happen.

Hon. Members commented on the triplet trials that were supposed to be up and running by the end of 1998. Some of those, including the Gloucestershire trial, have been suspended as a result of illegal action. The Minister should urge on all the police services that are involved the utmost seriousness of the disruption of the trials. It is utter folly for them to be disrupted because more badgers end up being culled. I hope that the Minister and, through his colleagues in the Home Office, the police force, will take the matter seriously so that the trials can continue.

As for testing, the Gloucestershire laboratory can see no reason why its safety measures are not sufficient to carry on with laboratory testing of dead badgers. The Minister needs to consult urgently with the Health and Safety Executive to determine why it is not safe to carry out the tests in the laboratory when it is safe for the public to be close to badgers elsewhere. If the laboratory specialists in Gloucestershire are telling me that it is safe to carry out the tests, why does the Health and Safety Executive disagree?

Farmers and their families face great trauma as a result of the TB problem. Officials should take care when they test farmers' animals. I heard of cases on Friday in which officials were not as helpful, sympathetic or practical as they might have been. For example, they carried out tests on one day instead of doing half one day and half the next. The Minister should urge his officials to ensure that the traumatic testing of animals is done with the minimum disruption.

Much has been said about the triplet trials. Important though they are, there is also the issue of research, to which my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) alluded. We should vigorously pursue other areas of research, including molecular models. I am certain that, given the correct resources and the Government's good will, a solution can be found. The Minister will tell us that substantial resources have been put into research, but with a bit more good will and vigour, the solution could be speeded up. There is a perception among the industry that the Government should put more resources into the problem, both in research and the triplet trials. When mink were released on the south coast, MAFF officials who were carrying out badger trials were diverted to retrap the mink. That is nonsense. We should have enough dedicated officials so that the triplet trials continue unhindered by other incidents.

This is a serious problem. I echo hon. Members' concerns about the difficulties of the triplet trials. We need to carry out as much research as possible to speed up the production of a vaccine, which I hope will be forthcoming in fewer than the 15 years that I mentioned in a previous intervention. No one can tell whether that will be the case, but I urge the Government to get the tripartite trial up and running. I also urge them to consider the sensible seven-point proposals produced by the NFU, especially outside trial areas.

Some of my constituents with farms outside the trial areas have been affected up to four times, but even when they suspect that there is a causal link with the badger, the Ministry will not take any action. It seems to me that

where tests have been carried out on cattle, the NFU's proposals for a wildlife survey should be carried out and a small proportion of badgers trapped, killed and tested to see whether they have TB. If so, further action should be taken, whether that is selective culling or moving badgers away from the area. Some farmers in hotspots have a near certain conviction that their cattle are being reinfected by badgers in their area, but there is absolutely nothing they can do about it and they see their livelihood going down the drain. That must be incredibly traumatic and frustrating. Therefore, the Government need to carefully reconsider their 100 per cent. no culling policy outside the triplet areas because further action needs to be taken in obvious hotspots. The Government should put more emphasis on completing the trials as quickly as possible, putting money into research and being sympathetic to farmers whose cattle are tested in what are often traumatic conditions.

4.52 pm

Mr. Owen Paterson (North Shropshire): I congratulate the hon. Member for Great Grimsby (Mr. Mitchell) on initiating the debate, which relates to the subject that affects my constituency and those surrounding it.

I should begin by declaring an interest because I am probably the only Member of the House of Commons who kept a badger as a pet when I was young. A cub was washed up in a brook when I was about 10 and, for a brief period from April to October, I kept her until she decided that she preferred the company of badgers and dug her way out under the garden wall, although she used to come back for Polos.—[*Interruption.*] They are very fond of Polos—and very down on cats. Just like Mr. Benjamin Bunny Senior, she had no opinion whatever of cats. That experience taught me something about badgers and it is very important to get away from the sentimental idea that anyone who likes badgers should oppose the policy. I cannot understand any badger lover wanting badgers to be infected with TB, a loathsome and disgusting disease, which should be eradicated not only from humans and cattle, but from badgers.

No one in North Shropshire dislikes badgers. There is some exasperation at the huge increase in their numbers, but that has been caused by the protection they were given by the Badgers Act 1973, the Badger Act 1991 and the Protection of Badgers Act 1992. I know of no farmers who object to those Acts, but the increase in badgers was enormously accelerated by the spread of maize as a high protein fodder for cattle. There has been a dramatic increase in the amount of maize being grown in the south-west of England and in my constituency. One peculiarity of the badger is that when the sow is pregnant, if her body weight drops below a certain level she can, uniquely among mammals, suspend the pregnancy. The increase in maize has enabled sow badgers to take large cobs of maize down into their sets so that they have a store of food, which maintains the body weight of the sow at a higher level. As they have that source of rich protein, they are breeding more young—a fact that has been established by several experienced farmers in my area. The two factors together have led to an explosion in badger numbers. A farm near me with 4,000 acres of land has 23 new setts. One very experienced dairy farmer, who has been in the trade since his family set up business in the 1930s, estimated that there has been a 400 per cent. increase in badger numbers during the past 10 years. That increase is undisputed, as is the increase in TB in cattle. As Professor Krebs said, we do not know what the link is, but badgers seem to be the most obvious source of infectivity. All the farmers to whom I have spoken regard the badger as the main medium for the spreading of TB, just as the possum is held to be in New Zealand.

I quoted figures from John Newell, the senior policy adviser for the NFU in the west midlands. We have heard about dreadful cases from hon. Members who represent the south-west. There is real alarm in my area as TB is increasing in the north-west midlands and coming over from Derbyshire. I shall not repeat the figures as time is pressing. In Shropshire, there were 11 cases in 1998 and 17 last year. The last census of cattle in my area, which was taken by the Milk Marketing Board 10 years ago, showed that there were 65,000 cows within 10 miles of Market Drayton. I think that I represent the largest milk field in western Europe. The impact of TB is absolutely devastating in my area, as is the sheer uncertainty among farmers about what will happen next year. It is the completely erratic and arbitrary nature of the disease that is alarming people. Many of the farms that have been closed—about 10 per cent. of those in the Market Drayton area have been shut down in the past three to four years—are also closed in the sense that they breed their stock and have pedigree herds. Such farms do not buy in stock from outside, which must suggest that the only source of infection is the dramatic increase in badger numbers.

What is so awful about the disease is the difficulty of analysing it. A farm in my area that is currently closed owned a cow that was inconclusively tested. Sixty days later, the cow was tested again, and the result was again inconclusive. It was then tested yet again, another 60 days later, and the result was yet again inconclusive. The cow had visible lesions and was sent for slaughter. Usually, samples have to be sent off to the MAFF laboratory for analysis for TB, but the lesions were visible to the naked eye. The cow was dramatically infected but appeared to be a doubtful case in three tests. That is why we must push on with the Krebs strategy and continue the process started by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). Everybody involved in the industry bought into that approach. We do not know the link: there is circumstantial evidence, but everyone is certain that we do not know whether there is a cast-iron link between TB in badgers and TB in cattle.

The Government have not performed. The Krebs report landed on their desk soon after they took power; 30 hotspots were identified and were broken into 10 triplet areas. Today, however, real work has started in only three of the six areas where survey work is going on, which is unacceptable. Given the severity of the disease and the appalling misery that it is causing to farmers, about which we have heard from hon. Members representing the south-west, there is simply no excuse

[Mr. Owen Paterson]

for the Government's straightforward incompetence. They should have grabbed Krebs, which had all-party support and support throughout the countryside and the farming community and got on with it.

I remind the Minister that paragraph 7.8.20 of the Krebs report, which is on page 129, states:

"It is important that MAFF does not delay the start of this experiment. We recommend that it is initiated in four months (by Spring 1998)."

Here we are, in spring 2000; only three of the triplet areas are working properly and the spread has increased. We have heard about Derbyshire, and the spread is approaching Shropshire. I urge the Minister to consider increasing the number of triplets. There is now a clear case for the establishment of triplets on the Derbyshire-Staffordshire and Staffordshire-Shropshire borders. While the dither has gone on the relentless march of TB has pushed across the borders.

I am aware of the time so I ask the Minister to respond to the following in quick succession. I am exasperated by my correspondence with the Ministry about the calf scheme for healthy bull calves that are unwanted by dairy farmers. I talked to one farmer today who did not even get the transport costs of sending three calves to Market Drayton. It is even worse for those who are closed up. They have to feed the animals with no prospect of remuneration. The Government must also consider the problem of farmers going over quota on milk production. Cows continue to produce milk whether the farm is closed up or not.

Will the Minister consider his links with the drug industry? We know that the cost of investigation and research into vaccines and drugs in cattle is huge and is linked to human research, but it is critical. Just like Tantalus constantly reaching for his glass of water, it is always in 10 years' time. We must establish a vaccine for TB in cattle and I suspect that that will have to be linked to research into TB in humans which, sadly, is also increasing in other parts of the world.

This matter is crucial. We are sitting on a human health time bomb. We have hysteria in the media about BSE and the possible link—it is not yet proven—with new version CJD. As my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) said, the Government have blown £30 million on a report that tries to lay more blame on the previous Conservative Government. Here we have a potentially massive health problem. [*Interruption.*] If the Minister will just listen, TB is known to have been a killer for many centuries. Gross complacency is being shown here. The Minister has not really grasped the opportunity of Krebs. His heart is not in it. If in the next few minutes he is not prepared to show that he will get resources behind Krebs, he should make way for someone else.

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker. I inadvertently forgot to declare my interest as a farmer. It is in the Register of Members' Interests, although I should stress that I own no cattle and therefore have no direct financial link in this debate.

Mr. Deputy Speaker: I thank the hon. Gentleman. Have any other hon. Members anything that they wish to share with us before we continue?

5.2 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr Elliot Morley): This has been a very good debate. As I would have expected from the Select Committee on Agriculture it has been very detailed. The contributions from all those who have spoken—with the possible exception of the last speaker—have been excellent. We heard from the hon. Members for South-East Cambridgeshire (Mr. Paice), for West Derbyshire (Mr. McLoughlin) and for South-East Cornwall (Mr. Breed), from my hon. Friends the Members for Stroud (Mr. Drew) and for South Derbyshire (Mr. Todd) and from the hon. Members for Teignbridge (Mr. Nicholls), for Cotswold (Mr. Clifton-Brown) and for North Shropshire (Mr. Paterson). There was a sensible theme to the contributions They dealt with the issue very responsibly and asked reasonable and pertinent questions that I shall do my best to answer.

I should also like to take the opportunity to wish the former Chairman of the Select Committee all the best in his new role in Parliament and to say how much I value the work that he has done. I have appeared before the Committee a number of times and I appreciate the quality of the reports and the contribution made by his Committee. I am also pleased to see my hon. Friend the Member for Great Grimsby (Mr. Mitchell) in the role, if only temporarily. He presented the report extremely well. It demonstrates his grasp on the issue and his involvement in the Committee.

This is a serious issue. Bovine TB is one of the biggest problems that we face, perhaps the biggest problem after BSE. BSE is basically under control. It is on course for eradication All the safety measures are in place. We understand it well. Obviously, we still need to be careful about some issues. We must not be complacent about any outbreak. Bovine TB is spreading and increasing, as hon. Members have rightly pointed out.

When we came into government we made it clear that we intended to introduce a moratorium on the interim strategy pending the report from Professor Krebs that was set up under the previous Government. I make no bones about the fact that they were quite right to do that. If they had not set up the report, we would have had to do so. It was useful that the report was in train and was in a position to report and deal with some of these issues.

However, I must emphasise to the hon. Member for South-East Cambridgeshire that the interim strategy was a failure: it did not stop the spread of bovine TB; it simply did not work. Most independent observers would concede that and accept that MAFF clung to that strategy too long. The fact remains that there must be a strategy and Krebs is the only show in town. It will allow us to settle issues that have been hotly debated for more than 20 years. The time has come to test the science and decide on the best way to deal with bovine TB. Does culling work? If so, what sort of culling? What is the link with badgers? Other issues also need to be examined.

Mr. Paice: We all accept that the interim strategy was not working at 100 per cent.; otherwise, Krebs would not have been set up in the first place. My point was that by introducing a moratorium before there was anything

further to do—people had no idea what Krebs would say—the Government might have exacerbated the problem. The interim strategy was not working 100 per cent., but it still may have limited incidence of the disease. That could explain the sudden increase when the moratorium was introduced.

Mr. Morley: There is no evidence of that. The Krebs report will help to answer some of these questions. I repeat that large sums were spent on the interim strategy—money that could have helped to compensate farmers. We increased compensation from 75 to 100 per cent., but the strategy did not deliver. The merits of stopping the interim strategy will be part of the analysis of the trials: the issue is being examined.

My noble Friend the Minister of State has responsibility for these matters: I deal with them in the House of Commons and I am interested in the welfare aspect. I emphasise that there is a major welfare issue for badgers and for cattle in relation to the impact of TB. Testing is also relevant. There are also welfare implications for farmers themselves, who are under considerable stress, as I well understand.

Today I had the opportunity of discussing with farmers from affected areas, the NFU and the National Beef Association their anxieties about badgers. I do not accept the simplistic view about badgers; however, I cannot deny that TB is spreading or disregard the report from Professor Krebs, which shows evidence of a link between badgers and bovine TB. Even though there remains much that we do not understand about how exactly it is transmitted, I simply cannot deny that information, so we must follow the trial through: it promises some answers.

I echo the points made about the interference, which is not helping the cause of badger welfare. For those who do not want a culling programme for badgers, it makes no sense at all to interfere with the trial, which could result in even more badgers being culled. Similarly, it makes no sense for farmers taking the law into their own hands and killing badgers. It would be unwise of them to do so, because if the trial is undermined from that side, we shall go round in circles, as we have done for 20 years, trying to determine the problem and the best way to tackle it.

The National Federation of Badger Groups was mentioned. I have much respect for that organisation, but I was most disappointed to read its press release, which contained many claims that are not true. For example, its claim about the study of TB in other species is inaccurate. Two studies have been commissioned as part of the trial: the Oxford university study, which examined other wildlife species and TB, began in May 1999; the Central Science Laboratory's study, which has begun looking into aspects of the trials, started last month, so both trials are operating. The understanding of transmission routes is an important subject which we need to examine carefully, so a study of that is also under way. The independent scientific group is looking at whole herds in relation to the potential link with cattle. All those issues are being covered in the trial, and it is wrong to state otherwise.

The main criticism, which I wholly accept, is about the delay in setting up those studies. There is no denying it, and MAFF regrets it. However, setting up the trial has been enormously difficult. Resources are not the problem: the issue of inadequate resources has never been raised by anyone to whom I have spoken, or in any of MAFF's dealings on the matter. There have certainly been problems recruiting staff and getting access to what, after all, is private landowners' land. We do not have statutory powers, so it must be done by negotiation and persuasion. The weather has caused problems. It is not as though this was not accounted for but, as hon. Members know, the south-west has had exceptionally bad weather this winter, which has delayed this work. There have been serious problems with interference, not only through trapping but because of staff being intimidated. This hardly helps when one is trying to recruit staff for a difficult job.

Mr. Paterson: The Minister blames the weather. Krebs recommended spring 1998 for the trial; it is now spring 2000. If the hon. Gentleman had trouble because of the weather, surely he should have devoted more people to the job.

Mr. Morley: It is not a matter of devoting more people to the job of survey work, although, if the hon. Gentleman had listened he would have heard me say that we have had problems with recruiting, and we are trying to recruit to bring the staff up to strength. In some instances, the terrain has been difficult. There is a combination of factors.

Mr. Luff: The Minister says that he has a problem recruiting staff. I have been concerned about the very low rates of pay offered to operatives. Has that been a factor in inhibiting recruitment?

Mr. Morley: It is a possibility that we might have to consider, but it is not the only issue. Factors such as weekend working also play a part. I concede that terms and conditions also have a bearing on the problem.

Mr. Clifton-Brown: If the Minister is saying that one reason for the delay in the trials is a problem with recruiting, will he tell me why some of my farmers who have offered constructive help have been turned down? They know the terrain and are used to the rough weather. Why was their offer rejected?

Mr. Morley: I do not know the exact details of that, but proper quality controls are needed in such trials. Although farmers might be offering to help, the issue might be how you manage those trials. I do not know the exact details.

Mr. Deputy Speaker: Order. I have had to pull up other Members for using the word "you." I am not carrying out any such trial.

Mr. Morley: I am sorry, Mr. Deputy Speaker.

All the triplets will be in place by the end of this year.

Mr. Nicholls: This year?

Mr. Morley: Yes, this year. Proactive culling will take place in seven of the 10 triplets by the end of this year.

[Mr. Morley]

We are taking action on surveying, which will help to speed implementation and allow us to make further progress.

Mr. Nicholls: I compliment the Minister on the most attractive speech that he was making until a moment ago. I had accepted at face value what he said about resources, but he seems to be saying that he cannot get people to do the work for the rate that he is prepared to pay. If, on the one hand, he is saying that he cannot find people because no one likes the pay or the accommodation but, on the other, he can give an assurance that the triplets will be in place by the end of this year, what has changed?

Mr. Morley: We have recruited staff. The triplets are under way and we are confident that they will be in place by the end of this year. I have said that wages are a problem, but I do not know whether they are a big issue. I would not rule out pay and conditions as an issue. Nevertheless, we are on target to recruit the staff.

The road traffic survey is important and much can be gained from restarting it, but it has been held up because of Health and Safety Executive recommendations, which require new equipment to be installed in laboratories. Again, resources are not an issue. Money has been found for the new equipment, which is being installed. We hope to start the road traffic survey sometime in the spring, although it is fair to say that the backlog of deep-frozen carcases will have to be dealt with.

Mr. Drew: Does my hon. Friend accept the contradiction that although we can do nothing with the badger carcases, we are still moving cattle that are known to be infected with TB? It is strange that the HSE has taken action only on one side; although I do not want action to be taken on the other, it looks rather ridiculous.

Mr. Morley: The difference is that, if people dissect animals that may have lesions, it is not unreasonable to put proper safeguards in place in the laboratories. That is what the HSE is for, and we must take its recommendations seriously.

We have resolved the Bern convention issue. What we are doing has been found to be entirely within its rules. I was surprised that the Government were criticised by the Bern convention, given that badgers are protected in this country, and especially as they are not protected or hunted in other countries. There is no prospect of the wholesale slaughter of badgers to control TB, and they are not endangered.

I concede that getting the triplets up and running has been a problem. We are on target to get them all done by the end of this year. My hon. Friend the Member for Great Grimsby told us—going straight to the point—to get on with it. We are doing so, and intend to ensure that they are up and running.

We are reluctant to take action outside the trial areas because the independent scientific group has advised against it. Some of the National Farmers Union's proposals have not been implemented because the ISG thinks that they could compromise the trial. We share farmers' concerns about the increase and spread of the disease, and we cannot ignore such matters. We are discussing the position outside the trial areas with the TB forum and we will consider carefully what it has to say.

Vaccine development is another issue. I was asked how much the Government were spending. This year we are spending £1.4 million. Once again, however, it is not an issue of resources. The problem with vaccine development is the process of looking for the vaccine, which is very slow. Spending more money will not speed the process up. I can assure hon. Members that the independent scientific group is also examining work on human vaccines to see what can be learned about any potential link.

As was recognised by members of the Select Committee, the issue is not just about badgers, but about vaccine development, bio-security on farms, researching trace elements, better testing procedures, social ecology and animal behaviour. All those issues—and indeed cattle-to-cattle transmission—are being examined as part of the evaluation of the independent scientific group. I have met Professor Bourne and Professor Krebs and I was impressed with the thoroughness of their work.

Mr. Todd: The scientific group was asked to examine the possibility of using the TB99 questionnaire outside the trial and infected areas. It recommended doing that as soon as practicable. Does the Minister agree?

Mr. Morley: We should reflect carefully on that issue. TB99 is a new questionnaire and even within infected areas it is a detailed and large-scale operation. Farmers have welcomed it and we are hopeful that information on TB99 will be helpful for the scientific study. We could contemplate extending it some time in the future.

Mr. Clifton-Brown: The Minister denies that it is a question of resources, but paragraph 58 of the Select Committee's report quotes Dr. Hewinson as saying that in the United States $800 million is being spent on trying to produce a human vaccine that would also be useful for cattle. The Minister mentioned £1.4 million, which seems a huge imbalance in relation to United States spending on the problem.

Mr. Morley: We may benefit from some of the research that is financed in America. Nevertheless, I am informed that it is a question not of resources, but of the process, the time and the way in which vaccines are developed.

We acknowledge the costs faced by farmers involved in cattle breakdowns. We recognise the burden on farmers in that respect. As I said, we increased compensation from 75 to 100 per cent. for cattle. There is presently no prospect of extra compensation: it is not within our budget. However, we are consulting the TB forum about what more can be done and we shall continue those discussions.

On rules about movement restrictions—

Mr. McLoughlin: Can the Minister tell us whether the Department is requesting additional compensation for farmers in the current spending review?

Mr. Morley: As the hon. Gentleman said, the spending review is going on now: it is not yet completed.

[*Interruption.*] No, implications cannot be drawn from that either way. Annual tests are not likely to be applied nationally.

The Committee will know that an animal husbandry panel has been set up and has been given three months to produce its report. It commenced in January.

Mr. Paice: On annual testing, I did not suggest a national basis. My proposal was to consider it for the frontier counties in order to identify quickly where the spread was taking place. It could then be curtailed more swiftly than otherwise.

Mr. Morley: We would not close the door on any suggestion. Perhaps the TB panel could consider that.

I emphasise that the human risk is minimal. In fact, bovine TB used to be far more prevalent in this country than it is now. There is no evidence of an increase in outbreaks of the human TB that is linked with this strain, although there were two recent cases of infection linked with cattle. The pasteurisation of milk protects the consumer. There are also procedures in slaughterhouses to inspect carcases and identify animals showing signs of TB infection so that the appropriate steps can be taken to ensure that there is no risk in the food chain. Those procedures have been in place for a long time and there is no evidence of any risk to the population. Nevertheless, there is no room for complacency; we are careful to ensure that these matters are monitored and we are in touch with the Department of Health in that regard.

I shall bear in mind the point about issuing reports through Command Papers. However, I think that the hon. Member for West Derbyshire misunderstood what was going on with the Government's response to the Select Committee. The usual Government response was made in June, but we have taken a new approach, in that as well as that response, we have also drawn up a report on the progress that has been made. That is a positive step forward. I should have thought that hon. Members would welcome being updated on what we are doing in terms of this important matter.

Mr. McLoughlin: All I was saying was that, bearing in mind that we knew of this debate about two weeks ago, if the Committee had had that report a little earlier, no doubt it could have been published so it would have been available to everyone. We are talking about freedom of information; some of us know that a report is being submitted to the Sub-Committee which may contain information that the rest of the House has not had the opportunity to digest.

Mr. Morley: The point that the hon. Gentleman misunderstands is that the publication of the report was not linked to the timing of this debate. This debate could have taken place earlier or later. It was just a matter of making the information available.

Mr. Luff: I congratulate the Minister on keeping a straight face during that last remark.

Mr. Morley: I have a great deal of affection for the hon. Gentleman, but that was unfair. I would point out to hon. Members that, for example, the independent scientific group's report was received in typescript just before Christmas. We managed to get it printed and out by January, which is not a bad achievement. There is no evidence of delaying reports to ensure that people do not get them.

I understand that the collection of badgers continued under the interim strategy where farmers requested it until the Bourne advice was received in August 1998. Plans to stop it and launch the Bourne seven counties road traffic assessments were in place when the post mortem facilities at the Veterinary Laboratories Agency were suspended in the August. Information from that has been made available to the independent scientific group.

In terms of what we have been doing to implement the triplets, the independent scientific group in its report considered the programme sufficiently robust and felt that we were making progress.

I have to say that the hon. Member for North Shropshire rather exaggerated; he should not use words such as an "explosion" of badger population. I have heard that expression from time to time, but it is not the case. Our figures suggest that badger numbers may be up in some areas of the country, but there is no evidence of an increase at a huge rate. Moreover, where there is an increase, a population will stabilise at the carrying capacity of the habitat concerned. Indeed, in the proactive culls that have taken place so far, there seems to be evidence that badger populations were not as high as envisaged.

I must bring my remarks to a close. It has been a good debate which has raised some important issues. The Government take them seriously and I hope that I have convinced hon. Members that we are making progress.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Five o'clock.

Westminster Hall

Tuesday 15 February 2000

[MR. MICHAEL LORD *in the Chair*]

Ilisu Dam

Motion made, and Question proposed. That the sitting be now adjourned.—[*Mr. Robert Ainsworth.*]

10 am

Mr. Kevin McNamara (Hull, North): I am grateful to Madam Speaker for granting me this debate. The Ilisu dam is of considerable interest to many hon. Members, so I shall be as brief as possible to give my colleagues an opportunity to speak in the debate.

I wish first to deal with the Government's often repeated rebuttal of the criticisms of the project, which is that we in the United Kingdom do not have the right to tell Turkey what to do within the confines of its own state. That is true, but the United Kingdom has legitimate concerns at stake. There are serious doubts about the way in which the Turkish authorities have gone about this project, which would be a cause for concern even if the United Kingdom had no direct interest. Secondly, we are discussing United Kingdom taxpayers' money. Those who express concerns about the dam are not trying to tell Turkey what to do. We are asking only that our Government act responsibly. Given all the grave problems involved, the United Kingdom should not support the project.

In recent weeks, the Minister for Trade has advanced two basic arguments about the dam in support of the Government's policy. He claims that there is much misinformation about Ilisu and that critics do not understand that it is a hydropower project rather than an irrigation dam and, as such, will not divert water from downstream states. I assure the Government that I am well aware of that but, as I shall outline in a moment, I still have grave concerns about the potential for manipulation of water flows.

Secondly, the Minister for Trade argued that the dam is the least harmful option and that, otherwise, Turkey would be building fossil fuel plants or nuclear power plants. That is a strange argument, given that Turkey is at present negotiating with Westinghouse about the possibility of a nuclear plant. It raises important questions about the alternatives to Ilisu. That issue has not been addressed by Turkey, by any of the proposed donor countries or by the various reviews that have been carried out. It is fundamental that it is, a point to which I shall return later.

I shall outline what I believe to be the important criticisms of the dam project. First, there are the international implications and the prospect of water wars. The dam is a major installation. It will not affect just one country, but three—Turkey, Iraq and Syria—and it will impact significantly on the water politics of the entire area. We must remember that water is already a focus of conflict in that region—for example, around the Nile and the Jordan. The United Nations has warned us that, in the coming century, water is likely to be a major cause of instability and conflict, and that the next war in the middle east will be fought over water. It is interesting to know that, in the current negotiations over the Golan between Israel and Syria, control over water is an important issue.

I know that the Ilisu dam is an hydro-electric power project, not an irrigation project, and that the dam will not divert any of the water of the Tigris. All the water in the river will continue to flow through the dam and downstream to Iraq and Syria. My concern is the potential for manipulation of the flow of water. The Ilisu dam is an integral part of the 22-dam Guney dogu Anadozu Projesi, the south-east Anatolia development project. There are strong grounds for fearing that Turkey will use the dams to exert pressure on Iraq and Syria, the downstream states, by restricting the flow of water. The spare storage capacity of the Ilisu reservoir alone could block the flow of the Tigris entirely for two or three months, which would put Iraq and Syria under siege.

Despite assurances from the Export Credits Guarantee Department and Balfour Beatty that adequate downstream flows will be maintained, I have been concerned at reports that an official of the Turkish state hydraulics works department, the DSI, has threatened that if, for example, Syria continues to support Kurdish rebels, Turkey will cut off the water. The downstream states are understandably concerned. Syria has protested several times to the United Kingdom about the proposal to use ECGD facilities for the dam, and the League of Arab States protested in writing to the Foreign Office last year.

Turkey has not consulted Iraq over the building of the dam. That is in direct violation of article 5, protocol 1, of a 1946 treaty of friendship and neighbourly relations between the two states, which explicitly requires that Turkey should keep Iraq informed of its plans for construction works on the Tigris and Euphrates rivers.

One of the four essential preconditions for ECGD support for the project that were stated on 21 December 1999 by the Secretary of State for Trade and Industry was that Turkey should

"give an assurance that adequate downstream water flows will be maintained at all times".

However, there is no clear data about existing water flows or how they will be affected by the dam, and the UK requirement is for only "an assurance". Therefore, what means will we have to ensure that the assurance is honoured?

The United Kingdom Defence Forum has warned that the GAP is

"one of the region's most dangerous water time bombs. The dispute has not erupted yet because the project has not yet reached its full potential. By the time of its planned completion in"—

I was about to say 20010, but that would be a long time even for British construction workers—

"2010, the vital interests involved give it the potential to become one of the region's most dangerous flash-points".

That will have significant implications for western security, as Turkey is a member of the North Atlantic Treaty Organisation and is now beginning the process of accession to the European Union. The project's security implications could extend far beyond Turkey's borders, and could affect our security interests as a member of NATO and Turkey's future in the EU. UK support for the dam, a project about which the neighbouring countries have protested, would therefore be not only unethical, but plainly foolhardy.

[Mr. Kevin McNamara]

The dam has implications in Turkey for the treatment of Kurds. Turkish Government publicity for the GAP says that it will

"dramatically change the social and cultural make-up of the region".

I am sure that that will be the case, and we all understand that that sounds sinister to the Kurds, who make up 95 per cent. of the population of the Ilisu dam area. For many decades, Kurds in Turkey have suffered a systematic and concerted campaign by the Turkish state to wipe out their identity that amounts to ethnic cleansing. The Kurdish language is forbidden. The Turkish Government's record on human rights in south-east Turkey is appalling.

From 1984 until recently, there was civil war between the Kurdish PKK—the Kurdistan Workers party—and the Turkish army. Despite the project's location in what is essentially a war zone, no conflict impact assessment has been made of the Ilisu dam or the GAP. The United Kingdom Defence Forum has highlighted what it calls the

"profound security implications"

of the construction of the Ilisu dam. The dam will

"transform the geography of Turkish Kurdistan",

cutting off guerrilla escape routes into the mountains and forcing the rural population out of the countryside, where it may be a support base for the PKK, and into the slums of the cities, where it can be more easily controlled by the Government. The forum concluded:

"an underlying motive of the project is to deny the Kurdish guerrillas the environment in which they operate."

Basically, whether there are guerrillas there or not, that is ethnic cleansing.

The potential clearing of 16,000 people is a recipe for disaster and agitation in not only Turkey, which has an appalling record as regards the treatment of the Kurds, but the surrounding regions and the rest of the Kurdish nation. The Kurds are divided between four states: Syria, Iraq, Turkey and parts of Russia. They have been agitating for self-determination for countless years. Again, that has significance for our security policy. We are entitled to ask what has happened to the ethical dimension of our foreign policy. For the United Kingdom to assist in what amounts to ethnic cleansing is intolerable. The dam is not merely a dam; it has enormous political and cultural implications to which we cannot turn a blind eye.

Hasankeyf is of enormous cultural significance, particularly for the Kurds, and was designated a protected site in 1978. Thousands of years of human settlement and history are there, layer upon layer. Sadly, they are being excavated at a snail's pace. If the city were flooded, it would be lost for ever. The Kurdish community understandably sees the flooding of Hasankeyf as part of a wider strategy to eradicate Kurdish culture. Local people believe that, if it were a historical site in western Turkey, it would not be submerged.

There is still considerable confusion over the number of people who will be affected by the project. The ECGD's stakeholder report says that 16,000 will be displaced and a further 20,000 partly affected. The Kurdish human rights project says that the true figure is higher. Whatever the numbers, many thousands will be affected and at least 16,000 displaced—a polite way of saying that they will be forced to leave their homes and their lands. Yet there has been no consultation between the DSI and local people, and no resettlement plans have been drawn up.

The ECGD's stakeholder report expresses grave concern that the open, consultative and participatory process necessary for resettlement is not part of the Turkish political and institutional culture. The authorities simply do not have the capacity to approach resettlement in that way. They already have a momentous problem trying to rehouse and resettle people after the two recent disastrous earthquakes.

Although Turkey has a legal framework for resettlement that looks good on paper, there have been numerous serious problems in its implementation. Compensation is institutionally inadequate. There is a system for setting payments, but most people take the DSI to court to claim more. Cases can take two or three years to settle in the courts, and inflation is high—running at up to 100 per cent—so that by the time families receive their compensation any increase has been eaten up.

Those who eventually get compensation are the fortunate ones. Many families, in particular the poorest, do not have legal title to their land and, without the documents, they receive no compensation at all. Only 60 per cent. of rural people in the Ilisu area have land registration deeds. Resettlement, even if done appallingly badly, is an expensive business. The cost of Ilisu alone is estimated at $500 million, nearly one third of the total project cost of $1.6 million, and experience shows that it is likely to rise.

Who will benefit from the dam? Balfour Beatty says:

"Ilisu will bring new wealth and employment prospects to the population of this impoverished area".

However, more than two thirds of those who have been resettled after other projects undertaken as part of the GAP now wish to return to their former communities. There are no guarantees that local people will be employed, even in constructing the dam—particularly if they are Kurds—and no stable employment is planned for the area.

Export credit agencies' concerns about resettlement have led them to stipulate that an independent monitoring body must be established, but to what extent could such a body operate independently? The head of Turkey's dam building programme has said that he will not give an independent monitoring team the powers that it would need for effective oversight. All observers of the project so far have been denied access to certain areas and followed everywhere. They have been unable to talk to the local population. How can the project be independently monitored in the prevailing political climate in that part of Turkey?

Balfour Beatty claims that even if the ECGD did not support the project, it would go ahead, and other countries' export credits agencies would pick up the business, and the United Kingdom would lose out. We hear the same argument in relation to arms sales—presumably we must prostitute ourselves, on the basis that, if we do not, somebody else will put his daughter on the streets. Balfour Beatty also claims that the United

Kingdom would have no further influence on the project, that not supporting the project would damage UK-Turkey bilateral relations and that the United Kingdom would acquire

"an international reputation for unreliability and unpredictability in the handling of these matters, with consequent long-term damage not just to Balfour Beatty but to all British-based major project contractors".

Balfour Beatty is over-egging the pudding. Evidence given to the Select Committee on Trade and Industry shows that industry is happy with the way in which ECGD works and praises it as innovative. If we innovate by refusing to fund this deeply damaging project, I am sure that it will do us good in the long term, and it will certainly do no harm. In any case, as I have said, there are wider considerations than the needs of just one British firm, important as they are.

Dr. Jenny Tonge (Richmond Park): My hon. Friend the Member for Carshalton and Wallington (Mr. Brake) asked a parliamentary question about whether details of, and reasons for, Balfour Beatty's application for export credits guarantees could be put in the Library. He was told that that was not correct practice, because of commercial confidentiality. Does the hon. Gentleman agree that we should know what lies behind the application?

Mr. McNamara: I do. I have always found the arguments for commercial confidentiality strange, because they ask us to accept one company's word. In the United States—the biggest and richest capitalist country in the world—commercial confidentiality does not apply to defence contracts, business contracts or anything that involves the Government. It must be part of the secretive nature of the Government—by which I mean any Government of our country, because we are talking about a continuing problem. Of course, my hon. Friends are as open as possible, as we can see from the Freedom of Information Bill. We should have the details, and perhaps the Minister will be able to reply to the hon. Lady.

What are the alternatives to the dam? Ilisu is an expensive project. Independent energy consultants from Turkey and elsewhere have stressed the fact that the same amount of power as that which would be generated by the dam could be saved, at a lower cost, simply by modernising the transmission system, which has a reputation for inefficiency. There is also considerable scope for improving end-use efficiency—the efficiency of appliances and so on. If we want to support Turkey in tackling its energy problem, we would do better to support other means of energy generation. Tackling the demand side—improving energy efficiency—is an obvious first step. If we do not do that, new power stations, whether Ilisu or others, will lose a significant proportion of their power merely through transmission.

In the longer term, we should look to supporting clean generation. I am not an energy expert, but I know that the choice is not merely between fossil fuels, nuclear fuel or big dams. Plenty of other options are available, if only they are taken seriously. The environmental impact of Ilisu might be mitigated by measures such as reducing the height of the dam, but no analysis has been carried out, so we do not know. I should be obliged if my hon. Friend the Minister would assure us that, before a decision is made about ECG support for the dam, all the options will be examined and a report outlining the pros and cons will be made public. It is incredible that a project of such scale has reached the stage that it has with, apparently, no examination of costs and benefits, and no consideration of alternatives. No wonder so many question marks hang over its purpose.

I have spoken for longer than I had intended, and I realise that other hon. Members want to speak. I hope that my hon. Friend the Minister will consider carefully the anxieties expressed this morning, and that my right hon. Friend the Secretary of State will decide that he is not, after all, minded to support the project.

I reiterate my key anxieties about the preconditions for approval. The language that the Department of Trade and Industry uses is deliberately weak. My right hon. Friend the Secretary of State did not even refer to them as conditions, but merely said that granting export credit would be conditional on the Turkish authorities "agreeing to address" anxieties about resettlement, water treatment, downstream water flows and the preservation of Hasankeyf. En passant, we notice that the Government are anxious that they cannot get anything more precise out of the IRA than an agreement to address the anxieties of disarmament. If we demand specificity from the IRA, as we should, we should also demand it from the people involved in the construction of the dam.

Nor has my right hon. Friend the Secretary of State fully faced the problems of resettlement, water treatment, downstream water flows and the preservation of Hasankeyf. What does "agreeing to address" those anxieties mean? The UK Government need to make a clear and unambiguous statement of what guarantees they need from the Turkish authorities before we consider granting support. A clear definition of responsibilities and rights of redress must be provided before allowing the ECGD to proceed, and it should be possible to withdraw support if conditions are not met.

The Ilisu dam cannot be compatible with protecting human rights and the environment in south-east Anatolia. UK support for Ilisu would be incompatible with our commitments to sustainable development and an ethical dimension in foreign policy. We should on no account support the project.

10.23 am

Dr. Jenny Tonge (Richmond Park): Only two weeks ago in this Chamber, we debated export credit guarantees and arms sales. The Ilisu dam provides yet another example of the questionable use of ECGs by a Government who continue to claim to have a foreign policy with an ethical dimension.

On 20 December last year, I was told in answer to a question on ECGs and the Ilisu dam project that the project

"has given rise to a number of social, political, environmental and cultural issues requiring further consideration between ECGD, the other export credit agencies involved, the Turkish authorities and the contractors. A decision on the application will not be taken until the issues have been satisfactorily resolved."—[*Official Report, House of Commons*, 20 December 1999; Vol. 341, c. 380W.]

[Dr. Jenny Tonge]

The following day, the Secretary of State told the press that he was minded to grant the ECGD cover of £200 million for Balfour Beatty's participation in the project, and was waiting for reports on several matters, including consultation with and compensation for the local population involved in the settlement programme. Fifty-two villages and 15 towns will be flooded, and 20,000 people will be displaced, the majority of whom are, as we have heard, Kurdish. A plan is being discussed for the preservation of as much as possible of the archaeological heritage of Hasankeyf, including the provison of upstream water treatment plants to ensure water quality and an assurance that downstream flows will be maintained at all times. That is all good stuff, but major concerns remain.

I accept that the project provides much-needed electricity for Turkey. A young Turkish student whom I met in Oxford some weeks ago forcefully explained to me that the project is necessary because Turkey so desperately needs hydro-electric power. I accept that, and publicly acknowledge that that is the case. However, the ECGD has not, in considering the environmental and social impact of the project, applied even the World bank's best international practices. The World bank has refused to have anything to do with the dam, stating that it violates the UN convention, which seeks to prevent border disputes between states that share water resources. In its assessment, the ECGD presumably used the Organisation for Economic Co-operation and Development's guidelines—which are not, in any case, legally binding—as a benchmark. There seems to be some confusion about the guidelines and parameters that are being set.

When the Secretary of State for Trade and Industry gave evidence to the Select Committee on International Development earlier this month, he said this is not an aid-funded project, as was the Pergau dam—another notorious example—but a commercial operation. Surely, however, export credit is a form of aid, and should therefore abide by the same principles as other aid projects. The Secretary of State has admitted that work on drawing up the international procedures that all OECD members will follow remains unfinished. In that case, why is Britain using as yet ill-defined guidelines instead of the recognised World bank guidelines, to which I understand that we are already committed?

We have seen too many cases of multinational malpractice throughout the developing world. It is encouraging that the Government are taking an active part in reaching agreed international procedures on environmental standards, but there must be a European code of conduct for export credit guarantees and incentives, which are consistent with the World bank and the OECD social, environmental and conflict prevention standards. In the case of the four areas of concern about the Ilisu dam that the Government listed, it is essential that there should be binding obligations that the UK can withdraw the guarantees if agreements break down. Assurances are simply not enough. The hon. Member for Hull, North (Mr. McNamara) graphically pointed out the weakness of Britain's commitment in making those guarantees.

Turkey needs access to hydro-electric power. The Ilisu dam is not for irrigation. Turkey currently suffers from an energy deficit, and there are fears that it may use nuclear energy to close the energy gap. If it is to join Europe and grow, Turkey certainly needs energy, but environmental and political concerns cannot be ignored. The dam is only 40 miles from the borders of Iraq and Syria, and could be used to cut off their water supply from the Tigris. Although Balfour Beatty argues otherwise, surely while the reservoir behind the dam is filling, flooding a huge area of land, the water flow of the Tigris will be much less. However it is done, there will be a significant effect on the water that flows along the Tigris.

It is said that tributaries of the Tigris, especially in Iraq, supply more water than comes from the Tigris through Turkey. However, what about times of drought? Although I have not seen the Tigris, I am reliably informed that it is a huge river. It must have some effect on the flow of water into Iraq and Syria, and in future Turkey could manipulate water supplies to Iraq and Syria. Fears of water wars are not completely misplaced. Furthermore, there is little evidence that Iraq and Syria have been consulted about the matter.

On the issue of human rights, Turkey's record vis-a-vis the Kurdish people is not good. Of the 20,000 people affected, 95 per cent. are Kurdish. I must declare a family interest because my husband lived among Kurdish people in Iraq for a while as a small boy. For 30 years, he has regaled me and my family about the goodness and decency of those people, and about how welcome they made him feel. I have, therefore, always had very warm feelings towards them, because of his advocacy.

Turkey's record on human rights is still a matter for huge concern, and the Kurds rightly feel that the flooding of the ancient town of Hasankeyf is another attack on their cultural identity. In that area, the Kurds are mainly farmers working on agricultural land. Will the Turkish Government ensure that all the Kurdish families on the land that is to be flooded are given equivalent agricultural land, so that they can carry on farming, or will those families become raggle-taggle people living in slums on the borders of the cities in Turkey? The latter outcome is the more likely. How will the United Kingdom Government ensure that the Kurds are properly resettled, and able to benefit from the energy provided by the Ilisu dam and other projects in the area, such as the GAP? Are we to accept Turkey's word on the matter, or will there be continuous monitoring?

My concerns are shared by my right hon. and learned Friend the Member for North-East Fife (Mr. Campbell), who, in September last year, called for a cross-departmental control mechanism for the ECGD to ensure sustainable development and an ethical foreign policy. There have been many recent examples of the DTI and the ECGD appearing to overrule the advice of the Foreign Office and the Department for International Development—investment in Sudan, arms exports to Eritrea and Ethiopia and the sale of Hawk jet parts to Zimbabwe. I could continue, but I shall spare the Minister's blushes.

At the Select Committee for International Development hearing to which I referred earlier, the Secretary of State said:

"The DTI are not responsible for human rights assessments for areas of export credit."

Indeed, the Department of Trade and Industry is not responsible. However, if that job belongs to the Foreign Office and the Department for International Development, why does not the DTI listen to, and act on, their advice? I hope that the Minister will have some answers.

10.33 am

Mr. Malcolm Savidge (Aberdeen, North): I congratulate my hon. Friend the Member for Hull, North (Mr. McNamara) on initiating the debate. I shall be brief for two reasons. First, both he and the hon. Member for Richmond Park (Dr. Tonge) have covered the issues thoroughly. Secondly, I was somewhat over-exuberant in my cheering when Aberdeen football club managed to get through to a final for the first time in five years, and, as a result, my voice is not at its best.

Why are we raising concerns about the Ilisu dam? It has been suggested that great benefits will be gained from it, such as providing jobs in the area and in the United Kingdom. It has also been suggested that there could be environmental benefits, such as removing the necessity to build a nuclear power station in an area known to experience earthquakes, and that the project could be seen as sympathetic from the point of view of global warming. Certain figures in the stakeholder report might even suggest some public support for the project. Will the Minister tell us how many jobs would be gained in the United Kingdom as a result of support for this project?

The environmental review expresses concern that not nearly enough study has been carried out into the potential damage to flora, fauna and wildlife habitats and states that there has been insufficient analysis of alternative ways in which to produce and conserve energy—a matter with which my hon. Friend the Member for Hull, North dealt thoroughly.

The hon. Member for Richmond Park dealt with cultural questions. Grave concerns have been expressed about the archaeological heritage, and not merely in the city of Hasankeyf. I defer to the hon. Member for Richmond Park on the precise pronunciation of that. Of course, much of the surrounding region is unexcavated, particularly the cave areas, and a rich archaelogical heritage could be permanently lost.

As my hon. Friend the Member for Hull, North said, according to Government briefings, a dam built primarily for hydro-electricity, rather than irrigation, should not substantially affect downstream water flows. However, am I right in saying that the building of a previous Turkish dam affected water flows even though Turkey promised its neighbours that it would not? Moreover, is not Turkey still in dispute on that with Syria, which has taken it to the International Court? Is not it also true that the Turkish contractor for the Ilisu project was reported on a BBC Radio 5 Live programme as saying that downstream water flows will be reduced by 45 per cent. for at least the first three years.

The stakeholder report highlights a possible cumulative effect, particularly in the light of a proposed further dam, which would be used for irrigation. Again, my hon. Friend the Member for Hull, North mentioned the problem of water control and spoke in detail on diplomatic relations in the region. I recently visited most of the front-line states that are involved in the middle east peace process, and grave concerns were expressed about the possible effect of such projects on that process. Access to water is an important issue in discussions between Syria and Israel on the Golan heights. Many people look to Britain to support a process for which there is cautious optimism. Given the current desperate shortage of water, it would be particularly unfortunate if we were to have a deleterious effect on those delicate negotiations.

At least 16,000 and perhaps as many as 25,000 Kurds will be compulsorily moved, and a further 20,000 may be affected, although the stakeholder report makes it clear that it is difficult to be precise. Under Turkish law, compensation would be offered, but the report also makes it clear that the history of compensation in relation to Turkish dam projects is not encouraging. Many people claim to have received no compensation, and often compensation has been too little, too late. In Turkey, where inflation can run at 100 per cent. per annum, too late automatically becomes too little.

The stakeholder report refers to the damage done to social structures. Balfour Beatty has made extravagant promises on consultation but, according to the report, there has been no attempt at consultation. It has been said that the project has been under consideration for some 20 years but, in fact, it has been under consideration for 50 years. Not a single person was found first to have heard of the project from the companies involved.

Proper consultation has not taken place. There is virtual martial law, and the stakeholder report states that security conditions make it difficult to obtain proper access. The reporter had limited time and was unable to visit many areas because of security difficulties. The report states, with fairness, that the figures about support should be treated with considerable caution. The translator in the Kurdish areas was a Turkish Government official. How freely would people speak in that situation? It has been suggested that the area will benefit from additional electricity, but it is alleged that most of the electricity that is produced by the existing dam projects is used not in the Kurdish areas but elsewhere in Turkey.

The Government should be careful not to repeat the situation that arose in relation to the Pergau dam under the previous Government. My hon. Friend the Member for Hull, North mentioned that this dam—I need to be careful about how I use that word—project is called the GAP. I shall not try to pronounce the Turkish that the acronym stands for, but I fear that the word "gap" is appropriate in this context. There may be a gap between the airy reassurances that we have received and what appears to be the grim reality on the ground. I fear that, if the Government are strongly minded to approve this project there could too easily be a gap between reassurances that we might receive on human rights, environmental, cultural and diplomatic matters, and what really happens.

[Mr. Malcolm Savidge]

I am not given to Joan of Arc experiences—I do not often hear voices—but when I was coming to the Palace on the tube this morning, I heard loud and clear a warning that I hope the Government will heed: "Mind the gap."

10.41 pm

Mrs. Angela Browning (Tiverton and Honiton): I congratulate the hon. Member for Hull, North (Mr. McNamara) on raising the subject. The speeches of Labour and Liberal Democrat Members make it clear why the project is a matter of concern.

On 21 December last year, the Secretary of State for Trade and Industry issued a press release outlining his approach to the matter. That happened to be the day that the House rose for the Christmas recess, and the Department of Trade and Industry slipped out several press releases in the full knowledge that Members of Parliament would be packing up to go home and so would pay them less attention than if they had been released in the middle of the week when the House was sitting. That is a somewhat cynical approach to this important matter.

In the press release, the Secretary of State referred to

"The two reports: one examining the resettlement issues and the other looking at the environmental impact",

and he explained that they were

"commissioned to help Ministers decide whether to grant export credit backing to the scheme."

He continued:

"I have carefully considered both reports and I am minded to grant export credit."

I have read both reports, but it puzzles me that the Secretary of State came to that conclusion. The report on resettlement is a weightier document than that on the environment, but there is little in either report that would lead one to think, "Yes, let's go with those proposals," not least because the project is not new—it has been around for 20 years—although, interestingly, the Ilisu dam already features on Turkish tourist maps. I applaud such commitment, but placing the scheme on a map does not answer the many questions that hon. Members have raised today. I agree with some of the concerns that have been raised.

In giving his judgment on those two documents, the Secretary of State added four caveats—things that needed to be done before he could proceed. If the Government are to go ahead with ECGD money, it would be helpful if the Minister could give us some detail about the action that is being taken and what is being put in place, to ensure that the criteria are not only met but are monitored and enforced. To recap, the four caveats were, first, the need to

"draw up a resettlement programme which reflects internationally accepted practice and includes independent monitoring".

We all accept that that is a laudable aim, but what will be done in practice to ensure that that is done? The second was, to

"make provision for upstream water treatment plants capable of ensuring that water quality is maintained".

There is a great concern in the environmental paper about water quality. the third was to

"give an assurance that adequate downstream water flows will be maintained at all times".

I understand that since the environmental report was produced more work has been done on that issue. Perhaps the Minister will update us on the solutions that have been found to that problem.

The fourth caveat was the need to preserve archaeological sites. I notice that the press release includes the words "as possible", which is a bit of a cop-out. We all want to preserve such sites, but can the project go ahead even if it is not possible to preserve them? Will the Minister clarify what is meant by that statement?

We have heard from other hon. Members about the impact on neighbouring countries, and I want to emphasise the huge political row and instability that could be caused in the region if the scheme proceeds without due consultation with neighbouring countries, particularly Iraq and Syria, and if the views of the Arab League, which has made official representations on this matter, are not taken into account. It is not clear from the Government's press releases or the documents that they have put into the public domain how they intend to respond to complaints from third parties. Certain lobbying groups—for example, Friends of the Earth—have issued press releases saying that the Government could be taken to court if they proceed with the scheme. Presumably the Government have taken legal advice on their position.

That brings me back to a point that was made earlier concerning the international legal basis on which the Government will now proceed. We have heard about the involvement of the World bank. I understand that it was approached as early as 1984 when it turned the project down. When I look at the parameters and conditions that have applied since 1984, my instinct tells me that the World bank is less likely to say yes in 2000. Presumably the Government have taken advice on their position in relation to other international bodies, which clearly would have a view on the scheme.

We seek more information from the Minister today. Much of what one reads in the newspapers is comments by Ministers and commentary on them, but I have the clear impression that the scheme is being driven personally by the Prime Minister. There appears to be a huge row between the Foreign Office and No. 10. One wonders what pivotal role the Department of Trade and Industry plays in all this, but as the Secretary of State for Trade and Industry is "minded" to proceed, one assumes that he is on the side of No. 10. Clearly the scheme flies in the face of the Foreign Office's stated ethical foreign policy, not only for all the reasons that hon. Members have so ably demonstrated, but particularly because of the question of the Kurdish population, which must be addressed.

This is a big issue for thousands of people. Any big civil engineering project such as this anywhere in the world, even in our own country, would cause a great deal of concern to those living in the immediate vicinity. As Members of Parliament, we all know what happens. In the past seven years my constituency has faced the prospect of a new town, a gas-fired power station and a quarry. When such matters arise, all those who are

immediately affected lobby against them. It is right that they should raise their voices, but the issue that we are considering is of enormous humanitarian concern. As the hon. Member for Richmond Park (Dr. Tonge) rightly said, the population in the vicinity of the proposed dam has not been consulted. Nothing in the report assumes any preparation or consultation on how the community would be rehoused and remain as a community. Is the failure to address the resettlement issue the result of a formula to disperse the community to the fringes of many cities, as the hon. Lady said? If that is not the case, work needs to be done rapidly, and assurances given.

Dr. Tonge: Does the hon. Lady agree that in other countries and contexts that might be referred to as ethnic cleansing?

Mrs. Browning: Indeed. There is great concern about the way in which Kurdish communities have been treated in the past. We are therefore cautious about the possibility of dispersing a community.

Other hon. Members have ably outlined the problems, but I want to add a further point. If the Prime Minister is the driving force behind the proposal, he is in a strong position to ensure that, if the dam proceeds and is supported by the UK taxpayer, the criteria outlined by the Secretary of State for Trade and Industry on 21 December are met. He has a strong card to play. Turkey wishes to become a member of the European Union, and the Prime Minister will have many opportunities to influence that decision and the speed with which it happens. As a negotiator, he should ensure that, if Turkey's membership of the EU proceeds, the conditions for ECGD funding outlined by the Secretary of State are met. That does not need to be done in a bullying way; it is purely a matter of straightforward international common-sense negotiation.

Mr. McNamara: I asked the Prime Minister whether the matter had been raised at the Helsinki summit, when the Kurds were invited to attend. He said that it had not; nor had it been raised in side meetings or with European Union officials. I agree with the hon. Lady that the matter should be addressed.

Is the hon. Lady aware that Balfour Beatty is part of a consortium currently being prosecuted for bribery in relation to a dam project in Lesotho? Should the ECGD be funding the company in those circumstances?

Mrs. Browning: I do not know the background to the legal affairs of Balfour Beatty. I would expect that to be explored by the appropriate agencies, to ensure, if that is the case, that it is exposed. I am aware, however, that it is not just a Balfour Beatty UK project; an international consortium is involved. Many other countries, including European countries, are involved in the project.

I hope that the Minister will be able to give us the answers and assurances that we seek. In particular, I hope that she will shed some light on from where, within the Government, the driving force is coming. If it is No. 10, I hope that she will assure us that the Prime Minister will use his high office to ensure that our concerns about resettlement, environment and the effects on neighbouring countries are addressed. Resolution and enforcement will be necessary if the project is to proceed.

10.54 am

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): I congratulate my hon. Friend the Member for Hull, North (Mr. McNamara) on securing a debate on a matter that is of great concern to him and to the other hon. Members who have spoken. I fully understand those concerns because the Government share them.

I begin by reminding the House in some detail of the statement that my right hon. Friend the Secretary of State made shortly before Christmas when he published the two reports commissioned by the Government—one on the resettlement issue and the other on a review of the larger environmental impact assessement which had been commissioned on behalf of the Swiss contractors. In that statement my right hon. Friend said:

> "I have carefully considered both reports and I am minded to grant export credit. This will be conditional on the Turkish authorities agreeing to address the concerns we have about the environmental and social impact of the project."

He went on to say that copies of both reports have been given to representatives of the Turkish Government and the other Government export credit agencies considering support for the project, and that the Government are discussing with them the details of the areas in which changes would be required and action taken before the Government could consider export credit support. They include the need to draw up a resettlement programme that reflects internationally agreed practice and includes independent monitoring; to make provision for upstream water treatment plants capable of ensuring that water quality is maintained; to give an assurance that adequate downstream water flows will be maintained at all times; and to produce a detailed plan to preserve as much of the archaeological heritage of Hasankeyf as possible. The matters of concern that were raised by my hon. Friend and other hon. Members this morning reflect the concerns that my right hon. Friend raised with the publication of the two reports just before Christmas.

Underlying the debate is the question of whether the British Government and, in particular, the Export Credits Guarantee Department, should remain engaged in discussions about the project or should pull out completely. The reality is that Turkey is in any case likely to proceed with the dam, using Turkish companies or contractors from other countries. As the hon. Member for Tiverton and Honiton (Mrs. Browning) made clear, for the past 20 years the Turkish authorities have been planning on the assumption that they intend to proceed with the dam, which, as she said, is noted on their maps. By remaining engaged with that process we can try to ensure that international standards are met and that if and when the dam is built it has a high standard of construction, which is particularly important in a country that has suffered two major earthquakes in recent years, to tragic effect.

The hon. Lady also rightly said that Turkey is a candidate for accession to the European Union, that candidate status was confirmed by the Helsinki Council last December. Like every other candidate for EU

[Ms Patricia Hewitt]

membership, Turkey has to meet the EU's political membership criteria on democracy, the rule of law, human rights and the treatment of minorities before accession negotiations can begin. All those issues are directly relevant to the concerns that the Government and other hon. Members share about the Ilisu dam project.

However, it is also worth remembering—I am glad that the hon. Member for Richmond Park (Dr. Tonge) stressed the point—that the dam project offers the possibility of major economic benefits for Turkey. Turkey's economy is growing rapidly and, as a potential member of the EU, can be expected to continue to do so. It already has an energy deficit of 5 per cent. and has to import to meet its current energy needs. Moreover, its per capita energy consumption is only 15 per cent. of the OECD, making it clear that, whatever other measures it takes to promote energy efficiency and, thereby, hold down the growth in demand for energy, it will have to increase energy supply.

Hydro-electric power is a clean and renewable source of energy. It would help Turkey to continue to diversify its sources of power. It clearly would help to reduce reliance on imported energy and it would reduce the likelihood of Turkey deciding to build a nuclear power plant to meet some of its energy needs. Again, given the recent earthquakes, there is particular concern about any prospect of nuclear power plant construction in Turkey.

It is also worth saying that, if Balfour Beatty becomes one of the contractors for the Ilisu dam, it will bring to the project high-quality and highly experienced British construction. I remind hon. Members of the recently completed British-constructed Izmit water project. It withstood last year's earthquake, despite the fact that it was extremely close to the epicentre of the quake. There are real advantages in our engaging with Turkey in developing the plans for the project before a decision is made about whether to offer an export guarantee.

Dr. Tonge: Is the Minister truly satisfied with Balfour Beatty's record? We have heard already that Lesotho is prosecuting for corruption the project contractors in that country, of which Balfour Beatty was one. I understand, too, that BICC—Balfour Beatty's parent company—has been barred by Singapore from bidding for Government contacts for five years, following bribery. Is the hon. Lady entirely satisfied that we can rely on the company to do the right thing on the Ilisu dam project? Do the Government have any plans to take on the company under the OECD guidelines and ensure that it does not do the same again?

Ms Hewitt: The consortium of which Balfour Beatty is a member has been accused of corruption in relation to the Lesotho highlands water project. Balfour Beatty vigorously denies any such wrongdoing and I am sure that, like me, the hon. Member for Richmond Park believes that one is innocent until proven guilty. The case is expected to begin in the South African courts in the summer and we shall see what emerges. We do not intend to put current applications on hold until a verdict is reached in that case.

Mr. Savidge: I am concerned that, with the suggestion of the alternative being a nuclear power station in an area of earthquakes, we might be guilty of precisely what the report criticises in its reference to the way in which the Turkish Government have dealt with the matter. It seems to have introduced oil-fired power stations with a view to making them a paper tiger to knock down. The report suggests other possibilities that have never been considered seriously.

Ms Hewitt: My hon. Friend makes an important point. Clearly, it is up to the Turkish Government to decide on an energy strategy by which to examine the comparative risks, costs and benefits of the Ilisu project, and so on. The update of an environmental impact assessment report may deal with those issues, but, as we and all developing countries know, with economic growth tends to come an increase in the demand for energy. Given that Turkey's per capita energy consumption is a small portion of the OECD average, it seems sensible to assume that the Turkish Government are right to anticipate a need for a significant increase in energy supply if they are to enjoy the benefits of economic growth and those that will be delivered to their population through that growth.

There are only so many possibilities for any Government to consider about meeting significant increases in demand for energy, one of which is clearly nuclear power plants. To follow a course of action that might increase the likelihood of a nuclear power plant being built in a country that has recently suffered two major earthquakes is not necessarily sensible or in the interests of its people.

The hon. Members for Richmond Park and for Tiverton and Honiton raised the roles of different Departments. The hon. Member for Tiverton and Honiton became rather overexcited about a conspiracy that she appeared to see within the Government.

Mrs. Browning: I certainly was not accusing the Government of conspiracy in this instance, although I might in others. I was more concerned that there seems to be a difference of opinion between Departments.

Ms Hewitt: I am happy to reassure the hon. Lady about that as well. The Department of Trade and Industry works extremely closely on the matter with several other Departments, such as the Department for International Development, the Department of the Environment, Transport and the Regions and, especially, the Foreign Office. There is a range of interests, and the DTI leads on the support of exports. Issues of sustainable development, human rights, the treatment of minorities and so on are not the preserve of any single Department. DFID has given us extremely helpful advice, especially by putting us in touch with Dr. Morvaridi, who carried out the analysis on resettlement that we published in a report shortly before Christmas. I must stress that Turkey is not one of

DFID's key partner countries, and the project is not one of aid. DFID's involvement has declined since the commission of the report.

Dr. Tonge: The Minister must accept that DFID is interested in and does a tremendous amount of work on conflict prevention. Time and again, it seems to those of us who are not party to Government thinking that its advice is overruled by other Departments and by No. 10 Downing street, as the hon. Member for Tiverton and Honiton suggested. We are concerned that commercial interests are always put before the promised ethical foreign policy.

Ms Hewitt: There is no question of DFID being overruled. It has assisted us in properly analysing resettlement, which is a major human rights issue relating to conflict settlement. We have been able to tell the Turkish Government that we think that a great deal more needs to be done if an effective resettlement programme is to be carried out. Turkey is not one of DFID's key partner countries, so it is appropriate that the DTI should use its role as the sponsoring Department for the ECGD to promote human rights issues and environmental and sustainable development issues within the context of what is a commercial project.

The DETR maintains an interest in sustainable development, as do the ECGD and the Foreign Office. The Foreign Office is especially interested in the human rights issues as well as relations with Turkey and other states in the region. My Department and the ECGD have worked extremely constructively with those Departments, and will continue to do so as the process continues until a decision is made. The DTI is in the lead because the request is for commercial support through the ECGD.

My hon. Friend the Member for Aberdeen, North (Mr. Savidge) asked whether the project would have an impact on the middle east peace process, but such anxieties are not well founded. The project will have a minimal impact on Syria and no effect on the other front-line states. It is on such issues that we work closely with the Foreign Office.

Mr. McNamara: My hon. Friend passed lightly over the major anxiety about water flows. She did not deal with the dam's possible impact on Syria and Iraq, or with the general comments of the United Kingdom Defence Forum. Will she go into more detail, rather than merely repeating what we have already read?

Ms Hewitt: I shall discuss those issues in a moment, but I want to deal with the issue that my hon. Friend the Member for Aberdeen, North raised about the middle east peace process. Of course I shall discuss in some detail both upstream and downstream water flows.

The hon. Member for Tiverton and Honiton referred to the World bank—

Mr. Savidge: I visited Syria and spoke to its Foreign Secretary, who has considerable influence in the regime. He expressed grave concern at the dam's possible effect on water supplies to Syria. What consultations have been entered into with Syria, now that we are trying to encourage better relations with it in moving the middle east peace process forward?

Ms Hewitt: My hon. Friend should ask that question of a Foreign Office Minister involved in detailed discussions with the Syrian Government. My understanding is that, precisely because the dam is a hydro-electric project, rather than an irrigation project, it will not have a major impact on the water supply to Syria. I shall return to that issue in a moment.

One of the reasons for ECGD engagement in the process is to influence for the better the enivronmental impact of water projects. In introducing the debate, my hon. Friend the Member for Hull, North elaborated well on the broad context of water projects and the genuine danger of serious conflict over an apparently or genuinely scarce resource. ECGD has been able to deliver positive action to influence the environmental impact of several recent power projects, including the Shandong in China, the Sual in the Philippines, the Manjung in Malaysia, and the Vizag in India. In all those cases, rather than putting commercial interests above environmental and other interests, as the hon. Member for Richmond Park implied, we used commercial leverage to achieve environmental goals. I hope that my hon. Friends support that. In this case, we are doing that through the pressure that we and other export credit agencies are bringing to bear in discussions with the Turkish authorities.

Several hon. Members referred to the reduction in water flow that will occur while the dam fills up, as distinct from what will happen once the dam is full and the hydro-electricity project starts. The DSI, which bought, or commissioned, the dam, has discussed the problem with engineers for the United States agency Eximbank, the United States' equivalent of our ECGD. We are waiting for confirmation of the minimum flow agreed to be maintained while the dam fills up, after which we shall be able to judge whether what has been agreed will be adequate to maintain the downstream flow into other countries. We are continuing to discuss the rights of neighbouring states, and it is for the Foreign Office to take the lead. The real responsibility lies with Turkey to communicate its proposals to neighbouring states and to reassure them that the project will not have an adverse impact on the downstream flow. As it is not an irrigation project, that should not be a problem once the dam is fully operational. As I said, we have yet to receive the information that Eximbank will obtain on the level of flow to be maintained while the dam is being filled up. However, half the flow of the Tigris joins the river below the dam and below the Turkish border, so by no means all the flow of the river will be affected by the construction of the dam.

Dr. Tonge: One has only to look at the map, as I did carefully last night, to see that the tributaries of the Tigris, which come from Syria and Iraq, are a long way from the sources of the Tigris. It is conceivable that a drought in either of those areas could lead to minimal flows of those tributaries and the people would be

[Dr. Tonge]

dependent on the flows from the Tigris. That puts Turkey in a prime position to influence and, if necessary, wage a water war against those two countries.

Ms Hewitt: Those concerns are being addressed, but again I stress that, if it were an irrigation project, there would be a risk of inadequate water flows into Syria and Iraq. However, a hydro-electric project such as this depends on a continuous flow of water, not on stopping and diverting the water in the way that an irrigation project would.

Mrs. Browning: The environmental document states:

"Some of the potential downstream impacts, eg reduction in floodplain fertility for agriculture, channel erosion, loss of downstream riverine fisheries, are largely discounted since it is assumed that Cizre Dam will be constructed and a reservoir environment created downstream."

We have not heard much about that second adjunct, on which the dam now appears to be conditional. Is that going ahead?

Ms Hewitt: A major point in the environmental report was that other scenarios had not been properly addressed in the environmental impact assessement. That main environmental impact assessment, which has been commissioned by the Swiss, is now being updated. We hope that it will take account of the criticisms expressed in the report that we commissioned, which we published before Christmas. Clearly, we need to understand, as do the Turkish Government, the implications of building the second dam and what would happen to water flows and other environmental issues in either of those scenarios.

Upstream issues also arise. The water treatment plants that will be constructed in the main towns must be operational before the dam starts to fill, because the environmental impact assessment has made it clear that, otherwise, there is a risk of pollution in the reservoir. It is a serious issue and it is being addressed.

The other serious issue is the resettlement of villagers whose land would be flooded as a result of construction of the dam. Here again we are working closely with the Foreign Office. A full resettlement plan must be drawn up, taking account of the people's wishes. In other words, we need a process that involves their participation, with proper support provided to all those affected. It is clear from Mr. Morvaridi's excellent report that we are taking those issues seriously, and we expect the Turkish authorities to respond equally seriously.

Mr. Jeremy Corbyn: (Islington, North): I apologise for not having been here earlier, Mr. Deputy Speaker. I had a previous engagement.

I fully accept that the British Government are concerned about the treatment of people displaced by the dam, but Turkey's record on displacing people from the Kurdish region is nothing short of abominable and apalling. Given the way in which those people have been treated by the army and civil authorities, does the Minister have any reason to believe that the situation will be different if the construction of the dam goes ahead?

Ms Hewitt: Real concerns exist about Turkey's human rights record, and those, among other issues, must be addressed if Turkey is to succeed in its desire to become a member of the European Union. However, there are signs of progress. The Turkish authorities have appointed independent local consultants who have carried out assessments for the World bank in respect of other projects, and have agreed to the appointment of an international expert. Furthermore, progress is being made on the consultation exercise and the survey. The Turkish authorities are taking the matter seriously as a result of the international pressure that we have helped to bring to bear.

Dr. Tonge: Will the Minister then explain why the World bank refuses to support the project?

Ms Hewitt: I am grateful to the hon. Lady for restating that point, because I should have dealt with it earlier. The World bank has not been asked to support the project. Discussions took place between the Turkish Government and the World bank, but the bank said that those discussions did not constitute a request for support. We have discussed the project with the World bank, and have not received any indication of the kind of opinion to which the hon. Lady referred.

Several hon Members referred to the archaeological and cultural heritage of Hasankeyf. That has been the subject of research by the Middle East technical university, and a presentation that was given in Ankara a couple of weeks ago—of which we are awaiting full details—will give us a better idea of how much can be preserved and what can be catalogued. However, it is worth pointing out that much of that archaeological heritage is not in good condition, and several experts have expressed the view that, if the dam were not to be built, much of it would continue to decline and disappear.

My hon. Friend the Member for Hull, North and other hon. Members asked whether, if export credit guarantees are to be granted in this case—the decision has not yet been made—it would be possible to enforce any conditions in relation to the contract. The ECGD enters into agreements with the exporter and the bank that determine the terms on which support is made available, and is also involved in the negotiation of the loan agreement between the bank and the borrower. It is normal for such loans to include undertakings by the borrower which, if they are not observed, may lead to the suspension of the continued availability of the loan. If we were to give cover, and conditions attached to that cover were not fulfilled, we would be able to pursue diplomatic and legal forms of redress. The time for detailed consideration of any such conditions would follow the Secretary of State's decision as to whether to proceed. That will not happen for some time, because we have not yet received the full updated environmental assessment report.

I assure hon. Members that, if support were to be offered, it would be possible to consider making requirements under the terms of the loan agreement that certain events shall have occurred, or that the Turkish authorities shall have carried out certain acts, before the agreement becomes effective. It would be possible to require undertakings by the authorities that they will carry out certain acts in certain ways, and to provide that if the undertakings were to be breached, the whole

amount of the outstanding loan would become immediately payable and there would be no further advances to the contractor under the loan.

Similarly, under the construction contract, the contractor should be able to cease work in the event of a breach of undertakings by the Turkish authorities. The ECGD contract with the contractor could include a provision whereby, in the event of a breach of undertakings by the Turkish authorities, the ECGD would have the right to direct the contractor to cease work.

I hope that I have made it clear that the Government share the concerns that hon. Members have expressed—my hon. Friend the Member for Hull, North did so eloquently—and that we are using our influence through the ECGD to reach more satisfactory outcomes in relation to the environment, interstate relationships and questions relating to human rights and resettlement. We expect a decision about support to be taken some time in the summer, by which time we will have considered the updated environmental impact assessment report and had responses to our other concerns. We and the export credit agencies that are involved will take account of the need to establish a resettlement action plan that reflects international practice and ensure that it is put into effect properly.

I am grateful to my hon. Friend for giving us an opportunity to debate this important issue. If my right hon. Friend the Secretary of State decides, after consideration, to grant export credit cover, a statement will be made to the House, which will provide a further opportunity for debate and questioning.

Mr. Deputy Speaker (Mr. Nicholas Winterton): The right hon. Member for South-West Norfolk (Mrs. Shepard) and the Minister are present in the Chamber, so although we are a little ahead of our timetable we may start the next debate.

Care Homes

11.26 am

Mrs. Gillian Shephard (South-West Norfolk): I am extremely grateful to have an opportunity to raise this matter, which is of enormous interest and great concern to my constituents.

It is my intention not to pre-empt consideration in the House of the Care Standards Bill, which is passing through the other place, but to focus on the impact on privately run care homes in Norfolk of the draft rules for such homes, which are contained in the consultation document "Fit for the Future". That document was commissioned by the Government from the Centre for Policy on Ageing and published in September 1999.

I emphasise from the outset that I fully support the objective of achieving higher and more uniform standards in care homes. The Minister of State will know that all the relevant bodies share that objective, including the National Care Homes Association, Help the Aged, the Registered Nursing Homes Association and the Royal College of Nursing. People in such care homes are, by definition, among the most vulnerable in society and they deserve the protection of verifiable standards.

It would be hard to overstate the anxiety among private care home owners that has been provoked by the rules that are proposed in "Fit for the Future", especially those regarding physical accommodation. The Minister will be aware that their anxiety has been in no way allayed by the fact that, for reasons that are best known to the Department of Health, many care home owners were unable to get copies of "Fit for the Future" until after 3 December last year, which was the closing date for consultation. I am glad that the Department took the welcome step of extending the consultation period.

"Fit for the Future" states that single rooms in care homes must have at least 10 sq m of usable floor space, and that there must be 12 sq m for wheelchair users. New single rooms must have at least 12 sq m of usable floor space, rooms should not be shared by more than two people and people should have made a positive choice to share. Communal space must amount to at least 4.1 sq m per resident. Those requirements sound extremely reasonable. Of course, those of us with experience of care homes, or who have relatives or friends in such homes, want people to be comfortably housed in rooms that are sufficiently large, and which equate with the people's choices. However, the rapid—or, worse still, retrospective—imposition of such standards would impact on the vulnerable members of society whom the Care Standards Bill is designed to protect.

Staffing requirements would include one member of staff to every five residents for morning work, one to every seven for afternoons and evenings, and one to every 10 at night, with a minimum of two remaining awake. Additional staff would have to be on duty at peak times, and at least one third of care staff would have to be registered nurses. In my experience of private care homes in Norfolk, staffing ratios and the requirement for additional staff at peak times would present little difficulty. In fact, most homes already work in that way, and it is clearly sensible to have more people

[Mrs. Gillian Shephard]

on duty when they are needed. However, the requirement for registered nurses presents some difficulty in respect of costings, and so on.

In Norfolk, there are about 415 private homes. The majority care for the elderly and the remainder look after people with learning disabilities, mental health problems or physical disabilities. In its response to "Fit for the Future", a consultation document that was sent to the Department of Health last month, Norfolk Independent Care Homes calculated that the average-sized home registered in Norfolk has about 20 residents. It is interesting to note that, although there are about 1,000 places in local authority homes in our country, there are 4,800 places in private care homes. That gives added point to private care home owners' anxieties, and must be of concern to Ministers. Although there are some new purpose-built care homes, given the rural disposition of a county such as Norfolk, the vast majority are evenly spread throughout the county in converted manors, halls or old rectories. Therefore, one home might serve three, four or five small village communities within a five-mile radius.

Norfolk care home owners have calculated that they employ one member of staff for each resident, which is another issue of concern. By definition, many of those staff are women, who work flexible hours and frequently walk or cycle to work. Given the even spread of provision, the homes form a source of employment that is easy for people to access. Each home is well known in its locality, and it is important to prospective residents to know that, on entering residential care, they will meet local friends and acquaintances. It is not putting the matter too strongly to say that the choice of a residential home is one of the few freedoms left to those who enter them.

Mr. Keith Simpson (Mid Norfolk): I wish to support my right hon. Friend. In my constituency I have shared a similar experience. Does she agree that it is not merely the owners of small homes but residents and their families who feel vulnerable, and that we must not only enhance standards in care homes but protect their local nature?

Mrs. Shephard: I agree with my hon. Friend, and I suspect that the Minister, who has taken a good deal of trouble to meet associations and proprietors of care homes, is also well aware of the problem. He, too, represents a rural and far-flung constituency, so he will appreciate the force of my argument. In rural counties such as Norfolk, requiring the removal of two, three or four beds might render the home in question unviable as a business. It would have to close down, and the geographical relevance of the home would be gone. The home would cease to serve the locally based needs of the residents. The magazine *Caring Times*, in its edition of 2 February 1999, quoted an anonymous source as saying that if the Centre for Policy on Ageing were to succeed in introducing the standards, the only people who would be able to meet them would be those running 100-plus bed purpose-built homes, thereby restricting individuality and choice. I agree with that comment. In Norfolk, there are a number of well-run large purpose-built homes. Although those would be the choice of many, at least as many people would choose smaller, more individualistic accommodation for their relatives, especially if it is close at hand, as frequent visiting would be easier. Many people entering residential care prefer a homely atmosphere to more institutional care.

Norfolk social services responded to the Government's consultation, and in a letter dated 20 November 1999, it stated:

"Norfolk is a geographically large and predominantly rural county. The current stock of residential care homes is diverse in terms of both size and location. In a county where elderly people still predominantly have their family roots within a particular village or small cluster of villages, the location of a residential care home is a critical element of choice . . . The proposed standards are likely to speed this trend and cause significant disruption to existing residents as small businesses fail as well as limit choice to prospective residents. There has been a need locally to formulate specific strategies to redress the forced migration from villages of young couples—the forced migration of our elderly people through the lack of local residential care homes must be avoided."

Since the Government took office, residential care home owners in rural areas have had to deal with a number of difficult issues. They have had to deal with the impact on their businesses of the working time directive, and the Government's reduction of council grant to shire local authorities, which has resulted in social services cuts. Hikes in fuel taxes have affected all rural businesses. Pay increases for nurses, which were richly deserved, mean, of course, that more care homes are being forced to provide only residential care, as they simply cannot afford to pay the staff to provide nursing care. All that is within the context of rising numbers of frail, elderly people in society, and falling numbers of hospital beds. Instead of piling further pressure on care homes, the Government should be seeking to demonstrate that they have understood the impact on frail and elderly people and their families, as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) pointed out, not to mention that on the NHS and local authorities. By forcing the pace of improvements in the private care sector, they might push hundreds of private care homes out of business.

We need to be aware of the findings of the Forum of Private Business care sector survey dated July 1999. Seventy-five per cent. of respondents claimed that if the "Fit for the Future" proposals were carried out, their businesses would no longer be viable. What would happen to the 500,000 or so frail people who would have to be rehoused? Extraordinary distress would be caused to the families. Who would re-employ those thrown out of work? The Norfolk Residential Care Homes Association welcomes the introduction, in principle, of mandatory minimum standards. Mr. Colin Gething, the association's chairman, points out in a letter dated 12 January 2000, that

"it does appear to our membership that, whilst the emphasis may not be biased towards physical standards, the degree of variation of the physical and measurable aspects from that which is currently required by many authorities will impose unrealistic demands both practically and financially, and yet not improve the standard of care one iota."

For many small to medium-sized homes of 10 to 18 registered places, the imposition of standards such as minimum sizes for rooms and communal space will be unattainable, and the loss of two or three rooms to a financially marginal business will culminate in the

closure of a home and the loss of not two or three, but all. Sadly, such a closure has already taken place in my constitutency, even before the end of the consultation period. The proprietor of the former Lion House residential home in Downham Market wrote, on 16 October 1999:

"The national standards room size of 10 square metres for existing homes will leave us only 5 registered rooms, from 15. This will bankrupt us. Therefore, I am closing Lion House at the end of November . . . Two years ago, it was valued as a business at £345,000 . . . Now, as a house with vacant possession, it is valued at £200,000. So not only have we lost a good business which we have spent 15 years building up, we have also lost £145,000."

The arrangements for finding alternative accommodation for the frail, elderly residents were handled by social services with extreme difficulty, although that is not a matter for this debate.

That example illustrates the difficulties posed by the present approach. Mr. Barry Hartley of the National Care Homes Association said, in the October 1999 issue of *Caring UK*:

"I'm very disturbed that the Government has missed a golden opportunity to look at the true values of care and whether people are being cared for appropriately. One of our prime reasons for wanting national standards was to ensure a system which measured those things which are important rather than those things which can easily be measured. We are disappointed that standards have not been developed which relate to individual personal quality of care . . . The 'apparent intention to cull between 12 and 23 per cent. of the sector' is alarming."

Those and other matters will be thoroughly debated when the Care Standards Bill comes from the other place to be debated in the House. However, I want to demonstrate that the Government's handling of the consultation process on this vital issue, in addition to their apparent lack of concern about the fate of 12 to 23 per cent. of the sector, does not bode well. I am talking not only about the businesses but about the frail people for whom they care.

I hope that the Minister will dispel some of our fears in his response to the debate. Will he make it clear that the Government have understood, from the response to their consultation, the disastrous effect on the sector of over-hasty implementation of the accommodation requirements? Will he also make it clear that there is a need for careful consideration of the effect on the overall availability of residential care places of imposing the new standards? Will he also consider the alternatives that the public would expect the Government to provide in the event of large numbers of homes going out of business? Will he give an estimate of the cost to the sector of implementation? Will he set out a timetable, first for publishing the final standards so that home owners will know what is required, and, secondly, for the implementation time proposed, so that they can begin to plan the development of their businesses? Does he plan to compensate private care home owners for the loss in value to their businesses, or for the loss of their business altogether?

I believe that the Minister understands the importance of the role played by the private sector in residential care, and the problems that the Government would have if they ignored the sector's difficulties in maintaining the current number of places under the "Fit for the Future" proposals. I hope that the Minister also understands that behind my concern is the knowledge that to enter residential care is a massive step for anyone and their family. To plunge the sector into anxiety or uncertainty, for an unspecified period, is unacceptable. I hope that he will be able today to dispel some of that uncertainty for the sake of everyone concerned.

11.45 am

The Minister of State, Department of Health (Mr. John Hutton): I warmly congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on choosing this subject for our debate today and on the way in which she has addressed her concerns.

I am particularly grateful to her for accepting the argument for national standards, because we should not allow that issue to go by default. We are not trying to do any of the things that she suggested: we do not intend to cause concern, anxiety or fear for the future in this major sector of the social care industry. The services provided by private care homes, both nursing and residential, are hugely important in our country, and the Government do not intend to jeopardise the sector's ability to respond to our population's social care needs. We would be crazy and stupid if we were to develop national minimum standards from that starting point. We do not intend that the "Fit for the Future" proposals should have the unforeseen consequences suggested by the right hon. Lady. Therefore, I shall try to reassure her and her hon. Friends about some of the concerns that she has raised today.

The right hon. Lady is right to say that Norfolk and Cumbria, the county in which my constituency is based, have many similarities. Although my constituency is not predominantly rural, the county of Cumbria is, and she is right to say that in rural counties there is a particular dimension to the argument about the provision of long-term residential care services, to which the Government are sensitive and of which they are mindful.

The right hon. Lady raised a number of detailed points, and I shall return to some of them during my remarks, but today's debate also gives me the opportunity to correct some of the misconceptions and misunderstandings about the "Fit for the Future" proposals and to address the legitimate concerns expressed by many in the industry over the past few months. As the right hon. Lady was gracious enough to point out, I have made every effort to resolve those concerns in my meetings with representatives of this crucial industry.

We start from the point that the development of national standards for care homes and other social care services is long overdue. Enforceable national rules should ensure that poor standards and shoddy treatment are rooted out for good and that, regardless of location, all residents in care homes will be afforded the same protection and access to decent facilities.

National minimum standards for care homes are, therefore, part of the Government's plans for reforming the current regulatory arrangements for social services, nursing homes and the private health care sector. The reforms, first announced in the White Paper "Modernising Social Services", were put in train on 2 December, when the Care Standards Bill was introduced in another place.

The Bill will introduce new systems that will help to deliver our aims for a modernised regulatory framework. The current system has long been the subject of criticism by regulators and care providers for lacking independence, consistency and coherence.

[Mr. John Hutton]

The Care Standards Bill will establish an independent National Care Standards Commission responsible for regulating social care and private health care. The commission will be responsible for laying down standards of care and ensuring that those standards are met through a system of registration, inspection and enforcement. In addition, in line with the recommendation made by the royal commission on long-term care, it will also have responsibility for monitoring and reporting on trends in the provision of long-term care, investigating complaints and taking tough action where necessary, reflecting the views of service users and encouraging better services through reporting on service performance.

We want the National Care Standards Commission to be a powerful new body which will make a major contribution to improving standards of care and informing and empowering consumers. Raising the standard of social care provision and increasing the protection of vulnerable people are paramount considerations for the Government, and the main reasons for having national standards.

National standards will be central to the commission's responsibility for ensuring minimum standards of care. They will form the basis on which the commission's inspectors judge the fitness of the homes and agencies that they regulate and make decisions about registration and cancellation. The standards will be applied consistently to service providers across the country. At the moment there is often a wide variation in the standards required by different local and health authorities, leading to confusion and frustration between providers and regulators. National standards will mean that providers will be clear about the standards that they have to meet and that users and their carers will be clear about the standards that they can expect.

I think that the right hon. Lady referred to the National Care Homes Association. It welcomes the Government's commitment to national standards and notes, in its response to "Fit for the Future", the importance for the public of knowing the minimum level of service that they can expect to be provided. The Independent Healthcare Association also welcomes the principle of national standards and notes that many of those proposed are standard practice already. Counsel and Care, another major organisation, welcomes the establishment of national standards as part of the determination to modernise social services and engender confidence for older people and their relatives in the home that they have chosen.

The consultation document "Fit for the Future" sets out the proposed standards of the Centre for Policy on Ageing for older people in residential and nursing care homes. It was sent to all major interested organisations on 8 September and has been widely circulated. The right hon. Lady correctly referred to some of our earlier problems with distributing the document. We eventually produced 10,000 copies of it, distributed it widely and also exended the consultation period by six weeks. I shall come to the consultation responses later. It turned out to be one of the largest consultation exercises that the Department of Health has organised for a long time. We took great efforts, as the right hon. Lady will be aware from her time as a Minister, to ensure that everyone with an opinion and an interest in this subject could comment on the proposals.

The proposed standards are aimed at promoting better quality care and helping to prevent abuse by grounding practice in the important principles of dignity, choice and respect. Older people and other adults in residential care are especially vulnerable to abuse and poor practice because of their physical and mental conditions. The proposed standards in "Fit for the Future" seek to protect residents more effectively in a number of ways.

First, they will guarantee residents access for the first time to an effective complaints procedure, which will be monitored by inspectors who will have the power to investigate unresolved complaints and take any necessary remedial aetion. Secondly, the standards will ensure that vulnerable people are cared for by reliable and trustworthy staff who have been carefully recruited and properly trained to do this difficult and sensitive job. Often at present, inspectors find that staff have been casually employed and are engaged in providing personal, intimate care—sometimes, sadly, with no check on their suitability and no induction or training. That is not acceptable.

The standards will ensure that residents have the right to choose the way in which they live their lives, as do you or I, Mr. Deputy Speaker—for example, when they get up or go to bed, what they would like to eat, when their relatives can visit and so on, all the details of life that go to make up one's sense of identity and individualism.

The consultation period for "Fit for the Future", as the right hon. Lady said, ended on 21 January. We have received more than 1,400 responses to the consultation document, which provoked a large response from care provider organisations and individual care providers. While there is widespread support for most of the standards proposed, it is clear that there is real concern about some of them. In particular, the physical standards, such as room size, and standards on staffing have attracted criticism from some sectors of the care industry and certain parts of the country. Again, the righ hon. Lady referred to her concerns in that regard as well. The varying levels of concern illustrate graphically the current variation in standards across the country.

We are determined to set standards that promote better quality care, but they must be realistic and affordable. We do not intend to impose unreasonable or heavy financial burdens on providers and we intend to keep the number of enforceable standards to a minimum.

Mrs. Caroline Spelman (Meriden): The responses to the extended period of consultation on "Fit for the Future" will be important to inform the debate on the Care Standards Bill, which is being discussed in the other place. Will the Government publish the findings of that consultation? If so, will they do so by the time the Bill is debated in this House?

Mr. Hutton: I am grateful to the hon. Lady for making that point. I intend to refer to it. The document "Fit for the Future" identified as many as 260 possible national minimum standards. It is highly unlikely that we shall need as many as 260. Some of the proposed

standards are unnecessary and may have only a marginal impact on promoting good-quality care, which must be the main purpose of the entire exercise. I cannot specify today which standards we shall adopt because we are still considering the matter. We have 1,400 responses to go through and the consultation period expired only on 21 January.

I hope that I can give the right hon. Member for South-West Norfolk an idea of our initial thinking on two of the issues to which she referred. I refer first to staffing. I confirm that we do not accept that fixed ratios are the best means of specifying the number of qualified nurses who should be employed in nursing homes. That should relate instead to the assessed needs of the residents in each home at any one time and we are considering what models of assessment should be recognised by the commission for that purpose. Similarly, we are considering how nursing needs are defined initially, so that staffing levels can be best set accurately and realistically. Nor am I convinced that ancillary staffing levels, including catering and domestic staff, should be specified by fixed ratios. Instead, they should take account of the degree of efficiency and effectiveness shown by operators in managing such tasks, as observed in the outcome of the quality of the care that is provided.

As the right hon. Lady would expect, we are considering carefully the standards concerned with the physical characteristics of a home. In doing so, we must take account of the high levels of physical frailty of many older people when they enter residential and nursing homes. Room size is an important aspect of the quality of life. Hon. Members have only to think about the significance to them of their own home and work environments to know the importance of a minimum standard of space. It is also an important aspect of safety for staff and residents, when special aids and adaptations for lifting and handling must be used.

While I cannot yet make an announcement, I can assure right hon. and hon. Members that we do not intend to impose on existing providers physical standards that are not already being met by their competitors. They will be standards that they should be able to meet over time. I can also announce today that any requirement to meet new standards on room sizes in the future will apply only after the end of the transitional period and not, for example, on the sale or transfer of an existing home to a new owner.

None of the standards will be implemented until at least 2002 when the National Care Standards Commission takes on its regulatory role. Some standards, particularly the more challenging and those relating to the physical environment of a care home will not be introduced until some time after the commission has started its work in 2002. In deciding on the time scale for introducing the finalised standards, we will ensure that providers are given sufficient time to meet those requirements. We aim to publish the finalised standards and their implementation timetable later this year. But—to respond to the hon. Member for Meriden (Mrs. Spelman)—I intend to make an announcement about room sizes during the spring, which may be of use to those who debate the Bill in Committee.

The right hon. Lady alluded to other issues to which I shall not have time to respond fully. Naturally, I stand ready at any time to discuss such matters in greater detail with the right hon. Lady, who has certainly shown that she has a sound grasp of the subject. She referred to Lion House in Downham Market in her constituency. It is unfortunate that people have read the standards in "Fit for the Future" and assumed that they will be the final minimum standards. I have tried to make it clear today that that is not the case. In any event, the standards could not apply until after the National Care Standards Commission is set up in 2002. There will then have to be a transitional period before some of the more demanding standards could realistically be implemented. We are talking about years, not weeks or months. Decisions by inspection units to move to adopting those standards now or by care home owners to change the ownership of or close a home, taken simply on the basis of the consultation document, would be premature. We will respond fully to the concerns expressed.

Jazz

Mr. Deputy Speaker (Mr. Nicholas Winterton): Before I call the hon. Member for Luton, North (Mr. Hopkins) to speak on the subject of support for jazz, I hope that I may be permitted to say what a pleasure it is to welcome the Secretary of State for Culture, Media and Sport to respond to the debate.

12 noon

Mr. Kelvin Hopkins (Luton, North): I am most grateful and pleased to have this opportunity to speak on behalf of jazz in our country, with its audience of millions and its wonderful musicians. Jazz is a significant contributor to the world of the arts and, as a lover of jazz and a former musician, I want jazz to prosper and grow and to bring its joys to many present and future generations.

Jazz has a vigour and life of its own but, like virtually all art through the ages, it requires additional support to reach its full potential to sustain and nurture its musicians and audience and to make a full contribution to our world. Jazz requires financial support and benign governmental sustenance. Art requires subsidy, and always has. Historically, religious institutions, monarchs, aristocrats, the wealthy and the corporate world have always realised that if one wants to see and hear the best, that costs. Great architecture, craftsmanship, visual art and music have to some extent always been patronised, sponsored and subsidised; so it has to be with jazz.

In a democratic age, it is right for the state to subsidise the arts. The arts should receive more support in our country than they do at present if they are to be for the many and not the few. Within the arts family, underfunded as it is, jazz is a poor relation. Jazz needs and deserves support, as a legitimate and distinct art form, along with opera, the visual arts, theatre and cinema. Our museums and art galleries are publicly financed; were they not, much art would be the preserve of the rich. Our public libraries have also brought literature to countless millions. Jazz receives some public funding but it is too little and sometimes derisory.

I should perhaps declare an interest, as secretary of the all-party parliamentary jazz appreciation group, which has some illustrious members, including the Deputy Prime Minister, the previous Chancellor of the Exchequer, as well as my right hon. Friend the Secretary of State. I am also a member of the all-party opera group, a supporter of the Globe theatre and was, in my youth, a modest performer of Mozart. I therefore speak for jazz within a broader arts perspective. Jazz does not have its fair share of the arts budget, which is itself too small, although I should point out that I appreciate and admire my right hon. Friend for his own love of the arts and acknowledge that he operates within certain constraints.

My case for jazz needs some facts and statistics to support it and I am indebted to Jazz Services Ltd. for providing much background information for this debate. That organisation was formed 16 years ago to promote the growth and development of jazz and is funded by the Arts Council of England. Musicians throughout the country play jazz. Many UK jazz musicians have developed international reputations and have committed their works to recordings that are eagerly sought by a worldwide audience. No major city in the UK is without a jazz scene. Mature musicians of established reputation and young musicians, many with great flair and originality, seek a serious audience who can understand and enjoy their music. They perform in a variety of settings: concert halls, arts centres, village halls, ballrooms, restaurants, coffee houses and public houses. Every summer there is a profusion of jazz festivals all over the country, many attracting some of the finest jazz musicians in the world.

One of the features of the British jazz audience is its size—some 3 million people patronise such events and four to five times as many again have a definable interest in jazz. It is interesting that the jazz audience is very much the same as that for opera.

The prime characteristics of a jazz audience at a typical small-scale venue are that it would have a 3:2 ratio of males to females, 70 per cent. of the audience would be aged between 16 and 35, 30 per cent. would be full-time students, and 50 per cent. would be from the ABC1 social groupings. Of course, that means that 50 per cent. would be from the C2, D and E groupings, which means that jazz has a wide appeal.

From 1993, Jazz Services Ltd. has advocated increased public support for jazz in the United Kingdom. The jazz on a shoestring campaign was launched in 1995, and an early-day motion about it attracted the support of more than 100 Members. A 10,000-signature petition in support of the campaign was presented to the then chairman of the Arts Council of England, Lord Gowrie, by Humphrey Lyttleton, John Dankworth and my hon. Friend the Member for Wolverhampton, North-East (Mr. Purchase), who organised the petition.

Jazz Services Ltd. made representations to the then National Heritage Committee, the first report of which on the funding of the performing and visual arts in February 1996 stated:

"We do not believe that the different level of overheads in the performance of jazz and opera explains the massive discrepancy between the subsidy per member of the audience in the two forms of music; the Arts Council should look again at the funding of live jazz played by British musicians, in particular the National Youth Jazz Orchestra"—

NYJO—

"and local youth jazz orchestras".

NYJO is a jewel in our national musical crown and a marvellous training ground for hundreds of young musicians over the years. This year, NYJO has lost vital sponsorship funding, and has been offered an additional £500 by the Arts Council. That is an example of the derisory funding that I mentioned earlier, and is indicative of the regard in which jazz is held by some in the arts establishment.

In 1999–2000, Arts Council subsidy per attendee for jazz is 25p. For classical music, it is £2.26, and for opera, £12.75, which is 51 times the subsidy for jazz. I fully support the opera subsidy. I do not want to rob Pavarotti to pay Courtney Pine, but jazz deserves more. I am sad to say that the jazz subsidy has fallen by 4p per head since 1996–97, while opera funding has increased by 52p per head.

If we add Arts Council funding to support for jazz from the regional arts boards, the spending in 1997–98 of £1.9 million fell to a budget for this year of £1 million,

which is in round terms a cut of more than 40 per cent. That is shabby by any standards. I hope that my right hon. Friend the Secretary of State will try to secure better funding for jazz.

Another restriction on the performance and accessibility of jazz is the so-called two-in-a-bar rule, which means that only two musicians can play in licensed premises without a public entertainment licence. That denies employment opportunities to jazz musicians. Many styles of music suffer from the rule, but jazz is hit especially hard. Licensing is not the responsibility of my right hon. Friend the Secretary of State, but I hope that he can use his influence with fellow Ministers to seek the necessary legislative change. I understand from the Musicians Union that the Government have accepted the argument for change, and I look forward to proposals in the forthcoming White Paper.

The jazz community congratulates the Government on their new deal for musicians, which is aimed at getting young musicians off the dole. The success of the project depends on young musicians being able to form and join bands and find venues in which to play. Pubs, clubs and restaurants are key, and 100,000 such venues are restricted by law to two musicians in a bar. Even if 10 per cent. became additional venues, that would mean 10,000 more places in which jazz groups could play.

I must conclude, but I would like to say more about jazz in other spheres, such as education and the media, and the need to make jazz more available to all from a young age. Appreciation of all arts depends to some extent on early familiarity. Britain is an intensely musical nation, bursting with talent, and in jazz we are second only to the USA. We have produced many world-class musicians as well as millions of discerning listeners. We have a proud jazz tradition and stunningly good young musicians, but jazz needs and deserves more support from Government.

Jazz was given to the world by black Americans, but is now an international multicultural music that knows no class boundaries and is a force for friendship. Like my political party, it has recently completed its first century, and promises more joy and exhilaration in the new millennium. I hope that the Government can show how much pride we have in Britain's great jazz tradition with more support for jazz at every level for the future.

I have often spoken about jazz in the past, but this is the first occasion on which I have been unable to accompany my talk with recorded musical contributions. That is a shame because jazz can, and does, speak for itself, and I have seen many in my audiences over the years whose eyes have shown that they have fallen under the spell of great music. My children grew up to the sounds of jazz and are as at home with Count Basie as they are with the Beatles or J.S. Bach. I would like everyone to have such choices and to experience the full richness that all music, including jazz, has to offer.

Mr. Deputy Speaker: Before I call the hon. Member for Falkirk, East (Mr. Connarty) I inform hon. Members that he has, as is proper, received the permission of the hon. Member for Luton, North (Mr. Hopkins) and the Secretary of State to participate in the debate.

12.11 p.m.

Mr. Michael Connarty (Falkirk, East): It would be remiss of me not to speak in the debate, as I am the chairman of the all-party jazz appreciation group and something of a fanatic in my pursuit of the jazz medium. I must compliment my hon. Friend the Member for Luton, North (Mr. Hopkins) for obtaining the debate and for the business like way in which he has approached his role in the jazz appreciation group. He has not only encouraged people to listen to the medium and to appreciate the wide diversity and tremendous colour of the jazz scene, but worked generally on behalf of jazz.

Sadly, this is not a good time for the funding of the jazz world. I am also a member of the all-party opera group, and was the founding secretary of the Scottish opera group, which contributed to the solution that saved Scottish opera a few years ago. We have had the aid of some important people, including Lady Smith, the widow of the former Labour leader, who is very active in that group.

I must correct my hon. Friend on one point. Believe it or not, the Belgians not the Americans, gave us the saxophone. A gentleman called Dr. Sax invented the saxophone as a marching instrument for military bands; obviously it lends itself to being carried and played. Thank goodness—

Mr. Hopkins: I know that very well. The Americans gave the world jazz and taught it how to play the saxophone properly.

Mr. Connarty: Indeed, I was going to pay a compliment to one Ornette Coleman, who was probably the first practitioner of jazz and bebop as we know it. He was sacked from some big swing bands that liked a nice rhythm and did not like him to go off and freelance as he did, although that has of course become the stock of most good jazz concerts.

I was thinking about this debate on Saturday when I went to hear the Scottish National Jazz Orchestra, which is led by Tommy Smith, a young boy from an impoverished background in Edinburgh. He was encouraged at the age of 12 to take up the saxophone at the Wester Hails community centre; he went on to Berklee and now writes some of the best pieces. Joe Lovano, who is of European extraction but plays in New York, played with him on Saturday night. They performed a beautiful, inspirational piece called "Torah", which was written by Tommy Smith and which is based on the first three books of the Bible. To those who turn up their noses at jazz, as something that happens in bars, I can say that the performance matched anything in the classical field.

However, I want to speak about the crisis that affects NYJO. We must compliment people such as Bill Ashton, who has kept NYJO alive by begging and seeking sponsorship for 25 to 30 years. My hon. Friend the Member for Luton, North mentioned the massive loss of sponsorship.

UNISON has kept NYJO on the road for the past three years by giving it £30,000, which is remarkable for a trade union. The union also gives substantial sponsorship to a brass band in my constituency, the

[Mr. Connarty]

former Kinneil colliery band. Clearly, it has supported a wide range of music on behalf of its members and has been fundamental to keeping NYJO alive.

NYJO now has a serious problem that £500 from the Arts Council will not solve. We must look seriously at an orchestra that has been the breeding ground for some of the best young jazz musicians—now probably mature jazz musicians—around the world. I hope that the Minister will give particular consideration to the plight of NYJO.

I have always found it strange that Humphrey Lyttleton, one of the great founders of British jazz, is not knighted—in fact, he is not even a lord. It is about time we had people to join John Dankworth in the pantheon of jazz. I hope that the Minister is listening. Bill Ashton may also deserve a small honour for his sterling work on behalf of jazz.

Those matters are important. By giving not only cash but support, the Government show that they appreciate the cultural diversity encouraged by people who lead orchestras such as the Strathclyde youth orchestra, or the school orchestras with many brass players who play jazz. Clearly, we can do a lot through education. If we could recognise some of the work of individuals, we could put jazz on a respectable footing. I hope that the two-in-a-bar rule will change. That would be important as it would provide 10,000 new venues. I also hope that the Minister will seriously consider encouraging the Arts Council to recognise jazz. Perhaps he might think of using some form of direct funding. Jazz has certainly enhanced my life.

I have met young people in London who used to come to my home, such as Stephen Hamilton, a young jazz pianist who has played on many CDs that have been released in Britain and who used to play the old battered piano in my front room. Sadly, I have to say that my son, a software engineer in London, earns three times as much in a year as he does. Stephen could clearly have done that job, but he chose to pursue his love for jazz instead. He is a great talent, but his annual takings do not add up to a good salary, and he receives only slightly more than the average wage, because of what he calls his art. We can support him only by giving money to that art to show that we recognise his giving, and the giving of many talented jazz players in Britain.

Mr. Deputy Speaker: I am sure that I speak on behalf of all hon. Members when I say how grateful we are to the Secretary of State for coming to give encouragement to debates in Westminster Hall, and for finding time to reply to this debate on jazz. His action is a great fillip.

12.16 pm

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): I am delighted to be here today, because it is fascinating to see for the first time the proceedings in Westminister Hall, which are eminently more civilised than those in the Chamber. Furthermore, jazz is of great importance, and by replying in person I want to show the significance that I attach to it.

I must congratulate my hon. Friend the Member for Luton, North (Mr. Hopkins) on his choice of tie, which is extremely appropriate, because it is the parliamentary jazz group's tie. It is a pleasure to listen to my hon. Friend the Member for Falkirk, East (Mr. Connarty), who had a distinguised year as parliamentary private secretary to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) when he served as a Minister of State in my Department. It was a pleasure to work closely with my hon. Friend during that period.

I have listened carefully to what my hon. Friends have said. The starting point has to be that it is important to recognise that the funding system reflects the diversity of musical genres, whether they be jazz, folk, African-Caribbean, early music or any of the more traditional styles that have been supported from public funds. It is also important that those funds help to support and generate a great diversity of audiences, because the same audience does not appreciate all types of music.

As my hon. Friend the Member for Luton, North is aware, the arts are subsidised using the arm's-length principle. Decisions on funding for individual art forms or organisations are taken by those with the relevant expertise in the Arts Council of England or in the regional arts boards. It is important that Ministers do not intervene directly in those decisions. The Government should set the framework within which arts funding operates. Support for the full diversity of music in England is an important principle. However, decisions about grants to particular organisations, and even the balance between different genres of artistic activity, must be for the Arts Council and, increasingly, the RABs, to which much decision making is rightly being devolved. The Arts Council and the RABs include experts who can make decisions about particular arts organisations. Politicians and civil servants simply do not have that expertise. It is important to set the principle, which must be that jazz deserves good support from the public funding system.

Before I discuss funding, I shall touch briefly on the public entertainment licensing regulations to which my hon. Friends the Members for Luton, North and for Falkirk, East referred, and in particular the two-in-a-bar rule. I am pleased to say that, together with colleagues in other Departments, especially the Home Office, we are actively reviewing the constraints that the licensing system places on musical performance in such venues, and I hope that in due course we shall be able to introduce deregulatory measures to assist the broad picture.

I cannot deny that opera and classical music account for the bulk of Arts Council funding. The statistics that my hon. Friend the Member for Luton, North cited speak for themselves. That is perhaps not surprising given the nature of both art forms. Opera and classical music cost more than other forms of music. They employ large numbers of people, such as musicians, choruses, designers, riggers and technicians, for example, to achieve their effects. In addition, the cost of hiring soloists is often dictated by the international market.

Classical music has a history of private patronage, which translated in the post-war era into public subsidy, which continues to this day. Jazz, on the other hand, has a different heritage. It is rooted in the musical traditions of Afro-Caribbean Americans. West African and black folk music forms developed in the Americas.

The word "jazz" has a variety of meanings, encompassing a broad and changing stream of styles. Within those styles, each jazz performance represents an original and largely spontaneous creation, as an essential element of jazz is improvisation. Jazz music is a unique art form. It stands alone in its use of improvisatory practices as the focal point of the music. It provides great scope for individuality and creativity. Its vitality stems from the spontaneity of the improvising musician.

In its turn, jazz has influenced the development of new styles of popular music and the work of symphonic composers. The interaction of different styles and genres of music is one of the most welcome developments in modern musical tradition. We are witnessing the fusing of different traditions and types of creativity, which is extremely welcome.

Subsidy acts as investment, provides continuity, allows artistic risks, sustains the best of tradition, develops new talent and feeds, but does not replace, the commercial entertainment economy. That is not to say that jazz should not be supported from the public purse; it must be. It would struggle without that support. However, a mixture of funding sources is appropriate for jazz, which is an important part of the UK contemporary music scene.

No one would doubt the existence of a jazz economy, as evidenced by the number of private sector jazz clubs, concerts, festivals, dedicated record labels and, indeed, in Jazz FM, a commercial radio station specifically devoted to jazz. The Arts Council's funding for jazz is currently about £1 million in grant in aid, which includes support from the new audiences fund. Jazz has also benefited from lottery funding, and is a key part of the work of the National Foundation for Youth Music, an organisation that we established, with £30 million over three years of lottery support from the Arts Council of England, and which is designed to support all types of musical development and activity, including jazz, among young people. As my hon. Friend mentioned, the new deal for young musicians, enabling people who are otherwise unemployed to develop their musical skills and experience, is particularly appropriate for young jazz musicians.

In addition, awards have been made to organisations that are developing the jazz musicians and audiences of tomorrow. JazzDev, for example, formed over 15 years ago to promote the growth and development of jazz in the UK and primarily funded by the Arts Council of England, works closely with other UK organisations to give voice to jazz. JazzDev has recently been awarded money from the new audiences fund to work with four arts marketing agencies in Leeds, Birmingham, Manchester and Liverpool on measurable exercises to increase arts audiences across all sectors, including jazz. JazzDev's grant in aid increased by 8.5 per cent. this year and will increase by 5 per cent. in the next financial year.

My hon. Friend the Member for Luton, North mentioned the work of the National Youth Jazz Orchestra. I am pleased to tell him that, after an admittedly tiny increase in funding in the current financial year, that orchestra will receive a 24.4 per cent. increase in 2001–02. The grants of the Arts Council of England to the English regional arts boards will in 2000–01 be nearly 20 per cent. higher than in the current financial year. The regional arts boards are free to develop music policies appropriate to their different regional contexts and audience needs. Many jazz organisations will look to those boards over the coming months to use some of their substantially increased funding, which is designed to increase support for jazz. Money is available, much of it through the RABS, for new and not so new programmes which are designed to benefit applicants from outside the classical mainstream.

The Arts Council of England published its policy for the support of jazz in November 1996 and both it and the RABs remain fully committed to its recommendations. Much has been done since that report, but much remains to be done. My hon. Friends have today done us a great service in reminding us of that. We have encouraged the Arts Council to reform itself and the funding system it operates. Gerry Robinson as chairman and Peter Hewitt as chief executive of that body have achieved much in the past two years. There is still much to do, however.

The Arts Council is keen to ensure that all forms of art and music receive support and funding, but it must make the final decisions; I cannot do so. I recommend that both my hon. Friends and all in the jazz constituency maintain their dialogue with the Arts Council, particularly with the RABs. They should point firmly to the principle that we have established throughout the past two and a half years that diverse musical types and activities deserve support and should give as much encouragement as possible to those parts of the funding system that rightfully ensure that jazz is supported and continues to play a major part in the musical and artistic life of this country.

Legal Aid

12.29 pm

Mr. Richard Allan (Sheffield, Hallam): I am pleased to secure the debate as a way of highlighting an issue that has been brought to my attention by several constituents. I am not, nor have I ever been, a lawyer, so I seek the Committee's indulgence if I use wrong legal aid terms. Several cases have been brought to my attention by people who believe that those taking action against them are doing so on the basis of legal aid funding that has been secured fraudulently, and I shall refer to one such case. I accept that the Minister cannot address the specific details of the case as it is still on-going. I am looking for a general response to this and similar cases.

I hope that the Government will say that they are serious about investigating claims of fraud in the system and will offer some encouragement to my constituent that his experience will not be repeated. I am sure that many other hon. Members have had similar experiences in their surgeries of listening to the frustration felt by people who are paying for their own costs while defending themselves against someone whom they believe is receiving legal aid through misrepresentation or trying to change the circumstances of the case to take advantage of loopholes.

The frustration to which I refer comes from several features of the operation of the system. First, it often appears to people that the Legal Aid Board does not act swiftly or effectively to take legal aid away from claimants when evidence is produced that suggests that their claim is ineligible. Secondly, the sort of evidence that must be produced to prove that someone's claim is invalid seems to go well beyond that which is required in other areas of means-tested public funds. Thirdly, I draw attention to the lack of feedback to the complainant about what action has followed the allegations. The fact that the law often requires that there is no feedback certainly compounds the frustration felt by people in such situations. The legal protection against revealing information is understandable and I shall not challenge that in this debate. I shall focus instead on the delay and the ineffectiveness of the system for responding to the allegations that someone is ineligible for legal aid.

A case was brought to my attention by Mr. Barry Whitworth, the chairman of T. W. Ward Machinery Ltd. in Sheffield. It concerns a former director and shareholder, Mr. William Gerrard. The case has a long history; it was raised with my predecessor before the 1997 general election and it deals with matters that go back about 14 years to 1986. In 1995, my constituent wrote a letter to the then Lord Chancellor which opened with the comment that he believed that the Lord Chancellor had expressed concern at how legal aid was being administered and that reforms were in prospect. The Government may be able to claim that some reforms have been made since then, although there may be a dispute about their nature. However, things have certainly moved on.

Mr. Whitworth said that his small company and its employees were being seriously threatened by what he believed to be a shocking and blatant abuse of the legal aid system. A former director and shareholder was dismissed from employment with the company in November 1986. He had failed on three occasions through court proceedings with claims against the company. He then obtained a legal aid certificate with which to go to the appeal court to pursue the claims further. My constituent believed that his objective was, and always had been, to cause as much aggravation and cost to the company because of the circumstances of the dismissal. He cited as evidence in support of that view the fact that the individual had turned down several attempts to settle the claim out of court.

My constituent accepted that there was a valid dispute and had attempted to settle it. He believed, however, that the individual continued to pursue the case because he wished to continue to cause aggravation to the company against which he felt some grievance. My constituent cites as primary evidence for his belief that the individual should not have had a legal aid certificate the fact that the individual was operating as a machine tool dealer, which was a similar line of business to his own. He believed that the individual obtained the legal aid certificate by putting his company into receivership and then continuing with what was effectively the same business from the same premises with the same stock, but had moved it into his wife's name with only a minor change of trading identity. My constituent believed that that was a technique to obtain significant legal costs.

My constituent believed that the individual was enjoying a reasonable life style, earning in excess of £50,000 a year, that he had stock in his warehouse with a retail value of more than £500,000 and that he was advertising machinery with a stock value in excess of £1 million. He had evidence that the person involved was holidaying in places such as Australia and New Zealand, and felt that that would be sufficient to disqualify him under the constraints of the legal aid system, which requires that people should be in need before having access to public funds. My constituent felt as though he had a gun to his head in relation to the court proceedings, while the other person involved had a blank cheque to underwrite his ability to continue the court case well beyond what my constituent thought reasonable.

The Legal Aid Board's reponse took three months to arrive. My constituent made his claims in December 1995, and in February 1996 he received a letter from the policy and secretariat of the Legal Aid Board that detailed the relevant considerations. The letter informed my constituent that section 38 of the Legal Aid Act 1988 prevents the disclosure of information and said that the information supplied to the Cardiff area office, where the application had been made, met the statutory tests and that the Benefits Agency had determined that the assisted person was financially eligible for legal aid.

My constituent thought that strange, given his information. He supplied the information that I cited from the original letter about why the person involved should be considered ineligible, and was told that it would be sent to the Benefits Agency's legal aid assessment office in Preston. He was assured that an investigation would take place and that a report would be made on the investigation. No response arrived, but in August 1996 my constituent was informed that the legal aid certificate had been revoked for other reasons to which he would not be privy. However, by

4 September 1996, the legal aid had been reinstated and the case was due to resume. My constituent could not be told why.

My constituent's solicitors expressed their anger at that turn of events, which they felt was highly inappropriate and placed my constituent in a difficult position. They wrote to the Legal Aid Board's legal department, saying that the net effect of the decision to revoke the certificate and subsequently reinstate it was that substantial work done over the years by the first firm of solicitors would be for nought, and that further public funds would be used to employ a second firm of solicitors to spend many working days reading through the boxes of papers at a cost of thousands of pounds. They pointed out:

"All this is done to benefit a . . . litigant who has turned down a payment into Court made on commercial terms and who openly leads a quite extravagant lifestyle"

and clearly had access to funds. My constituent's solicitors felt that that was not an appropriate use of legal aid funds, and made significant representations on that basis.

Jane Griffiths (Reading, East): Is the hon. Gentleman aware that his constituent in Sheffield is not alone in suffering from a lack of proper scrutiny and accountability in the allocation of public funds? I pay tribute to the *Reading Chronicle*, which has assisted in exposing the lack of scrutiny in the Reading legal aid office.

Mr. Allan: I am grateful to the hon. Lady for alluding to the breadth of the problem. Many hon. Members will have had similar experiences. I know that she has a constituency interest in tackling the problem. I hope that anyone who works in the legal aid system will be able to take action and deal effectively with such matters in future.

The saga of my constituent continued throughout 1997. In September 1997, my constituent's solicitors finally received a response to their original allegations of December 1995 about the claimant's merits. The letter acknowledges the fact that the response was delayed. It notes that the board failed to inform my constituent's solicitors of the conclusion of its investigations. It contains an apology, made on behalf of the board, for that error and for any inconvenience caused. However, the response makes it clear that, having investigated the claims that had been made, the information did not materially affect the grant of legal aid. Legal aid was therefore continued to support the appeal even after the information had been supplied. The letter confirmed that my constituent could not be informed of the reasons for the decision, and that litigation was due to continue following that award. I hope that the Minister will deal with the provision of timely information by the Legal Aid Board, as that is an especially disturbing aspect of the case. My constituent has been trying to run a business and plan his legal costs, and it has been difficult to obtain information about what was happening.

In February 1999, my constituent contacted me again to express his ongoing frustration that the situation had still not been resolved. He informed me that he was

"appalled to hear from the news this morning that the auditors for the Legal Aid Board have qualified their accounts for the seventh year and state that no less than 13 per cent. of recipients of legal aid are not qualified to receive their support."

I would be interested to hear the Minister's response to that. All hon. Members can imagine my constituent's frustration on reading that in his daily paper when he felt that the person against whom he was conducting his legal business should have fallen into such a category. He said that the continuing scandal was unacceptable bearing in mind that the Lord Chancellor's Department and the Government had promised to deal with any corruption and ability to defraud the system. A new selection of papers that he sent to me made it clear that his business was suffering because of his problems. He had lost count of the number of legal firms that had represented his opponent during the 13 years, and said that his opponent was able to continue only because of the legal aid system's support. He again said that he believed that the individual had means and continued to run a machine tool business. Anyone in the trade has access to information about other people in it, and he is sure that the individual is carrying on a substantial business.

I wrote to the Lord Chancellor's Department in response to my constituent's letter and received an explanation of the situation and some qualifications of it. I sent it to my constituent, who was disturbed to read that

"To qualify financially, an applicant's disposable means must be within certain limits. These are currently £7,777 per annum for income and £6,750 for capital."

My constituent felt that the capital limit might be exceeded, in view of the representations that he had made about the business holding £500,000 of goods. He sent me several advertisements and the accounts for Severn Machine Tools Ltd., with which he believed that the claimant was involved. Advertisements from magazines such as *Machinery Market* in September 1988 and January 2000 set out a catalogue of valuable equipment that my constituent believes is in the control of the individual against whom he is claiming. He again sent me company accounts for the firm to show me that it had substantial assets that he believed should qualify.

Action was taken by the Legal Aid Board in 1999 to remove the legal aid certificate from Mr. Gerrard, presumably based on information that my constituent supplied about the means . My constituent became even angrier when he found that mistakes were made in that process, and his frustration was understandable. A letter from the Legal Aid Board in November 1999 explained the situation. It said that

"Mr. Gerrard ceased to receive legal aid on 20 April when his legal aid certificate was revoked",

but it could not give

"any further information . . . due to the provisions of Section 38 of the Legal Aid Act".

It states that an individual can appeal, and that therefore a hearing took place

"on 5 August 1999 when the Area Committee resolved to dismiss the appeal and to confirm the revocation of the certificate. However . . . regrettably an administrative error was found in the appeals process necessitating the reinstatement of Mr. Gerrard's certificate. However, this office is still actively investigating the matters".

[Mr. Allan]

There was a further period of uncertainty. To its credit, the Legal Aid Board took the opportunity to apologise to my constituent

"for the unfortunate administrative error"

and to assure him that

"matters . . . are being actively considered . . . and a final decision should be available shortly".

However, the administrative error allowed further adjournments of the case, and while the uncertainty remained my constituent continued to incur legal costs because his solicitor had to deal with the situation.

I close with a final letter from my constituent written in January this year. He sent me further documentation, told me about the catalogue of errors and mismanagement and then explained again his situation by saying that he is

"in limbo whilst the system appears to provide little or nothing in the way of support or sympathy of any kind for our case whilst clearly bending over backwards to help this individual".

He again sent me the latest company advertisement which, as usual, involves several million pounds of machine tools and equipment in a business with which he believes the individual is involved. My constituent feels that he is in limbo and that the case needs to be resolved.

I have had other cases that give me cause for concern, where what I believe to be credible allegations of fraud do not seem to be properly followed up. In particular, spouses or partners are used in such fraud; in some cases, spouses are said to hold assets and in others it is denied that someone is a partner where doing so provides a good loophole. I have had a case of someone who told the Legal Aid Board that the house he lived in, the car he drove and everything else belonged to his landlady with whom he had no personal relationship; he was just a lodger who paid rent. Yet I was given other information to suggest that there was a relationship. I question whether the Benefits Agency would decide in such circumstances to pursue the individual to see whether he was being supported and had access to assets because of a relationship.

I hope that the Minister will state that the Government are committed to a fair legal aid system. I do not wish the scope of legal aid to be too restricted because legal aid is essential for some people to obtain access to the legal system and claim their rights under the law. However, I wish to see it available to the genuinely deserving, if one can use that phrase—those who are otherwise too poor to go to court. I wish the Legal Aid Board to act vigorously to ensure that that is the case when making grants of legal aid. I look forward to a positive response from the Minister to the concerns that I have raised about the general issues of my constituent's case.

12.47 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I congratulate the hon. Member for Sheffield, Hallam (Mr. Allan) on securing the debate and thank him for raising the matter today. I was grateful to hear about the problems that he perceives in the legal aid scheme. As he knows, the Government take welfare fraud extremely seriously and are determined to tackle it in any form, including legal aid.

As the hon. Gentleman said, at the moment people are entitled to receive legal aid only if they qualify financially and if their case has enough merit to warrant it. It is vital that public funds are not wasted by being committed to weak or trivial cases, when the money could be better used elsewhere. The Legal Aid Board is acutely aware that granting legal aid has important consequences for both sides. It gives one party the access to justice that he needs and otherwise might not get, but at the same time it can greatly affect the balance of power in a case. The board therefore takes very seriously both the process of granting legal aid and the requirement to keep people's legal aid under review.

I shall briefly address the points raised about the individual case. As the hon. Gentleman said, legal aid was granted only in October 1996, to support an application to the Court of Appeal. Mr. Gerrard was a director, [illegible]reholder and employee of T. W. Ward Machinery Ltd. and his case against the company began in October 1986. Legal aid was granted only in December 1994 when the case went to appeal. The Court of Appeal allowed that appeal and as a result Mr. Gerrard was granted a full civil legal aid certificate, following his success at the Court of Appeal. In August 1996, following representations from T. W. Ward's solicitors about the merits of Mr. Gerrard's case, the area office decided to discharge his certificate. Mr. Gerrard appealed to the independent area committee, which reinstated his certificate.

Such cases will not get legal aid in future. Publicly funded help needs to be focused on cases where substantial but limited resources can do the most good. So some types of case will come out of the scheme altogether—including business cases. The Government do not believe that those warrant a share of the limited funding that will be available. However, a suitable alternative exists, in the form of conditional fee agreements, that still gives access to justice. The Government have recently said that the rules will change in April to allow insurance premiums and the success fee to be recoverable, thus making a conditional fee agreement a real possibility in the type of cases that we are discussing. Someone facing a conditional fee agreement, particularly backed by an insurance policy, will be able to litigate, confident that if he successfully defeats the claim, a fund exists against which the costs of meeting the litigation can be claimed.

The Legal Aid Board took over responsibility from the Benefits Agency for means assessment during 1997. The first time that it considered the representations in the case was in October 1998. The case was referred to the newly set up special investigations unit in December. The unit investigated the matter promptly and Mr. Gerrard's certificate was embargoed in March 1999 and then revoked in April. I accept, as the hon. Gentleman said, that there were some procedural errors during the revocation progress, but I stress that the embargo remains in force so that Mr. Gerrard's solicitors have not been able to take his case further on legal aid.

Mr. Gerrard has appealed, so I cannot say any more about the status of his certificate. That is a matter for the independent board. At the time of his original application, responsibility for means assessment in civil legal aid cases lay with the Benefits Agency. During 1997, the task was transferred to the Legal Aid Board and a special investigations unit was set up to deal with applications from people with particularly complex means. The SIU carries out a thorough investigation when the applicant has complex finances and perhaps an aura of wealth. Its aim is to detect any non-disclosure of assets and to provide an accurate means assessment in accordance with the legal aid regulations.

I shall refer to two matters in passing. Transferring assets to one's spouse will not assist a legal aid application because, rightly, the regulations require applicants to disclose the assets both of themselves and their spouses. I can say to the hon. Gentleman that, if anyone is considering transferring the yacht, the business, the shares and the pension fund to his spouse, it will not do any good. Secondly, he rightly referred to the qualification on the Legal Aid Board's accounts. That came about because the category of people that the auditors could not accept as eligible arose in criminal cases when legal aid is granted by the court, not in civil cases when legal aid is granted on evidence provided by the applicant's solicitor.

However, I am sure that the hon. Gentleman will be pleased to know that, through the recovery of defence cost orders provisions that will come in force later this year, the issue of who is or who is not eligible for legal aid in criminal cases and how proper contribution is obtained from those who have assets for their criminal defence will be dealt with properly. We are confident that the new system will meet many of the objections raised about the previous system.

The hon. Gentleman referred to representations. Last year, the board received 5,500 representations relating to means. That compares with more than 6,000 in the previous year. I expect the figures for the present year to show a further reduction as, for the first half of the year, only 2,292 were received. Merits representation also show a slight decrease. The majority of representations are considered by the board's area offices. Last year, 68 per cent. of them led to no change in the certificate. Of those that did result in a change, the most likely outcome was either discharge or revocation, which was 28 per cent. of the total.

In October 1998, new guidance was issued that aimed to ensure that all claims are dealt with within three months of receipt of representations. When there are complex financial circumstances to investigate, it may take longer, but the aim is to respond within three months.

Merits challenges raise particular difficulties. I have already mentioned the effect that the granting of legal aid has on the power structure betwen the parties in a case. People with legal aid have protection against paying costs that private clients do not enjoy. Even though legal aid costs are carefully controlled, they can still have a daunting effect on the other party to the litigation. The board takes representations seriously and considers them carefully.

Often at the core of representations are disputes over the facts that are a matter for the court to try. It is not for the board to try those issues, nor can it refuse or discharge legal aid purely because the other side would be put in a difficult financial position if legal aid were continued. Its role is to decide whether the applicant has a good case to put before the court, one that a reasonable person of moderate means woud back with his or her own money.

The board is also conscious that advice about the merits of a case comes from the applicant's solicitor or barrister. Lawyers owe duties both to the client and to the legal aid fund, and those duties can conflict. We accept that there may be a temptation for solicitors to overstate the merits of an applicant's case. That can be done in an effort to improve the cleint's bargaining positon or because the solicitor wishes to see the case progress and knows that, if the board is advised that the case is weak, it is likely that legal aid will be discharged. We are conscious of the fact that the same solicitor will be paid from the Legal Aid Board, should legal aid continue.

In the past, the merits test did not give enough recognition to that conflict. The stricter funding code and the Government's intention to target funds where they can do the most good will enable the new Legal Services Commission, which will come into effect in April, to monitor and ensure that the conflict is properly recognised in the granting of legal aid. If there is doubt about the merits of a case, the Legal Aid Board can refer the application to an independent barrister for an opinion. A pilot of those arrangements is under way at the Cambridge office and I expect it to be used more in the future.

The hon. Gentleman may be interested to know that the SIU has been successful to date. It has conducted about 500 investigations on civil legal aid and, of those, 82 per cent. led to a change in the certificate. A little under 50 per cent. of the total were revoked, so, for all purposes, the applicant would be treated as if he were never granted legal aid in the first place and would not receive cost protection from the beginning of the case. Of the remaining 32 per cent. the majority were discharged or refused. A small percentage resulted in a change to the contributions payable. Since 1998, the SIU has also prepared reports to help courts to determine applications for criminal legal aid and, during its one-year pilot operation, it received 100 referrals. Its success in those cases was even more impressive; in 98 per cent. of them, it recommended to the court that it should refuse legal aid or change the contributions payable.

The hon. Gentleman referred to confidentiality. The problem under the present rules is that, when information is received about an applicant's status, it is rightly protected by confidentiality. The Government are committed to combating welfare fraud and, under the existing Legal Aid Act 1988, the Legal Aid Board can pass information to other agencies only when there is suspected fraud under that Act. I am pleased to say that, as a result of section 20 of the Access to Justice Act 1999, which will come into force in April this year, the commission will be able to disclose information for the detection of any offence to any appropriate body, not just those under the Legal Aid Act 1988. The message must go out to anyone who is considering applying for

[Mr. David Lock]

legal aid by providing false information that the legal aid authorities have the right to refer that to the Benefits Agency or the police or to take any other steps to highlight welfare benefit fraud. Anyone who provides false information when applying for legal aid is likely to be found out and I am sure that that will affect the balance between the parties in litigation.

I am grateful to the hon. Gentleman for raising the many issues concerning legal aid. I hope that the framework of the Access to Justice Act will result in a much better, tighter and appropriate use of public funding in cases where it is merited.

Question put and agreed to.

Adjourned accordingly at One o'clock.

Westminster Hall

Wednesday 16 February 2000

[SIR ALAN HASELHURST *in the Chair*]

Social Security Fraud

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mrs. McGuire.*]

9.30 am

Mr. David Davis (Haltemprice and Howden): This is my first visit to this institution; I am fortunate to have found it. I crave your indulgence, Mr. Deputy Speaker, for any parliamentary solecisms that I may commit this morning, but I am not used to the Chamber's procedures. I assume that they are the same as on the Floor of the House.

The matter before us today is the Government's counter-fraud strategy. The Public Accounts Committee has made a number of reports on the subject, but I do not wish to speak about them. Many of the questions that I want to raise today are relatively new and have not yet been debated by the Public Accounts Committee. Some of them cover elements of policy, on which the Committee conventionally does not comment. I am not speaking on behalf of the Conservative party; what I have to say today will be said entirely as an ordinary Member of Parliament.

I shall put the subject in context by considering the level of fraud. First, it is almost impossible accurately to measure social security fraud. If we knew where all the missing money was going, we would, at least in theory, be able to get it back; we would not then have a problem. Every estimate made of fraud is just that—an estimate. I believe that it is often an underestimate. Social security fraud is estimated to be between £3 billion and £7 billion. Departmental estimates allocate sums to individual categories of fraud, which add up to as much as £2.5 billion. The primary figures within that estimate are as follows. Income support and income-based jobseeker's allowance fraud costs about £1,530 million. The jobseeker's allowance fraud costs about £47 million; child benefit costs £184 million; instrument of payment fraud costs £119 million, and housing benefit fraud costs £600 million. Hon. Members may have noticed that I did not include disability living allowance fraud, but that is because I believe that the Department has lost confidence in its figures. It does not mean that there is no fraud, it is simply an underestimate. More accurately, the total is between £3 billion and £7 billion. During the past two years, the Prime Minister has spoken of a total of £5 billion.

No one can imagine such sums. Billions of pounds is a meaningless phrase, but here it is equivalent to between £300 and £500 per family per year. That money is ripped off, stolen, by fraudsters. It is equivalent to between £100 and £300 per taxpayer per year. More important, it is a massive loss to the public accounts. I am that peculiar person—a right-wing Conservative who believes in high levels of public service delivery—and I see it differently. The minimum estimate of £2.5 billion would pay for 100 district hospitals a year, or for 5,000 teachers, nurses, policemen and firemen, who are sorely needed. The £5 billion estimate of the Prime Minister would pay for both. The highest estimate would pay for both and leave money over to make massive improvements in all our public services. It is enormously important.

The next question is: in what direction are we going? The Government obviously take the matter seriously, as did the previous Government, but how effective is their strategy? To be fair to the Government, it is too early to judge. The problem with social security and Benefits Agency accounts is that they are published fairly late; we have only just received the two sets of accounts for the first two years of the Government's tenure, which show little sign of improvement.

We must be wary of some of the figures; as I said earlier, they are estimates and bigger changes in the apparent fraud figures result from changes in estimating procedure than from changes of policy. To say that there is no apparent change is to say that there is no change in the estimate, not in the outcome. The numbers as published do not show a material improvement.

A better indicator from the point of view of the House is to consider the number of errors, which are more accurately assessed by the National Audit Office. Errors are important because the drivers that lead to an increase in errors in social security—weaknesses in control systems, poor administration, high levels of complexity and so on—lead to fraud. The estimate of error in income support and jobseeker's allowance rose by £80 million to £637 million in 1998–99.

The right hon. Member for Birkenhead (Mr. Field) will be considering in more detail the administration of local government expenditure. The Audit Commission's figures show significant increases in some areas of local government-related housing fraud, which led to contention in recent evidence to the Public Accounts Committee. There is no reason to be complacent; the issue is massively important and, at present, there is no sign that we have got a grip on it. It is not that the Government do not take it seriously, or that they are not trying to do something about it, but we have not yet made a bite into it.

To assess the problem properly, we must consider what it consists of. It is easy to talk about billions of pounds; it is also easy to pick off individual cases, such as the ram raider who made £46,000 in addition to millions of pounds of criminal income out of the disability living allowance, despite the fact that he was a scuba diver, skier and private pilot with a variety of other interesting physical pursuits. What is important is to focus on how such fraud comes about.

The most serious cause of fraud is the complexity of the regulations. More than 150 statutory instruments have been made under the social security banner in this Government's Administration. That does not tell us anything itself, but it is indicative of the complexity involved. The Benefits Agency admitted that, without simplification of the regulations for income support, about 10 per cent. of all payments will be wrong. That is a huge sum of money. It is not just fraud but poor administration that creates confusion and uncertainty for those most in need. It results in extra costs and high levels of debt, much of which is not collectable and thus makes fraud easier to execute and the perpetrators much harder to catch after the event.

[Mr. David Davis]

The award of housing benefit is beset with problems of the same complexity as the regulations, as the right hon. Member for Birkenhead will explain later. I shall deal with complexity in the working families tax credit, which will come into effect this year.

Technology is also a difficult matter. The Department has admitted the inadequacy of its computer systems, which is a key constraint on the detection of fraud. The matter will arise again and again in my speech. Insufficient capacity, poor programme design, lack of state-of-the-art processing procedures and the inability of systems to interact all contribute to the problems.

The Department tells us that it is making progress with data sharing and with the insulation of remote access terminals in local authorities. I hope that that is progressing, as it will assist in the fight against housing benefit fraud. Under the Social Security Administration (Fraud) Act 1997, data matching will be extended where possible to include information held by the Inland Revenue. That should assist in identifying working benefit claimants. I do not, however, hold my breath on the prospect of a Department of Social Security computer helping to solve the problem. The Department's past record with information technology has had all the elegance and effectiveness of a horse-drawn hang-glider, and I should not like to rely heavily on it. The Department is clearly making its best efforts and we hope that it succeeds, but I doubt whether the new system will solve the problem.

The Government have recognised the problem of benefits as passports. A claimant who has fraudulently or erroneously been awarded a benefit such as income support can use it as a passport for a range of other benefits, including housing benefit, council tax and relief from national health charges. Such activities create a ripple effect throughout the system that is funded by the public purse. Methods of payment also create problems. Paper-based systems of delivering social security benefits are not especially secure against smaller frauds. I hesitate to call those frauds amateur; non-organised fraud is perhaps a better expression. They are evidenced by the more than £100 million a year that is lost to the fraudulent encashment of order books and giro cheques.

The conventional wisdom is that automatic credit transfer will be much more secure. I am not entirely convinced by that view. I think that it is perfectly possible that automatic credit transfer will make organised fraud much bigger, once the system is penetrated. We have only to consider the west African gangs and others who work as cleaners in offices to gain access to security codes to wonder whether our bank security arrangements would stand up to such assault. I have some doubts about that. The proposals may deal with unorganised fraud, but they may also open up the risk of mega frauds, about which we must also concern ourselves.

The benefits system clearly offers opportunities to those intent on defrauding it and the lack of a stringent prosecution policy makes the risk of defrauding the system much more attractive. Ineffective recovery legislation and visibly poor debt management and recovery will add to that attraction. When the Public Accounts Committee considered housing benefit fraud in local government, it found that the risk of prosecution for identified and proven fraudsters was less than one in 100; fewer than one in 100 cases were pursued. The Government are addressing the issue, but to what extent? I have heard of improvements of between 30 per cent. and 40 per cent. Okay, so the Minister is thinking of a one in 60 chance of prosecution, but that is not a deterrent.

Culture is another important issue. I am concerned about the culture in modern society, some of whose members see the system as a legitimate target. In some respects, it is easy to understand that attitude, as it feels less bad to steal from a big organisation than from the corner shop, and so on. It is, however, still stealing. At the end of the day, the victims are the people who do not receive the services about which I spoke at the beginning of my remarks, which could include schooling, proper welfare support or proper health treatment. The fact that the target is diffuse does not make such stealing any less immoral.

I shall comment briefly on types of fraud before I move on to the two main strategic issues that the Government face. I have mentioned the west African gangs, but they are not by any means the only ones. Fraud can take a variety of forms, the most obvious of which are multiple claims, hijacked identities, massive theft of instruments of payment and organised counterfeiting or alteration of documentation. Very serious amounts are involved, running into millions. That must be stamped out.

A rather more systemic problem is collusive fraud, involving, for example, landlords and tenants or employers and employees. Similarly, landlords can create bogus tenants and claim for them, or tenants can create fictitious addresses at which they purport to live.

Identity fraud is another category. Lack of security over national insurance numbers can lead to their being misused to make claims under several guises at different locations. Frauds involving forged or stolen birth certificates are not uncommon in relation to claims for family benefits. The right hon. Member for Birkenhead has made a major issue of that in the past and may want to comment today.

Fraud involving residency and attendance particularly affects claims for child benefit. Residency is a key qualifying condition for the benefit, as it is payable for at least 16 years, often by automatic credit transfer, and claimants or their children can leave the country and still receive benefit. Each year, £184 million or more in child benefit is lost. More than half of that is for children over 16 who are falsely claimed to be in further education.

Working while claiming is perhaps the best known kind of benefit fraud. It is one of the main kinds of fraud in regard to income support and jobseeker's allowance. Claiming as a single person while living with someone is a key component of the loss to public funds from income support and jobseeker's allowance fraud.

Fraudulent claims for disability benefits are also an issue. As I said earlier, the relevant figure was not included in the estimate of £2.5 billion, but the fraud is serious. The detail of some of the frauds that I am concerned about shows that they are carried out ruthlessly. They are an offence against all people who are properly entitled to disability living allowance.

The first of the general issues that I want to discuss is that benefits should be simpler to understand and administer. Complex cases cause confusion and error. They deny proper benefits to deserving cases and open the door to fraud. They are morally wrong on all counts. Dealing with that problem has become known in the parlance as designing fraud out of the system. I remember an exchange that I had with the right hon. Member for Birkenhead on that when he was a Minister. He took a measured and sensible approach.

The second issue is the design of effective anti-fraud mechanisms to catch and punish offenders. I propose to review the Government's reaction to the Scampion report as an example of that. I shall not discuss the third important issue, as I believe that the right hon. Member for Birkenhead will do so, but it relates to the standards of administration and co-operation in the system, particularly the introduction of targets and incentives to reduce error and fraud.

The best written example of what I am talking about is, I say immodestly, the Public Accounts Committee's report on housing benefit, to which the Government responded reasonably constructively. The aims that have been set out may reap benefits if the relevant design and execution is good. That deserves debate.

Working families tax credit, like its predecessor, family credit, is means tested. Critics of means testing argue with some force that such benefits are inherently susceptible to fraud. As working families tax credit has increased the eligible numbers, and as the awards are more generous—both direct policy intentions of the Government, with good reason—it is argued that the number of fraudulent claims will increase. From April 2000 onwards, employers will pay working familes tax credit and offset the amount paid against tax and national insurance liability. That has led some—the most eminent of whom is the right hon. Member for Birkenhead—to argue that employers and claimants may collude. Shortly after he ceased to be a Minister, which gave him a great deal of internal knowledge of the system, with his usual authority he said:

"But the whole of the working family tax credit is fraught with great dangers . . . It offers huge bonuses for dishonesty for both employers and workers . . . It strengthens the employers hold over people—'these are the conditions: cheat and both of us will be better off' . . . It thereby pulls employers into a spider's web of corruption . . . It rewards employers paying low wages."

That is a perceptive insight into what might happen if the system is allowed to get out of control.

In addition, we have the experience of the earned income tax credit in the United States, on which the working families tax credit is based. An article in Fiscal Studies based its criticism on a study by the Internal Revenue Service—the American Inland Revenue—that was released in early 1997. It found that taxpayers claimed $4.4 billion more in EITC funds than they were eligible to receive.

The counter-argument is that the United Kingdom proposals were developed to be aligned wtih the pre-existing in-work benefit system rather than the tax credit system in the United States. For example, eligibility for the EITC was originally checked retrospectively, in line with the policy on tax measures. The IRS now verifies eligibility before payment. Such a process is built into the UK proposals because they are based on existing structures for in-work benefits.

The Minister might say that we need not worry about the evidence on the EITB, but he would not be correct. The Social Security Committee examined the potential for fraud. Although it acknowledged the differences between the systems in the UK and the United States, it was concerned that the increased generosity of the tax credits could exacerbate existing problems of fraud in family credit and that the transfer of functions to the Inland Revenue would create new problems. In particular, the Social Security Committee criticised the decision of the Benefits Agency to abandon a full review of family credit to estimate the level of fraud.

The agency undertook a pilot study on the operation of family credit with the intention of generating a larger and statistically more significant study. The results of the pilot study showed that the Social Security Committee was right to be concerned. In its report that accompanied the pilot study, it said that of the 300 cases that were sampled, 20 were

"selected at random in 1997 from each of 15 centres from Dunfermline to Penzance, which were closely examined by trained investigators. Several of the cases had more than one 'outcome', resulting in 326 'outcomes' from the 298 cases actually examined. The raw sample results showed that there were only 141 'outcomes' in which no frauds or errors were found as a result of the visits, interviews and adjudication reviews."

Less than half of the family credits evaluated were free of fraud or error. It continued:

"Confirmed fraud was found in 32 'outcomes' and... suspicion of fraud in another 91 'outcomes'. It can be seen therefore that in a careful pilot study conducted of this very small sample, 123 out of 326 'outcomes' involved possible or actual fraud."

The results from the pilot study are too small to be extrapolated,

"so they could equally be an under-estimate as an over-estimate of the amount of fraud in the full Family Credit caseload",

in which more than 750,000 cases amounted to expenditure of £2.5 billion in that year.

The Social Security Committee went on to list the problems that were raised by the examination of cases in the sample study. They were:

"failing to delcare capital above limits allowed... a child having left full-time education... incorrect declaration of own earnings... incorrect declaration of partner's earnings... living together as husband and wife... but claiming as a lone parent receiving other income."

It remained

"concerned that these indicative findings did not lead on to a full Review, which could have analysed the probable extent of each of these types of fraud."

I could not agree more with that conclusion.

As the working families tax credit is based on family credit, all the Committee's examples of ways in which claims had been identified as potentially false could apply under the new system. Claimants must still record details of the family's income and capital, the number of adults in the household, and the age and status of each child. False information about any of those variables could lead to an incorrect working family tax credit award.

I worry that, in introducing a new policy, with clear aims with which I do not disagree, such as creating an escape from the poverty trap, that survey was not carried further to enable us to design fraud out of the system. We know that the returns to individuals are

[Mr. David Davis]

much larger, and that more than a million additional individuals are eligible for the working family tax credit than were eligible under the previous system. Further, the mechanism is operated by employers and not directly by benefits offices.

The result is a potentially problematic system—we do not know whether it will be because it has not yet been implemented—which could lead to serious increases in fraud, above and beyond those of which I have already spoken. As an indicator for hon. Members, I have picked out a newspaper article from late last year. It states:

"Fewer than one in 10 tax inspectors would be capable of correctly filling in the form that many of those claiming the working families' tax credit will have to complete, the profession's main umbrella group claimed yesterday. In a rare public attack on ministers, the Chartered Institute of Taxation—the leading body for tax experts, including inspectors—accused the government of breaking promises over consultation and repeating many of the errors that dogged the Child Support Agency."

That is possibly one of the most frightening things that I have ever heard about a prospective policy. I worry about the matter, and would be interested to hear what the Minister has to say about the way in which he will deal with what will be a serious matter during the many years for which the system will, no doubt, stay in place.

Secondly, I wish to deal with the assault on the fraudsters—the Government's approach to catching and dealing with them. I applied for the debate because of the Government's apparent treatment of the Scampion report, written by John Scampion, a social services commissioner. The inquiry was official, Government ordered and independent, but the report appears to have been shelved. I hope that the Minister will tell me that that is not true. The report came out on 24 January and we have heard little about it other than one thing to which I shall refer in a moment.

I can understand Ministers being uncomfortable with the comments in the report, and I shall give hon. Members about 10 quotations from the report so that they can understand why. First, it states:

"The fact is that BASIS (Benefits Agency Security Investigation Service) is not resourced to do all the work it is called upon to do".

Secondly, it states:

"There is insufficient flexibility in the total response to serious frauds".

Thirdly, it states:

"There is an unevenness of response to serious and organised fraud in different parts of the country".

Fourthly, it states:

"There are no strategic discussions between BFIS (Benefit Fraud Investigation Service) and BASIS. Their work is fragmented resulting in organised frauds not being pursued".

Fifthly, it states:

"One immediate issue is the provision of a basic hands-on information system dealing with actual or live frauds. Investigators both in BASIS and BFIS do seem handicapped by a reliance on exchanges of information derived manually".

Sixthly, it states:

"The amount of data that is held within the benefits system is immense. It is at present being garnered and assessed by a number of discrete organisations without a readily observable strategic framework".

The report went on to comment on some of the local organisational effects. It states:

"Each of the 400 or so [local] authorities is autonomous—lessons learnt by one may never be passed on to another . . . there is obviously no obvious route by which . . . practical use of good preventative intelligence may be disseminated more widely".

It also states:

"Equally there appears to be little intelligence interchange between local government and the BA.

WBS [Weekly Benefit Savings] stifles initiative, and creates a culture in which easy hits are encouraged to the detriment of professional investigative work".

It goes on:

"Against Housing Benefit fraud they [local authorities] are much less focused. Many authorities do not recognise it as a serious problem for them and others are not impelled by the financial regime or indeed enabled by the appropriate skills to actively pursue it as a matter of high priority".

Finally, it states:

"Organised fraud, especially the most serious is not a current priority of local government and in any revised system needs to become one. There is inconsistent and insufficiently co-ordinated practice on the use of intelligence to support the pursuit of organised fraud".

Those last half dozen quotes overlap with some of the Government's ideas, as the Minister will no doubt confirm later, but I thought that the first half dozen or so probably showed why the Government are uncomfortable with the report.

The thrust of the report's recommendations are aimed at consolidating fraud intelligence and investigation activities in a national structure, reporting to the Department of Social Security fraud strategy director rather than to Benefits Agency management. Such a co-ordinated approach to the fight against fraud should be seen as a welcome innovation, as under the current arrangements, potential frauds are often cross-referred between fragmented units of the Benefits Agency, with little or no action being taken due to conflicting priorities. That supports the recommendation that fraud intelligence should be removed from the Benefits Agency because that would permit national priorities to be set. Those are eminently sensible aims. To that purpose, the Scampion report's principle recommendations were as follows.

First, the report recommends the establishment of a single benefit investigation agency for Great Britain. The BIA would be created by merging the existing complement of BASIS with part of the existing complement of BFIS.

Secondly, the report recommends the establishment of a benefits intelligence directorate to bring together the intelligence work carried out within the Benefits Agency. The Secretary of State's response to that was to announce that a national intelligence unit was being created, but I understand that that is only a pilot body in the north west of England. It is difficult to see how the real benefits of a national intelligence unit will be achieved, or even tested, on a pilot basis in one part of the country. It will be interesting to hear what the Minister has to say about that.

Thirdly, the report calls for the establishment of regional anti-fraud partnerships between local authorities, the BIA and the BID. The Minister's original response to the Public Accounts Committee report touched on only a fraction of those ideas.

Fourthly, partnerships would be required, within a given time scale, to submit proposals to the DSS for dealing with organised fraud. Again, it will be interesting to hear what those proposals are.

The report then lists several supplementary recommendations, which are sensible and practical, so I shall put them on the record because it would be interesting to know the Government's opinion on them. It suggests that details of payee, amount and personal identifier should be added in coded form to girocheques, unless there are compelling reasons to the contrary. That seems to be a sensible idea. It suggests that a common baseline application form for council tax and housing benefit should be introduced. I know that some simplification of those forms is being undertaken, so perhaps the Minister will say something about that.

The report also recommends that a debate should be started on the balance between people's right to privacy and the state's need to protect public funds. Both this and the previous Government sidestepped that knotty issue. As something of a civil libertarian, I do not think the issue easy to resolve, but it is a great shame that the card system that the Government were to introduce crashed, and we were unable to have at least a voluntary smart card for benefits claimants. I would not force anyone to carry a card, but such a card would provide many honest people with a simpler, more straightforward mechanism for collecting their benefits, and it would have the added advantage of eradicating some fraud.

The report goes on:

"Investigation should be carried out into the possiblity of the DSS/BA joining the Credit Industry Fraud Avoidance Scheme."

That is a simple, sensible idea. After all, fraud is not confined to government or to welfare systems, and many private sector techniques, driven by englightened self-interest, may be of use in the public sector. The report also advocates

"a common prosecution policy between the Inland Revenue and DSS following the introduction of the Working Families Tax Credit."

I suspect that it would be rather a shock to the DSS to have an Inland Revenue style prosecution policy, as the latter is not known for its leniency. The final recommendation is that

"Consideration should be given to the expansion of asset recovery and confiscation of crime proceeds."

That seems sensible, although I am not sure of the Government's view.

Finally, I shall pre-empt one argument that the Government might put forward. The matching of Scampion's recommendations for a benefit investigation agency and a benefits intelligence directorate with the existing role of the Benefit Fraud Inspectorate is at issue. The Scampion report makes little reference to the work of the BFI, but I do not believe that its recommendations, if adopted, would result in a duplication of effort. The BFI was created to undertake inspections of social security benefit adminstration and counter-fraud activity, and to identify, encourage and promote good practice. The proposed benefit investigation agency would provide a single institution dedicated to investigating all forms of fraud against benefits administered by the Benefits Agency. The benefits intelligence directorate would have responsibility for supporting prevention and detection of fraud through the collection, analysis and dissemination of intelligence across the Benefits Agency.

Although there is some scope for exchange of information between the BFI and the two proposed new bodies, the BFI's predominant focus is on local authorities, rather than on the Benefits Agency. Under these proposals, the three organisations would complement one another, rather than duplicate functions. I hope that the Government will not argue that there will be duplication.

I thought it a good thing that the Government initiated the Scampion inquiry. The outcome, uncomfortable as it may be, is a rather good report. I hope that the Department will show a willingness to take on board those issues. Some of the proposals involve quite serious reorganisation, with parts of the Department and agencies losing some of their empires to other parts. As an ex-Minister, I know how hard such battles can be fought in Whitehall.

I ask the Minister, for whose forthright and practical approach to these matters I have great respect, to take these recommendations on board and to try to ensure that the best parts of the Scampion report—that is, most of it—comes into being. This is a big issue; it frustrated the previous Government, and will frustrate the present Government and many in the future. Initiatives have not always worked. However, that is not a reason to give up trying or applying pressure, because the benefit of succeeding will be better public service throughout, which we should all support.

10.8 am

Mr. Frank Field (Birkenhead): It is a pleasure to follow the hon. Member for Haltemprice and Howden (Mr. Davis). Now that he has found this Chamber, I hope that debates examining the evolution of the Government's counter-fraud strategy will be a regular feature of the rest of the Parliament.

I begin by recording my thanks to the Chairman and members of the Public Accounts Committee for the information that they regularly provide to Parliament on the administration of public moneys, and to Sir John Bourn and his staff for the role that they play with the PAC in making that information available. For proof of their assistance, one would have only to consult tomorrow's *Hansard* to see how dependent we have all been in our contributions on the information that the Public Accounts committee has made available to the House of Commons and the wider public.

I join in the debate for the same reason as the right hon. Member for Haltemprice and Howden and other hon. Members who wish to catch your eye, Mr. Deputy Speaker—because it is not a simple debate about those who are in favour of people claiming benefits as opposed to others who are against people claiming benefit and try to focus all their attention on the question of fraud. The British attitudes survey revealed that the vast majority of the electorate think that a considerable number of people who are eligible to claim benefit are not doing so, and are concerned about that, while almost an equal number believe at the same time that in large parts of the system it is too easy to defraud taxpayers. Like the right hon. Gentleman, I not only believe in public services, but believe that unless one garners taxpayers' support

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by assuring them that their hard-earned money is not being squandered, wasted or fraudulently claimed, one allows attitudes to rock the very basis of the welfare state.

I welcome the fact that the Minister of State will respond to the debate, because in previous Parliaments he and I raised the issue of countering fraud. While it is, of course, good for people to change their views and join what is now the majority position—that countering fraud is a major issue—he is one of those who raised it when it was not fashionable and sought to strengthen the previous Government's counter-fraud strategy. The Minister may not always be supported by the Department in the way that he should be. He is nothing but a total professional as a Minister, and will of course deny that and say what wonderful support he has from his officials. However, the recording of certain views in public debate can help strengthen the position of those whose position we wish to see strengthened.

With that in mind, I shall refer to the Green Paper on countering fraud—"Beating Fraud is Everyone's Business"—in which the Government signed up to four benchmarks. I hope that the Minister, if he cannot reply to my questions immediately, will give a public reply at a later stage. The four benchmarks in the Green Paper were as follows. First, it stated that the Government would be committed to measure fraud to a high degree of accuracy and report annually. I and many taxpayers would be interested to hear from the Minister what progress has been made on that front. Secondly, it gave a commitment to check and to clear bogus national insurance numbers. What is the timetable for the completion of that benchmark? Thirdly, it stated that the Benefit Fraud Inspectorate and the Audit Commission would ruthlessly work together to counter fraud. What progress has been made on bringing together those two important organisations in furthering the Government's counter-fraud strategy? Fourthly, it promised a review of the criminal and civil law and the extent to which it helps or hinders tackling fraud. The White Paper was totally silent on that, as on many other of the benchmarks in the Green Paper. What progress can the Minister report in that respect?

When, as a Minister, I discovered that there was not to be a benefit review of family credits, on the basis that the Department was getting shot of the benefit and the Treasury would be assuming responsibility, I counter-ordered that decision and asked that the benefit review take place. When I appeared before the Social Security Committee, I realised that that decision had been countermanded. Was the matter brought to the Minister's attention? Did he take that decision, or was it taken by officials without his knowledge? On leaving office, I assumed that the review would take place for the very reasons that the right hon. Member for Haltemprice and Howden listed.

Reports from counter-fraud officers demonstrated the problems associated with family credit fraud. In respect of new benefits, the Government aimed to design out opportunities for fraud. To prevent working families tax credit fraud, it was important to discover the extent of family credit fraud and the means by which it was being conducted.

I was closely involved with the security of the national insurance number system, so I asked that we should check the references and identity of some key members of staff. Has that programme begun? Did the Minister know of that decision, or was he bypassed? Although it is important to engage people to shop cheats, and so on, I hope that the Government do not think that merely starting another such campaign in the months ahead would constitute a proper counter-fraud strategy.

I realise, Mr. Deputy Speaker, that many others wish to catch your eye, so I shall deal briefly with the question of housing benefit. Thanks to the efforts of the Public Accounts Committee, it is estimated that fraud costs £840 million, but that estimate may be 30 per cent. out in either direction. The Government promised to report on fraud annually and measure it accurately, but the error rate has increased from 16 to 29 per cent. Two thirds of local authorities do not make proper efforts to recover wrong payments, and one third make no effort at all. For example, 161 authorities have yet to participate in the "do not redirect" service for housing benefit cheques. According to the Public Accounts Committee, perhaps as many as £50,000 a week per local authority could be saved if a non-redirect policy were implemented, which could constitute a saving of as much as £400 million a year. What progess have the Government made on that?

In respect of housing benefit forms, the BFI states:

"We also found examples of more serious problems, such as claim forms not being designed to record a national insurance number, claimant's income or liability to payment."

We are talking about a means-tested benefit, yet local authorities are issuing forms that do not record the income of those who will be paid benefit. That beggars belief. We know that 143 local authorities made no prosecutions for housing benefit fraud during the year on which the Public Accounts Committee reported. Of those, 57 could not be bothered to tell the Government whether they had a prosecution policy. There is also evidence of councillors or workers in another 57 authorities fraudulently claiming housing benefit, not one of whom was prosecuted. If that does not send out a powerful message that the Government are not serious about countering fraud, what does?

I end by suggesting nine reforms, simply on housing benefit, that I would like to see. First, time has run out for local authorities voluntarily to sign up to the policy of not redirecting to safe addresses fraudulently claimed housing benefit cheques. Either a tough national policy should be implemented within a couple of months or the Secretary of State must ask district auditors to surcharge councils that continue to send on cheques to fraudsters.

Secondly, how long will the Government allow local authorities to administer a means-tested benefit such as housing benefit without being sure that we are properly collecting income from those claiming the benefit?

Thirdly, will the Government give a timetable in which they expect every council seriously to recoup overpayments? Again, will the Secretary of State ask district auditors to surcharge councils if no policy is in place to recoup taxpayers' money on that front?

Fourthly, we know that local authorities have limited time in which to follow up some of the overpayments. What progress are the Government making to ensure that the private sector is used to help to recoup taxpayers' money that should not have been overpaid?

Fifthly, will the Government give a commitment that councillors or council workers found to be fraudulently claiming housing benefit will automatically be prosecuted?

Sixthly, the BFI's recommendations are not fully implemented in regard to housing benefit contracts. Where they are not, will the Government ask the Secretary of State to consider taking the operation of housing benefit away from those local authorities and putting it out to tender? The Government are, thankfully, developing public service agreements in national government. Is there not a case for trying to build on that success to ensure that there is a public service agreement with local authorities about the running of housing benefit?

The eighth suggestion is to make landlord benefit fraud a key fight. When the permanent secretary appeared before the Public Accounts Committee, she said that Scampion would deal with that. He does not make the sort of recommendations that are required. The Green Paper made three. It suggested, first, that there should be a register of landlords, secondly, that the Government should report as part of their annual audit measuring landlord fraud and, thirdly, that specialist teams should be set up to tackle landlord fraud. Will my right hon. Friend be able at some stage to report progress on that?

My last suggestion is this. My right hon. Friend is one of the most able of our Ministers at judging the public mood. Does he agree that a way to gain further support from the public would be to link specific gains from countering fraud to public programmes that taxpayers wish to see advanced? If that is his view, will he soon make progress in public on that front?

I look forward to the contribution of other hon. Members and the reply of my right hon. Friend the Minister.

10.24 am

Mr. Steve Webb (Northavon): It is a privilege to follow the right hon. Member for Haltemprice and Howden (Mr. Davis) and the right hon. Member for Birkenhead (Mr. Field), who are distinguished parliamentarians and experts in this area. The Chamber is grateful to the Chairman of the Public Accounts Committee for raising this matter in his personal capacity.

I want to deal with some of the broader issues that are prompted by the detailed comments that we have heard. The right hon. Member for Haltemprice and Howden is right to draw attention to the scale of the problem. The alleged size of benefit fraud is larger than the entire budget of some Government Departments. One can imagine that some of the Minister's colleagues would kill for a share of the fraud money. It is therefore right to stress the urgency of the issue. Although the Government talk a good game, they are not delivering. Year after year, the accounts are not wholeheartedly accepted. While it would be wrong to say that nothing is being done, little is being achieved.

The right hon. Gentleman referred to designing out fraud, and cited the working families tax credit. If the Government cannot reduce the risk of fraud when they introduce a new, renamed or slightly restructured benefit, what hope is there? It is hard enough to get rid of existing benefit fraud. Apart from the fact that working families tax credit is paid through the employer's payroll—an open invitation to fraud—the child care tax credit element poses an additonal problem. Whereas it used to go to a handful of people on family credit, it will now go to many thousands of people. That opens up a whole new vista of unexplored fraud. Up to £150 a week of child care costs can be allowed in the benefit calculation, and the claimant can benefit by up to £5,000 a year. That is a whole new burgeoning industry, with which the Government have not got to grips.

The right hon. Gentleman rightly mentioned the need for simplicity, which, one feels, is anathema to the Department of Social Security. Consider what the Department has done with regard to support for children, which used to be relatively straightforward. In addition to child benefit, there is now the working families tax credit, with its various credits, including child care credits. There will now be a children's tax credit, which is different from the child care tax credit and the working families tax credit. That is on top of child benefit. Apparently, all that will be streamlined in the future. The Government have introduced a more complex system, which, allegedly, they will simplify later. It will be interesting to see if they ever get round to simplification.

Some of the benefit fraud statistics are interesting. Pensioners are included among those reported as fraudulent claimants, and the Government are increasingly using means-tested approaches to support pensioners. If the Government want a simplified approach, they might adopt one of the policies that the right hon. Member for Birkenhead and I have advocated—the targeting of pensioners through age additions on the state pension. The attraction of that method is that the only way people could commit fraud would be by falsifying their age. Intelligent targeting would be possible without the palaver of means testing, and using universal benefits. That kind of thinking is anathema to the Government, who say, "That's not well targeted enough," and then pay £100 to every pensioner in the land. That is not a joined-up strategy.

The right hon. Member for Haltemprice and Howden mentioned the issue of data matching, and the fundamental conflict in having one big computer that contained all our information, which might be an effective deterrent to fraud, but gave rise to certain worries. I probably stray well beyond the party line by being sympathetic towards the idea of one big computer. It is astonishing that information of the same kind is gathered all over the place but never brought together. Most people would feel that the scale of the problem and the sums that we are talking about require desperate solutions. I sometimes feel that data protection legislation has gone too far. It has prevented many developments that it was not intended to affect. I would be interested to hear the Government's thoughts on that issue.

[Mr. Steve Webb]

My overall perspective on the matter is that the Government make grand claims but achieve little. One can always tell when the Department of Social Security is achieving nothing because it issues lots of press releases. On benefit fraud, there were three press releases in the second half of January, including one on the area benefit review, which was issued on 28 January. It said:

"The percentage amount of benefit overpaid"—

on income support—

"due to fraud and customer error has fallen by 0.4 per cent. between the periods October 1997–September 1998 and April 1998 to March 1999. This reduction is not statistically significant."

The hon. Member for Havant (Mr. Willetts) drew attention to that in the House the other day. In relation to the jobseeker's allowance, the press release states:

"The percentage of benefit overpaid ... due to fraud and customer error has fallen by 0.2 per cent. ... This reduction is not statistically significant".

On the same day, the Secretary of State said:

"We are winning the battle against fraud".

"Not statistically significant" could mean that the figures have gone up—we cannot be sure that they have gone down. There is a discrepancy between the Government's rhetoric on fraud and their delivery—or lack thereof.

I draw attention to a telling paragraph in the Public Accounts Committee report. Every year the Government announce that several billion pounds have been saved on fraud, but each year the figures for fraud never appear to go down. A marvellous paragraph in the report states:

"We asked the Agency why, given savings ... of £2.5 billion over 3 years, the level of fraud on income support and jobseeker's allowance remained at over £1.5 billion".

The agency gave a rather coy answer—it said that it viewed

"the stock of fraud as the better and more important figure on which to target their actions."

That is a euphemism. One wearies of hearing grandiose claims about the sums that will be saved. The estimates of stock of fraud are relentless and do not go down. We should target that matter.

I conclude by proposing a way forward to the Minister. The right hon. Member for Birkenhead mentioned public service agreements. In relation to the Department of Social Security, I regard those agreements as toothless. In view of the Government's attachment to performance-related pay, will the Minister agree to tie his salary to his ability to make a concrete achievement in cutting benefit fraud?

10.31 am

Mr. Eric Pickles (Brentwood and Ongar): I am grateful to follow three such distinguished hon. Members. The concluding suggestion of the hon. Member for Northavon (Mr. Webb) might be a little unfair—the Minister may be drawing his pension by the time that we know whether we have been successful in this regard, and it would be wrong to rob a pensioner of his income.

I congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) on raising this important matter in this Chamber. I agree with the right hon. Member for Birkenhead (Mr. Field), who commended the Public Accounts Committee's report. I appreciate that my right hon. Friend the Member for Haltemprice and Howden was speaking in a personal capacity, but the report is a welcome and helpful addition to our efforts to fight fraud.

The report arrives at an appropriate moment. Since early December, there have been four reports on fraud: the National Audit Office appropriation accounts for 1998–99; the Audit Commission's "Protecting the public purse: ensuring probity in local government", to which the right hon. Member for Birkenhead referred; Sir John Scampion's report on organised benefit fraud—my right hon. Friend the Member for Haltemprice and Howden discussed its 19 recommendations—and the Public Accounts Committee report.

As has already been said, no one really knows the true extent of fraud in the system. My right hon. Friend referred to estimates of between £3 million and £7 million, but the right hon. Member for Birkenhead suggested that the figure might be a little higher than that. Whatever the figure, fraud is rife and endemic in the system.

The National Audit Office report found that there was an increase of £636 million in the 1998–99 accounts, which represents 5 per cent. of the total expenditure on income support. Our first task should be to admit that the situation is deteriorating. I endorse the comments of the hon. Member for Northavon, who said that there was too much short-term spin in the system and that we needed a strategy to ensure that the tough rhetoric matched reality.

I, too, was struck by the press release of 28 January, which was headed "Darling welcomes successes in fighting benefit fraud". It states:

"Today's figures show that our tougher anti-fraud measures are beginning to bite ... we are winning the fight against fraud."

However, as the hon. Gentleman pointed out, the Office for National Statistics said that reductions in both areas were not statistically significant. He is therefore right to say that matters could have gone either way. It is no use pretending that things are happening when they are not, as that makes the service look ridiculous and undermines attacks on organised fraud.

There are two main problems: complexity and hands-off approach to the strategy. The Public Accounts Committee referred to complexity in its report published on 13 January. Paragraph 8.2 on page vi states:

"A key cause of error and fraud in income support is the complexity of the regulations, and the Benefit Agency told us that without simplification 10 per cent of payments would always be wrong. This is poor administration, which creates confusion, uncertainty for those most in need, extra costs and high levels of debt, much of which is not collectable."

Leaving complexity to one side, I shall now tackle the absence of a hands-on approach. My right hon. Friend the Member for Haltemprice and Howden talked about John Scampion's report, which deals with the lack of a sensible, practitioners' approach to the problem. I shall not go through the recommendations in detail, as my right hon. Friend did that extremely well. However, I shall emphasise a few points made in the report.

The report says that there was no strategic discussion between the benefits fraud investigation and the Benefits Agency security investigation service. Fragmenting resulted and organised frauds were not pursued. Page 16 states:

"There is insufficient flexibility in the total response to serious frauds."

It also states:

"There is an unevenness of response to serious fraud and organised frauds in different parts of the country".

Summing up the position, on page 18 it states:

"One immediate effect is the provision of a basic ... information system dealing with actual or live frauds. Investigators both in BASIS and BFIS do seem handicapped by a reliance on exchanges of information derived manually".

The report paints a frightening picture of organised fraud, drawing attention to the fact that organised fraud is not being pursued. It also demonstrates something that I have discovered in visits to housing benefit offices and the Benefits Agency—local authorities rarely exchange information between themselves or with the Benefits Agency. Different housing benefit forms are used by different local authorities. Consequently, when one authority finds a loophole and closes it by changing its form, that is not necessarily passed on to other authorities.

Attempts to tackle fraud include the recent Fraudweb conference. However, there is no systematic method for exchanging information. My right hon. Friend pointed out that we must be careful how computers exchanged information between various groups. That is right. It is not just a question of computers. Much of the investigation of housing benefit fraud is done manually. It is recorded manually. There is no exchange. It is a question of chasing paper around, which is quite a problem in the system. Even at the very top there is, in the words of Scampion, an over-reliance on manual systems.

It is amazing that the Government accepted only one of Scampion's recommendations and, as my right hon. Friend pointed out, it is only a pilot in a region. There are good and compelling reasons for having a national intelligence unit. I join my right hon. Friend in saying that the benefits of a national system cannot be understood by looking at it purely regionally. National fraud is precisely that. The Minister kindly organised an interesting and helpful seminar for spokesmen on social security at which we saw some of the instruments of fraud and the ways in which people went around the system. They were ingenious, and it was clear that there is quite a lot of national fraud. People organise in several districts. Without a national organisation exchanging information on fraud, there is no real possibility of tackling the problem.

We believe that we should go further. Indeed, my hon. Friend the Member for Havant (Mr. Willetts) recently announced a change in Conservative policy. We would institute a single benefits investigation squad in conjunction with the national intelligence unit and we would look towards a dedicated anti-fraud partnership between local authorities, the Benefits Agency, the intelligence unit and the squad to ensure coordination. The chances are that, if someone is committing a fraud on one benefit, he will commit it on another benefit controlled by the agency.

It is important to ensure that there is still prosecution. It is also important to guard the gateways to benefit. Not everyone who gets involved in fraud starts out with that intention. Sometimes they just fall into temptation. They may delay the announcement of a bereavement or the fact that a son or daughter has reached a certain age. Each week they find it increasingly difficult to admit that they have committed a fraud. That is why the points that the right hon. Member for Birkenhead made about the working families tax credit are so important. Unless we are careful, we will have a system in which, to use his words, people are caught in a spider's web of corruption.

Fraud takes away valuable resources that can be better spent on those in need. It creates a climate of distrust among those receiving benefit. It robs the Government, the taxpayer and the poor in equal measure. It is time to hear how the Government plan to build an effective, hands-on anti-fraud strategy.

10.44 am

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I hope that right hon. and hon. Members will accept that I cannot do justice to the points that have been raised this morning in 16 minutes. Unusually for me, I undertake to write to them on the points that I do not cover. It places a burden on the Department, but I shall not leave anything unanswered. One is always warned as a Minister not to make too many commitments to write, but anything that I cannot answer today will be answered in correspondence.

I welcome the debate on our strategy for tackling fraud and I will outline the action taken by the Government so far. No single initiative or decision can assist in solving the whole problem. The operation needs to cover a wide front. We have to tackle instrument of payment fraud involving giro cheques, or the benefit books, which is similar in design to, and reminiscent of, the ration book of the early 1940s, although that did not have a bar code. Both are open to the same sort of fiddling that I have seen myself. My right hon. Friend the Member for Birkenhead (Mr. Field) may know of cases in which no one has bothered to check information simply because a part-used payment book has been presented. That is one reason for changing to automatic credit transfer.

There is no point being wishy-washy about this. When ACT becomes the main method of payment, it will open up avenues of fraud not necessarily prevalent today. We must design and build in for that when we make the change. This is part of the current planning process. Instrument of payment fraud is serious. I do not wish to fall out with anyone, but we have enough problems with some of the porkies being told by some subpostmasters. I have been at the Department of Social Security for only seven months, less than half the time that my right hon. Friend was there, and I have just had drawn to my attention prosecution cases that made the press the previous day. Not a month has gone by without my being told of matters involving post office employees, the subpostmaster or his family, relating to instrument of payment difficulties—or fraud—that have led to prosecution. Those 18,000 cases are a tiny percentage, but the scope for such fraud is enormous among organised crime and what the right hon. Member for Haltemprice and Howden (Mr. Davis) might term amateur crime. Both are bad, but I understand the right hon. Gentleman's point.

[Mr. Jeff Rooker]

In 1997, two out of five income support claims—40 per cent.—were paid without sufficient evidence of identity. We estimate that the proposed changes—some of which were initiated by my right hon. Friend the Member for Birkenhead—will save more than £1 billion during the life of this Parliament because of strengthened checks before money is paid. The national benefit intelligence unit will help combat organised fraud. There seems to be some misunderstanding, the reason for which I shall discuss with colleagues. We have not promulgated the totality of the Scampion report, nor have we dismissed it; far from it. I feel sure that the generality of John Scampion's suggestions will become a reality, although perhaps not all in precisely the way he suggested because government machinery issues are involved.

There was a reference to a pilot in the north-west. There is no piloting of the national benefit intelligence unit. There is nothing to be done. That was a misunderstanding. The pilot due to be held in the north-west is effectivley an exercise to discover how we can change public attitudes to benefit fraud. It is not the hot-line, which is a separate exercise, but an attempt to change attitudes. Drink driving was socially acceptable 10 or 20 years ago; today it is not. Public attitudes have changed. But that pilot has nothing to do with the Scampion report.

The Department is training staff to counter fraud. I was present the other week at what I might call the passing-out parade of the first 87 accredited DSS counter-fraud officers, who underwent a course accredited by one of the universities, involving separate trainers and individual anti-crime companies. A further 1,000 are due to come through the system. The grand total is approximately 3,000. Those officers are given proper training in a part of their profession. Part of the Scampion proposals were for a professional head of counter-fraud activity. We need to invest in this important element and take it forward.

As members of the Committee have said, housing benefit is a separate issue. It beggars belief that each local authority designs its own claim form. I regret to say that I served on the Standing Committee which scrutinised the legislation setting up housing benefit all those years ago. The attitude of some local authorities is that it is not their money, so it does not matter, all they are doing is administering Government money. They must get their act together with council tax benefit and housing benefit. We are about to screw them down even more with severe financial penalties for not following through the Benefit Fraud Inspectorate reports and for not following the housing benefit rules, and not even following the law on housing benefit, which came in last September, which makes it a statutory requirement to obtain a claimant's national insurance number. Local government is at risk of losing that role. That is not a threat, it is inevitable, because the House will not stand for it. About £11 billion of taxpayers' money is being paid out, but some authorities are not taking it seriously because it is not local taxpayers' money and therefore not part of their budget. We have a series of measures, some of which we have already introduced and some of which we are about to bring forward, which will put the screws on those parts of local government that are not taking this seriously.

It is also unacceptable that we are not being given sufficient information about details of prosecution. At the moment, the Royal Mail "Do not redirect" service is still voluntary, but it is paid for by the DSS. Some local authorities said that they were not doing it because they had to run down their stock of envelopes. That is a pathetic excuse from professional local government officers. All they have to do is reprint the front of the envelopes; there is no problem with that. They must take that and other matters much more seriously.

Data sharing is a sensitive issue. I do not see it as difficult. The Data Protection Act 1998 must be followed at all times. I do not think that fraudsters, the public or even hon. Members fully appreciate the scale of data sharing that is going on within government, between the Department of Social Security, the Inland Revenue and local authorities. However, it needs to be extended and that is under active consideration, even to the extent of making statutory changes.

Data matching is dependent on comupters and, as was suggested, the computers in the DSS are rubbish. They were bought off the shelf and use old technology, so they did not do the job that they were intended to do. Nevertheless, there are data matching programs. We have supplied local authorities with 400 remote access computer terminals so that they can see what benefits we are paying to a claimant and thus whether they can verify the claim that is being made. That is an important element. We are also getting full reports from the Inland Revenue, particularly on the working families tax credit, an issue to which I shall return in correspondence. National data matching referrals were issued from 31 January and we began to retrieve the DSS Inland Revenue data shortly after the transfer of responsibilities last October.

My right hon. Friend the Member for Birkenhead asked about the family credit review decision. It looks as though it was made without ministerial clearance, but I am not sure when. One must remember that there were two other Ministers between my right hon. Friend and me. I personally do not recall that decision, but my officials are checking on it. Let us be clear. The working families tax credit is a matter for my right hon. Friend the Chancellor of the Exchequer. It is not classed as a benefit; it is wholly within the Treasury. Nevertheless, we are obtaining that information to cross-check with DSS benefits because that is important. P46 data—that is the form for new employees who cannot provide their new employer with a P45—is also being transferred from the National Insurance Contributions Office, which is another crucial factor, and the Inland Revenue is passing on details of the new construction industry scheme. We will have the first batch of data from that this summer.

My right hon. Friend the Member for Birkenhead and the right hon. Member for Haltemprice and Howden mentioned identity fraud. When I arrived at the DSS last summer from the Ministry of Agriculture, Fisheries and Food, I was distressed to learn that fraud based on "The Day of the Jackal" had not been dealt with. That was recommended in a White Paper on registration in 1991, if I remember correctly. Everything

in that White Paper was accepted and implemented, including new rules for getting married down a coal mine.

I had personal constituency experience of a "The Day of the Jackal" fraud. Twins who were born 30 years ago lived for only a day, and 27 years later, someone knocked on the parents' door saying that someone claiming to be their daughter was being held in a detention centre. One can imagine how the parents felt. That fraud followed the book exactly. I went through that episode chapter and verse with the previous Conservative Prime Minister. Internal discussions are still proceeding and I am pressing to have the matter settled. It is a gap in our identity fraud counter-measures.

I shall not have time to deal in detail with all the issues raised. I can tell my right hon. Friend the Member for Birkenhead that we are spending considerable time scrutinising the management of the national insurance number system—both in the Department and in government with senior colleagues. Some problems are not clear cut, but we have reduced by half the number of people who issue national insurance numbers. I shall have to write to my right hon. Friend about checking individuals. Issuing numbers is now tightly controlled in local offices and it is half of what it was in terms of physical access.

As I said earlier, local authority claim forms were required by law from September last year and we are financially penalising those who failed to meet that requirement. It will not look good for the local authorities, their leaders or chief executives if their act is not cleaned up ethically, especially when the legislation currently in another place comes into force. Information on income must be obtained unless the local authority can acquire it from the DSS via remote access terminals. Otherwise, there is no legal authority to pay a means-tested benefit—it is as simple as that. Authorities will leave themselves open to financial penalties from the Government. Currently, around 250 authorities have adopted the verification framework. That is not good enough: they all should.

All Benefit Fraud Inspectorate reports are published. Only the odd sentence about how to commit a fraud is omitted, for obvious reasons. They are all published on the internet as a guide to good practice for local authorities. Late last year, we requested the Benefit Fraud Inspectorate to investigate the 30 top-spending authorities on housing benefit as a special one-off, which will be completed by this summer.

Insufficient action has been taken on published reports, which is distressing. We have to be careful to follow legal procedures in taking action against local authorities. When the benefit fraud inspection report has been published, authorities can comment on it and we can check whether they are actually carrying out their action plan. We have to go through those stages, after which some legal sanctions are available to us. We are now close to implementing action in that respect.

We wish to work with local authorities as partners, but we must make it clear that we are talking about our money—the Government's money—for which Ministers are accountable to this House of Commons. Local government is not responsible for it; we are, and quite right too. We have to remind authorities that, if the system is not working properly, they stand a good chance in the long term of losing that element of their finances.

Some hon. Members mentioned global figures. There is fraud, official error and claimant error—and we must try to separate them. Some fraud is organised and we are spending £2 billion a week on benefits. That money is open to systematic attack by organised criminals. The Department is carrying out a massive operation to buttress and secure the sytstem against that.

As I said to my right hon. Friend the Member for Birkenhead, we shall report back to the House of Commons on what we have been able to achieve. I am more than happy to ensure that every question that has been asked this morning is answered in writng. I know that colleagues will come back to me if they are not satisfied.

Mr. Deputy Speaker (Mr. Frank Cook): In the absence of the Minister for the next debate, I shall suspend the sitting until he arrives.

11 am

Sitting suspended.

European Union Charter

11.3 am

Mr. Deputy Speaker (Mr. Frank Cook): The delayed start to the debate is regrettable; nevertheless I wish Mr. Win Griffiths well.

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): On a point of order, Mr. Deputy Speaker. I apologise for the fact that the sitting had to be suspended. I was addressing a group that came over on the state visit of the Queen of Denmark. I apologise for the fact that I was not able to be here earlier.

Mr. Deputy Speaker: Thank you, Mr. Vaz.

11.4 am

Mr. Win Griffiths (Bridgend): I am pleased that I have this opportunity to debate the draft charter of fundamental rights of the European Union in this Chamber and to give a progress report to the House as its member on the convention drafting the charter. I was prompted to initiate the debate by one or two articles that appeared in the press between the convention's first business meeting, which took place just before Christmas, and the February meeting. Europhobes had once again dreamed up a fantasy island of fear about the charter; they wanted to damn and attack the Government and the European Union. Our debate is a good opportunity to set the record straight and to give Members a flavour of what the charter is about.

The process started at the Cologne summit. In a declaration made at the end of the summit, the European Council said:

"Fundamental rights applicable at the Union level should be consolidated in a Charter and thereby made more evident."

An annexe to that declaration stated:

"Protection of fundamental rights is a founding principle of the Union and an indispensable prerequisite for her legitimacy. The obligation of the Union to respect fundamental rights has been confirmed and defined by the jurisprudence of the European Court of Justice. There appears to be need, at the present stage of the Union's development, to establish a Charter of fundamental rights in order to make their overriding importance and relevance more visible to the Union's citizens".

The statement continued, stating that the charter was based upon the constitutional traditions of member states and general principles of Community law. It stated also that rights under the charter should apply only to European Union citizens and that the charter should take into account the European social charter, the Community charter of fundamental social rights of workers and the European convention on human rights.

A unique body was set up to draft the document before the Council meets in December 2000. The idea is that the European Council will propose to the European Parliament and the Commission that they and the Council should solemnly proclaim a European charter of fundamental rights. Consideration would then have to be given to whether, and if so how, the charter should be integrated into the treaties.

The convention will include representatives of each of the 15 Governments of the member states of the European Union, one representative of the Commission, 16 Members of the European Parliament and 30 Members of national Parliaments. The United Kingdom will be represented by me, speaking for the House of Commons, and Lord Bowness, who speaks for the Conservative party in the House of Lords. A system of alternates will be in operation if either I or Lord Bowness cannot attend—the hon. Member for Eastleigh (Mr. Chidgey) will take my place, and Baroness Howells of St. Davids will attend instead of Lord Bowness. Both alternates are, of course, members of the Liberal Democrat party.

The European Court of Justice has the right to two observers, one of whom will be a member of the European Court of Human Rights. In setting up the convention, the Council specifically asked that the Committee of the Regions, the Economic and Social Committee and the European ombudsman should be invited to give their views to the convention. That was done at our last meeting. Other bodies, social groups, experts and non-governmental organisations have been invited to express their views, and hearings will be held. The Royal National Institute for the Blind has been quick off the mark in sending me a copy of the statement that it gave to the President in office of the Council of Ministers on 22 July 1999, shortly after the Cologne announcement about the rights that disabled people should have.

We have already held two meetings; the first was on 17 and 18 December 1999, the second on 1 and 2 February 2000. We hope that the convention will meet as a full body in March, June, September and October and that it will meet as a working group later this month, twice in March, April, May and June, once in July and September and perhaps in October. That is a rigorous set-up, involving 11 or perhaps 12 meetings of the working group and four meetings of the convention. A lot of work will have to be done in the coming eight or nine months. Before each meeting of the convention as a working group, a drafting committee will meet. It will consist, in effect, of the executive body of the convention.

I return to the remit of the convention. Our purpose is to focus on the fundamental rights enjoyed by all European citizens and residents while also referring to rights bestowed by the other conventions, charters and so on to which member states are parties and of which the European convention on human rights is the outstanding example. First, the charter could emphasise communal values within the European Union. Secondly, it could raise awareness of existing fundamental civil, political and other rights that support human dignity, and oppose all types of discrimination and xenophobia. Thirdly, it could bring out the essential interface between rights and responsibilities for both individuals and Governments. Fourthly, it could declare boldy to European citizens their right to participate in the democratic process, to live, study and work, to provide and receive services and to set up businesses anywhere in the European Union.

The Heads of Government have made it clear that the charter should take account of economic and social rights, as intended in the European social charter and the Community charter on the fundamental social rights of workers. The ambition of the convention should be to highlight clearly the fundamental rights already deriving from treaties and from the Community law system, including case law built up in the European Court of

Justice. It should not go beyond that or render void existing national and international law concerning fundamental rights.

It is clear that the charter is not meant at this stage to be a legal document and that such an option of inclusion in the treaties will be considered by the Council later. Despite that undoubted clarity of remit, there has been debate from day one in the convention on whether the charter process is sufficient to meet the challenges facing an ever-expanding Union. Some people see it as an opportunity to create an all-embracing and justiciable treaty-incorporated charter that will take the Union into new waters. The most ambitious protagonists of that view are Members of the European Parliament, most of whom—I speak as a former MEP—see the charter as an opportunity to enlarge and strengthen the European Union and to enhance its citizens' rights. Some MEPs are happy to take up the challenge of the Council's charter remit. A few would like to use the exercise to regain for nation states some of the sovereignty that they have pooled within the European Union. The majority, however, seek a charter that will at least be a protocol of the treaty but which will preferably be a legally binding document that is incorporated into the treaty and which covers all aspects of European Union activity, including common foreign and security policy, justice and home affairs and institutions such as Europol. Of the elected members of the convention, the European Parliament has the most opportunity, time and resources to develop an institutional view of the charter. Six of its committees are providing opinions for the report being prepared by the committee on constitutional affairs.

While the European Parliament wants to travel further beyond the remit of the Council than anyone else, it has allies who share its view that the charter must be legally binding. For example, the Council of Europe wants its own convention to be incorporated into Community law. The European Court of Human Rights would then be responsible for it. Not surprisingly, the court takes the same view. The European ombudsman wants the charter to be legally binding, as do the Economic and Social Committee and the Committee of the Regions.

On the other side of the argument are the European Council, the European Commission, most representatives of national Parliaments, and the European Ministers of the German federal states. The scene develops continually and we shall receive many more views in the coming months.

That might become the defining issue of our discussions on the convention. Views have already been expressed on both sides of the argument; convention members have received enough views to fill a book from individuals and organisations on the contents and nature of the charter.

Most members of the convention wish to carry out its remit as provided by the Council. That seems a significant and ambitious task when one bears in mind the paucity of European citizens' knowledge of the European Union. We want to produce a clear statement of fundamental European Union rights, preferably on no more than two sides of an A4 sheet of paper—a formidable task. To give hon. Members a flavour of the rights, I have written—on two sides of an A4 sheet—some of the possible inclusions. Examples are the dignity of the human person, the right to life, liberty and security, access to justice and procedural rights with no retroactive criminal law, respect for privacy and family life, freedom to found a family, freedom of conscience, thought and religion, and freedom of expression.

Some of the rights are fundamental and we can all agree on them. However, should we include a right to a healthy environment, or is that just a worthy political objective? Might consumer rights be included? Are the rights to safety and health, to fair remuneration, to paid holidays, to a pension and to training at work and to social security fundamental, or are they matters that Governments and political parties have as worthy objectives, which should not be included in such a declaration?

EU citizens might be said to have specific rights. Those might include freedom of movement and of residence, the ability to vote and to stand in European and local elections, rights to diplomatic and consulate protection, to petition the European Parliament, to apply to the European ombudsman, not to be subject to discrimination, to have equal access to the Community civil service and the right to write to and to receive letters from the European Commission and its institutions in one's mother tongue. There is a raft of possibilities for discussion. All my examples, and many more rights that I have not mentioned, can be referred back to a treaty, convention or charter to which the European Union, or its member states, has signed.

There will be problems to overcome. There might be an issue of the fundamental rights of non-citizens who fall within the scope of European Union legislation, such as workers from countries outside the Union. We must also remember that the Council might be minded to incorporate the charter into the treaty at a later stage. The charter should, perhaps, be a two-phase document. One phase could include the clear, concise and crucial statement of rights to which I have referred; the second could be a more detailed document, providing the relevant treaty, convention and charter references from which the fundamental rights were derived. Although the charter may not be a justiciable document, European Union citizens will be able to find out, by referring to the back-up document, what parts of the treaty and other documents may give them recourse to law.

However challenging the task may be, it will not be enough for those who want to create a legally binding charter immediately, going beyond the current competencies of the European Union to create an all-singing, all-dancing, all-embracing charter of fundamental rights. If time allows, the convention could consider, in a separate document, strongly perceived gaps and shortcomings in current enforceable fundamental rights in the European Union—an annexe of aspirations, so to speak. The two issues need to be clearly separated. I look forward to the convention's completing, in the next eight months, its primary task of drawing up a charter of fundamental rights of the European Union, declaring to all its citizens the rights that they hold under the treaties and other instruments of the European Union and its member states.

At this point I would have mentioned some of the fundamental statements made by key players in the convention process, but because many hon. Members obviously want to take part in the debate, I shall sit down and listen keenly.

11.21 am

Ms Jenny Jones (Wolverhampton, South-West): I congratulate my hon. Friend the Member for Bridgend (Mr. Griffiths) on securing this Adjournment debate. The issue may not be the stuff of headlines—"EU proposes charter of fundamental rights"—but it is important and needs airing. We need to be rigorous in scrutinising the purpose of the charter and its implications.

I do not regard myself as a Europhobe in my own party or by anyone's parliamentary standards. I am an enthusiastic supporter of human rights. On the face of it, the European Union intends by the charter to make the issue of human rights more visible to citizens of member states and thereby to raise the profile of human rights protection. I am sure that we all enthusiastically support that aim, particularly since the passing of the Human Rights Act 1998. However, the issue is controversial.

The nub of the matter is that we already have a European convention on human rights. It was drawn up 50 years ago, mainly by British lawyers. The European Court of Human Rights has 50 years of experience and expertise and has amassed considerable case law. We send to the Council of Europe a sizeable United Kingdom delegation, which works hard and is well respected, led by my right hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis).

The charter was debated on 25 January at the last meeting of the Council of Europe Parliamentary Assembly, and a clear position was set out. The Select Committee on European Scrutiny has taken a keen interest. It spent two days in Brussels in December, and took evidence from several key players in the drafting of the charter.

Several important questions need answers. First, what will be the status of the proposed charter? My hon. Friend the Member for Bridgend began to deal with the issue, but it is worrying that although a drafting body is to work intensively for eight months, it is still unclear whether the resulting charter will be legally binding. If it will, thereby enabling citizens of European Union member states to take grievances or breaches of fundamental rights to the European Court of Justice, there will be two courts in Europe that deal with human or fundamental rights. I am not a lawyer, but will not that lead to confusion and competition between the two courts? Human rights protection should not be a matter of competition. If the ultimate aim of the EU is to write the charter into a treaty, it can do that simply by taking up the invitation that the Council of Europe's parliamentary assembly extended to it on 25 January this year to incorporate the European convention on human rights into a Community treaty.

Two other issues have important implications. First, the proposed charter could send out the signal that we are creating a two-tier system of human rights protection within Europe. The Council of Europe, with 41 members, has a much larger membership than the EU. Even with the proposed EU enlargement, EU membership could appear to provide a superior protection to the remaining 26 members of the Council of Europe. In the context of a wider Europe in which we are trying to incorporate many eastern European countries, it would not be wise to advocate such divisive action. The implementation of human rights should not be a matter of competition between the EU and the Council of Europe.

The second issue raises the question of what the charter says about the Council of Europe. What are we to make of what is going on? What signals does it send out? Although the issue has not been readily picked up by the national press, on 8 February *The Independent* carried an article on the charter. In the first paragraph, its legal affairs correspondent described the charter as replacing

"the outdated European Convention on Human Rights."

Although that is the correspondent's reading of what is going on, it is interesting that a serious newspaper should choose to print that opinion.

Mr. Win Griffiths: That was one reason why I wanted the debate. The claim was outrageous and far from anything that had been discussed. One of the charter's great sensitivities is how to ensure that the European convention on human rights remains a pre-eminent player. We are looking at the issue of signing up so that the European Court of Human Rights in Strasbourg continues to play a pre-eminent role.

Ms Jones: I thank my hon. Friend for making that statement, but even if the correspondent in *The Independent* is wrong, the paper has a wide readership. Its interpretation of why the charter has been drafted showed how it decided to read the signals.

In conclusion, I am not a Europhobe, but we need to question why the Government need to sign up to a charter. We have the Human Rights Act 1998 and are active in the Council of Europe. I am not convinced that the charter will build on our experience or benefit UK citizens any more than they benefit from the 1998 Act. We need to tread cautiously.

Mr. Deputy Speaker: Before I call the hon. Member for Ludlow (Mr. Gill) I must advise hon. Members that an informal protocol allows Front-Bench spokesman to use the final 30 minutes to respond to the debate. The hon. Member for Bridgend (Mr. Griffiths), who introduced the debate, considerately curtailed his comments to make time for other hon. Members. I know that several right hon. Members wish to make a contribution, so I ask them to bear it in mind that we have only about 30 minutes for the debate.

11.30 am

Mr. Christopher Gill (Ludlow): I congratulate the hon. Member for Bridgend (Mr. Griffiths) on obtaining the debate. I applaud the fact that he is obviously ahead of the game because as yet awareness of this topic is low. I can comply with your request to be brief, Mr. Cook, because the hon. Member for Wolverhampton, South-West (Ms Jones) has covered much of the ground that I intended to cover. I wanted to pose exactly the question that she posed: what is the charter all about? The hon. Lady was right to emphasise that the issue is controversial. As a former colleague of the hon. Lady at the Council of Europe, I am only too well aware of the existing convention and European Court of Human Rights. One has a certain apprehension about the prospect of another court being created to deal with

such matters. Many institutions, at home and abroad, could be made to work better, and it would be in our long-term interests to try to make existing institutions work better instead of creating rival institutions, which is likely to lead to the problems mentioned by the hon. Lady.

Mr. Deputy Speaker: Order. I must remind hon. Members that this is not a Committee. This is a sitting of the House and I am a Deputy Speaker.

Mr. Gill: I do apologise, Mr. Deputy Speaker.

My concern is that, in Europe today, we see the establishment of rival institutions to those that have served Europe tolerably well since they were created in the aftermath of the second world war. The hon. Member for Wolverhampton, South-West referred to the Council of Europe, which now represents 41 nations. That represents a broader body of opinion than does the European Union, which comprises only 15 nations.

However, it is not only in relation to human rights that we see the European Union making a grab for more territory. We can see the corpus juris proposals coming down the track, which will challenge, and perhaps ultimately take over, national jurisprudence. Only yesterday, I read in the newspapers that European Union Foreign Ministers took a major step towards the creation of a European army, in that they approved an embryonic military staff with an operational role in early warning and strategic planning. Of course, colleagues on the Benches to my left, who are all members of the Western European Union as well as the Council of Europe, know exactly what the European Union said very recently about the future of the WEU. In creating euroland, the European Union is creating an alternative form of currency to national currencies. I am concerned that this debate about the charter of fundamental rights offers another illustration of how the European Union is trying to take over something that already exists and does not need to be duplicated, especially as it is questionable whether the new convention will be any more successful than the current institutions.

The reason why I felt moved to speak in the debate, albeit briefly, is that although politicians on the continent are frank about their aims, objectives and long-term aspirations, in this country we still pretend that certain things will not happen; we pretend that the European Union will not be able to grab more powers in more areas. It is greatly to the credit of the hon. Member for Bridgend that he has given us the opportunity to debate these matters and, as I said earlier, my interest in the debate is in flagging up the fact that the European Union is making a grab for territory that it does not need to make a bid for. I suspect that the British public, and Members of Parliament, are unaware of what is going on and unaware of where we are being led. We should take note of the report of the words of Romano Prodi, the President of the European Commission, 10 days ago. Under the headline, "Commission becoming a government, says Prodi," it stated:

"Europe is forging its own government and army, Romano Prodi, president of the European Commission claimed yesterday."

I am grateful to have the opportunity to flag up the dangers involved when our own politicians are economical with the truth.

11.36 am

Mr. Kevin McNamara (Hull, North): I, too, congratulate my hon. Friend the Member for Bridgend (Mr. Griffiths) on securing the debate. He beat me and my hon. Friend the Member for Wolverhampton, South-West (Ms Jones) to the draw; we had decided that once the debate on the Ilisu dam was out of the way, we were going to apply for a debate on the proposed European charter because of our anxiety about some of the statements made in Strasbourg about attitudes to it.

As other hon. Members seem to be bearing their breast on their attitudes to Europe, I shall do the same. I am happy about the euro, federalism holds no problems for me and loss of sovereignty does not mean a great deal. What is important, however, is that we have working institutions and that, as Members of Parliament, we can defend the interests of our constituents and our country as best we can in those institutions. I am happy about what is taking place and I wish that we had already signed up to the euro.

Having nailed my colours to the mast, I now explain my grave concern about the proposed charter of human rights. The charter has grown like Topsy; it started as a proposal to have a European ombudsman within the European Community to deal with malpractice in administration, just as our ombudsman does. People with a grievance about what was happening in Europe and its institutions would be able to go to the ombudsman, which was perfect and proper. However, in Cologne, the idea grew a new dimension and went onwards and upwards. People said, "Perhaps we should do something about a charter of human rights," and "Perhaps we should have something that is justiciable," and "Perhaps we should take everything over and take everything in." It is obvious from the work load that my hon. Friend the Member for Bridgend described that it would be startling and fantastic to try to get through so much in eight months or a year.

I have no objection to a general charter on "The Rights of Man", or a proclamation, as in 1916, setting out basic, fundamental human rights. That would be fine, great, splendid. The problem arises when such a charter becomes justiciable. We and our fellow members of the Council of Europe have spent many years reforming the European Court of Justice, changing and streamlining its procedures and the appointment of its judges to meet the extra work load resulting from the expansion of the Council of Europe. A great deal of important work is likely to be thrown down the drain if the European Union produces a set of justiciable principles.

My hon Friend the Member for Bridgend referred to conflicting jurisdictions and different courts reaching different decisions. The court at Luxembourg already has some human rights jurisdiction arising from the treaties. That was one of the problems that we sought to raise when the Maastricht and Amsterdam treaties were being negotiated, because it created a possible area of conflict. The powers that be at that time did not consider it so large, but now it is likely to to be very large indeed. Therefore, our first problem is one of conflicting jurisdictions However, what is more important to me,

[Mr. Kevin McNamara]

and what most concerns me, is the prospect that the conflict may split the membership of the Council of Europe between the rich countries that are members of the European Union, and the countries that are not and are never likely to be, under the present terms and conditions.

One of the Council of Europe's strengths has been the fact that former communist countries and countries that have broken away from the Soviet Union have been admitted under strict conditions regarding the application of human rights. Indeed, Belarus is outside the Council of Europe because it cannot meet the requirements. We have had problems with countries such as Ukraine over the death penalty, abolition of which we were eventually able to achieve through the force of the Council of Europe's moral persuasion. Less than 18 months ago, a large number of people were on death row in Ukraine. Those who were to be executed did not know when they would be executed, and their families did not know two months after the execution. The pressure exerted by the Council of Europe changed that situation. We can do it by saying "You must meet these standards." However, if there are to be two rival jurisdictions, with the European Union countries looking to Luxembourg rather than to Strasbourg, there will be one court for the rich countries—the established countries—and another for lesser breeds without the law, and that will be a real problem.

One of the strengths of the struggling democratic parties in those countries is that, against precedents or Governments seeking to be dictatorial, they can turn round and say, "We have the convention on human rights. We must abide by that. When decisions have gone against countries like Britain and Germany"— a large number of decisions have gone against the British Government—"those countries have nevertheless accepted the decisions and worked the system." If we have gone away and a weak grouping is left outside, the pressure to follow the European convention on human rights and so on will be limited. Those countries want to be in, but if we take ourselves one step further away, it will be much more difficult to enforce those rights internationally in Europe among the struggling democracies that have weak judiciaries, poor social services, corrupt police forces and terrible administration systems, because they will be seen to be separate and apart. The European Union and the convention looking at those matters should seriously consider that point. Justice should be universal, it should not be confined to the rich few in the centre. We should be able to expand it in that way.

I hope that a fine statement of principles will emerge from the convention, but the principles that my hon. Friend the Member for Bridgend read out started off like articles 1 and 2 of the convention on human rights, so why are we repeating them in that way? Can we put into a justiciable document matters relating to social policy, much of which I support, but which will differ from country to country and may cause the Europhobes to foam at the mouth? There are matters that should properly be the responsibility of member states, and it is right that as many decisions as possible be taken at a lower level. However, universal principles of justice should be a matter not merely for the European Union but for Europe as a whole. It is regrettable that the United States has not signed the universal declaration of human rights; had it done so, the whole world might have a proper scheme.

11.45 am

Mr. Terry Davis (Birmingham, Hodge Hill): We are all grateful to my hon. Friend the Member for Bridgend (Mr. Griffiths) for taking this opportunity to report in detail on his work for what I prefer to call the drafting committee for the charter, rather than a convention, because there has been a tendency to confuse it with the convention on human rights. I hope that he will seek further opportunities to initiate such debates during the next eight months; otherwise, I feel sure that our hon. Friends will.

It is clear that hon. Members share a common view on the matter. I listened with interest to the hon. Member for Ludlow (Mr. Gill), who used to be a member of the delegation to the Parliamentary Assembly of the Council of Europe. Although there may be differences of emphasis, the common concern among hon. Members is the development of the charter for human rights. As leader of the United Kingdom delegation, I can say that none of its members would disagree with the general thrust of what has been said this morning on the effects of duplication.

I disagree with the hon. Member for Ludlow when he says—I hope that I am quoting him correctly—that politicians on the continent take a different view. My experience has been that politicians in Parliaments throughout the 41 member states in the Council of Europe have expressed concerns similar to ours.

Mr. Gill: My point was that European politicians take an approach to Europe that differs from that of their British counterparts, inasmuch as they spell out exactly what they want to achieve. In this country, we are not so frank, although we may be heading for the same destination. I doubt whether members of the Council of Europe take the view that the right hon. Gentleman suggests.

Mr. Davis: I would never suggest that the hon. Member for Ludlow was less than frank in his views. My point is that politicians in national Parliaments in other member states of the Council of Europe are concerned about the implications of the charter for human rights, particularly in respect of duplication, and for two reasons.

First, if there is a curse in Europe, it is the constant petty jealousy among organisations such as the European Union, the Council of Europe and the Organisation for Security and Co-operation in Europe. There is constant jockeying for position, and a constant wish to take—as the hon. Member for Ludlow described it—and duplicate anything that is popular. Indeed, the charter for human rights owes its genesis to growing disillusion among many member states with the European Union itself, and a search was undertaken to find a measure that could enhance its popularity.

Nevertheless, looking at the matter objectively, there may be advantages in having some kind of charter or declaration, provided we avoid the disadvantages, which my hon. Friends and the hon. Member for Ludlow have eloquently described. The problem with duplication is not only the confusion that would arise if

there were two conventions or charters that were both subject to legal proceedings—as my hon. Friend the Member for Hull, North (Mr. McNamara) explained—but the confusion that would arise if there were two courts, which would be even worse if they reached different decisions.

Another big disadvantage, which I ask the Minister to take particularly into account, is that duplication equals waste. It results in additional, unnecessary expenditure. It is no good telling us that the additional expenditure would come from Community resources. It would be a burden, however great or small, for the British taxpayer in two ways—through our Government's expenditure and because the resources of the European Union ultimately come from its citizens. We should be concerned about that expenditure, and I hope that the Minister and his Government colleagues will take the matter seriously into account.

11.50 am

Mr. Mark Oaten (Winchester): I join other hon. Members in congratulating the hon. Member for Bridgend (Mr. Griffiths) on securing the debate. It has been a useful first canter round the course of the subject, and I am sure that we shall return to it on many occasions. A common thread has emerged in that hon. Members from a wide range of parties have expressed a cautious approach to the suggested changes. I shall explain the Liberal Democrats' stance in due course.

I should like to set out the fundamental principles that should form the underlying benchmarks by which we judge any changes to European Community legislation—in this case, whether we want to make progress towards a new charter. One of the most important benchmarks is the question whether the charter would do anything to help individuals throughout Europe. My view of British and European politics is that our activities should centre on releasing the potential of individuals throughout the Community. Ensuring that fundamental human rights are in place, and enhancing those rights, is an important factor in that. How that is to be achieved is a big question, to which the charter could provide part of the solution. From that perspective, we welcome the initial discussions that are taking place.

Although the Liberal Democrats welcomed the Human Rights Act 1998, we should like the Government to go further and introduce an equality Bill that would extend some of the areas that are not covered by the 1998 Act.

Mr. David Chidgey (Eastleigh): On that point, does my hon. Friend agree that one of the problems with the European convention on human rights is the fact that it does not tackle issues such as age discrimination and same-sex relationships, or address problems that arise in respect of new information technology and e-commerce? Those issues are very much in the frame in terms of human rights, which is one of the reasons why an equality Bill should be considered.

Mr. Oaten: My hon. Friend makes an important point. A great deal of work remains to be done on existing legislation before we move too quickly into other areas. Given my hon. Friend's role on the committee with responsibility for scrutiny, I am sure that he will be able to raise some of those points.

Mr. McNamara: With regard to the convention's being outdated, is the hon. Gentleman aware that a new protocol that will provide sexual and gender equality has just been passed?

Mr. Oaten: Clearly, we welcome that. Some of the new issues that are emerging need time to bed down so that we can judge their effectiveness, and any additions during that period could cause problems in their implementation.

The Liberal Democrats are committed to reforming Europe and developing a charter of human rights for the European Union. That will be a fundamental step in the right direction. For 50 years, Europe has co-operated heavily in the economic sphere. Over the next 50 years, the focus should shift to co-operation not only on regulation, but on the rights of individuals. The charter could redefine that, and help to make people more aware that the Eurpoean Union has a role for them as individuals in future.

Why is change necessary? A layman might think that the European convention on human rights already provided enough protection in the EU, but he would be wrong. Unlike our national courts, the European Court of Justice cannot give direct effect to the European convention on human rights because that convention is not an integral part of the EU. EU treaties have no code of human rights, and the European Court of Human Rights is not able to redress the situation when EU institutions, rather than individual member states, breach convention rights, because the EU has not acceded to the ECHR. In this context, there are loopholes, and we need to improve the situation.

I move on from those questions of ideals to the more difficult question of how a charter might work. Many issues need to be considered and we should not underestimate the complexity of the task in hand. First, on the difficult question of subsidiarity, the Cologne Council made it explicit that the charter of fundamental rights was not an attempt to subvert the current constitutional order of member states and that it should strengthen the EU's identity and policies. That is the right approach. Secondly, the charter must not reduce the rights of citizens—on the contrary, it should, if possible, safeguard such rights in each member state. That, too, is right and proper. Thirdly, the charter should enhance rather than undermine the European convention on human rights, which I agree needs enhancing. We welcome some reforms, but the ECHR is, in many respects, rather old fashioned and its application in EU countries has been rather uneven. The ECHR of 1950 is common to all member states, but not all subsequent protocols have been signed or ratified by member states.

Mr. Chidgey: That is extremely important. The ECHR is 16 pages long, but the number of reservations and declarations runs to 60 pages. That clearly shows that there is a need to clean up the document and to make it more relevant to the modern world.

Mr. Oaten: I am grateful to my hon. Friend for that point. Perhaps the charter will help to generate reforms and improve our current procedures.

[Mr. Oaten]

One of the most difficult problems involves the date at which, and the extent to which, the charter should encroach on national preferences. The hon. Member for Wolverhampton, South-West (Ms Jones) discussed what the charter's legal character would be in that context. It is crucial to get it right.

We could pursue various options to reach a solution. First, a proclamation could be used to give the EU a human face, which would involve a set of values or a written document. However, that would be a wasted opportunity if it failed to close some of the current loopholes. Secondly, a declaration could be issued that described the current state of affairs, informed EU institutions of their duties and used a stronger form of wording. A third option would involve using a protocol and amending the treaty so as to oblige the European Court of Justice and member states to be informed of its terms. Should that approach be enshrined in the treaty? Should that requirement be enforceable in national courts, and should individuals have direct access to the European Court of Justice as a matter of last resort? Or, bluntly, are we going too fast and too far, and should we pause while we put some of the institutions in place?

I was attracted by the two-phase approach that the hon. Member for Bridgend suggested. There is merit in that approach, which might involve firm time scales that would ensure that we achieved targets before moving on.

Liberal Democrats believe that there is logic in moving towards a structure that incorporates the charter, but that we should avoid creating a two-tier system, which the hon. Member for Hull, North (Mr. McNamara) discussed. I was taken by his observation that a two-tier system might allow poor and richer countries to be treated differently. It would be a nonsense if two different legal opinions competed over the issue of rights.

The common-sense approach involves accepting that existing structures improve performance radically and that additional elements could be added. Much can be done to reform the European Court of Justice and the European Court of Human Rights, which should take on some of the new elements that could be added to them. It should also be a priority that they should be in a position to cope with enlargement by up to 12 new member states over the next few years.

One need only ask any farmer—I acknowledge that this is not directly related to the issue—whether it makes sense to have a battle lasting nearly two years in the European courts to resolve the beef issue. Our current systems are too slow and need to be improved. The incorporation of the European convention on human rights into United Kingdom law is a welcome development, but is an on-going process. It will take a considerable time for our judicial systems to adjust to it.

In conclusion, we welcome the Government's approach, but we suggest that it should be a cautious one. If we ensure that our current institutions are up to speed, in order and providing a good service for people, we can then ensure that the convention and the changes relating to the new charter can be brought on track. At this stage, however, we should monitor progress carefully to make sure that that happens at a time appropriate to the best interests of individuals throughout Europe.

12 noon

Mr. Richard Spring (West Suffolk): I congratulate the hon. Member for Bridgend (Mr. Griffiths) on raising this important issue. It has not been the focus of much public attention, and today's debate will concentrate minds on what is happening, give hon. Members an opportunity to express their concerns—they have already made some very pertinent observations—and allow the Government to clarify their position.

As the hon. Gentleman said, the mandate for the establishment of the charter was set out in Cologne in June 1999. That made it clear that the charter would contain rights and freedoms set out in the European convention as well as rights pertaining to European Union citizens. It also stated that account should be taken of economic and social rights. The Cologne communiqué, which was approved by the Prime Minister, clearly allows the drafting convention to set out a wide-ranging and far-reaching set of rights, should it wish to do so. Initial indications show that that is exactly what is happening.

Two claims have been made. First, it was said that the charter would cover only existing rights. Secondly, it was said that it would not be legally binding. Those assertions have been repeated on a number of occasions, and I would like to explore them in this debate. However, I should first like to comment on the observations made by the hon. Member for Wolverhampton, South-West (Ms Jones). She asked some important questions about the status and applicability of the charter, a point that was amplified well by my hon. Friend the Member for Ludlow (Mr. Gill).

The Foreign Secretary told the House of Commons that

"we are not proposing a constitution of Europe. We are proposing that a charter of rights should codify in a single place the rights that already exist in European legislation . . . we broadly welcome that European charter of rights".—[*Official Report*, 25 May 1999; Vol. 332, c. 184.]

Moreover, the Minister of State told the House:

"I made it clear in my evidence to the Scrutiny Committee that it is a charter of existing rights. It sets out the rights that have been granted to EU citizens as a result of treaties and legislation. It is not binding or enforceable. It is a charter, as we have said, not a new treaty."—[*Official Report*, 1 December 1999; Vol. 340, c. 400-401.]

However, we are now rather used to hearing such reassurances from the Government. We have heard them in the past, and they are frequently not matched by reality. We are used to being told that items that have been agreed at European level pose no threat, only to find that they are far more integrationist than anything originally envisaged—or, more important, supported—by the British people. We are used to Ministers saying one thing in Britain and signing up to something rather different in Brussels. We must read the small print carefully.

The Government must provide concrete guarantees on some of the fundamental issues arising from the charter. They must provide a specific guarantee that a

whole new set of wide-ranging rights will not be created at a European level. It is becoming clear that the extent of rights discussed by the convention goes far beyond anything already contained in the treaties. During its second plenary session earlier this month, the convention was reported to have accepted, as a working basis, a list of so-called rights drawn up by its secretariat. That list includes economic and social rights, such as the right to work; rights governing working conditions, including rights to fair pay, weekly rest and paid leave; collective rights including worker information and consultation; and a right to strike. It includes social protection rights such as a right to health, social protection, health insurance, maternity protection, and integration of disabled people.

Mr. Win Griffiths: I pointed out earlier that those were merely subjects for discussion. In relation to some of the rights mentioned by the hon. Gentleman, I questioned whether they were fundamental rights or objectives that political parties might regard as good to put in their manifestos. We should not regard the convention as a monolith that will swallow any view wholesale. I hope that my earlier speech outlined the different strands of opinion on the matter.

Mr. Spring: I am grateful to the hon. Gentleman for making that point. I accept that diverse views exist. The question is what will ultimately happen. At a European level, rights have been amplified and expanded, which creates all sorts of problems. I want to address that point with regard to nation states. At first glance, we can all agree with the hon. Gentleman on the broad aim of improving provision for European citizens in most areas. However, who defines those rights? Who decides whether current employment legislation in Britain contravenes a European right to strike? Who decides whether the current level of the minimum wage constitutes fair pay? Who decides whether the Government's changes to incapacity benefit will contravene rights to social protection and the integration of disabled people? Will the Government guarantee that the charter will include only rights already established in the treaties?

The second fundamental issue is whether the charter will be integrated into the treaties, and whether that will cause it to be legally enforceable through the European Court of Justice. That is the approach favoured by the European Parliament. The British Liberal Democrat Member of the European Parliament, Andrew Duff, who is one of the European Parliament's rapporteurs on the matter, has reportedly called for a binding charter, and for the European Union to have a legal personality so that it may subscribe to the European convention on human rights. Liberal Democrat Members of the European Parliament voted for the charter to have a legally binding effect.

When Lord Goldsmith, who is the Government's representative, submitted a paper that placed emphasis on the need to adopt a simple text that could have maximum public impact, the representative from the Dutch Parliament responded:

"We are not here to draw up a brochure to promote Europe but to draw up a legal text, transposable into law".

Many have expressed concern about recent judgments by the European Court of Human Rights. An example was the appeal by the killers of James Bulger. Concern has been expressed about the effect of incorporating the convention into UK law, especially in Scotland, where it is already enforced. Examples exist of Scottish law being judged incompatible with European human rights law. It would be wholly unacceptable to have a new tranche of so-called rights forced on Britain by a European court that has a track record of interpreting treaty articles in an integrationist way. The charter may start as a non-binding statement, but it may not end up that way. The social chapter, for example, started life as a non-binding statement. It is now incorporated into the treaty, and allows social legislation to be imposed on Britain, often by qualified majority voting.

That is how integration in Europe evolves—step by step. Others have recognised the reality of that. As one contributor to the convention's second meeting noted:

"Even if it is not our intention to adopt a text with legal value, we must be careful as this text could become binding."

It is worth recalling that Commission President Romano Prodi has boasted about this process. I believe that my hon. Friend the Member for Ludlow alluded to that. Only a few days ago Mr. Prodi boasted to *The Independent* that "step by step" the Commission was behaving "like a growing government".

First, we are given a list of generalised principles. Then there is a far-reaching range of broad so-called rights. First there is non-binding statement, and then there is a treaty chapter incorporated into the treaties and enforceable in the European Court of Justice. First there is a bland outline of generalised aims, and then there is a charter for wide-ranging interference in British law.

Mr. Oaten: The hon. Gentleman has set out a course of activity. Where would the British Conservative party draw the line?

Mr. Spring: I hope to receive some clear assurances from the Government about exactly where they are drawing the line. We will certainly wish to respond in detail to that information. We all look forward to hearing the Minister in a few minutes.

The second guarantee that we seek is that the charter will never be incorporated into the treaty or be made legally enforceable. That is a guarantee that the Foreign Secretary signally failed to provide when challenged by the shadow Foreign Secretary, my right hon. Friend the Member for Horsham (Mr. Maude), in the House yesterday. For many, the charter is all part of a wider integrationist agenda in Europe. The integrationists are pushing for a European Union with its own Government, army, taxes, foreign policy, criminal justice system, constitution and concept of citizenship as well as currency—in other words, a single European state. It is vital that this charter does not become part of that process. It is vital that the Government stand up for the view of the mainstream majority of the British public. It is vital that they end the process of marching, step by step, towards a single European state.

12.12 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): I begin, Mr. Deputy Speaker, by apologising again for being late for the start of this debate. As I explained to the Deputy Speaker at the

[Mr. Keith Vaz]

time, I was addressing a meeting of students who had come over with the Queen of Denmark as part of the state visit and I was unavoidably delayed. I apologise to hon. Members for keeping them waiting.

I join in congratulating my hon. Friend the Member for Bridgend (Mr. Griffiths) on his success in securing the debate. As he has the support of those sitting next to him, he was bound to be successful in the ballot. I am delighted to see so many other hon. Members present, including the hon. Member for Ludlow (Mr. Gill) who, as usual, wants to broaden out the debate into other matters. I shall deal with all the arguments.

This is an excellent opportunity to hear from my hon. Friend the Member for Bridgend about the excellent work that he and others are doing on the drafting body of the charter of rights. This is perhaps our only mechanism to get a report back on what is happening. I hope that he will be successful again in the near future so that he may give us an update on what is happening there. There is no point in hearing from the man who is reading the manuscript when one can hear from the man who is writing the book.

We welcome the fact that we have two excellent representatives, from the House and the other place. We have another excellent representative, the Prime Minister's representative Lord Goldsmith, who was appointed at the start of this procedure and who comes to the task, unlike my hon. Friend, as a lawyer. He is perhaps one of the most eminent silks of his generation. It is good to have three such outstanding people at the drafting body of the charter of rights. All in the House will welcome the fact that the United Kingdom's place is assured by having such good representation.

A number of hon. Members mentioned the Cologne conclusions. It may be helpful to read out paragraph 44, which states:

"The European Council takes the view that, at the present stage of development of the European Union, the fundamental rights applicable at Union level should be consolidated in a charter and thereby made more evident."

That is why the charter of rights was set up which, as the hon. Member for West Suffolk (Mr. Spring) said, the Prime Minister was glad to approve. We all feel that it is high time for a document to be produced that clarifies the rights and responsibilities of European citizens and is submitted to the European Council and the people of Europe.

The charter of rights is part of the Government's reform agenda on the European Union. The charter will set out existing legal rights enfranchising the people of Europe. New rights will not be added, as it would be inappropriate for the drafting body to legislate on behalf of the European Union. That is partly because the charter body is outside existing EU structures, a set-up which enables us to have representatives such as Lord Goldsmith, who can give the drafting bodies expertise and insight that Members of this House and various European Parliaments may not have.

I am amazed that the hon. Member for West Suffolk suggested that my hon. Friend the Member for Bridgend was talking about an attempt to legislate. There is no such attempt. As European citizens, we already have rights and responsibilities.

My hon. Friends the Members for Hull, North (Mr. McNamara) and for Wolverhampton, South-West (Ms Jones) have asked whether there will be any overlap with the European convention on human rights. I hope that there will not, which is why we have representatives who, to use the words of my right hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis), ensure that duplication and waste do not occur. My right hon. Friend is a veteran of the Council of Europe and knows how important it is that European institutions do not duplicate the work of other bodies.

Of course, there will be some common issues. However, the drafting body will ensure that there is no duplication. We will set out the source of existing rights in the European convention if, indeed, there are any such rights. I therefore commend to the House Lord Goldsmith's effective paper, a copy of which has been placed in the Library. It sets out a user-friendly approach to the whole process, stating clearly in ordinary, simple language what people's rights are and the source of those rights.

That is the background to the charter of rights. The hon. Member for Ludlow expects my hon. Friend the Member for Bridgend and his colleagues to write a great constitution. However, I must disabuse him of that notion. If my hon. Friend and five Europeans were to meet in a café in Brussels for a cup of tea, the hon. Member for Ludlow would believe that they were plotting the formation of a superstate. He must calm down, as there are no shadows in the charter of rights. There is no possibility of any advance on the Cologne conclusions, which were repeated by President Herzog of the charter drafting committee, and others. So the hon. Gentleman need not worry.

The hon. Member for West Suffolk asked about the European army. There is no such army. No decision was taken on Monday or Tuesday to have a European army. I was present when a decision was taken that was in line with the policy of successive Governments, Conservative and Labour—that Europe should have the capability to deal with crisis management in Europe: the so-called Petersberg tasks.

Mr. Spring: The Minister may misunderstand the point. The President of the Commission has expressed a wish to move towards a European army. The Commission is driving the agenda towards an integrationist Europe, with all its attendant institutions. That is obvious; it is on the record and has been said before. I hope that the Minister will reject that viewpoint now.

Mr. Vaz: The hon. Gentleman is obsessed with the sayings—or alleged sayings—of Romano Prodi. I welcome the hon. Gentleman formally to the Front Bench as shadow Minister for Europe. I can take him with me on my next trip to Brussels so that he can see what is happening—*[Interruption.]* I had only a brief lunch on Monday because we were busy dealing with important issues. When he goes to Brussels, the hon. Gentleman will find that the representatives of the United Kingdom—at official and ministerial level—fight extremely hard to maintain the interests of this country. We fight our corner as everyone else does, but we also believe in the notion of Europe—a Europe of nation states, as my right hon. Friend the Foreign Secretary said in the House of Commons yesterday.

Let us not get carried away with the European superstate, with the charter of rights as a European constitution, or with the allegation that my hon. Friend the Member for Bridgend (Mr. Griffiths), Lord Goldsmith, Lord Bowness and others are seeking to stick things in which we shall not find out about. I want to make it clear to the House of Commons that we shall see the fruits of our efforts in draft form. Although the Commission and European Parliament are more than welcome to their opinions and more than welcome to try to shape the debate as they have always done, the final decision on the proposals rests with the European Council. I was asked whether the decision would be legally binding—

Mr. McNamara: Will the House of Commons have an opportunity to debate the draft proposals before a decision is taken?

Mr. Vaz: I am sure that my hon. Friend the Member for Bridgend and others will seek every opportunity to debate these matters. As my hon. Friend the Member for Hull, North knows, I and my right hon. Friend the Foreign Secretary always come to the House of Commons to debate forthcoming European Council events. We did so before Helsinki and we shall do so again before Nice. It is hoped that the process will be completed this year. There will be ample opportunity to question Ministers through the mechanisms that have been established to facilitate debate.

Hon. Members should not wait for a debate in the House to debate the charter of rights. The hon. Members for Ludlow and for West Suffolk can e-mail and write to Lord Goldsmith, to my hon. Friend the Member for Bridgend and to Lord Bowness if they wish to pursue a point. They can even write to me and they will receive a reply. There are many opportunities for hon. Members to present their views on this important issue.

I wish to make it clear that the Government regard the charter of rights as extremely important. For the first time ever, European citizens will know their rights and responsibilities. The user-friendly approach adopted by my hon. Friend the Member for Bridgend and by Lord Goldsmith is the right approach. For too long, people have believed that the European Union is shrouded in mystery. It attracts the attention of people such as the hon. Member for Ludlow, who believe that sinister actions are taking place in Strasbourg and Brussels. They believe that terrible things happen at our meetings in the shadows and margins of the European Union. That is simply not the case.

The charter of rights represents a first step on the way to explaining in simple and user-friendly language exactly how people benefit from membership of the European Union. I do not yet know the final form that it will take. It could be a small pledge card or a larger document. I do not know whether my hon. Friend the Member for Bridgend will have his way and it will be on two sides of A4 paper. The Foreign Secretary and those who serve on the drafting body, as well as myself, want to ensure that it will not be a legalistic document incomprehensible to people in Ludlow, Ipswich, Winchester or Hull. It must be relevant to people's lives.

The constant thrust from the Conservative party—although not from the Liberal Democrats—is that everything that happens in relation to Europe is negative. When we go to our European Council meetings and when my hon. Friend the Member for Bridgend and others attend meetings of the drafting bodies, we make a valuable contribution. In the 18 weeks since I became a Minister, I have been overwhelmed by the support that the United Kingdom has received in leading and guiding debate on the European Union. The enlargement process that my right hon. Friend the Foreign Secretary announced in the House only yesterday gives us another opportunity to ensure that the rights, responsibilities and values that we hold so dear in the European Union can be exported to the new applicant countries. This is a great opportunity to show Europe—and the whole world—the benefits of the EU. I hope that hon. Members will continue to support the work that is being done so that we have a charter of rights of which we can be proud.

Mr. Deputy Speaker (Mr. John McWilliam): Order. We can proceed to the next debate, but I would ask those hon. Members who wish to leave to do so quietly now.

Rail Services (North London)

12.26 pm

Ms Joan Ryan (Enfield, North): I am grateful for the opportunity to raise the subject of rail services in north London in general, but particularly those in my constituency of Enfield, North.

My request for the debate was prompted by the deterioration of rail services to Enfield and the consequent loss of confidence of my constituents who, for reasons that I shall come to later, are dependent on the train operating company West Anglia Great Northern or WAGN. Their fears are compounded by the news that many train operating companies are renegotiating to have their franchises extended. I do not object to that in principle. We all understand that to bring about the levels of service that we require, it is not unrealistic for train companies to have a reasonable period in which to reap the benefits of their investment.

I believe that most of my constituents wholeheartedly support the Government's attempts to shift traffic from the roads by encouraging more extensive use of railways and I think that they would also understand many of the problems involved in trying to achieve that. None the less, the shortfall in service delivery with current user levels undermines the prospect of success.

The London borough of Enfield estimates that it has seen an increase in road traffic of approximately 1.5 per cent. each year for the past 30 years. That clearly demonstrates that the problem is not new and that the Government are right to pursue an integrated transport system. While I intend to concentrate on the example of Enfield, I am certain from discussions with hon. Members who represent other north London constituencies that much of what I say today will echo the concerns of many thousands of other rail users throughout the region. I know that my hon. Friends the Members for Enfield, Southgate (Mr. Twigg) and for Edmonton (Mr. Love) share my concerns. I was also approached by other hon. Members who have in turn been approached by their constituents and by business representatives on this matter, particularly regarding urgent need for improvement in lateral routes such as the East London line.

WAGN is a subsidiary of Prism Rail. In 1997 it was awarded the franchise for the London, Peterborough, Cambridge, King's Lynn and Stansted lines operating from Liverpool Street, Moorgate and King's Cross stations. The contract was for seven years and three months, so is due to expire in 2004. Those rail services go through my constituency and provide essential passenger rail transport from nine stations in Enfield, North—from Enfield Chase, Gordon Hill and Crews Hill in the west, and Southbury, Turkey Street, Ponders End, Brimsdown and Enfield Lock on the eastern lines and Enfield Town. I say essential services because unlike many other parts of north London there are no rail alternatives for commuters from Enfield, North. The underground does not extend as far as Enfield, North and road transport into central London is barely an option, due to congestion and travelling time.

Enfield borough council estimates that some 10,000 people use the railways to travel from Enfield to work each day and that a further 1,500 use the service to travel to Enfield to work each day. I rely on the service from Enfield Chase station into Finsbury park or Highbury and Islington to pick up the underground to Westminster. Although I use this service regularly, I am indebted to the Enfield rail user groups, which represent many of my constituents, for the broad range of data that they have collected from each of the lines through Enfield, North. I make particular mention of the Enfield Lock rail user group and the business user group, which have provided specific information on the shortcomings of WAGN's services for both private passengers and business and industry in Enfield.

In December last year, the three Enfield Labour MPs invited WAGN's managing director, Euan Cameron, to make the journey from Turkey Street in Enfield, North through Edmonton Green to Liverpool Street to see at first hand the service that rail users receive. To his credit, he was happy to take part. He discussed with us the various problems, which he also discussed with rail user groups' representatives. Mr. Cameron, in an earlier letter to me, was candid enough to concede that the service provided by WAGN had been unacceptable.

The purpose of the journey was to identify specific areas where urgent improvement is needed. Those problems were further highlighted at the Enfield transport users forum in December and again in the community debate in January, both events being initiated by Enfield council. They were welcome initiatives under its agenda for modernising local government.

The shadow strategic rail authority makes it clear that one of the prime proposals for replacement franchises is to reduce perceived barriers to switching from car to public transport, but the experience of many who participated in our local forum made clear the extent of the problem, including increasing overcrowding on trains. WAGN conceded that there has been a 7 per cent. growth in the number of passengers during peak hours and an overall increase of 12 per cent. in two years—something that we should welcome—yet there are no additional trains serving this already overcrowded route.

Mr. Lloyd Tew Cragg of the Enfield Lock rail user group has written to me, and to WAGN, to describe the experience of his fellow passengers. His group is nicknamed, with typical gallows humour, the mushroom club, as each morning commuters on the Lee Valley line remark to each other when they have boarded their train, "There's not mushroom in here, is there?" Mr. Tew Gragg also highlights the remarkable practice of trains failing to stop at certain stations if they are running late. I understand that rail operators are judged to have failed punctuality targets only if trains complete their entire journey late. Therefore trains running late at certain stages of the route can make up lost time simply by missing out whole stations. The consequences are obvious. Passengers are stranded at those stations until the arrival of the next service, which outside peak hours, can be as much as 45 minutes later. That places an additional burden on already overcrowded trains and stations as passengers who would have expected to depart on a previous service are forced to compete for space on a later train.

Trains running along the Lee Valley line during peak hours are scheduled only every 30 minutes. The disruption caused to people with appointments or

obligations by cancelled trains or those that do not stop is all too easy to imagine. This problem is further exacerbated by a lack of information for passengers about cancellations and delays. With no information screens and stations that are often unstaffed, passengers cannot get information or advice about their journey plans. Trains users do not only travel out of Enfield to work: Enfield has many businesses which also suffer from poor rail services. Employers in the borough report that their staff are reluctant to use public transport, especially trains, because of the unreliability of services. Off-peak travel is especially precarious, and therefore becomes impractical for many shift workers and those on flexi-time. Employers also report that that may have an effect on their ability to recruit and retain staff.

Such difficulties almost pale into insignificance against those that people with disabilities endure. Enfield Disablement Association has noted that disabled people are unable to use WAGN services freely. They are required to give about 24 hours' notice if they need assistance and they must state which train they intend to use, and that is on a local network. The train network is largely inaccessible to them because of problems with stairs. Indeed, if a disabled person embarks on a train at Enfield Town station, the only station where he can disembark, wherever he wants to go, is Liverpool Street—all other stations are inaccessible.

The design of stations and the problems of poor availability of information compound the difficulties faced by people with visual impairment, and they too, have made representations to me. In its defence, WAGN states that most stations were built in the Victorian era and that it, too, is concerned about accessibility, but it says that major work would be required to solve such problems. There the matter rests, and no progress is made.

Passenger safety on trains and at stations is another major concern. The poor maintenance of stations, such as Southbury, which could best be described as derelict, produces an intimidating atmosphere. Attacks have occurred at that station. Apparently, even a member of WAGN's staff was attacked there. The neglect of that station and others makes people afraid to leave trains when darkness has fallen. Enfield Women's Safety Forum highlighted that problem and constituents have told me that they will travel beyond their station to disembark at a station where they feel safe. In effect, no-go zones exist when daylight has gone.

Mr. Stephen Twigg (Enfield, Southgate): I congratulate my hon. Friend on securing the debate. As she has said, she is reflecting widespread concern among rail users in the borough of Enfield and more widely in north London. Like hers, my mailbag is regularly full of complaints about the service that WAGN provides. Many of the issues that she highlights are shared. When she takes the train from Enfield Chase to Finsbury Park or Highbury and Islington, she travels through my constituency, through the stations of Grange Park, Winchmore Hill, Palmers Green and Bowes Park. Those are the stations that my constituents use most, and they raise similar issues to those that she mentions.

New Southgate and Hadley Wood stations on the line to Welwyn Garden City are in my constituency. The state of New Southgate station is similar to that of Southbury. It is important that WAGN recognises such problems and deals with station safety. WAGN has reached an agreement with some local people to open a café-bar at Palmers Green station, which has provided an excellent new facility at that station and helped to improve the safety and security of the passengers who use it. That is a positive example.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Interventions should be brief. Another example would definitely be over the mark.

Ms Ryan: My hon. Friend makes the point well. WAGN has made some welcome improvements, but they would be even more so if they had been more widespread. By far the most mail that I receive is on that local issue. Complaints continue to be made; people do not stop when they have made one complaint. Week in, week out, trains do not turn up or are late. People cannot obtain the information that they need, or they feel unsafe on a station platform, so they will complain again. I encourage my constituents to complain. It is an important right, and they should exercise it to ensure that West Anglia Great Northern knows the size of the problem.

I am not sure whether WAGN is aware of the problem. Enfield rail user groups have undertaken their own survey of passengers' opinions of the service. I am sure that my hon. Friend the Member for Enfield, Southgate agrees with me that those findings sit at odds with the survey published by the shadow strategic rail authority, which claims that 76 per cent. of passengers nationally thought that the service was good or fairly good. However, that figure represents the level of satisfaction with a particular journey on the day of the survey. For regular users, the figure for the general level of service dropped to 64 per cent. The figures are higher in the surveys undertaken for users of the Enfield service.

I do not question the honesty of the shadow strategic rail authority or the validity of its survey, but those figures would be greeted with incredulity by Enfield rail users. That leads my constituents to feel as if they are the poor relation to those who use the more lucrative passenger services from Cambridge, King's Lynn, Stanstead and elsewhere. Those of my constituents who use the railways say to me that they feel that Enfield was taken on by WAGN because it happened to be part of the franchise, but that the company's real commitment is to the more distant areas, which have faster trains and more lucrative lines. It seems that Enfield is not a priority, and that it not good enough.

The managing director of WAGN denies that, but experience of the railway service in Enfield confirms my constituents in their view. More than 1,000 people have signed petitions organised by Maria Preswell of the Enfield Lock rail user group. Their demands are reasonable; they include four trains an hour, four carriages per train and better information about services. That is the least that we should expect, but it is a long way from what we get.

I referred earlier to a letter that I received from Euan Cameron. I am pleased to say that the managing director of WAGN agrees that it is not good enough.

[Ms Ryan]

I had hoped to pursue the matter directly with him at a meeting in January, but that was cancelled by WAGN at short notice. We had hoped that Mr. Cameron would provide us with a timetable for the implementation of the specific improvements that we raised with him on our train journey. He agreed to provide a timetable, but sadly—like some of his trains—it has not yet arrived.

We understand that a fare increase is imminent. I believe that it should be tied to improvements in service. Rail fare increases not accompanied by service improvements would be a further insult to my constituents. Those increases should be not something for nothing but something for something—a phrase used elsewhere by the Government. If we have to pay increased fares, we should expect an improved service.

In the short and medium term, we want four trains an hour. We want trains of four carriages rather than two on either side of the peak hours. We want waiting rooms that are safe and that make passengers feel secure. We want improvements for people with disabilities, and we want improved information for all passengers. The shadow strategic rail authority says that the replacement rail franchises are expected to be much longer than the original franchises and that they may last for between 10 and 20 years. A review will be conducted every five to seven years to assess the franchisee's peformance. This debate is not a WAGN-bashing session, but it is clear to my constituents in Enfield, North that improvements are badly needed. They will support a renewed franchise only if vital improvements start to become apparent. Otherwise, they will be horrified at the possibility of a 20-year franchise.

We have a strong case that we have put on a number of occasions and in different places. We have strong support from our local authority, which is making sterling efforts to make the case for our passengers and to improve the rail service for the people of Enfield, North and for the rest of Enfield. However, very little is happening. The reality is that, for all that we have said and for all the times that we have raised the issues, we do not see the improvements that we seek. I am meeting the managing director of WAGN in just over a week's time, and I shall again put the matter forcefully. I hope that my hand will be strengthened by this debate.

The Enfield rail users group asked me to add my voice to its own to achieve these improvements. I ask the Minister and the Government to add their voices to ours.

12.46 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): I thank my hon. Friend the Member for Enfield, North (Ms Ryan) for raising an issue that is important for her constituents and of general interest to the travelling public. I should like at the outset to pursue a couple of points that she made towards the end of her speech. She said that she wanted four trains an hour throughout the day. My advice is that that service is already provided. If that is not the case, my hon. Friend might want to provide me with details after the debate, but I am advised that there are four trains an hour throughout the day, until early evening. I am advised that there are no two-carriage West Anglia Great Northern trains and that the minimum number of carriages is four. Again, I must rely on the advice that I am given, but I should be interested to see any advice that my hon. Friend has to the contrary.

I should like to start by making a few general points and then deal with the particular case outlined by my hon. Friend. The Government accept that passengers want punctual and reliable trains and that they want to feel safe, comfortable and secure on trains and at stations. They also want easy access to accurate and impartial travel information and adequate compensation when things go wrong. For that to happen, we need more investment in infrastructure, rolling stock and station improvements. We also need better and more consistent performance, a clear and affordable fares structure and a rail system that is fully integrated and which allows seamless transfers with other public transport modes. Only then can we hope to encourage people to choose to travel by public transport rather than by private car. That is why the Deputy Prime Minister issued new instructions and guidance to the franchising director last September, asking him to deliver improvements through renegotiation of the terms of franchise agreements.

When considering renegotiation requests, we have asked the franchising director to give due weight to commitments on current performance, customer services, innovation, efficiency, new or earlier investment, securing better performance, initiatives to produce integrated transport, willingness to give passengers a greater voice in the level and standard of services and value for the taxpayers. Unfortunately, it is not possible for all the current franchise agreements to be renegotiated overnight. The franchising director's overall objective is to replace most shorter franchises—those expiring by 2004—within about two years. The WAGN franchise, which expires in April 2004, will be one of those to be considered, so my hon. Friend has raised the matter at an appropriate time.

I should like to address my hon. Friend's specific concerns about WAGN's services. As she said, it would be only fair to note that passengers travelling on its lines generally enjoy a comparatively punctual and reliable service. Although passenger numbers have increased, WAGN has not experienced the massive increases that have resulted in severe overcrowding on the neighbouring Thameslink service. I appreciate that her commuters will not necessarily be satisfied to know that the situation on their line is not nearly as bad as that on a neighbouring one, so I do not make too much of the point; I merely refer to it in passing.

My hon. Friend referred to the results of the national passenger survey based on a study of 1,000 WAGN passengers. It found that 77 per cent. were satisfied or very satisfied with the service, compared with 76 per cent for the whole network. I heard what she said about the figure being lower among regular commuters.

As we have heard, WAGN's passengers have not escaped the frustrations caused by poor performance, despite its relatively good track record. Commuters forced to stand every day will take little comfort from the fact that overcrowding levels are below agreed thresholds.

WAGN scored lower on value for money than any other train operating company in the national passenger survey, with only 30 per cent. of pasengers being

satisfied or very satisfied—that accords with my hon. Friend's information. Those using West Anglia Outer services will take little comfort from the fact that the latest shadow rail authority performance bulletin listed WAGN as one of the top five performing train operating companies. Discounts are currently being paid because of poor punctuality. There are contradictions between the different figures.

My hon. Friend expressed concern about inadequate service levels, especially in the off-peak period. WAGN is operating at and, in some cases, beyond, its contracted passenger service requirements. When setting the requirements, the franchising director ensured that a core provision was protected so that the service would be broadly similar to that operated by British Rail before franchising. However, from what she said, it seems that the provision might be inadequate; the franchising director will no doubt bear that in mind when the time for renegotiation comes.

My hon. Friend also expressed concern that WAGN is missing stations to avoid triggering penalties for late-running trains. However, the company is penalised under the regime by the franchising director if trains fail to stop at an advertised station. Likewise, it is penalised for running short formation trains. I asked how the director would know when a train did not stop at a station. I am not competely satisfied with the answer. My hon. Friend might know how he would. She should pursue the point with the franchising director, and I might too.

My hon. Friend suggested that fare increases should be tied to improvements in services. She surely knows that the franchising director has capped the increase of key fares at 1 per cent. below the rate of inflation. However, for London commuter fares, increases can be adjusted by 2 per cent. above or below the fares cap to reflect the quality of operators' services. WAGN was held to below-inflation increases because of its performance during the year to July 1999. Her commuters can have the mild satisfaction of knowing that an incentive is built into the fares structure that ought to be pressing the company to provide a better service.

My hon. Friend mentioned access for disabled passengers. I accept that there are problems for which there are no easy short-term solutions. Train operators are required to produce and comply with the disabled people's protection policy. They have made a number of improvements to stations and trains to make them accessible. New rail vehicles have to comply with the rail vehicle accessibility regulations. They require operators to conform to detailed specifications for wheelchair access and to provide clear colour contrast, audible and visual announcements and a range of other features to help people with a wide range of mobility difficulties.

Train operators recommend that passengers with disabilities contact their dedicated help point before travelling, but I agree that having to do that 24 hours in advance is not helpful. If contacted in advance, operators can usually arrange for staff to meet disabled passengers at their departure station, accompany them to the train and help them to board.

The fear of crime deters many people, especially women, older people and people from ethnic minorities, from using trains. Many train operators have taken steps to improve security by installing CCTV and help points, improving lighting and introducing rapid response arrangements.

Ms Ryan: The local council held a forum for businesses and services in the borough on CCTV. The only group that was invited but did not attend was WAGN.

Mr. Mullin: If that is so, it is clearly unsatisfactory.

As for consultation with passengers, we are determined that they should be given a say in their rail services. That is the only way to make train operators provide the services that meet the needs and expectations of their customers.

When considering requests for franchise replacement, the franchising director will consult rail users consultative committees, the London regional passengers committee, local authorities, regional planning authorities and regional development agencies, as appropriate. We might add relevant Members of Parliament to that list. My hon. Friend will no doubt want to draw her speech to the attention of the franchising director. The rail users consultative committees and the London regional passengers committee will also be encouraged to talk to a wide range of individual users and local groups to ensure that passengers' views are taken into account.

The franchising director's objective is to secure the earliest possible delivery of better services for passengers while providing demonstrable value for money for the taxpayer. However, it is important to remember that the franchising director is not committed to accepting the proposals that are received from prospective franchisees. If an application is to succeed, it will have to guarantee better performance, more investment, the expansion of network capacity and improvements for passengers, as well as providing the taxpayer with value for money. If applications fail to deliver those improvements, the franchising director could decide to allow existing franchises to run their course.

In conclusion, we are determined to improve the quality of rail services and to build a railway that is fit for the 21st century. However, the problems that my hon. Friend mentioned show that WAGN has some way to go before it consistently delivers a rail service that meets passengers' needs. I am grateful to her for raising the subject. No doubt the franchising director and WAGN will take careful note of what she said.

Greenbelt Development

12.58 pm

Miss Julie Kirkbride (Bromsgrove): I am grateful for the opportunity to debate greenfield sites. Although it is an important issue in my constituency, I suspect that Bromsgrove is representative of other authorities with predominant greenbelt land. They, too, face severe problems as a result of the Government's requirement for additional housing, which is passed down to the county councils, which then pass it down to the district councils. That creates great difficulties for greenbelt authorities. Bromsgrove comprises 92 per cent. greenbelt, which is a high percentage compared with other authorities. Sadly, the Government cannot give us figures about which other authorities have more than 90 per cent. greenbelt land in their boundaries, but clearly there are some, and those authorities have a problem as a result.

It is important to remind ourselves why the greenbelt was created in the first place. Greenbelt land is countryside that has special designation and protection so that it will act as a barrier and protect the countryside and, in the case of Bromsgrove, prevent the overspill of the metropolis of Birmingham from spreading further and further into the Worcestershire countryside until the metropolis and countryside become indistinguishable. Greenbelt land should receive extra protection because it forms a greenbelt around inner cities to prevent them from sprawling beyond their boundaries, but, sadly, it does not seem to receive that extra protection. That is a problem in Bromsgrove.

Conservative Members find it frustrating that, whenever we debate the greenbelt, the Government say that there is good news because they have created more of it—the Minister's response may fall into line with that. The only reason why the Government have found it necessary to create more greenbelt is because they have allowed the despoliation of the land that previously existed. Of course, if we were properly to protect the greenbelt, it would not be necessary to create more of it because the creation of greenbelt suggests that areas of countryside are in danger of being developed and greenbelt designation is necessary to stop urban sprawl. If proper planning laws were in place, it would not be necessary to create more greenbelt, however, desirable it is to designate such land once the problem has been created. My aim in the debate is to highlight that problem and to ask the Government to give extra protection to areas such as Bromsgrove and other areas of greenbelt so that we can maintain the beautiful English countryside and keep towns as towns, rather than create a great mix of things.

To explain the problem that exists in Bromsgrove, we have already bound sites for about 2,600 houses out of the 3,950 homes that we have had to build between 1996 and 2011. Extra homes have been added to our original target, but we must still find space to build another 1,350 homes. The problem is that there are no remaining useable brownfield sites. I say "useable" because, to be accurate, there is a small brownfield site in Hagley near the sewerage works, but to make that site viable it would be necessary to use some greenbelt land, which would be self-defeating. The other non-greenbelt site is an area closer to the town of farmland that is grade 1 agricultural land. Although it is not designated as greenbelt, it is certainly green land, and that is the only other site in the whole of Bromsgrove that is not classified as greenbelt on which we could build homes. Therefore, district councils tell me that we need about 100 acres of greenbelt land to meet the requirement for 1,350 more homes. That does not include future annual development requirements under which the district council will be obliged to find even more space for such further development as the Government think appropriate. Bromsgrove has a real problem. It is a greenbelt authority, under that special protection, but is no different from anywhere else with respect to the distribution of housing targets. It is expected to take further homes and to spoil what the greenbelt was intended to protect.

I appeal to the Minister for a change in the way in which housing targets are organised. We should not allow the inner city to sprawl out. At present, the greenbelt classification seems not to mean any added or special protection for authorities such as Bromsgrove, which seems to defeat its purpose.

How did the figure of 1,350 homes come about? Worcestershire county council, which handed down the target to Bromsgrove, has a housing target of 6,450 homes by 2011. They have been distributed between the six Worcestershire districts so that Bromsgrove, with 92 per cent. greenbelt land, has a target of 1,350 homes; Wyre Forest, next door in the north of the county, with 65 per cent. greenbelt land, has been given a target of 850 homes; Redditch, with 35 per cent. greenbelt land, has a target of 1,050 homes; Wychavon, 25 per cent. of which is designated greenbelt, is to have 1,300 homes; Worcester, which is 10 per cent. greenbelt land, is to have 1,500; and Malvern, which has no greenbelt land, has a target of 800 homes.

Bromsgrove, despite containing by far the largest amount of greenbelt, has been given the second highest housing allocation in the county. That seems perverse, given the reasons for the greenbelt and the aim of protecting parts of the country and clarifying the boundary between countryside and town. It is bizarre that Bromsgrove has been allocated only 50 more houses than Wychhavon, which has only a quarter as much greenbelt land.

The way in which the figures have been handed down by the Labour-controlled Worcestershire county council is frustrating, but it is outrageous that it is understood—although the county council will not clarify the location of the sites—that Worcestershire has enough brownfield sites to accommodate 50 per cent., if not more, of our housing target. Why did not Worcestershire, in making the allocation, do as the Government would presumably expect and seek out those sites for use before distributing the housing targets willy nilly around the various districts, without attention to the needs of the district that deserved the most protection?

Our frustration is increased by the fact that Bromsgrove schools are now overflowing. It is a delightful place to live and it is popular, because the schools are excellent. My postbag is full of mail from disappointed parents unable to get their children into the schools of their choice. On the last occasion when a large area was handed over to developers—a place called the Oakalls in the centre of Bromsgrove—the district council asked that a new school should be built

as part of the dowry for the development. The county council turned that idea down, then changed its mind when it realised Bromsgrove's problem, but it was too late. The developers had offered other forms of dowry for that development. To have built a school at that stage would have meant paying market price, which would have been too expensive for the public purse.

We felt rather done down that the county did not properly consider our schooling, or our roads, when the figures were handed down. Our share of the roads budget is decided by the county council, yet one of the justifications for giving Worcestershire a disproportionate share of housing is that because we are so close to Birmingham, and many people who want to live in Bromsgrove will work in Birmingham, it makes sense to build houses in Bromsgrove. If that really is the county council's rationale for building more houses, I appeal for extra money to cope with the road problems that will be caused by yet more cars commuting into Birmingham and other cities every day. That is another reason for my disappointment with the figures.

The matter has caused a huge upset locally. A new Conservative council was elected in May last year and the demise of the previous Labour council was probably due to its proposal to build an arts centre on green land in the town centre, which was extremely unpopular in Bromsgrove. I suspect that it caused the Labour party to lose the election more dramatically than it would otherwise have done. The Labour council sat on proposals for further development in Bromsgrove; it was left to the new Conservative council to take the difficult decisions about which greenbelt land should be gobbled up in the Government's housing targets.

The issue is very fraught; for example, last night in Stoke Prior, one of the villages in my constituency, 200 people turned up to a public meeting to protest about the way in which the housing target affects their area. That is a lot of people to turn out to a public meeting on a cold February night, and people in many other villages in my constituency feel equally strongly. But if the Government insist, the houses will have to go somewhere and difficult decisions about which greenbelt landscape should be despoiled must be taken.

I pay tribute to the council leader, Councillor Nick Psirides, who has done a fantastic job in taking a grip on our new district council and grappling with the problems, keeping the public fully informed of the difficult decisions that are being forced on us by the Government's housing targets and giving people a chance to show their enormous strength of feeling. Councillor Psirides organised a Bromsgrove greenbelt pledge campaign and invited members of the public to telephone in support of it. So far, 2,050 calls have been made in support of maintaining Bromsgrove's greenbelt, and only 280 against. That shows my constituents' anxiety about the proposals.

I hope that the Minister will reconsider whether the present policy is in our best interests. The purpose of the debate is to plead with her to reconsider how the housing targets are allocated and to think about whether we are risking the greenbelt and the countryside beyond it by the "predict and provide" way of deciding housing allocation. The Government's target is for two thirds of new housing development to be on brownfield sites. That figure is all the more awesome when one considers that Bromsgrove has no available brownfield site, yet our housing allocation is handed down without any consideration of that problem.

If the Government are serious about having two thirds of all new homes built on brownfield sites, they must do more to change the mechanisms of the planning and allocation process. As my constituents can tell the Minister, vast tracts of brownfield sites in Birmingham and across the west midlands conurbation are desperate for fresh investment to be reinvigorated. It would be much better to refurbish them for new homes and other developments than to gobble up more countryside. The planning process needs to be given much greater consideration if we are fundamentally to change these dynamics.

If the Government look at the demographic changes that are taking place, they will see that there will be more single people in households than families. Single people might like to use the facilities of the inner-city areas and to live in smaller attractive units. We have some good examples in Birmingham, where the inner city has been rejuvenated to provide lovely living accommodation.

Dr. Alan Whitehead (Southampton, Test): Is the hon. Lady aware that the figure for the future suggested requirements for homes for single people does not just include single young people but older people and those with different marital circumstances. The simple idea that all those people can live above the shop, as it were, is not borne out by the figures.

Miss Kirkbride: I thought that I was going to be able to agree with the hon. Gentleman because it is those younger and older people who will need the new homes. Elderly people often like to live together near local shops and where they can enjoy the comfort and support of one another. It is just as appropriate for them to live in inner-city areas than outside in the countryside where they will need to use a car, which is expensive. They might be afraid of losing their driving licence if they became too ill and infirm. More use should be made of inner-city areas for young and old people. If the Government's two-thirds requirement for development means anything, why do they not do that?

Finally, and this is an ancillary point to our problems in the greenbelt in Bromsgrove, I turn to the reuse of agricultural buildings. We are having problems in our sensitive areas. Present planning guidance encourages the change of use of agricultural buildings to light industrial, and some inappropriate planning applications are being made in very rural areas where the roads are inadequate for industrial activity. There is a case for looking at the guidance. I understand that farmers need to make a living and that they have had great difficulties recently with farming policy, but change of use in the greenbelt is even more sensitive than in the countryside.

Will the Minister look at that so that the option of turning the footprint of agricultural buildings into housing rather than light industrial use can be more easily considered than under the present planning laws? In many cases in my constituency that would be a more desirable change of use than light industrial would be. On that note, I will sit down and allow the Minister time to respond. I look forward to her reply, which I hope will allow Bromsgrove to be reprieved from all this extra housing that could despoil our landscape.

1.19 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): As is customary, I congratulate the hon. Member for Bromsgrove (Miss Kirkbride) on securing the debate and on raising the important issue of development in the greenbelt. I am pleased that she shares the Government's commitment to the greenbelt, which has been demonstrated by the increase in greenbelt land since May 1997. She will be tired of hearing that that contrasts starkly with the record of the previous Government, who systematically took away greenbelt land during their last 10 years of office. She is right when she says that we should bring back land to the greenbelt. We need to turn around the legacy of a Government who substantially depleted this country of it.

I would like to set out the Government's general policies on development in the greenbelt and then to emphasise the importance of a planning system led by up-to-date development plans. I will also cover greenbelt and development issues relating to Worcestershire and Bromsgrove more specifically. The Government have stated many times their support for the greenbelt; but let me state it once again, for the record. We remain firm in our commitment to greenbelts. My hon. Friend the Minister for Housing and Planning reaffirmed that in answering a question from the hon. Member for Chipping Barnet (Sir S. Chapman) as recently as 8 February.

Greenbelts are meant to remain open for as far ahead as can reasonably be foreseen, and there remains a strong presumption against inappropriate development within them. That does not mean, nor ever has, that development cannot take place in greenbelts. It does mean that inappropriate development can take place only where very special circumstances exist that outweigh the harm to the greenbelt. That is something that we take very seriously.

Government guidance on development or redevelopment of sites in the greenbelt is set out in planning policy guidance note 2. Local authorities must take its content into account in preparing their development plans, and it may also be material to decisions on individual planning applications and appeals. PPG2 states that most development in the greenbelt is inappropriate. There are a limited number of occasions when new buildings are not inappropriate, and that includes those used for agriculture and forestry. It also recognises that the re-use of existing buildings, with suitable safeguards, should not prejudice the openness of the greenbelt, since the buildings are already there.

If a proposal does not meet the criteria set out in PPG2, it will be viewed as inappropriate development. For permission to be granted, exceptional circumstances need to be demonstrated that outweigh the impact on the greenbelt.

Regional planning guidance sets the framework for greenbelt policy, including the direction of long-term development. Greenbelts are established through development plans. Many detailed greenbelt boundaries in England have been set in local plans and in old development plans, but in some areas, including Bromsgrove, detailed boundaries have not yet been defined. Up-to-date approved boundaries are essential to provide certainty as to where policies on the greenbelt apply, and to enable proper consideration of development options.

In Bromsgrove, I understand that the greenbelt is broadly defined by the existing structure plan. However, the detailed boundaries will be confirmed only when the Bromsgrove local plan is adopted. The hon. Member for Bromsgrove failed to take that into account. As she said, there was some delay in Bromsgrove in getting the local plan adopted, but the delay was attributable to the whole council, not to one group within it.

In 1997, the local plan inspector recommended that the Bromsgrove local plan create areas of development restraint and safeguarded reserve areas of land to meet possible future requirements. Detailed boundaries for greenbelt were being drawn through the local plan process for the first time. I am pleased to learn that the council is in the process of preparing draft modifications and it is for the local authority to decide the extent to which they follow the inspector's recommendations.

As I said, not all the boundaries in Bromsgrove have been defined in detail. The hon. Lady mentioned 92 per cent., but that does not apply to boundaries that have been agreed and approved through a local plan process. When they are defined, they will need to be capable of enduring beyond 2001 without the need for frequent or short-term changes. Bromsgrove will therefore have an opportunity to make changes to the draft plan and bring it fully up-to-date. I appreciate that the local authority has difficult decisions to make. They are competing imperatives—that is the nature of planning. Elected representatives must take those difficult political decisions. However, I hope that the plan can be adopted as soon as possible.

The Government lay great store by authorities having up-to-date development plans to aid development control and to help to reconcile the often competing demands of development and of the protection of the environment and the locality. I am sure that the hon. Lady would want to assist in that process.

Planning policy guidance note 3 on housing, which will be published shortly, is an important document. It will play a key role in countering the irresponsible development policies that the previous Administration pursued for more than a decade. The hon. Lady talked about predict and provide, but we started to change that old way of doing things when we took office. We have adopted a predict, monitor and manage approach, which is much more flexible. The key points are rigourous local authority housing capacity assessments; a sequential approach to housing site identification, putting the reuse of brownfield sites before the use of greenfield sites; a phased land release system, again putting brownfield sites first; a more efficient use of land through higher housing densities and lower parking standards; a better quality of design; and a national target of 60 per cent. of new houses to be built on previously used land.

Miss Kirkbride: I am delighted to hear what the Minister is saying. Is it possible for Bromsgrove district

authority to wait for those new targets to be put in place? It could then use brownfield sites in Birmingham and we could keep our greenfield sites in Bromsgrove.

Ms Hughes: I am coming to some of those points, but I must say to the hon. Lady that it is not consistent with our approach for any one authority to shed its responsibility to contribute to the 60 per cent. brownfield target simply by saying that a local authority elsewhere should take up its share of responsibility. That is not what the process is about.

The hon. Lady said that Bromsgrove residents were concerned at the number of new houses that might be required in the district over the coming years. I understand that the new draft structure plan for Worcestershire adopts the housing allocation for the county that was set out in the regional planning guidance issued in 1998. I take issue with the way in which the hon. Lady portrayed the process of reaching the figures and allocating them to districts. The housing allocations were based on advice to the Secretary of State from the West Midlands local government association and were arrived at in partnership with other public and private sector interests, including Bromsgrove and other local housing authorities. To say that the Government hand down numbers is to misunderstand or mislead about the nature of the process, which is dynamic. Crucially, it involves a determination by local partners of the overall target and how it should be allocated.

As the strategic planning authority, Worcestershire county council has divided the overall provision between districts. The hon. Lady complained about that division, but the new structure plan is to go to public examination in July, when local authorities and others will have an opportunity to debate these important issues. My Department is in the process of preparing its formal response on the structure plan, so I cannot comment further, except to say that the figures are not set in concrete; Bromsgrove and other districts will be able to make their views known.

I appreciate the fact that Bromsgrove has less previously used land than other authorities. However, by applying a rigorous analysis of where that land is—taking the sequential approach in PPG3—Bromsgrove can at least go some way towards meeting its targets. The figures released today for the results of the individual local planning authority's contribution to the national land use database show that Bromsgrove has at least 46 hectares of previously developed land, not the zero hectares that the hon. Lady and the council leader have talked about.

There is an opportunity through proper process for Bromsgrove to make its views known on the matter.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Time is up.

Pupil Mobility

1.30 pm

Ms Karen Buck (Regent's Park and Kensington, North): I am grateful for the opportunity to air the important issue of the impact of high pupil mobility on schools. I am delighted that we have such a sound and comprehensive report as that prepared by Janet Dobson on which to base the debate and shape recommendations. I congratulate her and the Department for Education and Employment on commissioning the study.

A principal conclusion of the report is that many factors influence pupil mobility, including general social mobility of students, people moving around for work, and so forth. Given the area that I represent, my purpose is to concentrate on the issue as it affects London. I want to emphasise the joined-up nature of the problem of high pupil mobility, especially in inner-city communities. High turnover compounds and is compounded by problems caused by homelessness, which include poverty, and the dislocation and trauma experienced by many asylum seekers who do not have English as a first language. To set the context, 40,000 householders are in temporary accommodation in London, 5,000 in bed and breakfast. The total, including asylum seekers, is 55,000.

The timing of the debate is apposite, because I am aware that during the recently started second stage of research, and no doubt after the final report lands on the Minister's desk, minds were and will be concentrated on vital issues such as strategies to reduce mobility. I hope that the Minister can assure us that the issue of pupil mobility as raised in the report will be considered in the housing Green Paper, as the two issues are closely allied. Also important are the additional costs placed on schools with high mobility levels, especially where the turnover involves pupils who score highly on other indices of deprivation, and the equally serious problem of high teacher mobility, which tends to occur in exactly those schools that experience high pupil turnover. I hope that the research and the debate that it inspires will lead to a greater understanding of the costs involved and the predicament of schools and their staff. They are struggling to raise educational standards under the pressures that high mobility brings.

Some of the figures, and the human stories that they represent, are dramatic. Last week, the head teacher of a school in my constituency told me about a five-year-old boy who was inducted into school on a Monday and disappeared from it the next day, having been rehoused as a result of a shift in temporary accommodation in Portsmouth. The little boy arrived in the country in November speaking no English, and his day at Wilberforce school was a taste of the third school that he had attended since his arrival.

While I prepared for the debate, other local head teachers gave me similar examples. One school saw the equivalent of one new arrival a day between the start of term and the day three weeks later when the inspectors arrived from the Office for Standards in Education. In a year 6 class in Kensington, only one child sitting standard assessment tests at key stage 2 had been present since key stage 1. One in three children in Hackney have not been at their primary schools for the full four years of the key stage 2 curriculum.

[Ms Karen Buck]

As the Dobson research suggests, mobile pupils are disproportionately likely to have lower levels of achievement at entry. For example, children in Westminster who joined primary school after key stage 1 are three times more likely than their settled peer group to have limited English. Levels of attainment at key stage 2 among pupils joining late are 19 percentage points lower for English, and 12 percentage points lower for maths, than levels achieved by pupils attending school from the start.

A lot of that can be explained by the high incidence of mobile pupils with English as an additional language. However, an extra problem arises from pupils not having resources in the home to enable them to study or to draw on the ideal level of parental support needed to help them to achieve.

There are no excuses for low achievement. All the heads to whom I spoke reiterated that each pupil should realise his or her maximum potential. However, I was struck by the close correlation between school achievement as measured by test results and levels of pupil mobility. In one of the boroughs that I represent, the combined percentage of unexpected leavers and unexpected admissions ranged from 43 per cent. to 2 per cent. I pay tribute to the excellent work done in our high-achieving schools, but it is clear from statistics that many of them do not face the pressures of schools in which almost half the pupils change schools in a year.

I hope with all my heart that that fact will be more fully appreciated by Ofsted, by the media and throughout the country because, only by recognising it, can we appreciate the level of achievement of staff and pupils in schools with a high turnover, whose efforts are little short of heroic.

Mr. Bob Blizzard (Waveney): Is my hon. Friend aware that the problems that she is describing are also evident in seaside towns? A school in Lowestoft in my constituency counted the number of pupils in one group as it moved through the four years of the school and found that only one third of them had been with the school throughout. It had a mobility rate of about two thirds. A break in education is the biggest detriment to progress. Schools need resources to support transient pupils to ensure that non-transient pupils do not suffer. My hon. Friend is absolutely right: Ofsted must take into account that factor when placing a school in a group, by which it sets the standard assessment test results.

Ms Buck: I agree that there is a serious problem in seaside towns. My hon. Friend's point strengthens my argument.

High pupil mobility also places cost pressures on schools. Teachers must assess and offer support to a new child sometimes every two or three days, set up records and prepare teaching materials. That takes considerable time and energy. Induction can easily add one or two hours per pupil, which, when multiplied by 60, 70, 80 or 90 pupils in one school, quickly eats up staff time. Records need to be prepared for early leavers to be passed on to their next school, which, again, when multiplied by the number of pupils involved adds to the pressure.

In the secondary sector, the number of pupils spirals. One comprehensive in my constituency dealt with 284 unexpected arrivals and leavers in one year. Mary Marsh, the head of Holland Park comprehensive school, estimates that the total processing time in her school costs the equivalent of a teacher's salary. It is not only teacher and administrative time that is involved; schools provide folders, paper, textbooks and other materials, which, in high pupil mobility schools, are unfortunately lost to a far higher degree than in schools in which the pupil population is stable.

There are even more stresses. Many London schools with high pupil mobility take in the children of asylum seekers. We are talking not about high proportions of children with English as an additional language, but about 15, 25 or 35 different languages being spoken in a school. In Holland Park school and North Westminster school, the number of different languages total 70, so the pressure is multiplied. In year 11 at Holland Park school, 47 per cent. of pupils are late entries, 45 per cent. have English as an additional language and 40 per cent. of pupils are on free school meals.

The need for additional resources for schools with large numbers of pupils with an additional language is already recognised in the system, but the additional complexity of working with pupils who come from many different countries, who speak different languages and are from different cultural traditions is not yet fully understood. In many schools, children arrive with little or no English. A child may be the only one in the school who comes from a particular country and speaks its language. That makes the teacher's job harder and adds to the sense of isolation and dislocation of the child.

Taking all the causes of high mobility together and the additional stress factors that are often linked to it—homelessness, the pressures of life in bed-and-breakfast accommodation, family breakdown, domestic violence, war trauma, the psychological damage done to parents who may have undergone torture—it is scarcely surprising if such schools find it harder than usual to build a strong identity. Greater than average behaviour problems in schools may result from such a high level of instability and turbulence.

Children who remain in a school throughout their school life are also affected, which is an important lesson that we need to learn from the research. We do not sufficiently appreciate the damaging effect that the regular fracturing of relationships that children have built up with others who move on may have. Families in temporary accommodation are often given no notice that they have to leave and are told to move overnight; the children are therefore moved from schools without having a chance to say goodbye. That can be damaging for all the children involved.

As I said, I am aware that a high level of pupil mobility is by no means only a London issue. That is supported by the Dobson research. I have not touched on the problems experienced by traveller children, excluded children, children in care and the experience of seaside towns or army bases. However, as the initial report states, London is unique in terms of the combination and concentration of factors generating high pupil mobility. It is also unusual in having a high turnover in both the primary and secondary sectors. The research shows that, in many other areas, high pupil mobility is concentrated in primary schools.

I realise that the research is at too early a stage to expect firm commitments from my hon. Friend the Under-Secretary of State. However, I hope that she will give general support to the recommendations in the first stage report and to the need for greater awareness of the multiple pressures with which schools have to deal. We need more data on which to make decisions and a standard methodology: one of the report's findings is that information is collected differently in different boroughs and schools. We need more support for tracking children who often move regularly between schools. I am sympathetic to the inclusion of some form of exceptional circumstance factor in the ethnic minority and traveller achievement grant, to help meet the needs of highly mobile groups, whatever the underlying cause of their mobility, and to help promote best practice in schools. I hope that we can look forward to greater recognition of the problem, and to greater compensation for schools experiencing high mobility, from a Government who are rightly demonstrating their commitment to high standards of achievement for all.

1.42 pm

Mr. Gordon Marsden (Blackpool, South): I congratulate my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on securing this debate on an extremely important question. As my hon. Friend the Member for Waveney (Mr. Blizzard) said, this is a problem that particularly affects seaside towns. I wish to say a little about that from my perspective of the Member of Parliament for Blackpool.

The situation in seaside towns is different from that in London in the sense that our populations tend to be more ethnically homogenous. We therefore do not have the problem to which my hon. Friend referred, but we have large numbers of people moving in and out, seeking seasonal employment, and that obviously makes a substantial contribution to pupil mobility. Those are often people with few skills, usually young people with families—with all the attendant problems—with low income, poor health, and drug and alcohol problems. They often live in poor conditions in bed-and-breakfast accommodation. The non-routine admission pupils from that transient population often have special educational needs and behavioural difficulties, and are underachieving. I am sure that my hon. Friend the Under-Secretary appreciates those significant factors.

The educational development plan that Blackpool borough council prepared two years ago concluded that the borough's high level of pupil turnover—something in the order of 1,200 primary school pupils were non-routine admissions in 1997–98—has a destructive effect on schools, strains teachers and resources and affects teachers' ability to make a sustained impact on achievement levels. A headmaster in my constituency with a primary school with an annual pupil turnover of 48 per cent. said:

"Large numbers of pupils moving in and out of the school makes target setting and tracking pupils' progress extremely difficult."

That also has implications for the extent to which high mobility will, if not properly monitored, frustrate the Government's attempts to measure added values in school league tables.

The final point again picks up on what my hon. Friends the Members for Waveney and for Regent's Park and Kensington, North said. I am encouraged by the Government's response so far, not only in terms of commissioning the original Dobson report which is seminal in this respect but because it indicates what they propose for the future. As a member of the Select Committee on Education and Employment which inquired into the work of Ofsted—as part of the inquiry, we raised with the chief inspector the issue of monitoring high pupil mobility—I am delighted that the chief inspector acknowledged on separate occasions that it was an important factor which he and the Government would take formally into account in future Ofsted inspections and in the inspection process. It is a key issue north and south which affects not only inner-city areas but seaside towns. I am delighted that my hon. Friend has raised it.

1.45 pm

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): I, too, congratulate my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on securing today's debate. I also congratulate her and my hon. Friends the Members for Waveney (Mr. Blizzard) and for Blackpool, South (Mr. Marsden) for their well-informed, measured and intelligent contributions. Like them, I welcome the opportunity to discuss this important complex issue. As they so ably outlined, there is evidence that pupil mobility is a serious problem for schools, local education authorities and, most of all, pupils. I associate myself with the comments of my hon. Friend the Member for Regent's Park and Kensington, North. I too, believe that in many schools with high pupil mobility, teachers and non-teaching staff do a fantastic job supporting pupils. They deserve recognition for the good work that they do.

As my hon Friend said, in January 1999 my Department provided additional funds to a Nuffield Foundation research project being undertaken by Dr. Janet Dobson and colleagues at the migration research unit of University College, London. Department for Employment and Education funding enabled a report to be produced in October 1999; the final report is not expected until June 2000. The key objectives of this research were to review current knowledge of child migration, establish what was known about the scale, nature and implications of high pupil mobility for the functioning of schools, and develop a better understanding of regional variations.

My three hon. Friends displayed a good understanding of some of the factors highlighted by the report, but it is worth reminding ourselves of what research discovered about the range of factors associated with high mobility. The report identified high-mobility groups, such as travellers, refugees, asylum seekers and the children of armed forces families. It identified circumstances of high mobility such as social deprivation, family break-up, temporary housing and seasonal work. As we heard, it also identified high-mobility areas, which tended to be concentrated around London and other cities and conurbations, and in coastal resorts and areas with a large number of armed services families. The situation is clearly complex, with no cause, and, therefore, no easy solutions. We have recognised that in the debate. Overall, the study found that family break-up was the most significant factor contributing to high pupil mobility. This has implications for our response.

[Jacqui Smith]

For the research, 66 local education authorities provided data on a high-mobility primary school. In 80 per cent of those schools, the mobility rate was 20 per cent. or more. Ten LEAs provided examples of primary schools with a rate of 70 per cent. or more. I accept what my hon. Friend said about difficulties and numbers in secondary and primary schools. However, average mobility is higher in primary schools than secondary schools, although some London LEAs have high rates in both. That highlights a problem in primary schools, which are often relatively small with little administrative support.

My hon. Friend rightly identified London as having a unique combination of factors generating pupil mobility in schools. There is a particular problem in relation to children from overseas. About 70 per cent. of children who came to schools as new pupils between the ages of five and 15 in the year preceding the 1991 census were from overseas.

Other specific factors associated with London to which my hon. Friend alluded are homelessness, temporary housing and exclusions—inner and outer London have the highest exclusion rate. Children from armed forces and traveller families also have a presence in Greater London.

Important implications for individual schools should inform our policy response. The study found that children joining schools at non-standard times are, on average, achieving less in key-stage tests and GCSEs than those who complete a whole key stage or career in the same school.

Changing schools does not per se lead to lower than average achievement for children or schools. We must take account of other factors leading to high mobility that also affect outcomes and tend to be linked to exclusions, social deprivation and lack of fluency in English. Lower achievement by mobile pupils, compared with that of non-mobile pupils, seems to be associated with social deprivation and/or a lack of fluency in English, which is exacerbated by high mobility.

I accept my hon. Friend's contention that high mobility has an impact on school target-setting, measuring performance, using value added to reflect progress and planning teaching. Furthermore, it makes heavy demands on staff time and resources which, as has been rightly pointed out, has implications for the whole school, not just mobile pupils. I am sympathetic to the fact that high turnover affects a school budget over the course of a whole year.

The Government are addressing the problem by undertaking a range of policies. Our early-years policies will ensure that children who benefit from nursery education, especially those from disadvantaged backgrounds, are more likely to succeed in primary school. The sure start programme, which has an emphasis on support for families, may help to address mobility at source, especially in relation to family breakdown.

Baseline assessment will be of value if records are passed on quickly between schools. We have introduced a common transfer form and new regulations on the transfer of records. Increasing investment in information and communication technology and in administrative support for schools will make that transfer smoother.

My hon. Friend rightly emphasised the importance of home-school links in high-quality education and pupil achievement. The development of such links may be extremely time consuming in a high-mobility school, even when all parents are fluent in English. The report emphasises that a positive home-school relationship is likely to be a mjor factor in helping some children to settle in and start to learn. Therefore, the Department is supporting schools by providing guidance and examples of good practice to build that important home-school relationship.

My hon. Friend the Member for Blackpool, South mentioned the importance of measuring performance to raise standards and the difficulty of calculating measures of value added for schools with high pupil turnover, but nevertheless, the Government are committed to ensuring that that is done. As he said, Ofsted's work in taking account of pupil mobility will help with future developments of value-added measures, as will the Government's introduction of unique pupil numbers and the ability to track individual pupils to support their learning and provide more valid measures of achievement.

Schools with high pupil mobility often have to set targets without knowing which children will still be in school at the end of the year. Schools can set additional targets to reflect their priorities. However, many schools find setting targets a challenge. That is why the consultation on target setting, which is due to be sent to schools and LEAs later this term, will invite suggestions from schools with high mobility on how regulations might take account of such matters.

The role of Ofsted has been mentioned. It is important that, under the new Ofsted framework, inspectors will collect data on pupil mobility and comment, if appropriate, on the likely impact on performance. My hon. Friend the Member for Regent's Park and Kensington, North made a point about benchmarking. Detailed information about pupil mobility will be not only collected but made available to inspectors and included in the PANDA—the performance and assessment data—and the PICSI—the pre-inspection context and school indicator reports issued to schools by Ofsted.

It is worth mentioning that the excellence in cities programme, which focuses on raising achievement, will make a positive contribution to fostering stability in some of those areas of London, to which my hon. Friend referred, where it is a particular challenge. Some pupils experience the effects not only of mobility but of not having English as their first language or of coming from overseas, so it is important not only that our ethnic minority achievement grant, which replaced the education element of the Home Office section 11 grant in 1998, has been increased by 7 per cent. compared with last year, but that it will go directly to schools so that head teachers can use it where it is needed most—for

example, to target pupils who need teaching or assisted support in English as an additional language, or to work with local communities. Although I recognise that that will not completely solve the financial problems, it is important as an extra support for those children, as my hon. Friend rightly said, who have language as an additional difficulty as well as mobility problems.

Pupil numbers will always fluctuate for a variety of reasons, reflecting the mobility of pupils and families. I hope that my hon. Friend will accept my assurance that the Government are sympathetic to the challenges faced by schools and pupils. We will continue to study the results of the research to find a way in which to support those schools both financially and in our work to raise standards. The research has enabled us to clarify what we mean by mobility and to identify patterns of mobility, and it will inform our policies at school, LEA and national levels. The Department will continue to note the emerging findings.

My hon. Friend is right to say that pupil mobility is an issue for schools, but it is also an issue where joined-up action across Government is extremely important. The implications are not of concern to the educaton sector alone, but I assure my hon. Friend that they are of great concern to the Department. We must highlight the impact of health improvement strategies and urban regeneration, housing and social inclusion policies. That will require collaboration across services. I assure my hon. Friend that we take the issue very seriously.

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 17 February 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Africa

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Clelland.*]

2.30 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): Too many of the world's leaders, foreign-policy makers and media commentators have downgraded Africa, using the excuse that it is a failed continent of little strategic importance. The Labour Government entirely reject that stance. Our policy is one of constructive engagement by Britain in Africa. We have real interests in Africa, which represents one eighth of the world population. Last year, it registered the fastest rate of growth of any continent in the world. We do more than £10 billion of business with Africa every year. About 1 million citizens of British nationality live on the continent of Africa.

We also care for wider reasons. Africa can be a powerful force for good in an increasingly interdependent globe. The Government are committed to helping to sustain and spread democracy and prosperity throughout the world. We have a moral duty to help ordinary women and men of Africa to build better lives for themselves and their children. Failure in Africa will hurt not only Africans but us, too; it will require more aid and result in refugee flows and lost business opportunities. In Africa, ecological damage, disease, crime and terrorism know no frontiers.

Another reason for critical engagement is that in the past few years a new wind of change has started to blow through Africa. The land of my childhood, South Africa, has turned from international pariah to global role model and regional leader. The other pariah of Africa was Nigeria, which was bled dry by dictatorship. It was repressed and brutalised by a regime that kept one fifth of Africa's population in misery while it squandered massive natural wealth on itself. Now Nigeria is restoring democracy, rebuilding its economy and laying the foundations for a vibrant future. The two giants of Africa—South Africa and Nigeria—are getting back on track and sending the clearest signal to the world that, with human rights respected and good governance, Africa's future can be bright.

They are not the only points of light on the dark continent. Kenya could become a third giant. With our encouragement, President Moi has launched a radical programme of much-needed reform. Its success will make Kenya a regional beacon—stronger, richer and more democratic. We are supporting that reform programme to the hilt, and I shall discuss the subsequent stages with President Moi in Nairobi next week.

Without fuss, Botswana has been on an upward path to prosperity. Mali is quietly building a better future for its citizens and is the author of the far-sighted west African small arms moratorium. After decades of chaos, which almost destroyed the country, Mozambique is now at peace and rebuilding itself. Ghana is moving successfully towards a peaceful democratic transition to a new generation of leaders. Sierra Leone is emerging from a decade of horror, with the chance to build lasting peace and prosperity.

There are success stories in Africa, but there are still some horrors. Angola is ravaged by civil war, land mines and devastating destruction, the main culprit being Jonas Savimbi's murderous UNITA gangsters. Yet it has enough riches and natural resources to feed the whole of southern Africa and be massively prosperous. We must end the war by enforcing United Nations sanctions against UNITA. Angola's vast oil wealth must be spent to improve the lot of the people. It should not be put into the pockets of corrupt politicians and officials.

Mr. Tony Lloyd (Manchester, Central): My hon. Friend touched on a point of profound importance when he said that sanctions against Angola need to be effective. He will know, as I do, that the war is fuelled not only by internal rivalry but by those who are prepared to abuse the sanctions regime for personal or collective gain—sometimes people in high places—and to ensure that the diamonds find a market in the west so that Mr. Savimbi's war machine continues to be well provided for. How can we crack down on that evil, which continues to blight the lives of the people of Angola?

Mr. Hain: I agree with my hon. Friend. He did much good work as the previous Minister of State, on that and other matters. I pay tribute to him. I agree that in some countries, including Zambia, Uganda and Rwanda, people in high positions are busting sanctions. It is imperative that those countries' Governments crack down on them immediately.

Mr. Peter L. Pike (Burnley): It is estimated that well over $3 billion-worth of diamonds from Angola have been used by UNITA since 1991. With such a value, surely a record is being kept of who is trading in them. We should be able to take action to stop it.

Mr. Hain: Again, that is an important point. I am glad that those matters are being raised, because sanctions busting is going on all over the world. That is why we are working with De Beers and other international diamond companies to achieve a self-certification scheme that will allow us to distinguish between clean diamonds, such as those mined in South Africa, Botswana and Namibia, and blood diamonds from Angola and Sierra Leone.

Britain's policy in Africa is clear and unequivocal. We will back success. We will support those who stand up for democracy and human rights. We will help Governments who want to reform their economies. We will support just solutions—African solutions—to African problems. We will work with those African leaders who commit themselves to freeing their people from poverty. We will help empower ordinary African women and men to build a better future for themselves.

The reverse is also true. We will not support corrupt Governments. We will not subsidise economic mismanagement. We will not fund repression or

[Mr. Hain]

bankroll dictatorship. Those evils have failed Africa and we will not back failure. We will speak out against failure, and do all that we can to help ordinary African people to establish their rights and the future to which they are entitled.

The people of Zimbabwe voted against the introduction of a new constitution that did not adequately reflect their wishes. I welcome President Mugabe's clear acceptance of the referendum result. I encourage his Government to seize the opportunity, listen to the people's voice and put in place proper machinery to ensure that the forthcoming parliamentary elections are free and fair. I publicly urge him, as I have consistently done in private, to abandon his disastrous economic policies and work with Zimbabwe's friends in the international community, such as Britain, to restore stability, growth and dignity. We want Zimbabwe to be a leader in Africa, not a loser.

Mr. Owen Paterson (North Shropshire): The Minister said that he welcomed President Mugabe's clear acceptance of the referendum result. Yet, from one of this morning's broadsheets, we learn that Zimbabwe is far from abandoning land seizure. Chen Chimutengwende, the information Minister, said that the land clause would be rushed through Parliament. Surely, that shows that Mugabe has not learned anything from the referendum result.

Mr. Hain: There is a difference between accepting a referendum result containing a question about the adoption of a new constitution that includes a clause about land reclamation, and dealing with that matter separately and in another fashion. I would urge caution over the question of land reclamation or rather, land seizure.

Mr. Paterson: Theft.

Mr. Hain: It is land seizure. However, that is not Zimbabwe's priority. The country has serious economic problems. It is almost toppling into a deep hole. It ought to be adopting modern economic policies, and Britain will work with the Zimbabwe Government if President Mugabe adopts that course.

The lives of too many African people are ruined by conflict, blighted by poverty and crushed by dictatorship. Africa has suffered more than half of the world's war-related deaths, and has more than 8 million refugees, returnees and displaced people. Wars kill more than just people; they kill prosperity and hope too.

Mr. Graham Brady (Altrincham and Sale, West): The Minister dealt with the economic situation in Zimbabwe. Given the parlous state of Zimbabwe's economy, is not Britain's bilateral aid now a powerful lever which the Government could use to ensure that there is proper respect for democracy in that country, that elections are conducted fairly and that the land seizure programme is stopped?

Mr. Hain: I do not think that we can use aid and development assistance in the crude way that the hon. Gentleman suggests. It is important that Governments, such as that of Zimbabwe, understand that the reason that our aid and development programme is relatively low in Zimbabwe is that we have not been confident that the Government would deliver any development assistance to genuinely empower and help the people, as is done in other African countries, which we are assisting to far greater effect. I am sure that my right hon. Friend the Secretary of State for International Development would want to provide extra aid and development assistance to Zimbabwe if it were to adopt modern progressive policies and if we could be sure that the assistance would reach the people whom it is designed to help.

Mrs. Cheryl Gillan (Chesham and Amersham): Can the Minister tell me what representations he has made to the Department for International Development about both the European Union aid programme for Zimbabwe and the bilateral aid programme? Can he tell the House how much the bilateral aid programme between Britain and Zimbabwe is worth, and whether he has asked for the programme to be halted or audited in any way?

Mr. Hain: My right hon. Friend the Secretary of State has taken a close interest in Zimbabwe. The aid that she is responsible for providing is delivered through non-governmental organisations to ensure that the issue of poverty elimination is addressed. We do not want to cut aid as the Opposition seem to be advocating if that would damage poor people's prospects, but we are determined to ensure that aid is not siphoned off in any way, and that is why it is not delivered through the Government.

We must prevent wars from starting. That means tackling the root causes of conflict—oppression, injustice and poverty. We have substantially increased our development assistance budget as a key part of that strategy and we have led the world in debt relief. Improving governance in African countries is a critical element. Good governments rarely go to war. They work with others, such as in the Organisation for African Unity, to resolve issues before they ignite into conflict.

There is also a key role for security sector reform. Improving the quality, supervision, training and democratic accountability of more African armies and police forces would make a major contribution to human rights and the quality of life in Africa, where arbitrary and brutal exercise of force by the state is commonplace. We are working with Governments on that in Sierra Leone, Nigeria and elsewhere.

We must also prevent wars from being stoked. Guns are one of Africa's curses. That is why we have introduced strict criteria for arms sales, to which we are sticking rigorously. We recognise the right of self-defence; African Governments have legitimate security requirements, but we will not export arms that would be used for internal oppression or external aggression. That is why the Prime Minister announced last week a tightening of the policy towards African countries engaged in the Democratic Republic of Congo, including Zimbabwe. However, there is a key role for African Governments themselves in preventing the proliferation of weapons on the continent. That is why

we strongly support the west African small arms moratorium and a similar initiative that is being launched by Kenya for East Africa.

Dr. Jenny Tonge (Richmond Park): The Minister has said a lot about arms control and I welcome the Prime Minister's announcement that he will review the conditions on which arms are sent to African countries engaged in conflict. But after all he said about Zimbabwe—the parlous state of its economy and the fact that it is spending £1 million a day on waging war—does he not have any regrets about the decision to send Hawk jet parts to that country?

Mr. Hain: I applaud the hon. Lady for continuing energetically to flog this old horse. The fact is, however, that we have agreed to honour an existing contract to provide spares, which was entered into by the previous Conservative Government, who sold Hawk jets to Zimbabwe. In respect of new export licence applications made by African Governments for arms that could be used to fuel or encourage conflicts in the Congo, I should restate that we shall not supply arms for such external aggression. That is the important point and it is a considerable advance on anything that the Conservative party got near to when it was in government.

Where war has broken out, we need to find more effective ways to stop it. That means renewed efforts on effective sanctions. We are pushing for smarter sanctions that target the guilty and not the innocent, and we are looking for better ways of shutting down outlets for those profiting from African wars. We are ready to name, shame and take action where we can on those who break sanctions. For example, we would take action in respect of the illegal provision of UNITA with supplies, without which it could not keep fighting in Angola.

I have named in the House several people included in breaking UN sanctions by supplying UNITA and I shall now name more. David Zollman is involved in exporting diamonds to Antwerp for UNITA. Based in Rundu, Namibia, Zollman paid a monthly fee to Namibian officials to enable him to operate without interference. We estimate that in 1999, Zollman was moving $4 million-worth of diamonds per month. His brother, Maurice Zollman, is carrying out similar activity for UNITA in South Africa. Hennie Steyn, a South African pilot, flies diamonds for Maurice Zollman from Angola, via Congo Brazzaville. He also acts as a middleman for UNITA in selling diamonds to European dealers and part owns a UNITA diamond concession. Jan Joubert organises the supply of fuel to UNITA. Until recently, aircraft carrying the fuel flew from Gaberone to Andulo while pretending to fly to Francistown in eastern Botswana. Dennis Coghlan, an Irishman resident in Botswana, owns a warehouse in Gaberone that is used to store fuel and other supplies for UNITA until they can be flown into UNITA-held territory.

Those individuals are making money out of misery. It is vital that all the Governments, agencies and companies where they operate take urgent action to stop their illegal activities. Britain will continue to play an active role as a friend of Africa in the Security Council of the United Nations, and where the UN can stop war or build peace we will back it to the hilt. We have passed the names to the UN and, in particular, to ambassador Robert Fowler, for his work on the sanctions committee responsible for tackling UNITA and Angola generally.

Mr. Jim Murphy (Eastwood): I listened with great interest to my hon. Friend's comments and I am pleased that he has passed those names on to the UN. Are any UK citizens currently suspected of involvement in sanctions busting in support of UNITA?

Mr. Hain: My hon. Friend raises an important issue. We are looking to see whether any UK citizens are involved in such activities. UNITA's global network is widespread and reaches into Britain, Ireland and the rest of Europe as well as into Africa. Indeed, it reaches into eastern Europe. UNITA has, for example, been supplied with Ukrainian arms. I would not stand here and say that no UK citizens are involved, but I give a warning: if any are involved, they will be tracked down and tackled as they are acting illegally, because UN sanctions are a matter of international law.

We are also backing African solutions to African conflicts. We support and fund the Organisation for African Unity, ECOWAS—the Economic Community of West African States—and other regional organisations in their own roles as peacekeepers and peacemakers. We also support individual African peacemakers. Next week, I shall join Nelson Mandela, at his request, at the Burundi peace talks in Arusha to help in his efforts to bring lasting peace to Burundi. The threat of renewed genocide still hangs over the beautiful and tragic region of the great lakes. We must lift that shadow for ever.

HIV/AIDS is killing more Africans than war. The scale of the epidemic is truly appalling. Every day, 5,500 Africans die of AIDS and some 24 million Africans south of the Sahara are HIV positive. The highest infection rates are among people aged between 15 and 24, taking them in the prime of their life. Half of all pregnant women in some of the worst-affected regions are HIV positive. The epidemic affects skilled professionals, which impacts on the education, health and private sectors. How does one plan for a school system in which a third of its trained staff will be dead within five years?

AIDS is a threat not only to health, but to economic development. It is undermining the progress that Africa has made in the past 30 years, slashing life expectancy, orphaning millions of children and destroying the capacity of skilled work forces. It is crippling Africa's rightful place in the world.

Dr. Tonge: The Secretary of State for International Development recently announced a £14 million contribution to AIDS vaccine research. We were pleased with that; everyone was excited. Have the Government made progress in persuading others, especially the United States Government, to contribute equal or greater sums to the research?

Mr. Hain: I am grateful to the hon. Lady for raising the subject. At last month's debate at the Security Council of the United Nations, Vice-President Gore pledged an extra $60 million of funding to tackle the AIDS problem in Africa.

[Mr. Hain]

We must not lose sight of the 650 million people in Africa who are HIV negative—we must keep hope for them. We know what works: reaching young people with the right information and training, providing condoms and ensuring that safe blood is available. Of course, we need care systems for those already infected with the virus. The Government are working hard to help to forge a co-ordinated response to the epidemic. More money must be found, and Africa's leaders must demonstrate more commitment. Where money and commitment go hand in hand, we have seen success—Uganda, for example, has made progress towards culling the epidemic.

A third challenge is to lift the debt burden that is crushing Africa. In 1998, sub-Saharan Africa's total debt was $226 billion, its new grants from the international community amounted to $15 billion and total debt service payments by Africa amounted to $15 billion. The net inflow to Africa was zero. Debt relief can free resources for priority spending and promote investment, and thus help poor countries to support poverty reduction, health and education. That is why the Government have led the international community in pushing for faster, deeper and wider debt relief.

Our support is not unconditional. Debt relief will work only when African Governments are committed to tackling poverty and to economic policies necessary to encourage growth. When they are, we shall back them to the hilt and support them in the international financial institutions.

Boosting trade and investment is Africa's fourth challenge. Some African Governments have acted to increase their competitiveness on world markets and to attract inward investment. We are encouraging others to follow their example. International finance is always looking for new opportunities. I met about 100 business people interested in Africa in the House of Lords over lunch yesterday. The challenge for Africa is not only to be attractive to traders and investors, but to offer opportunities that are more attractive than those elsewhere.

Mr. William Cash (Stone): Does the Minister agree that we must have an even harder and better policy on debt relief, and that it is important that we trace the millions, if not billions, of pounds that have been salted away in Swiss bank accounts? Our policy should guarantee—as far as it can—to get the money back by tracing it, in the same way that moneys associated with the Jewish holocaust have been traced.

Mr. Hain: I welcome the hon. Gentleman's contribution. We are working with the Nigerian Government to trace the hundreds of millions—possibly the billions—that were salted away by the previous regime of Abacha, and by his family. Some of it might be in Britain. The hon. Gentleman raises a serious issue that we are seeking to address.

Globalisation is not a policy but a fact and an opportunity. If it is well managed, it will help to drive forward African efforts to build prosperity and to eliminate poverty. Badly managed, it will increase the divide between rich and poor. We are encouraging African countries to engage actively with the World Trade Organisation and the key international players, and to help set the terms of the debate.

A fifth challenge for Africa is to build good Governments that act consistently in their people's interest. We are working in Africa to help build democracy—to ensure that people can choose and change their Governments freely and fairly. Human rights are at the core of that. We are working to protect and promote them across the continent. That is not just a moral imperative. Where they are respected, economies flourish. Human rights make humans rich.

We are working to promote more accountability in the way African countries are governed. We want to ensure that all those in authority are properly accountable for their actions. Free media, independent courts and a vibrant civil society are vital to Africa's future success. We are working, too, for more transparency, to ensure that ordinary Africans know what those in authority are doing. Secrecy breeds bad decision making and corruption. Open government is better government.

Corruption is not unique to Africa, but its effects are arguably uniquely bad there. Corruption is a tax on the poor by the rich. The world's poorest continent can least afford that tax. Corruption contributes to debt. It undermines the rule of law and Africa cannot afford it. Clean government, by contrast, attracts investment and business confidence. Corrupt Governments repel it and cheat their own people of the benefits. We are targeting corruption wherever we find it.

Britain's engagement in Africa is not just about what the British Government do. Business matters. Companies that do good do well. Non-governmental organisations make a real difference in working on development from the ground up. We work closely with them too. Human rights activists such as Amnesty International and Article 19 inform the Government and keep us on our toes. They play an even more important role in doing that for African Governments.

The Government work with, not against, our international partners in taking forward our African agenda. We have ended 130 years of historic rivalry with France in Africa. With the United States Administration in Washington and the United States ambassador to the United Nations, Dick Holbrooke, we have helped to harmonise our approach to African hot spots. We are working closely with our European Union partners. The European Union common position on democracy and human rights in Africa was written under our presidency.

The Government's vision is of an Africa at peace with itself and the world; a prosperous, democratic Africa in which the scourges of war, famine, disease and poverty are banished for ever; an Africa where ordinary people decide their own futures, freely and democratically; and an Africa as a good friend of Britain which recognises Britain as a good friend.

2.57 pm

Mrs. Cheryl Gillan (Chesham and Amersham): It is good to be back in Westminster Hall. This is the fullest I have ever seen it for a debate, and it is the first time that I have taken part in a three-hour debate. It is good to see the Minister here for the debate that he has initiated

looking so relaxed and suntanned. Several colleagues and I were also at yesterday's lunch, with more than 100 British business men and women who do business in Africa. We all appreciate the Minister's genuine concern and interest in Africa and his personal perspective on that country as a son of Africa, as he has dubbed himself. I wish him well with his brief.

I am, nevertheless, rather sad that the Minister's first outing with respect to this vast continent should be a three-hour debate in Westminster Hall on a subject so broad. It is impossible to cover all the issues and all the countries from Morocco to Mozambique, or Algeria to Angola. I recall one of the purposes of setting up Westminster Hall—

Mr. Deputy Speaker: Order. The hon. Lady must address her comments to the subject of the debate, which has been determined by the authorities of the House of Commons. She can take up the question of why it is being held in Westminster Hall elsewhere.

Mrs. Gillan: I was going to say that, as the debate concerns the whole of Africa, I hope that the Minister will in future feel able to initiate regular debates on its regions. I hope that he will consider tabling a Government motion for a debate on each and every country in Africa to be held this Session. Africa could be debated much more fully in this Chamber if a Minister were present on a weekly basis.

Two or three matters illustrate the tale of two Africas, to which the Minister referred earlier. United Kingdom investment in Africa between 1983 and 1997 was about $5.7 billion—even more than investment from the United States, the second largest investor. The predicted growth for sub-Saharan Africa in 2000 is 3.9 per cent. Our commercial involvement in 1998, the last year for which figures are available, shows that 5 per cent. of all European Union exports to that region came from the United Kingdom and that UK exports account for 7 per cent. of all exports into sub-Saharan Africa.

We must take note of the reforms made and steps taken by African Governments to improve the foreign, direct investment climate: with tremendous private sector encouragement, the improved environment has resulted in more than 40 countries becoming members of the World Trade Organisation. There are about 17 broad-based privatisation programmes in place, and it is no secret that Africa looked to the United Kingdom, and the fine example set by Conservative Governments with regard to privatisation, to base their hope for a rosy economic future. Indeed, 25 countries in sub-Saharan Africa are at present transferring all or part of their telecommunications ownership from the state to the private sector, and there are plenty of opportunities there for UK businesses.

Many African countries have improved their regulatory framework for foreign direct investment, with investment promotion agencies to assist investors. Indeed, everything points to Africa being a good market and target for British companies; it is a good place to do business. As the fifth largest trading nation in the world, the UK is in most markets, and Africa should be featured in a major way.

As Africa grows, our businesses cannot afford to ignore its potential. Members may be interested to know that yesterday, African Lakes became the first fully listed UK plc to obtain a listing on the Nairobi stock exchange. The company's press release announced:

"The positive attitudes of the Capital Markets Authority and the NSE have been evidence throughout the process. The listing will increase awareness of African Lakes in a region which is important for the Company's future. It will enable Kenyan institutional and private capital to invest and participate in one of the region's most active and focused groups. We are committed to growing African Lakes in our domain of sub-Saharan Africa, an area for which the Economist Intelligence Unit recently projected economic growth at 39.9 per cent. pa—one of the fastest growing in the world."

I do not know whether the Minister saw the press release, or had the opportunity to talk to the African Lakes' representative, but yesterday was a red-letter day for United Kingdom business.

Africa has the great advantage of having a wonderful climate. I jokingly referred earlier to the Minister's suntan. Tourism is a great opportunity for businesses and it will help Africa's economic recovery. I hope that the Minister will tell us later how he is promoting the tourism sector, and British business and tourism interests abroad, particularly in South Africa, which he visited recently.

My second point relates to Zimbabwe, and I am sure that many of my colleagues will speak about it too, if they manage to catch your eye, Madam Deputy Speaker. Zimbabwe is, potentially, one of Africa's most prosperous nations. It achieved independence in 1980 under the leadership of Robert Mugabe, but the regime is undermining Zimbabwe's economy and damaging human rights. In fact, the economy is in free fall: inflation is 60 per cent., interest rates are at a similar level and the currency has plummeted. Mugabe's cronies stay rich, while the poor suffer. We are all familiar with the plan to seize lands illegally, to which my hon. Friends the Members for North Shropshire (Mr. Paterson) and for Altrincham and Sale, West (Mr. Brady) have alluded. Journalists have been arrested and the free press is under attack. Still, the Government continue the programme of bilateral aid.

I was sad that, in response to my intervention, the Minister gave the impression that he was familiar neither with the amount of aid that was going in nor with the auditing procedure for ensuring that that aid does not find its way into the wrong hands. Perhaps, with a little inspiration and a little more briefing, he will be able to tell us in his reply exactly what is happening about aid.

I hope that the Minister shares our concern about the forthcoming general election in Zimbabwe. Although the referendum was a triumph for the opposition in Zimbabwe, it did not take place without flagrant abuses by the Government, both in the media and at the polling stations. The scale of the defeat was such that even Robert Mugabe felt that he could not stuff any more ballot boxes than he did. How do the Government intend to send the Government of Zimbabwe the message that their behaviour during the referendum was wrong, that the untrammelled ambitions of the kleptocrats and cronies must be curbed and that Robert Mugabe's system of government is fundamentally corrupt? Will the Minister insist on sending

[Mrs. Gillan]

Commonwealth monitors to Zimbabwe? Is he prepared to suspend help to that Government, if they resist calls for impartial international supervision of their elections? He must tell us in his reply.

I know that the Minister shares our concern that Mugabe is treating the referendum defeat as something to which he can return later. Does the Minister understand, however, that should the ZANU-PF Government win the election, they could press for the nationalisation of farmland, claiming a democratic mandate denied them by the referendum? Does he accept that that argument could also be used to promote another constitution, containing threats to individual liberty and allowing Mugabe to reign for life, as a monarch of a bankrupt socialist republic? I urge the Minister to answer those questions at the end of the debate.

Dr. Tonge: I refer the hon. Lady back to what she said about bilateral aid. All of us understand and share her concern about the Government of Zimbabwe. Is she really suggesting that we should not give aid to that country, to people who are desperate for education and desperate for relief from the AIDS epidemic and for measures to stem its spread?

Mrs. Gillan: The hon. Lady and I have participated together in far too many debates for me to fall for that line, and I am surprised that she is pursuing it. She was present at a sitting of a Committee that examined the efficacy of EU aid to Zimbabwe, when it became apparent from a Court of Auditors report that the aid was being misdirected.

Dr. Tonge: Will the hon. Lady give way?

Mrs. Gillan: No, hold on for a second.

Dr. Tonge: The hon. Lady said bilateral aid.

Mrs. Gillan: Hold on. The aid was not reaching those most in need, and it is right that I should ask how bilateral aid is audited. If, as the European Union's Court of Auditors tells us, aid is being misdirected and is not reaching the poorest, the House also needs assurances that United Kingdom taxpayers' money going to Zimbabwe as aid to the poorest is not also being diverted to people who have no right to have their hands on it and who are creating more poverty, more ignorance and more death and despair.

Dr. Tonge: That point needs to be clarified. It is my understanding that most bilateral aid would be channelled through non-governmental organisations. Marie Stopes International, for instance, is doing great work on the AIDS front. We must have clarity, but the argument about bilaterial aid from this country is totally different from the one that we had on European Union aid.

Mrs. Gillan: The hon. Lady is dancing on the head of a pin, because we are not going to disagree on the need for aid and the excellence of NGOs giving aid. I seek assurances from the Minister that a sufficiently good audit process exists in Zimbabwe, because NGOs also work perforce with local people in the hinterland and rural areas. I want to know that the Government have a sufficient grip on taxpayers' money to make sure that it is not wasted. I hope that the hon. Lady agrees with me.

Mr. Brady: When replying to my earlier intervention, the Minister conceded the principle by saying that the Government are already withholding aid. He clearly said that the Government would give more aid if they were happy with the behaviour of the Mugabe regime. Does my hon. Friend agree that there is no difference in principle between what the hon. Gentleman says and what some of us are saying, which is that the Government should take a tougher line?

Mrs. Gillan: My hon. Friend makes a valid point. I want to know exactly what audit controls the Government are planning. Otherwise it is all warm words and no action.

Finally on this subject, we know the direction in which Robert Mugabe has taken his country, and it is the wrong one for the Commonwealth. I hope that the Minister will understand how ludicrous it is to have Robert Mugabe in the high-level group established to review the future of the Commonwealth. If the Commonwealth is to stand for the values set out in the Harare declaration, is it not about time that it set an example and suspended the Zimbabwean Government as they do not deserve to be one of the eight Governments in whose hands the debate on the future shape of the Commonwealth rests? I hope that the Minister will answer my question.

Mr. Paterson: Does my hon. Friend agree that another good ground for suspending Mr. Mugabe's membership of the high-level group is that he is stalling on the publication of two reports about the Matabeleland massacres in the early 1980s, when about 3,000 people were killed? Until his attempts to obstruct the judicial process—

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. Interventions must be brief, even if they are on Matabeleland.

Mr. Paterson: Does my hon. Friend agree that stalling on those reports is a good enough reason for preventing Mr. Mugabe from being in the high-level group?

Mrs. Gillan: Yes, and I thank my hon. Friend for that intervention. I hope that he will catch your eye later, Madam Deputy Speaker, and be able to make a full contribution on that matter.

Before I finish, I want to raise a couple of specific issues with the Minister. One is from a news brief that arrived on my desk. There is a report that the Minister told the UNITA rebel leader, Jonas Savimbi, that he would be accorded a safe and comfortable retirement if he abandoned his activities. Of course, we know that the international community has declared Savimbi a war criminal. Will the Minister clarify what he is reported to have said? If he did not give such an assurance to Jonas Savimbi, we would like to know. If he did give that assurance, what plans does the Minister have for Mr. Savimbi's safe and comfortable retirement? I think that hon. Members would like to know during the debate.

My last point relates to the British Council, which does tremendous work throughout the world, particularly in Africa. It has worked with the Foreign Office for 20 years on the delivery of Britain's aid programme, as a partner and as a major commercial supplier. The council invested heavily in African infrastructure and appropriate staff skills. However, recent major changes in international development policy are especially worrying. Specifically, there are the changes to the mechanisms for aid delivery. The changes will significantly reduce the need for a supplier such as the British Council. The speed of that change in policy and the limited warning that was given to the British Council has left it with severe problems in resourcing its current network in Africa and will necessitate some major restructuring programmes. I hope that the Minister will comment on what appears to be the undermining of a tremendous British institution.

I have gone on for far too long and I apologise to hon. Members. As I said, however, with a debate that ranges across a whole continent it is impossible to bring all the key issues to the attention of the House and to discuss them properly. I have laid out a few of them for the Minister, and I hope that he can give straight answers to the questions that I have posed about his actions, rather than saying one thing but doing another.

3.15 pm

Mr. Tom Clarke (Coatbridge and Chryston): I welcome both the debate and my hon. Friend the Minister's positive and informative introduction to it. I was interested in the comments on Zimbabwe, but I know that you would agree, Madam Deputy Speaker, that the debate extends rather more widely than that, important though Zimbabwe is. My hon. Friend's encouraging remarks invite us to consider the comprehensive nature of Africa, particularly in the context of those countries that he visited and in the light of the changes that have taken place and the challenges that are still to be met.

Those of us of a particular vintage will recall the days of Alan Paton's "Cry the Beloved Country" and, more recently, Richard Attenborough's "Cry Freedom". We know what impact they had on public opinion in this country and elsewhere. As my hon. Friend the Minister was speaking and adding to Harold Macmillan's wise speech on the wind of change and the implications of Africa's history, I reflected on some of my own visits there, especially when I was the shadow Secretary of State for International Development. Indeed, I was part of a delegation led by your good self, Madam Deputy Speaker, to Botswana, where we had the opportunity of seeing relative prosperity and progress, not least at Chobe game park. Some of us also visited South Africa before the major changes there and Swaziland. Even then, Africa was a continent of contrasts; that has not changed, despite everything else that has.

My hon. Friend touched on many of my worries about Rwanda, Burundi, which is in a very serious situation, and Angola. Before I say a few words on that, perhaps I could develop the Minister's invitation for us to debate Africa's standing in the world, its economic influence, economic problems and the economic challenge facing many African countries, particularly the poorest people of the poorest countries in the poorest regions. I welcome what my hon. Friend said about the Government's policies on international development. Under my right hon. Friend the Secretary of State for International Development, our policies—including the policies on debt which are supported by my right hon. Friend the Chancellor—have been inspiring and progressive. I welcome the changes that even the World bank and the International Monetary Fund have made. I trust that we will not hear an argument against that progress; we want to see more of it, but we welcome that start.

We have been brought up to date on Africa by not only my hon. Friend, but by what the World bank and other important organisations have said. In an overview, the World bank group in Africa made some important points. It said:

"Forty per cent. of the population in Sub-Saharan Africa live on less than $1 a day."

While we rightly deal with abuse of public money, we need to view it in its proper context and assess priorities. The overview continued:

"In aggregate, this combination of low economic growth, the highest rate of population increase in the world (at 2.8 per cent.) and a high burden of dependants to workers, puts Africa low on the rankings for those most critical indicators of social progress: how long people live, how much knowledge they acquire and how much access they have to resources necessary for a better standard of living."

It also stated:

"To put it another way, each additional dollar in aid is five times more effective in countries with good policies"—

and I was delighted that my hon. Friend did not dodge that issue.

We have debated structural adjustment—or conditionality, as it used to be called—for many years. We have done so knowing that we should not penalise individual citizens in any country because of their Government's—often unelected Government's—policies, particularly against the backdrop of the lifestyle that millions of people, especially in Africa, are forced to live.

My hon. Friend drew attention to educational problems in African countries. He said elsewhere, at an excellent meeting that I attended, that he was disappointed by an unimpressive decade for Africa. Instead of improving, educational policy has deteriorated. Sixteen of 48 countries in sub-Saharan Africa still enrol fewer than half their children in primary schools—and enrolment rates are dropping. The hon. Member for Richmond Park (Dr. Tonge) mentioned adult literacy which, as stated in the Minister's report, is particularly low among women. Fewer than 50 per cent. of women in these countries are literate, and enrolment rates are dropping. That poses tremendous social challenges, even without the other problems that I mentioned earlier.

I wish to refer briefly to a speech made by the vice-president of the World bank in which he dealt with important social issues. He said:

"Social development in Africa still trails badly. Birth rates, childhood and maternal deaths are the highest in the world, and more than a quarter of African children are malnourished. Two hundred million Africans have no access to proper health services ... Diseases both old and new are undoing many of the gains made since independence. More than nine out of 10 Africans are still at risk of contracting malaria, an ancient killer. And nearly 23 million Africans are now living with HIV/AIDS"

[Mr. Tom Clarke]

That remains an important issue when such limited resources are available for health care in individual African countries.

In the light of the Minister's refreshing report, and because they are so important, I wish to move on to three countries. I am glad that my hon. Friend mentioned Angola. I recall meeting President dos Santos of Angola six years ago, as my hon. Friend has done. At the time, the president was optimistic about the agreements reached with Savimbi of UNITA. Today we find broken dreams, dashed hopes, a much worse war raging there, with land mines multiplying daily, more people than ever being killed and injured and the great hopes that we had for peace being shattered. I welcome what my hon. Friend said about Savimbi.

If the international community is determined to apply itself positively to getting a settlement in Angola it will have to accept that the country is a mass of contradictions. It is potentially one of the world's richest countries in terms of oil, diamonds and natural resources which, if they are being used at all, are put to improper use. My hon. Friend needs no reminding that even with that background, Angola is number one on the list of heavily indebted, poor countries. I welcome my hon. Friend's commitment to progress.

I shall deal briefly with the extremely serious situation in Burundi. In many ways, Burundi was overshadowed by the tragic events in Rwanda and the implications for the neighbouring African states. I will read a letter that I received from Ben Crampton, the co-ordinator of the all-party parliamentary group, on Rwanda, the great lakes region and the prevention of genocide:

"Burundi is the main issue of concern at the moment since it is the country where a little pressure might make a big difference. I can't stress enough how desperate the situation is there. If the economy collapses there is a real danger of a military coup which could bring to power a hardline Tutsi faction within the army and put an end to the Arusha peace talks once and for all. The assassination of the president in 1993 resulted in unspeakable bloodshed, which was eclipsed by the slaughter in Rwanda a few months later."

In reply, I hope that my hon. Friend will respond to the serious concerns about Burundi and comment on the implications for its neighbours.

As an example, I turn to one of my visits to Uganda some years ago with David Steel, now Lord Steel of Aikwood, to study the problem of AIDS, and the country's debt—which alone would be bad enough for any country to deal with. We saw some of the most grotesque examples of what Burns called "Man's inhumanity to man"—the consequences of what was happening in Rwanda. I will not go into detail because it is not particularly pleasant. I saw the refugee camps at the borders of Uganda, Zaire and Rwanda and the multilated bodies of men, women and children floating down Lake Victoria. I saw the problems that the Ugandan people had to get their food. Fishing was virtually destroyed because of the environmental consequences of that terrible genocide. If that was true of Uganda, Rwanda and Zaire, it remains true of countries suffering civil war. Where there is strife, we should apply ourselves as an international community to the solution of problems—and perhaps apply ourselves more forcefully to such problem solving in Africa. I trust that we will do that.

I welcome debates on issues such as this. Indeed, we are having more such debates than we did previously. However, we should have democratic, open debate reflecting the transparency which the Government wish to see in every field, including the World bank and the International Monetary Fund. That transparency should also be apparent in the responsibilities of elected leaders in Zimbabwe and other African states. Progress has been made, but we should not be complacent. People are still crying for freedom. As a Parliament dedicated to such objectives, we should seek to assist them in their journey.

3.30 pm

Dr. Jenny Tonge (Richmnd Park): I, too, welcome the opportunity to debate Africa. Incidentally, I regret that we never had an opportunity to debate the White Paper on development, the first such paper for 20 years. Perhaps our debate will go some way toward stemming our irritation at not having had a chance to debate such issues.

Africa used to be quite a big part of the British empire. Some say—indeed, I have heard it said in the Chamber—that it was much better in those days and it is a pity that we cannot return to the days of empire. Whatever Britain did to rule or—as some say—exploit Africa, it was certainly not sustainable. Many African countries broke up in corruption and confusion in the 1940s and '50s, when we had to get rid of the colonies at the end of the second world war.

Colonial divisions did not help. Ever since I was at school, I have said that colonialists divided Africa with a pencil and ruler, because the map is all straight lines. Indeed, last week, a Namibian sitting next to me in an airplane flying over the border between Namibia and South Africa said, "Look. There's your straight line." He pointed out a dead straight fence. In colonial days, there was no recognition of natural groupings, tribal boundaries and so on. The land was simply divided up and people had to get on with things.

We have heard about British business wanting to invest in Africa. I was at yesterday's lunch and it is a pity that some of our food could not be shipped to some of the African countries I have visited. Government policies should encourage investment. The only way that that can be done is to ensure that no departmental policies cause instability and conflict in Africa. That is a case for joined-up government if ever there was one.

As international development spokesperson for the Liberal Democrats, I have visited several African countries in the past three years. As a Member of Parliament, it is a great privilege to have such an opportunity. Many of the places that I visited were involved in the programme of the Select Committee on International Development, so I have had a good opportunity to see in depth what is happening.

Four things stand out in my mind, one of which is conflict. Three quarters of countries in sub-Saharan Africa are engaged in, or under threat of, armed conflict. The HIV/AIDS epidemic rages throughout sub-Saharan Africa, affecting 25 to 30 per cent. of the population in most of the countries. Unlike previous epidemics, which would wipe out the very young, the elderly, the weak and the frail, the AIDS epidemic is wiping out economically active young people. That is a

tragedy with desperate consequences for the economies of such countries. Poverty leads to a lack of education, and education, as we all know, is essential for a good and growing economy. A lack of education leads to poor governance and corruption. We heard a great deal about that from the hon. Member for Chesham and Amersham (Mrs. Gillan).

All those factors affect African countries. Yes, there are tremendous signs of recovery and development. When I was in Uganda I was constantly amazed and delighted at how that country was coping and growing, and how positive the people were. Likewise, in South Africa—I have not been there, but I was recently in Namibia—there is extraordinary optimism, organisation, and good governance. It has everything going for it. Mozambique, the despair of all of us as it bumped along the bottom a few years ago, now has one of the fastest growing economies. Nigeria and Ghana are showing good signs, and Botswana is the champion with the highest growth of the African countries. It is impossible to cover all aspects of Africa and the UK engagement in that continent, so I shall confine myself to a few aspects that concern me most, and then I shall talk about one country in particular.

Conflict is one of the crucial issues in Africa. Three quarters of the countries of sub-Saharan Africa are in armed conflict or at threat from armed conflict. Excluding South Africa, the arms spending in sub-Saharan Africa rose by 14 per cent. last year. The economic growth average was 1 per cent. Ninety per cent. of the casualties in these wars are civilians. Many of these countries are subject to arms embargoes, but that can be irrelevant to the combatants in a civil war. We have all heard of Mil Tec, the scandal in Rwanda, Sandline and Sierra Leone. A good "Dispatches" programme just before Christmas showed how easily arms brokers can transfer arms to any country whether there is an embargo or not.

When I was staying in a village in southern Sudan for a few days last year I talked to some of the rebel leaders. When I suggested that the embargo on arms trade with northern and southern Sudan might make it difficult for them to get arms to pursue the war, they looked at me as if I was completely mad. They told me that it was easy, and that they could get arms from anywhere. They are flown in from across the borders. They need them and they get them. That is a terrible reflection on what is going on in the west. The Government dodge the issue of arms brokers time after time. The people who break these embargoes are dealers in death worldwide. Do they ever see the consequences of their business, as many hon. Members have?

The report of the Select Committee on International Development on conflict prevention recommended a register of arms brokers. Until recently I was a member of the Committee's inquiry into the annual reports for 1997 and 1998 on strategic export controls. The first report has just been published and states:

"We support a more stringent national policy on brokering and trafficking, which could act as a spur to international action."

In other words, Britain should be leading the way on this problem. It continues:

"We look to the 1999 Annual Report to make some specific reference to the Government's view on the way forward"

We must do something about arms brokering.

The report also emphasises the need for proper scrutiny of legitimate arms exports requiring licences and the involvement of the Foreign Office and the Department for International Development. These Departments are responsible for our engagement in Africa and encourage investment. Yet I have evidence from many parliamentary questions that they are not involved as much as they should be, and that they are constantly overruled. The Secretary of State for International Development did not even see the annual report on arms exports until it was published.

I could not leave the subject of arms control without mentioning Zimbabwe, but the Minister said that I was flogging the same old horse. I remind him that that horse is not yet dead. People in Zimbabwe have overwhelmingly rejected their Government, yet we have been prepared to repair their Hawk jets and so continue the fight in the Congo. Will the Minister comment on criterion 8 of the European code of conduct, which we have signed up to and think important to obey? Criterion 8 states:

"Member States will take into account, in the light of information from relevant sources such as UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They will consider in this context the recipient country's relative levels of military and social expenditure taking into account any EU or bi-lateral aid."

That is a most interesting little clause.

The war in the Congo is costing Zimbabwe £1 million a day. There is unemployment all over that country. Its Government are in disarray. They are corrupt and in debt. HIV/AIDS is raging, with 25 per cent. of the population affected. What is the rationale of our exporting Hawk jet parts to Zimbabwe when it is in that state, irrespective of whether we are fulfilling a contract? Surely, although we would have had to pay if we had breached the contract, doing so would have been worth while and a darn sight cheaper in the long run than clearing up the mess that is sure to follow. Before leaving that subject, I must pay tribute to the Prime Minister and the Government for revising their policy on selling arms to African countries.

Mrs. Gillan: While the hon. Lady is praising the Prime Minister so fulsomely, does she agree that it was the Prime Minister who overruled the Foreign Office to enable the spare parts to be sent to Zimbabwe? Will she then revise her remarks?

Dr. Tonge: I thank the hon. Lady for her typical intervention, but I believe that the carrot is more effective than the stick. The Prime Minister made the announcement in response to a parliamentary question that I tabled, which is why I keep mentioning it. As he has gone that far, and we welcome what the Government have done, he should extend his thinking a little further and realise that the parts for the Hawk jets should be involved in the equation. It is terribly important that he understand that.

I would have mentioned HIV/AIDS further, but the Minister has dealt with it fully, so I shall simply refer to my first sight of Africa. After arriving at Entebbe airport in Uganda, I passed through a few villages on the way to Kampala. I could not understand why there were piles of coffins in every village. One hut in each village

[Dr. Tonge]

housed a coffin maker and coffins were piled up outside. Naive western woman says, "Coffins are good business here." Indeed, they are because of the AIDS epidemic. The coffin maker has the best business in each village and can sell a coffin a day because of AIDS. That fact, not just the sight of sick people obviously suffering from AIDS and its complications, brought the problem home to me. Those piles of coffins have stuck in my mind.

Whatever the situation in a particular country in sub-Saharan Africa and whatever the Government involved are like—I refer to my intervention on the hon. Member for Chesham and Amersham—I urge the Government not to stop our investment in education and the use of condoms or the striving and work being done to find an AIDS vaccine. That is the most essential and valuable thing that we can do for Africa.

I cannot sit down without mentioning the Sudan. This time last year, I spent several days living in a village compound in Baht el Ghaza, which is situated in the war zone. My stay left a mark on me. I cannot forget the Dinka and the Nuer people of southern Sudan, who are hardworking, intelligent and lovers of Great Britain. Why are we not helping them more? They speak English and listen to the World Service. I well remember the first morning that I woke up in a straw stockaded compound. As dawn broke, I suddenly realised that the only sound was that of Lilliburlero, drifting across the compound. One Dinka tribesman was sleeping in the compound with us and he had managed to keep his little tranny radio away from the raiders who threaten the people at all times and which wreck their villages. He switched on his transistor radio for five minutes every morning to listen to the BBC World Service. That is a plug for the World Service, which is still listened to throughout Africa, where it is so greatly valued. It has been a huge influence for good in that continent, and I should hate to believe that the Government would even dare think about cutting the funding for that wonderful service.

The people in the area are reduced to living in the stone age. I would challenge anyone to find people who are so deprived as those in Baht el Ghaza. There is total poverty; nothing is left. Everything has been taken, wrecked or ruined. The people plant crops, but the war ensures that they are destroyed before they can be harvested. Women and children are taken away up to the north. There is terror and starvation. These are the results of decades of war between north and south Sudan, a war that is now exacerbated by the extraction of oil in southern Sudan.

I commend to hon. Members the Harker report, for which some of us have been waiting and which was published in the past few days. This independent report was commissioned by the Government of Canada to investigate the conditions in southern Sudan and to track down some of the myths and truths in that area. Talisman, a big oil company based in Canada, is working in the southern Sudan oil fields, as are British companies. Last year, the Department of Trade and Industry produced a flowery document telling British business men how they could invest in the oil fields in southern Sudan. The document was scurrilous, and, thank goodness, the Foreign Office—I hope that it was the Foreign Office—had it withdrawn. British companies are operating in the region, and around the oil fields there is more rape, pillage, fire, destruction and indiscriminate bombing than in other areas. The Harker report which, as I said, is an independent report from another Government—I commend the Canadian Government for having commissioned it—shows exactly what is going on. The case is urgent: we must read the report, do something about the Sudan and re-engage in the region.

The Minister will tell us that the Intergovernmental Authority on Development talks are in place to broker peace. I feel that they are getting nowhere and that a much more concentrated international effort is needed. In the meantime, British companies should not be involved in the area. An article in one of this morning's broadsheets stated that the United States had banned trade with a Sudanese oil joint venture in an effort to stop the war. There should be no more involvement in the oil fields until the war is settled and peace is restored to the people after 30 years, or whatever the period is.

Lastly, I appreciate the Minister's comments and feel uplifted following yesterday's lunch. We must ignore the gloom and think about encouraging investment in Africa. As I have already mentioned, there are many success stories, but to ensure regeneration in the continent, we must re-engage in Africa. The Government must ensure that the policies of all Departments promote the stability of the continent, stamp out corruption, invest in education and health care and, above all, do nothing to increase conflict. Africa is a beautiful continent full of people who long to be part of our world, and we owe it to them to help them become peaceful and prosperous.

3.50 pm

Mr. Tom Cox (Tooting): This is an important, interesting and wide-ranging debate. I wish to concentrate my remarks on Kenya. I chair the Commonwealth Parliamentary Association Kenya group and I have been privileged to visit Kenya many times. I last visited that country last summer, on a CPA visit led by my hon. Friend the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

Kenya is an African Commonwealth country, which has historic and close links with the United Kingdom. We have built up a relationship of understanding based on frankness between the two countries. As I am sure hon. Members know, Kenya, like many African countries, is very beautiful. It is popular with tourists and has much to offer. Since independence, it has been stable. Over the years, the political system has changed. It used to be dominated by one political party, KANU. The present make-up of the Kenya Parliament is that, although KANU remains a major political party, there are now also opposition parties, which play an ever-increasing role in the political affairs of the country. That is undoubtedly welcome.

The President, Daniel arap Moi, who has led the country for many years, has stated that he will not seek re-election at the next presidential elections, so we will start to see major political changes in Kenya. That is vital for democracy. I hope that we will encourage those changes and support the development of human rights at every level of society.

We also know that, like many other African countries, Kenya is poor and, for many people, life is hard. I have seen many aspects of life in Kenya. I have

seen a life where progress, opportunity and life style are so very different from that which we and people in other parts of the world experience. That is why I am delighted to pay the warmest tribute to the Government, and in particular to my right hon. Friend the Secretary of State for International Development, for her interest in Kenya, where she is known and widely respected. Our aid to Kenya is about £43 million, which marks a significant increase in recent years. When, in December last year, I asked my right hon. Friend the Secretary of State a question about our involvement with aid projects in Kenya, she replied that we financially support 25 projects. Those projects cover many day-to-day issues of importance to the people of Kenya: women's projects, education projects, family planning and family health, HIV/AIDS preventive measures and agricultural projects. We have a proud record of help and assistance in Kenya, which I fully support.

We all have issues to highlight that are relevant to countries such as Kenya. High on the agenda must be what we and other important donor countries give to Kenya to improve its economy and social structure and to create employment. Some aspects of the Kenyan economy are successful, but others, such as the tourism industry, are not. My hon. Friend the Minister knows that that industry is enormously important. It creates employment and a demand for services, and brings in hard currency. However, the country and the people are suffering because it is not doing well. I hope that my hon. Friend will tell us how the United Kingdom, which has an excellent tourism industry, will help Kenya to redevelop what could and should be a major income earner. I also hope that he will say how we are helping other African countries to develop their trading opportunities in the world, especially with the European Union.

I mentioned some of the projects that we are funding in Kenya, many of which involve women. They work far harder than the men, which may be true of other African countries, while coping with the family responsibilities. Women suffer most throughout the country and have the hardest time in what is a difficult life for many people. That is why I hope that donor countries will give a greater commitment to improving the life of women, so that they receive greater respect and better opportunities.

There are many ways to do that. Millions of people in Kenya have no access to adequate water supplies. Many hon. Members will be aware that women walk miles every day to get water for their families. Surely modern technology can help us to bring that essential resource nearer to where people live. That would save hours of walking. Men are never seen walking to water supplies; young children sometimes go, but it is invariably women, who will have done many other jobs earlier in the day. I hope that my hon. Friend will give the issue the consideration that it deserves. I want to see a greater commitment to the development of women's projects in Kenya. Many women of great ability do not have the resources or the know-how to develop the opportunities that would help their families and country. Britain, with its long links with Commonwealth countries, should be committed to that.

Health care is a major issue. When someone becomes ill, it causes problems for their family. In Kenya, people must travel a long way to get medical attention from a doctor or hospital. We know of the huge cost of buying medicine. Kenya's health service is not like ours. We are told repeatedly that many people who need urgent medical care get none because of the cost of medicines. The Minister will be aware of that. We have skills in the United Kingdom, and in the other important donor countries that help Kenya in many ways, and we must consider the situation.

Like you, Madam Deputy Speaker, I always visit schools when I go to Kenya and I have visited many. Schools should be happy places where youngsters have the opportunity to get a good education that will offer them opportunities as they grow older and embark on life in their country. Sadly, in Kenya, rates for school enrolment and for the completion of youngsters' education have been falling, especially for young girls. Successive reports say that the reason for that is the cost to families of getting their children educated. Figures were mentioned in earlier speeches. It is unsurprising that that is the case because about 50 per cent. of the Kenyan population earn but a few shillings a day. The lack of education facilities is surely unacceptable to all hon. Members. I hope that we shall give great consideration to the matter.

We have a special role regarding Kenya, because of its Commonwealth links. I have touched on some of the important issues faced by Kenya and I could mention others. HIV and AIDS have already been considered. Countries such as ours must help not only financially but with our skills and knowledge to protect Kenya's natural resources. We must help economic development. Kenya has suffered from an enormous influx of refugees from its neighbours because of the problems that those countries face. Above all, we must work for the elimination of poverty. That opinion is supported throughout the House.

Like other hon. Members, I pay the warmest tribute to the work of the British Council. It does magnificent work in Kenya and other countries, not only in Africa. Sadly, the Government to whom I am proud to belong do not always give the total commitment that they should to its work. I should also pay a warm tribute to the British high commissioner for Kenya and his staff—he does an excellent job. You know him, Madam Deputy Speaker, as do I. We should be proud that he represents us in that important Commonwealth country.

I have talked about what we should be committed to doing. I was delighted to hear the opening remarks of the Minister of State about his Department's work with Kenya. There have been differences. Sadly, constructive, or sometimes critical, dialogue is not always welcomed because of attitudes in Kenya. I hope that the Kenyan Government will accept that, through our discussion and the issues that we seek to raise, we extend the hand of friendship. Our priority is to improve the daily life of the people, wherever they live in that beautiful country—a country that has enormous potential.

I fully endorse what my hon. Friend the Minister said about the essential reforms on which he is working with the Kenyan Government. The members of the all-party Kenya group, and all hon. Members here today who have an interest in African affairs, will wish to see those reforms being achieved.

4.5 pm

Mr. Stephen O'Brien (Eddisbury): Madam Deputy Speaker, it is a pleasure to make my first contribution while you are in the Chair, especially as you are the Member of Parliament for my neighbouring constituency of Crewe and Nantwich. This is my first appearance in the Chamber. It reminds me of a rather upmarket Blackpool winter-gardens version of a mock mediaeval dining room, but I am sure that I will get used to it.

The Minister and I have one thing in common. We are both sons of Africa: we were both born there. I am sure that the Minister is as proud of having lived in South Africa, despite his and his family's forced departure at such an early age, as I am of having lived in Mtwara, in what was then Tanganyika—it is now Tanzania—before moving to Mombasa in Kenya, which used to be pronounced "Keeyna". I thank the hon. Member for Tooting (Mr. Cox) for his forensic and experienced analysis of that country and its current problems.

Over the years, in a combined business and charitable guise, I have had the opportunity to get to know the Sarahan and Sahel states in west and north-west Africa. I have no doubt that the Minister's knowledge, experience and care for Africa are genuine. Sadly, despite sharing our continent of birth, the Minister and I are forced to part company because of a higher authority. Having followed African matters closely, particularly this country's engagement with that great continent, I am greatly disappointed that the United Kingdom is losing a real and crucial opportunity in its relations with Africa.

Our historical connection with Africa has been fine and genuinely outstanding. At one time we had administrative responsibility for that continent. Of course, serious and even disgraceful incidents took place, but many of them were a function of their time in history rather than, as they are now, a source of shame or guilt. Compared with other former colonial powers in Africa, we can hold our head up high. That, however, is the past. Here, today, we must focus on the present, and on the United Kingdom's future engagement in Africa.

The problem is not the Minister's; it is a problem for that higher authority—the Foreign Secretary. For many years, I have lived and worked abroad, not only in Africa but in the far east, Australasia, continental Europe, north America, central America and south America. I am acutely aware of those countries' perceptions of this country's political, economic and commercial standing in their corridors of power and boardrooms. I once joined a Conservative Trade and Industry Minister on a mission to Latin America, and I was aware of the interrelationship between the Government and the commercial world, and how important in this day and age it is to have mutual understanding.

I was elected to the House of Commons only seven months ago, so I have recent experience of the effect of our foreign policy in those corridors and boardrooms since Labour came to office and since the Foreign Secretary took up his post. Given the ridicule and confusion that his foreign policy has created in Africa and, although perhaps a little less so, in other countries, like so many of our fellow citizens, be they politicians, diplomats, business men and women, civil servants or tourists, I am ashamed that I and my country are represented abroad by the current Foreign Secretary.

Mr. Paterson: Would my hon. Friend comment on what was said in *The Jersusalem Post* after the Foreign Secretary's disastrous trip to the middle east, about the effect for the Prime Minister of having

"a diplomat like Cook by his side"?

Madam Deputy Speaker: Order. The debate is about Africa.

Mr. O'Brien: Indeed. I thank my hon. Friend for his intervention. Perhaps I may give another example of what I am talking about, bearing in mind, Madam Deputy Speaker, your stricture that we are talking about Africa.

When a dozen wars are simmering on that continent, affecting 200 million people, is it not a disgrace that Britain offers troops on standby for peacekeeping operations and reneges on the promise as soon as it is unveiled? I refer to a pledge made last year. In June 1999, in one of the more remarkable instances of posturing by a Foreign Secretary who is renowned just for that, the right hon. Member for Livingston (Mr. Cook) told Kofi Annan that Britain would have 8,000 troops on standby to be used by the UN for rapid response emergencies. Before the Minister tells us that the Foreign Secretary was quoted out of context, I shall quote exactly what he said on 25 June:

"The problem for the UN is that every time there is a fire they have had to get down the blueprint and start to build a fire engine. At least now they will have the components for the fire engine.

We will be giving the UN an undertaking that when called upon we are prepared to commit [troops] for an operation. We will earmark some so that they are ready to be used when the time comes. It will always remain our decision to respond to the decision [of the UN] but I do not think we have let you down yet, Kofi."

On 15 December in New York, in a speech entitled "The UN's partnership with Africa", the Minister declared "we need better peacekeeping" in Africa. He is right. We need better peacekeeping, but not posturing by his left-wing boss, whose ambitions are bigger than his budget. Will the Minister promise the House of Commons that in future the Government will not promise more in peacekeeping than they can deliver? That is one of the most serious let-downs for our potential and current relationships across Africa.

The Minister has talked in the House of Commons and elsewhere about a renaissance in Africa and about backing winners there, as if that is a new policy or passes for a new ethical foreign policy. However, as was, I understand, pointed out to him by a civil servant from the Department for International Development at the all-party Africa group this week, is not backing winners and promoting a renaissance merely a continuation of Britain's policy? In his conceit, the Foreign Secretary forgot to say that for the best part of 400 years British foreign policy has had a significant ethical element and has always been a mixture of patriotism, principle and pragmatism.

When the Foreign Secretary took office he ignored the achievements of his predecessors and loftily announced that foreign policy must have an ethical dimension. I

could not help noticing during the Minister's opening remarks that he defined the word "ethical" in terms of a concept better known in the world of conveyancing. He said that it was subject to contract, in justification of the Government's defiance of its ethical foreign policy by selling spare parts for Hawk jets to Zimbabwe, despite that country's involvement in a military adventure in the Congo. As my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) said—and I support all that she so cogently argued—that is hardly evidence of a new policy from the Prime Minister with respect to selling arms to Africa.

A report in the "World Today" this month commented on the United States taking over the presidency of the United Nations Security Council. The United States declared January the month of Africa. It is not the first time that new initiatives have been announced for a continent that some describe as forgotten. The report said:

"During the Cold War, the countries in the Horn of Africa received substantial aid because they were strategically significant to the United States and Soviet political and military engagement in the Middle East. However, with a change in the military situation and the gradual development of the Middle East peace process, the Horn has lost its importance . . . there have been humanitarian enterprises and regional diplomacy, mainly led by the US."

Ethiopia and Eritrea have indeed lost importance. The report continued:

"The division of Africa into what is described as utile and inutile"—

that is French diplomacy, I am told—

"sits uncomfortably with claims of an ethical dimension in foreign policy and the high moral crusade proclaimed both by Prime Minister Blair and President Clinton in the international arena."

That was an important and objective comment.

The future of Africa is first and last dependent on the creation and maintenance of confidence, as the Minister said, because that is what draws in business, of which I have some experience. Prosperity is the best guarantor of reducing the negative pull of tribalism and factionalism.

The security risk increasingly associated with hosting refugees from intractable regional conflicts and the resulting unwillingness by host Governments to provide asylum protection creates a dilemma: one may want to do the decent thing, but conflicts mean that difficult decisions must be taken.

Tanzania remains a beacon, to use a current term—

Mr. Jim Murphy (Eastwood): Fashionable.

Mr. O'Brien: Yes, a fashionable term. Tanzania is exemplary in hosting some of the largest refugee populations. I salute Tanzania's progress and, to the extent that it may have anything to do with the United Kingdom, I accept that it is probably also to the Minister's credit; but as sure as the cloud will cover the peak of Mount Kilimanjaro whenever one wants to see it or to photograph its glorious splendour, it is despite, not because of, the Foreign Secretary that we have made progress in our engagement in Africa. Like so many of those with whom I have shared business ventures in Africa, I am ashamed of our Foreign Secretary's approach to foreign policy.

4.17 pm

Charlotte Atkins (Staffordshire, Moorlands): I was privileged to visit Zambia during the summer, under the auspices of the Commonwealth Parliamentary Association. I was impressed by its people, its land, its abundance of water, its fertility and its huge potential for tourism. It is a country, like many in Africa, blighted by poverty, by its debt burden and by the scourge of AIDS. Infection rates are running at an incredible 25 per cent. among adults. Swathes of its population—its most productive people, those in their 30s and 40s, and whole families—have been wiped out by AIDS.

I visited the country just before the AIDS conference in Lusaka. AIDS was discussed at an official level, but even so complacency prevailed there. Zambia does not have the political leadership that has stemmed the spread of AIDS and HIV in Uganda and Thailand. Cultural practices mean that widowed women sleep with their dead husband's male relatives, which encourages the spread of AIDS. Condoms, although talked about, are not widely used. Widows are also thrown out of their homes when relatives decide to repossess the house. It is illegal, of course, but women and their children, already deprived of their main breadwinner, are put out on the streets.

There are projects that try to cater for the hundreds of homeless street orphans. They attempt to give a meal a day and some education, but they have virtually no resources and no outside assistance. Without education and nutrition, those street children are unlikely to live to a productive age, especially given the AIDS epidemic. I recognise that the UK is playing a significant role in trying to support health programmes and clinics, but more needs to be done.

Zambia has not been torn apart by conflict, so it seems to be a forgotten corner of Africa, yet it has the legacy of other conflicts. Land mines along its borders continue to pose real problems. President Chiluba has a proud record of promoting peace in the Democratic Republic of Congo, where he led the Lusaka peace accord while we were there, but Zambia has become a principal conduit—people very high up in the Government are implicated—for busting UN sanctions against UNITA. President Chiluba must act and we must back him in stamping that out. Having met him, I do not believe that he wants his Government involved in sustaining such a devastating war, which is now spilling over the Zambian border.

Zambia is a wonderful country with huge potential. The tourist board's slogan proclaimed "Zambia: the real Africa" and it was right. The country feels real: unsanitised, unpackaged and largely unvisited. It offers the best of wild Africa—abundant game and top guides—yet although it is twice the size of Zimbabwe, it receives only about 10 per cent. of the number of tourists.

The Commonwealth Parliamentary Association delegation visited Victoria Falls and the South Luangwa nature reserve. We were impressed by the totally unspoilt environment. While the spectacle of Niagara Falls is spoilt by over-commercialisation, at Victoria Falls—at least on the Zambian side—there was just a curio stand, a place to buy postcards and drinks, and lavatories. Minimal provision meant maximum enjoyment.

[Charlotte Atkins]

The Zambian Government are under tremendous pressure to allow a major hotel chain to build a luxury hotel overlooking the falls. I am pleased to say that they are resisting that; they recognise that their future lies in eco-tourism and sustainable, long-term development. I fear, however, that the country's lack of infrastructure and inward investment makes it difficult for the Government to reject all commercialisation. At present, most tourists fly into Victoria Falls airport in Zimbabwe to visit the area, rather than using the closer Livingstone airport because the facilities of the latter are poor and the runway is a little too bumpy for many airlines. When the delegation enjoyed an evening boat cruise on the Zambezi, we experienced a similar problem. Only two of the many boats operating on the river were registered in Zambia. All the others were from Zimbabwe, although they all used the Zambian side of the river because there was more wildlife to be seen there.

What the country needs is appropriate and ethical investment. There must be two interlinked goals: the development of local people and the conservation of the environment and wildlife. Local communities must see that visitors pay because they want to see the wildlife, and local people should understand that they will benefit from conservation. It is important that Zambia learns from the mistakes of its neighbours. I have heard countless stories of people going on long game drives in Kenya and seeing hardly any animals. If one appears, a dozen or more vehicles arrive within minutes.

Nothing could be more different from the experience of the South Luangwa nature reserve where we had many close encounters—indeed, some were extremely close. Unlike in Kenya, the guides are not allowed to radio other guides to attract them. They do not need to: the game is abundant. At present, few local people are involved in tourism, beyond employment as camp workers and scouts. The way forward must be for game lodges and safari operators to plough money back into local communities. Tourists, though few, should ask their local tour operators how much revenue goes back directly to local people.

On a six-hour road journey from Lusaka to Livingstone, the CPA delegation saw what benefits investment can bring. Where there is irrigation—there is an abundance of water in Zambia—the land is fertile; but where there is no irrigation, little is grown and poverty prevails. I hope that the Government will play their part in helping Zambia to achieve the increased inward investment that it so desperately needs.

Mrs. Gillan: I am listening carefully to the hon. Lady's account of a trip that obviously left its mark on her. Did she have the opportunity to discuss refugees in Zambia? Is she aware that the UN singled out Zambia for praise for hosting more than 200,000 refugees? What extra support could be given to Zambia for taking on that role when other countries are so busy rejecting it?

Charlotte Atkins: We were indeed able to discuss that issue. Zambia certainly takes more than its fair share of the burden, especially in view of the country's poverty. Its Government set budgets, but are seldom able to meet them because of a lack of resources. Zambia certainly should be praised and supported for its valuable work.

I hope that the Government will help Zambia to achieve increased inward investment—sustainable commercial investment. That might help it to avoid grasping a dangerous short-term strategy and to achieve long-term sustainable development.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. Several hon. Members wish to speak. If they exercise a little self-restraint, they will be able to contribute to the debate.

4.28 pm

Mr. Owen Paterson (North Shropshire): I shall do my best to follow your instructions, Mrs. Dunwoody.

I wish to draw attention to double standards over Zimbabwe. When I was at university in Cambridge, the great issue was the civil war in Rhodesia, as it was then called. A great campaign was fought in the press and protests were made with the overwhelming support of left-wing agitators. The Minister would be proud to include himself among them.

The reality of the profoundly horrible civil war was brought home to me when a Viscount was shot down and a friend of mine lost both her parents who were travelling on it. It is striking that we hear nothing about the country now, despite what Mugabe has done to it since he came to power. Where the Royal Navy failed, he succeeded. The BEIRA patrol attempted to stop petrol imports reaching Rhodesia. Now, thanks to the incompetence and corruption of the Mugabe regime, petrol and diesel are hard to come by. According to one of the Harare newspapers, trucks recently had to wait three hours to buy 20 litres—only four gallons—of fuel. Diesel is in short supply and farmers have been hit, so they cannot harvest tabacco. That is the result, I repeat, of sheer incompetence.

Between August 1997 and December 1998, the Zimbabwean dollar changed, in relation to the American dollar, from seven to 38, which pushed up the price of imports. Like most communists, the Government were so incompetent that they did not change the price of fuel in Zimbabwe. Noczim, the national oil company of Zimbabwe, was not allowed to increase its prices and it ran up a deficit of $9 billion. We do not have time to go into the expense of the war in the Congo, which is probably being fought for Mugabe's personal gain.

The impact on the country is devastating. The hon. Member for Tooting. (Mr. Cox) mentioned the value of education. According to a report in the *Zimbabwe Standard* on 30 January, the Cambridge examination board is refusing to clear examination results because it is owed £2.6 million by the Zimbabwean Government. An official said:

"Forex reserves at the central bank have dwindled to alarming levels. Well, government can make a directive, but if there is no forex nothing will be done."

That affects every level of Zimbabwe, yet no one appears to be protesting.

Mr. Tony Colman (Putney): I suggest that the hon. Gentleman look at yesterday's *Financial Times*, in which the Minister delivered a stinging denunciation of the Zimbabwean regime.

Mr. Paterson: I should be delighted to read that report. However, the Minister gave a different

impression when he spoke earlier. The hon. Gentleman might have turned up late and missed the Minister's speech.

The hon. Member for Richmond Park (Dr. Tonge) spoke movingly of her direct experiences. AIDS is a grotesque problem in Zimbabwe. According to the UN, one in four adults between the ages of 15 and 49 have AIDS, 2,500 people die of the disease every week and, incredibly, the average life expectancy will have fallen from 61 to 39 by 2010. There is astonishing corruption and theft.

Dr. Tonge: I must take the hon. Gentleman to task, as I feel strongly about AIDS.

AIDS did not occur in the past couple of years. Ten or more years ago, the medical profession was sounding clear warnings about it. The previous Government did nothing apart from mount a brief television campaign, and then the issue disappeared.

Mr. Paterson: I am grateful for that. However, I am discussing the Mugabe regime, which has been in power since the 1980s—[*Interruption.*] If the hon. Lady will allow me to get a word in edgeways, I shall make the point that Mugabe and his regime have stolen wantonly from the Zimbabwean people.

I shall give a little vignette. In the past decade, Mugabe has been to 150 countries and his travel costs are $260 million. Those audited costs are for fuel bills alone: they do not take account of Mugabe's charges and expenses. He takes an allowance of $50,000 and an extra $10,000 per trip, which is what the first lady also receives. None of that is audited, although that is where the money is going. Of course, Mugabe takes his entourage with him. Senior Government officials receive $12,500 a day. My hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) described that as a kleptocracy. Mugabe's regime is totally corrupt and raids the wealth of Zimbabwe. As a result, the Zimbabwean people are suffering.

Dr. Tonge: I must take the hon. Gentleman to task yet again. The Conservative Government were in power for 17 years, during which time the Mugabe regime became worse and worse. Indeed, the previous Government even sold that regime Hawk jets. How does he explain that inaction?

Mr. Paterson: I am discussing the damage that Mugabe and his entourage have inflicted on Zimbabwe. It is extraordinary that the hon. Lady is trying to score cheap points against the Conservative party, when we should concentrate on the welfare of people living in that benighted country.

Mugabe's regime is backed by deeply unpleasant repression of the media. News is suppressed, the classic case being that of Mark Charandula, editor of the independent *Zimbabwe Standard*, who was arrested because he reported an alleged military coup in which 23 members of the Zimbabwean national army were detained for plotting to overthrow President Mugabe's Government. Several high court orders were made calling for Mr. Chavanduka's release, but the authorities failed to comply. The military said that the judge could not direct them and that anyone meddling with military matters would be subject to such matters. Mr. Chavanduka was severely beaten in custody and emerged with signs of torture: he had cigarette burns, electric shocks and had been immersed in drums of water. Dr. Johnson said that one can tell a man by the company he keeps. It is interesting that Mugabe has been harbouring the other communist dictator who brought Ethiopia to its knees, Mengistu Haile Miriam. He is doing so in return for the guns that Mengistu gave him during the civil war.

I turn now to the referendum and the general election that might be held in March. Replying to my intervention about the possible seizure or theft of land, with no compensation, from 4,500 white farmers, the Minister said that it was not a priority. They farm half the country's prime agricultural land. If such burglary is allowed, the impact on those who want to invest in Zimbabwe will be catastrophic. We should not underestimate the devastating impact, not just on the white people who are our flesh and blood relatives but on those who lived there for centuries before. It will have an appalling effect on all sectors of the Zimbabwean population.

What is the Minister doing to support those brave people who have stood up against Mugabe? There is the Movement for Democratic Change led by Morgan Tsvangirai and the Zimbabwe Union of Democrats led by Margaret Dongo. If they link up, they could win 75 seats. What encouragement is the Minister giving them? What messages is he giving the Mugabe regime that their freedom to campaign should not in any way be infringed? It is worth noting that one non-governmental group calculated that a quarter of the people on the electoral roll for the next stage of the general election planned for March were dead, fictitious or had multiple listings.

The Justice Minister, Emmerson Mnangagwa, announced that the election should be postponed until June, but he has been overruled by Robert Mugabe. I strongly endorse what my hon. Friend the Member for Chesham and Amersham said about the fundamental importance of the Commonwealth getting involved in the election to monitor it extremely carefully. The Commonwealth should threaten to expel Zimbabwe if it is not allowed rigorously to check how the election is conducted.

Mugabe is trying to stall two reports on the Matebeleland massacres in the early 1980s, in which about 3,000 people were killed. Again, we come back to double standards. We do not hear great left-wing protests about that. We hear about General Pinochet often enough; he is accused of doing 3,000 people to death in a non-judicial manner, exactly as Mugabe and his cronies have done.

Mrs. Gillan: I am grateful to my hon. Friend for giving way and for his support for the line that I have taken and for the line of questioning that I hope the Minister will address directly. Does he share my concern that Zimbabwe is rapidly going downhill? That is evidenced by the withdrawal of some of its lines of credit, notably by one of its leading trading partners, the South African Customs Union. Will he comment on reports that Mugabe has secured a loan of millions of dollars from Colonel Gaddafi to alleviate the current

[Mrs. Gillan]

fuel shortage and to pay soldiers, who have not been paid since last November? Does he agree that that is a very disturbing development?

Mr. Paterson: It is grotesque that he should receive such help from another equally unpleasant and dangerous source—Gaddafi in Libya. We do not have enough time to go into the details of the war in the Congo. It seems that it is being fought very much for Mugabe's personal gain and at devasting cost to the ordinary citizens of Zimbabwe. I am worried that the Minister is compromised by his past. There are two standards. In the case of Burma, Cuba and Zimbabwe, the Government do not take the strong line on civil rights, abuses of state power and kleptocracy—we heard about this in Zimbabwe—that they do in other areas.

Mr. Hain: I do not know where the hon. Gentleman was on Tuesday afternoon during Foreign Office questions, but if he had been listening he would have heard the clearest ministerial condemnation of what is happening in Zimbabwe. There was certainly nothing like it during the 18 years that his party was in power, when things went seriously wrong in that country and his Government did nothing about it.

Mr. Paterson: I was present at Foreign Office questions, and the Minister failed to answer my supplementary question. This referendum result is a possible breach in the dam if the forces of good push through it.

Mr. Roger Casale (Wimbledon): Given the hon. Gentleman's comments about double standards, is he prepared to condemn the handiwork of General Pinochet?

Madam Deputy Speaker: Order. If we could have a little discipline and brief interventions, preferably on the subject of the debate, we might proceed.

Mr. Paterson: I will observe your first injunction and be brief, Madam Deputy Speaker.

The remarkable result in the referendum gives the forces of good in Zimbabwe a chance. I thought that the Minister's initial comments about what Britian can do were limp wristed. There must have been a way of stopping the jet parts about which I asked a question. If the Foreign Office had used its lawyers, they would have found a way round that. There must be some way of insisting that the Commmonwealth becomes actively involved in the preparations for the general election and ensures that the two reports on the Matabeleland massacres are published. The Government must find a way of putting pressure on Mugabe to stop him silencing the press in the build-up to the general election, and to give advice to the democratic groups that need to unite and work against Mugabe. I want the Minister to say that he will take a strong line on Zimbabwe. Failing that, I strongly suggest that he find someone else who will.

4.42 pm

Valerie Davey (Bristol, West): A significant number of hon. Members must have either lived and/or worked in Africa, and they must realise how much it has to give as well as how much it needs to receive. In the mid 1960s I spent some years teaching in Tanzania and I came back having learnt far more than I taught. I want to use the experience of that country then and since to emphasise the importance of looking at the quality and nature, as well as the quantity, of our aid.

Tanzania is one of the poorest countries in the world. There is a life expectancy of about 48. Illiteracy among men is 18 per cent. and among women it is significantly higher, at 38 per cent. By comparison with many other countries, that is not so high, but it is still significant in a severely indebted, low-income country. As debt is relieved and bilateral aid is given, it goes to programme aid, technical co-operation and humanitarian aid. I am proud that in 1998-99 this country gave £79 million in bilateral aid to Tanzania.

Tanzania has made progress, as an earlier speaker said. Economic, structural and political reforms are under way. However, education and health indicators are getting worse. I have learned that of the programmed aid, first we fund a range of general imports. I question the word "imports". Will the Minister tell us whether we are funding imports into the country, or out of it? It is essential that we understand the importance of Tanzania's exports. What matters is what is coming out. Trade with the rest of the world is vital for that country.

We have heard a great deal about investment in countries. I want to emphasise both the necessity of fair trade with them and the importance of what those countries export, especially Tanzania at the moment. Coffee is my example, and I have brought my example with me. I am delighted that the House of Commons takes part in fair trade and that Cafédirect and its equivalent in tea are used in the House. Would that more business and industry did the same. Yet Tanzania's export earnings fell by 8.1 per cent. during the past year. Low production of coffee, cotton, sisal, tea and tobacco is given as the cause. One realises how dependent it is on climate and the availability of water when one hears the list of exports, and therein lies part of the problem. Rich countries, such as the United States, stockpile coffee, so the price is stable from year to year, whatever amount is produced.

Mrs. Gillan: Does the hon. Lady think that the figures might also have been affected by the European Union ban on imports of fresh fish from east Africa, which was lifted recently? How will the resumption of the trade help Tanzania's economy?

Valerie Davey: I was going to mention the restoration of the trade in 50 tonnes of fresh fish from Lake Victoria. It was stopped nine months ago because of the fishermen's excessive use of chemicals. Who sold them the chemicals? I am sure that the fishermen of Lake Victoria would not normally have used chemicals in the trade. We must examine what we are exporting that is of value, and what we are using.

I can tell the hon. Lady, from many years of

experience, that we have sold as part of our aid what we wanted to sell, when we have not been careful. Contracts have often not included parts. I am sure that many of my hon. Friends have seen high-tech agricultural equipment lying by the side of the road because spares were not available. African ingenuity in the use of equipment has been brought to my attention recently. Many of my hon Friends will know of Tools for Self-Reliance. In the past, it has sent Singer sewing machines for good use in parts of Africa, for example. It is now bringing back from Africa renewable parts of used machines for making tools that we need for forestry. That seems an excellent quid pro quo. Tanzania, especially, has the most incredibly self-reliant and able people. However, the provision of education is declining.

I want to praise Tanzania for the number of refugees that it is taking in. The last figure I saw was that it had taken up to 800,000 refugees from eight countries, including 300,000 people from Burundi and many from the Congo. The populaton is 31 million people. Think of the debates in the House about the number of asylum seekers that we might be willing to take in. Tanzania's generosity might be with United Nations financial help, but its support and reception for those refugees leave this country, yet again, with much to learn.

It is important to help with literacy. In the five years to 1996, the assistance that we gave was largely limited to English language support at secondary level. I again endorse the important work of the British Council, but I ask it to think again about its provision. A review has shown no positive impact on poverty from that support. Our aims for educational support—to give a widespread service—have not been achieved by the teaching of English in secondary schools. I am glad to say that we are now working to improve education services nationally, especially at a basic level.

We must revitalise primary education. Indeed, while the wider programme is being developed, we are considering giving interim support in the form of textbooks and school buildings. I want to put a big question mark over that and say how much more imaginative our approach should be.

I support what has been said about the World Service. How many more people might we reach via radio, with the agreement of educators in Tanzania? How much more we might do via e-mail. Before hon. Members say, "Where is the equipment at the other end?" I must emphasise the cost and energy of sending books. I was concerned by the reference to Cambridge university. Why are we setting Cambridge university exams in Africa? We need to support African countries to develop their own education in their own way. That might not be with textbooks in school buildings but through radio and women's groups, which are essential to the further development of African countries. We might need to learn from them.

I know that other hon. Members want to speak, so I shall cut my speech, but I want to emphasise one final point. Coming soon, in Dakar, Senegal, is the United Nations tenth anniversary conference on the importance of primary education throughout the world. I want to ask the Minister what contribution Britain will make? The United Nations has learned a lesson. I could tell the House of many ways in which UNESCO and other organisations have betrayed western countries by not listening and learning, but I shall not pursue that now. I shall simply ask the Minister what contribution we will make to the conference in Dakar—at least the conference is being held in Africa—and what support we will give over the next 10 or 15 years to ensure that the young people of Africa receive the level of education that they deserve, so that those desperately poor countries can develop and take their full role in the world community with dignity.

Several hon. Members *rose—*

Madam Deputy Speaker: I call Mr. Brady. [HON. MEMBERS: "Hear, hear."]

4.51 pm

Mr. Graham Brady (Altrincham and Sale, West): I am grateful to my hon. Friends for such vocal support. I am pleased to follow the hon. Member for Bristol, West (Valerie Davey) who made a sensible contribution that centred on the vital importance of education to improve the situation in Africa. Like myself, the hon. Lady is a member of the Select Committee on Education and Employment, so I know that she takes as great an interest in educational matters in this country as she evidently takes in such matters elsewhere. In speaking about whether it is appropriate for British aid to focus on secondary education and the teaching of English, I should like to ask the hon. Lady what she knows about other national or European Union and aid programmes and how all the programmes dovetail because, clearly, it is important that we do not take unco-ordinated decisions. If other countries are also contributing support for infant and primary education, it may be more sensible for us to concentrate our assistance on more advanced education.

In a somewhat partisan intervention earlier in the debate, which was not necessarily in the spirit of Westminster Hall, the hon. Member for Richmond Park (Dr. Tonge) called into question the previous Government's record on aid to Zimbabwe. I draw to her attention the fact that even with an increase in aid by the Government this year—the figure now stands at £29 million—that sum is still £6 million less than the total provided in 1994–95.

Dr. Tonge: I was referring not to aid, but to the Conservative Government's inactivity and encouragement of the regime in Zimbabwe.

Mr. Brady: It is very easy to criticise people for what has not been done without giving credit for the good efforts that have been made. It does the hon. Lady no credit to make cheap partisan points and to attack the previous Government's record in one area when so much good work was done elsewhere. [*Interruption.*] I am happy to give way to the hon. Member for Eastwood (Mr. Murphy) if he wishes to intervene.

Mr. Jim Murphy (Eastwood): No.

Mr. Brady: I thought that the hon. Gentleman wanted to intervene. It is important to set the record straight.

We have heard some good contributions. The hon. Member for Tooting (Mr. Cox) spoke with considerable knowledge of Kenya, which some hon. Members

[Mr. Brady]

pronounced "Keenya". I have less experience of Kenya and was encouraged to hear what he said about the opposition parties getting established. That was not the case when I was there nearly 10 years ago. It gives great cause for hope.

Much was said about the enormous problem of HIV and AIDS across sub-Saharan Africa. That should be taken seriously and tackled, but we must be cautious that we do not focus all our attention on that one concern. We cannot ignore other problems, especially health problems. Many hon. Members know that in parts of Africa—indeed, across much of the world—there is a resurgence of malaria. It remains an enormous killer, but it is virtually unreported and unnoticed. We must pay that some attention instead of focusing on a subject that catches headlines.

In my intervention, I mentioned the situation in Zimbabwe and I support the calls to take that seriously. The referendum result has opened a window of hope in the past few days. Not many of us expected the people of Zimbabwe to be permitted to express that view in a referendum. Now that the disgraceful proposed constitution has been rejected, we have reached the critical moment when Britain can exert influence and, hopefully, make a difference. We must use whatever methods are at our disposal to achieve that.

I am not saying that we must withdraw all bilateral aid tomorrow—a considerable amount of bilateral aid should continue to be given. The Minister said that we would give more if the regime in Zimbabwe were more acceptable to the British Government. The Government have accepted, then, that aid can be used as a lever. This is the time to make it clear to Mugabe's Government that we are prepared to use the levers that are at our disposal.

We must take a firm and tough line and back the people in Zimbabwe who are bravely making the opposition voice heard. We do not need to pull the rug on valuable programmes, but the aid that is given to Zimbabwe is wider reaching than the hon. Member for Richmond Park would have us believe. She mentioned aid, which I accept might be essential, for birth control and sexual health projects. Nearly £30 million a year—a large sum of money—is provided. Much of that is technical aid, aid and trade, grants and other aids in kind. A relatively small sum goes towards humanitarian assistance.

There are many different headings under which we are assisting the regime in Zimbabwe. The hon. Lady mentioned the £1 million a day, which the people of Zimbabwe can ill afford, spent on pursuing the war in the Congo. The British Government are providing £600,000 a day to Zimbabwe in one way, shape or form. Although that may not be going directly to support the war effort, there is a great danger that it is indirectly funding undesirable activities. The Government must focus on that if we are to achieve an acceptable outcome in Zimbabwe over the next few months and years.

4.59 pm

Mr. Jim Murphy (Eastwood): I am delighted to participate in this important debate, especially as I believe that it is the first debate on the subject in Westminster Hall. It comes 10 years after Nelson Mandela's release from prison in South Africa and shortly before Namibia celebrates its tenth year of independence from the control of apartheid in South Africa.

I have listened with great interest to all the comments made, especially those of Labour and Liberal Democrat Members. I thought that at least two out of the three Conservative contributions were at best imbalanced and unfortunate. If the Conservative party had shown a small proportion of the anger and rage that they spend on the Zimbabwe Government—who are, of course, acting reprehensibly—to the apartheid regime in South Africa, perhaps the millions of black South Africans who suffered under that regime would not have had to do so.

Mr. Brady: Would the hon. Gentleman like the present Government to take as tough a line against the appalling regime in Zimbabwe as they are taking against the current regime in Austria?

Mr. Murphy: I shall not be tempted into discussing Austria.

Madam Deputy Speaker: Very wise.

Mr. Murphy: When I am faced with a choice between the performance of the current Foreign Secretary and the previous Conservative Government's attitudes to apartheid in South Africa, there is only one thing that fills me with shame. I refer not to the actions of our current Foreign Secretary, but to the previous Conservative Government's support for the apartheid regime.

There is much to say about the continent of Africa, which has 53 countries, although I do not intend to spend even five seconds on each of them. It has more than 750 million inhabitants from the northern point of Bizerte in Tunisia to Cape Agulhas in South Africa. If one believes the tabloid press, the continent has unlimited problems and no cause for optimism. I do not hold that view, and neither do most hon. Members. Let us remember that the continent's GDP has grown faster than its population. It did so in 1998 for the fourth successive year. Although there are many difficulties and problems, there are also an awful lot of good and positive things.

Africa has grave economic problems and other dire difficulties. The per capita income in Africa is $688 per annum, by contrast with that of the UK, which is more than $20,000 per annum. Even within Africa, there are enormous inequalities within and between the various nations. In the countries to the north of the Sahara, the average annual income is more than $1,200; in sub-Saharan Africa, the average is $526. In the least developed nations in Africa, which account for two thirds of the 53 countries, the average income per day is just 61 cents. We should remember that that level of poverty applies to two thirds of the countries. The five most prosperous nations in Africa have 60 per cent. of the entire continent's GDP, and the country of South Africa contributes more than a quarter of the entire continent's GDP. We must be aware of the differences within the continent and the difficulties experienced by different nations within it.

I mentioned South Africa, for which I have a great affection. Unlike the Minister, I am not a son of South Africa, but I have lived there. For better or worse, it made me what I am today and has made my life as it is today. I met and married my wife there. I do not have time to dwell on my experiences in South Africa, because other hon. Members want to speak. I must say, however, that I find it remarkable that Nelson Mandela, the world's premier leader of the 20th century— or perhaps of any century—could grow in a country that was so scarred by the degree of racist discrimination that was prevalent there for decades. He is a living symbol and a force for change and reconciliation in that nation. It is a matter of historical regret that some people in the Conservative party would have had him treated otherwise.

South Africa has a long way to go. Everyone acknowledges that it has a problem with crime, but I do not enjoy reading the comments made in this and other countries about the stereotypes of Africa and South Africa: that it is a war-ravaged continent, that it is a continent of corruption and that we should have an affinity with the white people of Africa because they are our flesh and blood. I do not share that outlook on life.

A high-profile example is the bid for the world cup. I do not want to trivialise the issue, but England is rightly bidding for the 2006 world cup. I hope that England's bid to hold the tournament is successful—it is a strong bid—but I do not hope that they are successful in winning the cup. I hope that Scotland wins it. Of course, England's bid is strong, but South Africa also has a strong bid, yet some people have used the excuse that South Africa's bid should not be successful because it is part of a war-torn continent. They use the terrible experiences and occurrences in Angola as a reason why South Africa should not be allowed to host the world cup. We all know that Angola is further away from Cape Town than Kosovo is from London, so let us not allow any of those unfortunate stereotypes to be dressed up as logical explanations why South Africa or the African continent should not get a fair share of international events and the international economy.

Mr. Colman: A bid has been produced for the Rio plus 10 conference to be held in South Africa in 2002, rather than at the United Nations in New York. Does my hon. Friend support that bid from South Africa?

Mr. Murphy: Based on what my hon. Friend says, I think that would be an important step forward for South Africa.

I should like to comment on many other matters, such as diamond mining in Namibia and Angola, but I shall conclude my speech by referring to United Kingdom investment. Only 2.6 per cent. of all United Kingdom outward investment goes to Africa, half of which goes to South Africa. Therefore, slightly more than 1 per cent. of all United Kingdom external investment goes to the other 52 countries. We should work with British companies to develop that economic opportunity in future.

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Murphy: I am sorry, but time does not allow me to do so.

Business cannot take that opportunity simply by giving philanthropic support to develop the continent. That would be desirable, but naive. We must develop opportunities for business to prosper. We should bring down barriers and open opportunities in those nations, and the Department for International Development White Paper on globalisation, which will be published later this year, represents an important step forward for the United Kingdom in doing so.

Through debt relief and economic development, we must help to create populations in those countries that are educated, live in peace and are highly motivated, so that there is a skilled work force. We must ensure that British companies understand the opportunity of investing in that continent. I strongly urge that we continue with our crusade on international debt relief which, although it has to be conditional, is not just a moral imperative but an economic necessity.

5.10 pm

Ms Julia Drown (South Swindon): I want to cover very briefly one country-specific issue—the referendum in the western Sahara— and two general issues: the arms trade and debt cancellation. I congratulate the Minister on calling for this debate and recognise that he has a huge responsibility on his shoulders because of the impact that his interventions can have on people's lives. The people of the western Sahara have been waiting for years for a referendum on the right to self-determination. I note that 116 hon. Members signed an early-day motion expressing their concern that the referendum might face further delays because of the questionable 70,000 or more appeals from Morocco. The new millennium should mark a new start for the Saharawi people. The Minister's interventions could have a real impact, so I hope that he will tell us what actions he, together with the United Nations, can take to ensure that parties in the conflict strictly abide by the terms of the signed appeals agreements.

Other hon. Members have spoken of the human damage caused in Africa by the arms trade. The Government have done more than any other to try to combat the real problems that it causes. They have said that arms will not be supplied where they are likely to be used for external aggression or internal repression; and that code of conduct will be strictly enforced. However, we are big producers and exporters of arms and are likely to find the arms industry snuggling up to Members of Parliament and Ministers, asking them to support particular defence contracts. That can and probably will fuel this wicked trade. I remind hon. Members that so often it is the poorest people in Africa and other countries that suffer most from it. Of course countries have a right to defend themselves, but the availability of weapons in Africa is doing so much damage that we need to tackle the problem head on. We should use our talented engineers and workers for a positive agenda in Africa, not for a destructive one.

Debt relief is another important issue, on which the Labour Government have a fantastic record. Two years ago, many people would not have believed that we could come so far. The Government have offered 100 per cent. debt cancellation to countries that are committed to tackling poverty. The problem is, however, far from solved. Only three countries—two in Africa—have had their debts cancelled under the Cologne initiative. One

[Ms Julia Drown]

is Mauritania, which received help through the heavily indebted poor countries initiative, but will still have to spend more on its annual debt service repayments than on health or education.

In Mauritania, 62 per cent of adults cannot read. What does that say about people who have to live in this increasingly globalised and technology-driven world? One in three children receive no education, yet the country has to make $80 million repayments every year, even after HIPC, which could more than double the health and education budgets. There is still such a long way to go.

Mozambique is one of the poorest countries on many indicators. It received help under HIPC I, having met all the IMF's strict requisite conditions. Yet the country will not benefit from HIPC II until June this year at the earliest. That may seem soon, but every day that passes destroys opportunities and takes away lives. One reason for the delay is the need for these countries to produce poverty reduction strategies before they may be helped. The lack of such a strategy causes the delay. We must pile in help so the country can devise its strategy and overcome the obstacle as soon as possible.

Even when June 2000 arrives, this poor country will still have to spend $62 million—more than it currently spends on health—on debt repayment. That is in a country where three quarters of the population have no access to safe water or sanitation. Those are countries that are in the HIPC initiative. There are others which, although very poor, are outside HIPC.

Nigeria was dropped last year for technical reasons. It is Britain's biggest debtor amongst the poorest countries, but it is not expected to benefit from the Chancellor's 100 per cent. promise. It is a new democracy with a new Government who are struggling to establish economic and social stability. They are under an impossible burden of debt. Creditor countries, including the UK, lent freely to previous military regimes, and we must share responsibility for freeing Nigeria from that debt crisis, which is constraining development.

I urge the Government to take still further action on debt relief. I congratulate them on everything that they have done, but we need to put more pressure on G8 countries to take forward the agenda for faster, deeper debt relief. We must urge the other G8 members who have not made the 100 per cent. commitment on bilateral debts to do so. Italy, Germany, Japan and France must follow the lead that this country has taken. We can be rightly proud of it. We must also urge the United States—the richest country in the world—to put money into an HIPC trust fund to cover some of the multilateral relief costs. There has been a proposal to Congress this week about that. We must ensure that that money is delivered.

Some of the subject matter of the debate can sound dry and technical, but it has inspired children and adults alike in this nation. We hardly remember the pain of hunger, but we sometimes have pangs after just a few hours of not eating. People in Africa go through that pain day after day. Perhaps all of us know someone with HIV or, worse, someone who has died of AIDS; perhaps we know someone who has lost an arm or even their life because of the arms trade. We know the pain that that causes when it happens to one person, but in Africa that pain is writ large in millions and millions of lives. The Government are doing a lot, but we cannot rest. There is so much to do before we can deliver opportunities for people in Africa.

5.16 pm

Mr. Hain: I am delighted to respond to the debate, which has been an outstanding example of how Westminster Hall can be used. I was especially delighted to discover another son of Africa in the hon. Member for Eddisbury (Mr. O'Brien). Speaking of sons, I welcome back to the House my hon. Friend the Member for South Swindon (Ms Drown), who has just returned after having a son. It is good to see her here and to hear the authoratative way in which she spoke about debt relief and Africa's problems.

I commend other hon. Members for the authoritative way in which they spoke. My hon. Friend the Member for Tooting (Mr. Cox) showed his deep knowledge of Kenya, while, in recounting her experience in Zambia, my hon. Friend the Member for Staffordshire, Moorlands (Charlotte Atkins) was, if I may say so, a good advertisement for CPA visits. My hon. Friend the Member for Bristol, West (Valerie Davey) obviously knows a lot about Tanzania; the hon. Member for Richmond Park (Dr. Tonge) showed her deep knowledge of Uganda and Sudan and my hon. Friend the Member for Eastwood (Mr. Murphy) showed his knowledge of South Africa.

The hon. Member for Chesham and Amersham (Mrs. Gillan) was at yesterday's business lunch on African issues, along with the hon. Member for Richmond Park, and her point about opportunities for business in Africa was well made. I was talking to a senior executive of Unilever, who said that his company gets its best returns in Africa. That should be a green light for invesment there by British-based companies.

The hon. Lady spent time attacking the Zimbabwean Government, as did her colleagues the hon. Members for North Shropshire (Mr. Paterson) and for Altrincham and Sale, West (Mr. Brady). I share their criticisms of the policies that are being pursued by the Zimbabwean Government. Indeed, as my hon. Friend the Member for Putney (Mr. Colman) kindly reminded hon. Members, I spelt them out in yesterday's *Financial Times*. The hon. Lady might like to know, however, that President Mugabe plaintively refers to the nostalgic delights of doing business with Conservative Members, particularly the former Prime Minister, Lady Thatcher, whom he described as a great friend. He finds it difficult to deal with this Labour Government because we are critical of human rights abuses, bad governance and Zimbabwe's dreadful economic policy. So there is a large dose of rewriting history.

Mr. Paterson: Will the Minister give way?

Mr. Hain: No, I do not have time.

In conjunction with international financial institutions, the Government are tackling—or at least, seeking to tackle—Zimbabwe's many deep problems.

Mrs. Gillan: Will the Minister give way?

Mr. Hain: No, I am sorry, but I do not have time.

In relation to electoral education, we provided a £20,000 grant which was used to fund what became the civil society opposition in the referendum campaign. Indeed, that was attacked by President Mugabe.

The hon. Member for Chesham and Amersham asked about aid levels. British aid to Zimbabwe is currently £10 million, which is a small amount, much less, indeed, than we would be prepared to give if the Government and their economic policies changed. That £10 million is overwhelmingly concentrated on policies to eliminate poverty, and almost entirely dispersed through non-governmental organisations, although there are some joint Government projects. My right hon. Friend the Secretary of State for International Development assured the House that, to her knowledge, there was no evidence of British aid funds to Zimbabwe being used inappropriately.

Mrs. Gillan: Will the Minister give way?

Mr. Hain: No, I do not have time.

The hon. Lady asked for an explanation of my statement about Jonas Savimbi being taken out of the Angolan conflict. I said that if Mr. Savimbi decided to retire to one of his many homes elsewhere in Africa, that would greatly aid the end of the conflict and the peace process—if there were to be one. He is a wealthy individual and his safe passage could be guaranteed under UN arrangements.

Mrs. Gillan: Will the Minister give way?

Mr. Hain: No, I do not have time.

Mrs. Gillan: On a point of order, Madam Deputy Speaker. We are supposed to be engaged in debate. Would you therefore advise me whether, in this Chamber, it is right for the Government spokesman to avoid taking questions about points that are directly relevant to the Opposition parties? Do you agree, Madam Deputy Speaker, that Westminster Hall was set up to enable us to debate? However, the Government obviously want not a debate but a showcase.

Madam Deputy Speaker: The Chair's life is complicated. However, I am not responsible for what Ministers do.

Mr. Hain: I am spending the first few minutes of my speech answering the hon. Lady's questions. I generously accepted many of her hon. Friends' interventions during my introductory remarks. I simply do not have time to accept interventions now, as I am trying to answer questions.

The hon. Lady asked about the work of the British Council. I endorse her comments as I strongly support the council's work. I also endorse the remarks of my hon. Friend the Member for Tooting, who asked about education, as did my hon. Friend the Member for Bristol, West. The position in Africa is devastating. There are more children out of school in sub-Saharan Africa than there were a decade ago. In five years' time, 50 million children will be out of school; by 2015, the number will have reached 57 million, three quarters of the world total.

Reversing the decline in school enrolment is probably the single most important investment that foreign nations, including Britain, can make in Africa. The Labour Government's aid and assistance programme has therefore been targeted to a great degree on funding education provision throughout Africa. My right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) made that point. Having worked on aid and development over the years, he speaks with great authority on Africa. I acknowledge and pay tribute to that.

The hon. Member for Richmond Park asked several important questions about arms dealing, and made valid points about brokering and trafficking. We are committed to new legislation seeking to put that under some kind of control, however difficult that is to do in practice.

The hon. Lady spoke knowledgeably about the problem of AIDS, drawing on her experience of visiting Uganda. Uganda is a good example of how we can begin to turn the situation around if a Government leads and works with donor countries such as Britain. The hon. Lady mentioned landing at Entebbe airport. I am not sure whether she visited the centre which is tackling the AIDS epidemic and which Britain helps to fund—I visited the centre when I went to Uganda in October.

My hon. Friend the Member for Staffordshire, Moorlands talked extremely movingly about the problem of AIDS in Zambia, where the effect is devastating. I thank my hon. Friend the Member for Tooting for his generous tribute to the excellent high commissioner in Kenya, Geoffrey James, who does a very good job for us and for the people in Kenya. I agree that it is vital that we see the success of the economic and good governance recovery programme that is led by President Moi, with able assistance from newly appointed civil servants, including Richard Leakey. Kenya has been sliding down for some years and there is now an opportunity to turn it around. President Moi's commitment to the programme should have Britain's support, and we are giving it.

While I acknowledge the African origins of the hon. Member for Eddisbury, I did not think that he did himself any credit by almost obsessively attacking my right hon. Friend the Foreign Secretary. My right hon. Friend has paid a number of important and successful visits to Africa, including, importantly, a joint visit with the French Foreign Minister, Hugo Vedrine, to try to forge an alliance on African policy. He has also visited Nigeria, South Africa and Ghana. Those visits were extremely successful in cementing the relationship between Britain and Africa.

I assure the hon. Gentleman that in the current climate of this Government's policy towards Africa, our standing there is very high. I cannot claim that it is at the highest level. The evidence is the persistent response that I get from African Ministers and others when I speak at the United Nations and visit the people of African countries who believe that the British Labour Government genuinely speak in support of Africa. That was echoed at the business lunch yesterday when one

[Mr. Hain]

person after another said that they thought that our policies were a great advertisement for Africa, which assisted in the success of that continent.

The hon. Member for Eddisbury said that we must deliver on peacekeeping when we promise it. That is a legitimate comment. We are doing that by contributing to the peacekeeping operations in Sierra Leone and the Democratic Republic of the Congo. We cannot put troops in, but we have put in military observers. We are contributing more support to Sierra Leone to end its brutal conflict and estabish peace there than any other country outside Africa.

I commend my hon. Friend the Member for Staffordshire, Moorlands for the way that she targeted sanctions busters in respect of Zambia. I am sure that, as she rightly said, President Chiluba will want to tackle that problem, given the lead that he showed in tackling the conflict in the Congo. Many other Governments need to show the same determination to crack sanctions busting in their own countries and to bear down on supplies going to UNITA to sustain their murderous war. The Governments of Rwanda, Cote d'Ivoire, Togo and Burkina Faso, to name just some, ought to show leadership because people in those Administrations are operating within the countries to supply UNITA with fuel, arms and other logistical equipment without which the war could not be waged.

My hon. Friend the Member for Eastwood was right to speak of the stereotypical image of Africa simply as a continent ravaged by famine, conflict, AIDS and corruption, as if nothing good is happening there. There are lots of success stories in Africa, and my hon. Friend said that South Africa was the prime example. We need to build on those because they give tremendous opportunities for Britain and British business to build a close relationship and partnership with Africa.

Finally, in respect of western Sahara, may I say to my hon. Friend the Member for Swindon, South that we are indeed urging all the parties to abide by the United Nations peacekeeping agreement, which includes a commitment to a referendum. I believe that more creativity is needed to tackle the problem. Legitimate grievances are held by the people of western Sahara. The recent dismissal of the Interior Minister, Mr. Basri, by the King of Morocco is a very encouraging sign because there were serious human rights abuses there.

It being half-past Five o'clock, the motion for the adjournment of the sitting lapsed, without Question put.

Westminster Hall

Tuesday 22 February 2000

[SIR ALAN HASELHURST *in the Chair*]

Rural Poverty

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Jamieson.*]

2.30 pm

Mr. David Heath (Somerton and Frome): I welcome the opportunity to open this important debate about rural poverty—a subject that the House does not discuss sufficiently often.

It is a debate about perception. There is a fundamental dissonance between the perception of life in rural areas, which so many commentators and those who look on it from a distance seem to share—the cliché is the picture on the chocolate box that shows roses around the door—and the incidence of poverty that many hon. Members know to be the reality of life in many villages. There is also a dissonance between the prosperity that is claimed for many rural regions—regions with a high preponderance of rural areas whose prosperity is on the surface—and the poverty that underlies it. It is that mismatch between perception and reality that I want to address.

Today's debate was prompted by the fact that that perception might be shared by senior members of the Government—including the Prime Minister, judging by the comments that he made when he recently toured the west country. I realise that his remarks may have been taken out of context, and that that may not be his position; but if it is, I believe that it is our duty as Members of Parliament to make sure that the reality is made known.

I do not want to discuss whether we are dealing with absolute poverty or relative poverty. To a large extent, it is an artificial distinction. No one in this country shares the absolute poverty of many in the third world. However, people's lives are made immeasurably more difficult by a lack of disposable income in a society that assumes a reasonable affluence.

I am sure that the invisibility of the poor in rural areas is recognised by those hon. Members who are here today. Those who represent rural constituencies have it brought home to them at their surgeries that many people lead desperate lives.

Poverty is exemplified by the way that people have to live their lives and in the day-to-day difficulties they face. It is exemplified by difficulties of access—access to the sort of services that people in urban areas take for granted and sometimes even to those services that are specifically designed to make their lives easier. It is exemplified by the cost of living, which is often higher in rural areas. It is often more expensive because people do not have access to public transport and therefore have to use their cars, and because people often have to use smaller shops instead of supermarkets. Because those shops cannot share in the economies of scale offered by supermarkets the unit costs are inevitably higher.

People suffer from the fact that services cannot react to their position, and they also suffer from isolation. The latter is an important aspect of the problem. Someone who is relatively poor but who lives in a centre of relative affluence is isolated in a way that the poor who live among their peers are not. The one family in a small village who do not have a regular income or a reasonable pension will have a pretty miserable life, as will people who live on their own and who cannot share many of the things that other people take for granted.

This is a genuine cross-Government theme, and any of five or six Ministers could have responded to the debate. I welcome the Under-Secretary of State, the hon. Member for City of York (Mr. Bayley). In the previous such debate, which was instigated by the hon. Member for Forest of Dean (Mrs. Organ), a Minister from the Department of the Environment, Transport and the Regions represented the Government. They could just as easily have been represented by a Minister from the Cabinet Office, the Department of Health or a number of other Departments. Joined-up government—the phrase that we hear so often—must apply if it is to be addressed effectively.

I see no point in trading statistics with the Minister. We could spend the rest of the afternoon discussing numbers without getting to grips with the problem. How many people are living in poverty? Let us be honest—we do not know. In a document published two weeks ago, the New Policy Institute made the very conservative estimate of one in 10. That is a generous view of the number of people who are living below the poverty line, and it is probably an understatement. We know that people in rural areas are under-claiming and that the number of dependents upon people who are claiming is probably greater than is stated. We know that many people are not claimants because they exist on low pay or on seasonal employment that provides money for only part of the year. We know also that there is much migration from rural to urban areas and that people categorised as resident in urban areas of poverty are often from country areas but could not exist any longer with the privations that they suffered there.

Some indicators are simply unhelpful. For example, the incidence of car ownership could be used as an indicator of relative deprivation, but people in rural areas must have cars. I have quoted the following statistic before: people in Somerset have a high number of cars, but they are the oldest in the country. People keep their bangers together in one way or another because without them they simply cannot operate in modern society.

There is statistical evidence on poverty levels. Let us consider gross domestic product per head. It is not Merseyside, South Yorkshire, Tyneside or other such areas that have the lowest GDP per head, but places such as those represented here by my hon. Friends the Members for South-East Cornwall (Mr. Breed) and for Isle of Wight (Dr. Brand). However, even if statistics are as accurate as possible, they do not inform policy as they should. That is so partly because of aggregation and because policy formulation does not have a fine enough grain. That means that the south-west is considered to be relatively prosperous without taking into account that what makes it prosperous is the M4 corridor and Plymouth. Apart from that, the area is one of relative poverty.

[Mr. David Heath]

Unhelpful definitions mean that the traditional small market town falls through the gap between the rural area that might benefit from rural development area status and the urban area that benefits from urban support. Somehow, the market town does not exist between those categories, and yet it is to such towns that people in rural areas look for the provision of the services that they need. The Liberal Democrats have argued many times that mortality and sparsity factors do not inform the formulae that allow for distribution of funds, whether for education, policing or elsewhere. Whichever service one considers, the unit costs are often higher in rural areas, yet that is not recognised in the formulae.

How are we to identify those who are most affected by what I have described? To paraphrase a famous passage, I would tell people, if they live in a rural area, "Do not be old and poor, do not be young and poor, do not be a family with young children and poor and do not have a long-term illness or disability and be poor." Such people will suffer more than someone in the same condition in an urban area. If I had to pick one category of people who particularly concerned me it would be the older ones, perhaps with low occupational pensions, who do not qualify for many of the social security benefits that would otherwise kick in. They would probably have to keep a car running, as the only way of getting to the shops, and would probably suffer from extreme isolation in the village, trying to keep up appearances, which is desperately difficult.

The people that I am concerned about would probably live in detached houses, which, in a rural area, is not a sign of affluence—just of the way we build our houses. Many hon. Members who represent such areas will be familiar with what may be found behind the front door. Sometimes, if we make a house call on, say, an elderly lady, we might see that the roof is falling in, that no maintenance has been carried out and that the occupant cannot heat the place. It is perhaps in a damp area—in the sort of fenland that we have in Somerset. We know that that person is living a pretty squalid life, finding life extremely difficult, and is probably not claiming. A stigma still attaches to claiming benefits, possibly because of ignorance of entitlements, and because there is no one to give guidance and support in claiming.

What difficulties need to be tackled by Government? The most important in many ways, is access, including physical access. We talk a great deal about the public transport needs of rural areas, but they are extreme. My village has one bus a week. Anyone without transport can catch that bus, spend a week in Frome and come back again, but anyone who wants to use it for any other purpose is lost. Over a long period the services available in villages have been reduced. Shops and banks are no longer there. I could divert my argument here on to the future of the sub-post office, but I shall not do so because we have aleady debated that and the Minister knows perfectly well of hon. Members' concerns about that. The post office is a crucial element in the provision of support to people on low incomes in rural areas. It is the one thing to which they have access in a village. Losing that means losing a crucial connection between society in the wider sense and the individual.

Other problems of access relate more to the workings of the system. I have already mentioned the inequalities of funding. It cannot be right, as I pointed out to Education Ministers the other day, that schools in Somerset receive £1,500 a child a year less than equivalent schools in a leafy London suburb. Although we do relatively well with the money provided, the people who are disadvantaged by the discrepancy are those who need the most help. Because the local education authority, and the children affected, are not entitled to a basic level of funding, there are inequalities in what schools can provide. That may not affect the bulk of people, who are relatively well off and relatively high academic achievers, but there are those who miss out in the process.

What I have described also applies in the health service. If there were the same distances between accident and emergency services in the conurbations as there are in the west country, people in the conurbations would be up in arms, because it can be 25 or 30 miles to the nearest hospital. That makes it very difficult for people who do not have access to transport to go to hospital, even for a regular out-patient appointment. In Somerset, the hospital car service has recently been withdrawn, so unless a person is an acute case, no transport will be available. What do you do? There is no answer to that question at present. It is also more difficult to get a general practitioner to visit.

Then there are economic problems. We could discuss the present crisis in agriculture, but we have had many opportunities to debate that, so let us just recognise that there is a significant crisis in agriculture. Agriculture is not the be-all and end-all of rural life; not everyone is employed in agriculture. However, it worried me that the Prime Minister's response to the National Farmers Union the other day did not seem to recognise that a crisis in agriculture is not confined to agriculture; it filters down through the entire rural economy. Many industries, trades and professions depend on agriculture and the people who work in them are currently finding life extremely difficult. For example, agriculture engineers and book-keepers who maintain farm accounts are going out of business and a whole range of people in downstream industries are experiencing financial difficulties. I recognise that the Government have helped the rural economy by introducing the minimum wage, which is a bonus, but can the Minister tell us what the Government's position on the Agricultural Wages Board is likely to be, as it would be interesting to know whether it will be maintained or abolished? If it is abolished, my concern is that the minimum wage will become the standard wage for many people in agricultural industries.

We need to encourage diversification in order to provide new business opportunities in rural areas and to move away from seasonal employment. It is no help to an unskilled manual worker to be moved from shovelling muck to hoovering a chalet, if it means that he continues to receive dirt wages, unable to feed his family and in employment that may be terminated at any stage.

It is important that we revivify the economies of market towns. Anyone who travels across the country will see that regional centres with big shopping centres are prospering, but the story in smaller market towns is boarded up windows and a complete lack of economic

activity. The Government must tackle that problem urgently. What are the barriers to employment? There are many arguments about that. There tends to be less long-term youth unemployment in rural areas, and much policy is aimed at long-term youth unemployment. Young people move into towns because they eventually realise that no jobs will appear, and that they cannot travel to them if they do, because they have no means of transport. Also, they have no access to training because there is no local higher or further education college, so their opportunities are restricted.

Then there is social support. Affordable housing is a recurrent theme. Many young people are sent into internal exile because they cannot find affordable housing. That is because the housing is bought by people on higher incomes who come to rural areas from elsewhere, and the whole housing market is artificially inflated as a result. Many old people who are trying to keep a roof over their heads do not have the support to enable them to do that successfully. I would like the Government to be much more active in their support for care-and-repair schemes, which are probably the way forward. We should use the voluntary sector and the funds that are available to maintain people in their own homes. The Government should also encourage the take-up of benefits in rural areas in a more proactive way. That is directly within the Minister's area of responsibility.

I discussed with the Minister some months ago the number of appeals against refusal of disability living allowance. I learnt that nearly 50 per cent. of appeals were upheld, which means that something is wrong with the system. That is causing a great deal of misery to disabled people in rural areas, who feel very isolated when their support is removed.

We must do something about long-term care, which is a great concern for many people. A relatively young man, in his forties, came to see me recently. His mother is in long-term care, and he is trying to run a pitifully small farm of 40 acres, which is barely viable. His problem was that his father had left the farm jointly to him and his mother. When his mother went into long-term care, the farm was considered to be a usable asset. The man's livelihood was being eroded because of his mother's care costs. I am sure that that is not how the rules were intended to work.

We have discussed socialisation and lack of community support. Many people retire to villages because they are taken by the idea of village life, only to find that they do not fit in because they have no connections and no family there. They are on low incomes, and the support that they took for granted in London or Birmingham is simply not available. Young people have no access to leisure facilities, so they hang around the bus stop, get bored and get into trouble, because that is all that they can afford to do.

What can the Government do? I do not pretend that there are any easy solutions; the Minister will be the first to recognise that. We do not want our countryside to be suburbanised or the differences between urban and rural areas to go unrecognised. We need to consider how the indicators are framed, to ensure that we recognise the problems in rural areas. Then we must adapt policies to fit the needs. That means a shift from policies to assist the efficient operation of the system to those that deal with individual objectives. It is a shift of position from centralisation to diversification in policy, so that individual needs are properly assessed.

It is crucial to extend outreach in terms of benefit take-up, but it is not easy to decide how to do that. We cannot have a Benefits Agency office in every village, but we must reach those people who cannot be reached by any other means. There should be a policy premium on accessibility, and every Government policy should be assessed on whether it improves accessibility for people in rural areas.

We also need a rural White Paper to deal with the issues. The White Paper has been delayed repeatedly, but I hope that it will be published soon and that it will encompass many of the points made today. It will be crucial to the Government's success in tackling issues in rural areas. Public perception is that the Government do not take those issues seriously, and they will have to work hard to overcome that and to understand the reality of life in rural areas.

I do not want to paint too black a picture of rural areas. They are still good places to live. I have lived in East India Dock road and Witham Friary, and I know which I prefer. However, let us not forget that some people do not share in the prosperity, or, because they have no private transport, the easy availability of services. Life for them is becoming not easier but more difficult every year, as those services are withdrawn. All service providers, commercial and non-commercial, appear to be retreating from rural areas. My plea is that the Government should reverse that process, make things available in rural areas to the people who need them and ensure that their needs are recognised every bit as much as those of people in our large towns and conurbations.

2.55 pm

Mr. Alan Hurst (Braintree): I am pleased to be called in the debate. I congratulate the hon. Member for Somerton and Frome (Mr. Heath) on bringing the issue before the Chamber. There was a debate some two years ago, initiated by my hon. Friend the Member for Forest of Dean (Mrs. Organ), in which many of the same questions were considered.

We have an almost cartoon-like picture of poverty. We are brought up with the urban paintings of Hogarth, with the reports in William Booth's "In Darkest England"—if we are learned enough—and with the novels of Charles Dickens, all of which create the impression that poverty is an urban phenomenon. The opposite of that is the golden-glow picture that people who live in towns have of the countryside—if it is not all "Cider with Rosie", there is at least pleasure, sunlight, health and vigour, and plenty. They think, "Countryside good, town bad."

Of course, the reality is far from that. People may want to commute from the country, holiday there, or spend weekends there: it is not quite the same for people born into modest circumstances in the country who do not have the resources to cope with changed times. The countryside has never been the idyll that many think. Most people lived in tied cottages, many of them would have been hired at annual fairs or markets, and their tenure of their cottage or home would last only as long as their employment, which might not have been for

[Mr. Alan Hurst]

very long. If they lost their job and their home, there was no benefit system upon which they could fall back—they were destitute, save for the union workhouse.

We should say that things have moved on a long way. In particular, from the 1940s onwards, rural Britain enjoyed a renaissance. There was support for agricultural prices, regulation of agricultural wages, a national health service and a welfare state and the expansion of council housing in rural areas, all of which added greatly to the quality of life for people who lived in the country. Unfortunately, new threats have now appeared. The hon. Member for Somerton and Frome had to deal with them in a panoramic sweep, because there is insufficient time to dwell on each of them.

Employment levels in the country have fallen drastically since 1945, when almost one million people were employed in agriculture. Two or three years ago, the figure stood at 250,000, and it is still falling fast. The real figure is certain to go lower still. It is a common feature that agriculture's ancillary industries—for example, sugar beet factories, such as that which closed recently in your constituency, Mr. Deputy Speaker, which is adjacent to mine—are no longer present in the same way. As the hon. Member for Somerton and Frome mentioned, the agricultural engineers will not be there to service the farms if the farms are not there on the scale that they once were.

That is not the whole picture. The countryside is also losing many facilities, because of the changing nature of the population. The village shop and the village post office—we have debated the issues twice, once in the main Chamber and once here—are under threat and have been for some time. It is not only a question of the proposals the Benefits Agency might make with regard to payments, although it has not been entirely helpful in some respects. The main question relates to the population now living in villages. Many people commute to work in a large town and some of them may be in the village only at weekends. Such people do not shop in the village shop, but in major supermarkets, sometimes in the nearest market town, but more often in the nearest major town or city, where they work. That takes away a margin of trade from village shops and post offices with the result that they cannot compete and have to close. The same argument applies to public houses, schools and social organisations. People no longer keep villages alive by spending all their active life in them and they may become places in which people occasionally sleep or stay.

It is easy to paint a black picture. I could paint an even blacker one, but we must consider the way forward. Progress must be based on realistic employment in rural areas. We must ensure that we do not create a benefit culture by adapting a working society to the 21st century. Farms should diversify as appropriate and new businesses and industries—which may be attached to farms—should serve appropriate callings and needs.

I emphasise the importance of such action being appropriate to circumstances. Putting many unusual businesses into the middle of the countryside changes the area into one more suburb. However, in certain circumstances, there may be a case for relaxation of planning controls and conditions. Government and local authorities, however, should certainly encourage new industries into such areas.

Local authorities should tackle matters that they have recently been unable to deal with, including housing. We all talk about affordable housing, but that is difficult to achieve in country areas. Country people do not live in terribly picturesque cottages. In the main, they live in ex-council houses: many council houses have now been sold. If one wants to hear the local Essex accent, one should go to the council houses in which most local people now live. Farm workers' cottages have been knocked together so that two or three become a single dwelling which, almost certainly, only someone from outside can afford. The Government, local authorities and housing associations must devise effective schemes to provide houses for rent or sale at prices that can be contained at a certain level so that local people can remain in the villages in which they were born.

I am aware that other hon. Members wish to speak, so I shall conclude by touching on the provision of facilities. The Government have taken steps to encourage that by tackling rural transport and expressing a desire to integrate buses and trains. There is nothing more absurd than a train arriving 10 minutes after the last bus has gone: that breaks down the whole network essential to a rural area. We should extend taxation relief and business rate relief to shops and post offices so that it is worth their while remaining in rural areas. They should not have to shoulder yet another burden which may force them to close down and go elsewhere.

We must accept that the motor car is essential to rural life. Those who do not have cars are stuck in villages that they cannot leave. The Government have made progress by ending the fuel escalator, which bore down especially hard on rural communities. The ending of the scheme is welcomed in places in which the car is a necessity. Other schemes that recognise how essential a car is to people in rural areas may be of benefit. For example, we could encourage dial-a-ride schemes, community bus schemes and any scheme that facilitates travel between villages and between villages and towns.

We are analysing and understanding those interrelated problems. We must create employment in villages, so that people living in them are on the same level as those living in towns. We must ensure that services are appropriate for the community. There are encouraging signs. We have identified the problem and I hope that we shall have a constructive debate today on how we might move forward.

3.5 pm

Mr. William Ross (East Londonderry): We are indebted to the hon. Member for Somerton and Frome (Mr. Heath) for initiating the debate which has developed, not as some outside thought, on a farming basis, but rather on the basis of rural poverty. As it happens, I live on and own a farm. That is no secret to hon. Members who know me. A major debate on the Floor of the House on the farming industry and the rural poverty that has arisen in the past few years is long overdue.

I am well aware of all the issues that have been raised so far. The facts of rural poverty are well known to me. The local government ward in which I live has a high level of deprivation, even by Northern Ireland standards. I have always wondered just how those tables

are drawn up. As the hon. Member for Somerset and Frome pointed out, people with cars are considered better off than those without. The fact that it is an old banger is not taken into account. Another factor is whether one's house is tied to a main sewer or septic tank. Those connected to a main sewer are considered to be better off than those with septic tanks. But the interior of the house has nothing to do with the sewerage. Someone needs to go back to basics and look at what constitutes deprivation and poverty in that sense. I am not happy with the measurements that are used.

We have already touched on the fact that many people in rural areas work outside agriculture. They are divorced from agriculture, which is the basic industry in rural areas, and divorced from the rural community in which they live at weekends but of which they are not in any real terms a part. I shall consider briefly the new poverty, which is apparent in rural areas and relates entirely to the crisis in farming. When I asked:

"How many claims for working families tax credit come from farming families? Would not that number of claims be reduced if the Chancellor and his right hon. Friends drew down the compensatory funds that are available for farming from Europe, owing to the changes in the value of the pound?"

the Chancellor replied:

"I am grateful to the hon. Gentleman for raising this issue. I know that substantial numbers of claims have come in the past and still come from farming families. Self-employed people are also eligible for the working families tax credit and there has been a distinct increase in the number of applicants."—[*Official Report*, 3 February 2000; Vol. 343, c. 1195.]

That answer points directly to the consequences of the present crisis in farming. It also shows that that level of poverty, which forces people to apply for working families tax credit, as it did its predecessors in social security benefit, is not a new phenomenon. There has always been far more poverty out there in the countryside than is generally realised. I am well aware of it. I am also well aware that many of those people in the countryside—the older generation especially have a great pride and will do almost anything before they are prepared to admit that they cannot live at a reasonable standard. They refuse, point blank sometimes, to apply for the benefits to which they are entitled. The consequence is that they live frugally. We should have great sympathy for them.

With regard to farm incomes, it might be interesting to consider the situation in Northern Ireland with which I am most familiar. From 1995 to 1999 there was a fall of 79 per cent. in farm incomes. In the same period hill farming income fell by 95 per cent. If that does not constitute new poverty, I do not know what does and yet 10 per cent. of our work force in Northern Ireland still depend on agriculture and the agri-industry and ancillary industries.

That situation did not arise overnight. To some extent it was a consequence of BSE. The strength of sterling in the past few years has had a major effect. The power of the purchaser from the primary producer in the market place has increased enormously in recent years as a result of such changes as the abolition of the Milk Marketing Board, which, it must be remembered, was created to give support and strength to the primary producer. The board was much criticised in its time but it put a welcome bottom on farm prices upon which huge chunks of the farming industry were built. I was one of those who expressed deep concern about the consequences of sweeping it away and I am sorry to say that they have come to pass. All the power in the marketplace has shifted from the primary producer to the purchaser. The real problem with farming has always been that farmers buy retail and sell at low wholesale prices so they are in a weak position unless there is a food shortage, and then we know what happens.

There has also been a constant increase in the standards demanded for the production of animals—pigs, sheep, poultry, cows and so on. The costs of the various sprays, medical treatment, feed and other things have increased. Also, urban dwellers and the Government forget that, because of our position on the globe, we suffer certain constraints of climate and soil that more favoured regions of the world do not have to contend with. I remember being in Minnesota some years ago on what was, by our standards, a very large farm. The farm was in a black soil area but the amount of fertiliser used was at least equal to that used in this country. I was astonished to find that the crops that that farmer grew could not be grown here, but he was doing well from them. We live in a wet and windy climate which means that there are certain basic constraints on production and on what can be produced at reasonable cost. Governments sometimes forget that. Hitherto in this farming crisis, the Government's action has not been effective because the fall in farm prices continues and the problems of farming are not getting any better.

I have not been my party's spokesman on agriculture for some time but it seems to me that the only way in which farming—only some sectors of it—could be helped in the near future would be by drawing down the agrimoney compensatory sums, which this year could amount to more than £300 million. The Treasury will argue, as it always does, that that will cost it money, but it is costing someone else money in social security payments, which quickly add up. In those circumstances, the Government should act.

Of course, that will not help the poultry and pig problems. In November 1998, I visited a farm in Northern Ireland that had a fairly large pig production unit. Anyone who talked to the group across the road last week would have had a clear picture of the problems of the pig industry in Great Britain. The farmer in Northern Ireland had more than 200 sows. He had carried on until the beginning of the year making a loss of £30 per pig produced. His losses were enormous. The farm was floating only on a large milk herd which he also owned and on the profits accumulated over many years. It has all gone. It decreased steadily until his last sow pigged three weeks ago. It was not just that the productive capacity of a herd of 200 or more sows had gone; 14 full and part-time jobs went too, which does not help the rural economy. There was simply no other work for them to do, so they are all on unemployment benefit—an aspect too often forgotten.

The age profile of farmers and the farming community is important. It is far too high with far too many grey heads and not enough young men and women going into it. I had a farm for many years before I entered the House of Commons and I have always been aware of the difficulties faced by the farming industry. It has always been bedevilled by a lack of

[Mr. William Ross]

clarity in Government intentions. Had farming communities known sooner that the Government were not going to take realistic steps to help them through the present crisis, we would not be in the current mess because folk would have taken evasive action much sooner. As it is, many people face ruin.

It is possible to attempt to diverisfy, but there are limits to it. Not every farm can be turned into a golf course; not every farmet's son can start welding gates; not every farmer can start bed and breakfast—they may not live in a tourist area. Farms exist to produce food for human beings. My concern is that the Government are treating farming in the same way as any other industry. We could get by without home-produced coal—and we are aware of the enormous difficulties, pain and misery suffered by mining communities—because electricity can be produced through gas or other means: there are alternatives, but no one has yet found an alternative to food.

We need to grow food and we will be extremely foolish if we allow the farming industry to deteriorate because of the paucity of men and women entering it. In a moment of crisis, we could find ourselves without the capacity to increase food production or to maintain a safe reserve for our people. That is what makes the farming industry different from all others. It needs to be supported by whatever means. We simply cannot continue raising our own standards of production, but buying food from the ends of the earth knowing that it was produced at lower cost than anyone here could match under systems that would be regarded as unacceptable in this country.

Our debate is so important, and if I have trodden too deeply into the farming community, it is because I believe that improving the farming industry is basic to combating and eradicating poverty in the rural communities of this nation.

3.17 pm

Mr. Tom Levitt (High Peak): I welcome the opportunity to contribute to the debate. My constituency of High Peak in many ways mirrors the wider English community in its social, urban-rural and industrial mix. In one respect—its levels of income—it does not reflect the whole of England. It is partly because we are in a rural area and partly because not just farming, but catering and tourism—traditionally low income industries—dominate the local economy.

I have lived all my life in rural areas or market towns. Before High Peak, I lived in the constituency of my hon. Friend the Member for Stroud (Mr. Drew). The hon. Member for Somerton and Frome (Mr. Heath) earlier referred to areas that have a chocolate box appearance, but hide real problems of social deprivation and poverty—and High Peak is a classic example of such an area.

The community of Yorkshire Bridge has around 50 houses and used to be owned entirely by the water board for its workers on the Ladybower dam. It has a letter box, a telephone box and a pub, but nothing else. It is two miles from the nearest village school, two miles from the nearest village shop and post office and six miles from the nearest train station. Its bus service is very infrequent. Going to the cinema, supermarket or hospital means a journey of 12 or 15 miles in whatever direction. I would not claim that people living there are necessarily living in dire poverty, but it is certainly an area of rural deprivation which, combined with low income and poor access to services, makes it that much worse for people who live there.

The hon. Member for East Londonderry (Mr. Ross) has just spoken about the agricultural industry. In my constituency, the main agricultural industry is sheep farming. A couple of years ago, the typical sheep farmer on an upland Pennine farm had an annual income of about £10,000. Comparing that net income with a subsidy of about £12,000 shows that such a farmer would have been working at an operating loss during the year to which I refer. If one is faced with a 40-mile round trip to take one's sheep to an abattoir or maket to sell them for pennies, one will not relish the idea of staying in the industry. There are huge structural problems in parts of the agricultural eonomy, and they cannot be solved overnight. There is a degree of over-production and some of the solutions will take a lot of hard biting to ensure that we get that part of the economy back on its feet.

As other hon. Members have said, however, all is not doom and gloom in rural areas, even where poverty can be found. Indeed, one does not have to look far to see it. A former Conservative local councillor for the Yorkshire Bridge area is on record as having said back in about 1994 that if poverty existed in his ward he would know about it. In view of that ignorance, he was duly removed in the 1995 local government elections. There are many ways in which the tide is turning. In my constituency of High Peak, some 2,000 people benefited from the introduction of the national minimum wage. The current level of £3.60—soon to be £3.70—is more than such people would have received without the minimum wage. In just a few weeks' time, they will be a further £1 a week better off because of the change in the national insurance contributions threshold, which will apply in addition to the reduction in the basic rate of income tax that is also in the cards.

Hundreds of families across High Peak are now benefiting from the working families tax credit. The incomes of some of the people in those families were raised to £3.60 an hour by the national minimum wage. Some of them now earn £5 a week or more extra, as they pay very little tax because of the working families tax credit, which gets more help to people who are most in need. Record increases in child benefit have assisted 14,000 families in my constituency. Following local press coverage over the past few days of my call for pensioners to take up their right to the pensioners minimum income guarantee, my office has received several calls from people who will clearly benefit from it. We are doing everything that we can to encourage such people. I take the point made earlier that people must see the minimum income guarantee as a right and entitlement, and not as a benefit, charity or handout.

I represent 16,000 pensioners in the High Peak constituency. The minimum income guarantee will help 2,000 of those pensioners, all of whom will be benefiting from reduced taxation on their savings, from free eye tests, which will be introduced in April, and from help with heating, insulation and home security. Indeed, from 1 November, people aged over 75 will benefit from

free television licences. In what must be the coldest constituency in England—if you look at Buxton on the weather forecast, you will find that it is the coldest town in England—the £100 winter fuel payment is very welcome.

Other measures are assisting people who are suffering from deprivation and poverty. Derbyshire has a good record on keeping small schools open and on allowing old people to continue to live in their homes through the use of the home help service when otherwise they may have had to move away. In rural areas, if you move away to live in a care home, you invariably have to move out of your community, which can be upsetting for some people.

Mr. Deputy Speaker (Mr. John McWilliam): Order. I know that this is a debate on rural matters, but there are too many "yous" in it. When the hon. Gentleman uses the word "you", he is referring to me, and I agree that Buxton can be quite bracing.

Mr. Levitt: Thank you for your guidance, Mr. Deputy Speaker. I am sure that you would be impressed to see the work being done by Derby university and others to bring new technology to rural areas to allow investment in remote learning so that people can benefit by increasing their skills, which will allow them to increase their earning power and, in many cases, to set up their own businesses. Teleworking and home working are also taking off in that area.

I welcome the fact that, as I understand it, about £15,000 per rural post office will be invested over the next few years, to allow post offices not only to thrive but to diversify and introduce more services, thereby allowing people to cut their transport costs. Derbyshire has benefited from the money for rural buses. We also have thriving community transport and car share schemes in our rural areas. Indeed, the ethos of self-help is very much at work, and making life better for people in such communities.

One especially interesting project underway is the prospect of the Hope Valley college becoming a technology college. Hope Valley college is an 11-16 school, 10 or 12 miles away from the nearest secondary school, and it hopes to build a network between itself and its feeder primary schools. As a community college, it has always encouraged people to use its facilities in the evening in order to benefit from increased skills and improved earning power.

In Derbyshire, unemployment is fairly low—about 3.8 per cent. according to the International Labour Organisation figures—and vacancies continue to be high. Many good things are happening, some inspired by the Government, some coming directly from local communities, and some from self-help schemes. That is all within the framework of tackling poverty and eliminating child poverty over 20 years, which is the Government's aim. There is, therefore, a bright future for people in the most deprived areas of those rural communities. Poverty is a real problem, but it is being tackled in a sustainable way. People are not looking for the quick fix, but are building over a generation after years of neglect.

3.27 pm

Mr. David Drew (Stroud): I will be brief, because I am sure that my hon. Friend the Member for North-West Norfolk (Dr. Turner) wants to speak. I shall raise two issues. First, what have the Government done in response to the poverty agenda? Secondly, how can we ensure that that has an effect on the rural poverty that the hon. Member for Somerton and Frome (Mr. Heath) described? The hon. Gentleman gave us a panoramic view, and an insight into what is really happening.

The Government have identified the issue of poverty and signed up to the poverty agenda. We must congratulate them on that. In a speech on 18 February 1999, the Secretary of State introduced the Government's agenda and published the first annual report, "Opportunity for all—tackling poverty and social exclusion", a document that, although it largely considers the macro issue of poverty, relates just as much to the rural domain as it does to our urban problem areas. We must bear that in mind.

A series of documents published recently have shown that the Government are serious about tackling poverty. Just before Christmas, we had the document on rural economies. Since then, we have had "Sharing the Nation's Prosperity". Both those documents make it clear that tackling poverty, whether one describes it as deprivation or social exclusion, is part of the Government's agenda. It is essential that the Government understand that there is rural poverty as well as poverty in the urban setting which, as my hon. Friend the Member for Braintree (Mr. Hurst) said, we know from various works of fiction. That debate should be taken up. We have failed to deal with poverty in rural areas for so long because it was unidentifiable. Either people chose not to identify rural poverty because of the stigma associated with it, or the statistical analyses to show that it truly existed were not available. We all knew that it existed, we all talked about it, but finding evidence for it was difficult.

The increasing amount of information on the subject has allowed the Government to set targets for rural as well as urban areas. I will concentrate on one particular area to highlight how we can take that further, drawing on the review of the index of deprivation carried out by the university of Oxford's department of applied social studies and social research. What the review is trying to achieve is highly laudable. It is aimed at identifying not only rural poverty, but deprivation in all its forms, but because of the way in which it deals with the complexities of the issue in different domains, it is worth inquiring into. I hope that in reply my hon. Friend the Under-Secretary will be able to assure us that the document and the research that backs it up are being taken forward, because they not only identify poverty in all its forms, but allow us to put in place the policies that are needed.

What does the review allow us to do? It moves the debate towards a more concentrated effort in understanding what can be measured. It suggests analysis that is ward-based rather than by enumeration district, an examination of the indices to make them finer-grained and more finely tuned, and disaggregating the information so that it can be dealt with at local level. We could devise a series of principles that we can pick out and understand, and which can relate to all aspects of poverty across our countryside.

[Mr. David Drew]

If nothing else, I hope that the Minister will be able to say some encouraging things. Those of us who represent rural or semi-rural areas are not trying to capture that particular mechanism, but we believe that it is an important way to take the debate forward, and will allow us to come to some conclusions about how the Government should attack poverty and deal with difficult conditions. The debate will, I am sure, suggest an important direction for the Government, and the Minister may have some good things to say to us on that basis.

3.33 pm

Dr. George Turner (North-West Norfolk): Other Members have painted in much of the analysis, and my hon. Friend the Member for Stroud (Mr. Drew) has emphasised the importance of certain documents. The rural group of Labour Members produced our audit a year ago, and we have seen some documents from the policy innovation unit. There has been a fair amount of analysis, and I could add to that from the experience of my constituency.

My constituency is a vast rural one, which has suffered from agricultural decline and from some of the other ills that rural communities have experienced in the past 20 or 30 years. We need to take two points from the analysis into account. First, the problems that we are discussing are not new. During the lifetime of the previous Government, 100 village schools closed in Norfolk, and we have witnessed the decline in the numbers of those who work on the land. Agricultural workers have needed to move to market towns to take up low-paid employment, because they cannot afford the transport costs—and there is no public transport anyway. Empty homes have been bought by incomers for use by holidaymakers. That helps the economy, but the problems with which the Government are dealing have been left to fester for a long time. There are financial problems about low pay and incomes and problems of isolation related to transport and access to services, be it the doctor's surgery or the shop.

We must look for structural solutions as well as the band-aid measures that the Government provided in their first year or two. The minimum wage has provided first aid for many of my constituents, and the minimum income guarantee has helped many of the 22,000 pensioners in my constituency. The working families tax credit is helping large numbers of people as well. However, those measures are meant to deal immediately with the problems of poverty while time is taken to work out what must be done to change the structures. We must change the long-term future so that people no longer need to rely on the minimum wage, because they are paid more. They must have the ability to create their pensions, so that they do not need the minimum income guarantee. We will not succeed in government unless we put a medium and long-term programme in place at the same time as the crisis measures.

I hope that the analysis will result in a rural White Paper, which I presume has been delayed only because it has been coupled with the spending review. If we do not balance our policy on resources with the issues that must be faced, we will not solve the problems in the right way. That was the failure of the previous Government's rural White Paper.

My background is in electronic engineering, and modern technologies and computers will be important. Post Office modernisation could bring the ability to access Government services from the village post office, which would be of enormous significance. One of my ex-colleagues is working on a project that, if available in a post office, would mean that voice recognition technology would project on to a screen in sign language the speech of the person behind the counter. The scope for technology in rural areas is great, so we must ensure that it is exploited.

I have only a short time available, but I shall outline what I think the other key issues must be. We have to deal with low aspirations. For decades, the aspiration in too many of my constituents' families has been to get through school years and go into easily accessible but low-paid employment. Historically, unemployment in my constituency has never been great, but wage levels have been far too low. Educational opportunities will be taken only when we raise aspirations. We must consider education and training, which must be accompanied by other reforms to the rural economy.

I welcome the modest reforms of the common agricultural policy, and the modulations that the Government are trying to make to the development plan. That is a much better way to support the rural economy. We must ensure that our planners do not have a rulebook mentality about what should be prevented. The mood in local government must be such that planners consider how to help the economy and protect the environment. That balance has not always been struck.

The importance of transport and access has generally been recognised. I welcome 200 per cent. the abandonment of the fuel escalator, but I do not want another measure to replace it. The increases in fuel costs over the past year as a result of the rising price of oil have hurt poor workers in my constitutency who have to use a car to get to work. Whatever transport measures the Government introduce to help such people, they will never have bus services. We have had a wide-ranging debate, and I hope that the Minister can assure me that we can expect long-term solutions.

3.40 pm

Mr. Eric Pickles (Brentwood and Ongar): I congratulate the hon. Member for Somerton and Frome (Mr. Heath) on having initiated an interesting and informative debate. Most of our anti-poverty mechanisms relate almost entirely to urban areas, as that is where poverty has been most manifest. Rural poverty is largely hidden, and, because of the nature of the countryside, spread over a large geographical area. Nevertheless, the way in which we should approach rural poverty has many similarities to strategies, some of which have been successful, in urban areas.

The hon. Member for North-West Norfolk (Dr. Turner) is absolutely right. The problem relates to aspirations. A single anti-poverty measure is not appropriate. The problem requires a combination of education, employment opportunities, housing, transportation and benefit incentives. The way in which those elements work together will determine whether the Government successfully tackle rural poverty.

I hope that the Government will tackle the problem of wilful blindness. I do not know what came over the Prime Minister on his recent visit to the west country. If

he intended to persuade the countryside that he was on its side, he singularly failed. His "Crisis? What crisis?" attitude has hindered initiatives to restore the confidence of the countryside. Against the background of wilful blindness, we seem incapable of reversing a worsening trend.

In discussing countryside employment, we are not dealing only with farming, but farming is the mortar that holds together a lot of the countryside. As the hon. Member for Somerton and Frome rightly said, farming has a knock-on effect on the rest of the rural economy. In the past two years, farm incomes have fallen by 75 per cent. Local government spending per head in rural areas is 60 per cent. of that in urban areas. Rural post offices face closure. We are aware of the effects of high fuel duty and we understand the lack of rural jobs and the high cost of housing. It is not surprising that the New Policy Institute found that one in 10 people in rural areas live below the poverty line.

The accountancy firm Deloitte and Touche, which has been investigating farming incomes over the past 10 years, recently reported that last year farming profits dropped by more than 50 per cent.—the greatest fall that it has recorded. It is perhaps not surprising that, according to a recent National Farmers Union survey, two third of farmers' children do not want to follow their father or mother into the family firm.

There is a time lag in the appreciation of the prosperity of the countryside. The hon. Member for East Londonderry (Mr. Ross) said that the Chancellor of the Exchequer did not give a clear answer to his parliamentary question about the number of people who would qualify for the working families tax credit. The National Farmers Union has said that 46 per cent. of farmers are on incomes that would qualify them for the working families tax credit.

We have some of the highest petrol prices in Europe, which means that the poor must spend a disproportionate amount on the running of their cars. Hon. Members may recall that in January a geographers conference was held in Brighton. It examined the problem and said that a new class of poor was being created in rural areas because of the rise in petrol costs. There was a debate in another place on the Joseph Rowntree Foundation's recent report on urban poverty. Research was also undertaken at the university of Aberdeen, which found that the cost of running a car often prevents young people from buying their own home. Most young people need their own transport to hold down work. Public transport is regarded as unreliable and often timetables do not match the work schedule. Such research puts a question mark over rural transport and the cost of running a car and it is no surprise that the Countryside Alliance found that the £50 miliion road transport package made little or no difference.

The Minister will have to reply to many questions for which he has no direct responsibility. However, he does have responsibility for rural post offices. The Government's plans to have benefits paid directly into bank accounts will put at risk a third of the country's sub-post offices, many of which are in rural areas. The National Federation of Sub-Postmasters said that the plans were a

"disaster for sub-postmasters, disaster for those people who are drawing their benefits and pensions (and for) people who want their post offices that are closed".

We all know from our postbags about the difficulty that the closure of sub-post offices will cause. I have received several letters from the constituents and, to save time, I shall quote from just one. Mr. Johnson from Hook End, a rural area in my constituency, is a full-time carer for his wife, who suffers from multiple sclerosis. He wrote that, if the local post office were to close,

"I will have to request the assistance of a neighbour to sit with my wife while I have to journey into Brentwood for the total sum of £39.90, minus the expense of petrol and parking fees and the total inconvenience of doing so and all that it entails."

I am sure that the Minister is sympathetic to such a complaint, because, when in opposition, he was most diligent in writing to sub-postmasters. On 17 May 1993, he wrote:

"I am writing to you in response to widespread concern about the impact of Government proposals to change the method of the payment of pensions and other benefits...I can see no reason why people should not have a choice in the way they receive their payments."

He enclosed a petition with the letter and ended it by stating:

"If you have any points you would like to make to me on this issue please don't hesitate to get in touch."

I suppose that this debate provides the opportunity to contact him and I look forward to hearing how he intends to safeguard not only the post offices in York, but those in Somerton and Frome, High Peak, Brentwood and Ongar, East Londonderry and the constituencies of others who have spoken today.

In conclusion, the problem is that the Government mistakenly view the countryside as prosperous suburbs. It is important that we recognise that rural poverty is slightly different from urban poverty. To do that, we have to put together a package that takes into consideration the special characteristics of the countryside. I look forward to hearing what the Minister has to say.

3.50 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): I congratulate the hon. Member for Somerton and Frome (Mr. Heath) on securing the debate. It has been a wide-ranging and extremely well-informed discussion, with contributions by hon. Members from the length and breadth of the United Kingdom.

There are real differences between urban and rural areas, but many elements draw together town and country, such as shared services and economic interdependence. Refreshingly, no hon. Member tried to play off the interests of rural areas against those of urban areas. As a Government who seek to represent all people in all communities in all parts of the United Kingdom, we need to respond to needs and to poverty, whether in rural or urban areas. Trying to set two areas against each other does a disservice to people in both.

The hon. Gentleman asked what the Prime Minister said on his recent visit to the west country. The Prime Minister acknowledges the depth of poverty in the countryside and we have responded to that—through our rural development plans, for example, which will provide an extra £1.6 billion over the next seven years for development in rural areas. The Prime Minister's

[Mr. Hugh Bayley]

personal intervention meant that Cornwall received objective 1 status, which will provide the assistance that it needs.

There are problems in rural areas. The hon. Gentleman raised that of bus services. He said that there was just one bus a week to his own village. Twenty-two per cent. of villages have no bus services. The Conservative policy of bus deregulation was a disaster for rural areas, as I know only too well. Somerset is a rural area, as is mine, but the population density of North Yorkshire is 70 per sq km, which is half that of Somerset.

The hon. Gentleman also welcomed the impact of the minimum wage on the countryside. Sadly, the Conservative party voted against that measure. I am pleased that the Liberal Democrats have abandoned their proposal for regional variations in the minimum wage. That policy would have led to many rural areas with lower wages having a lower rate of wage protection than that introduced by the Government through the national minimum wage.

My hon. Friend the Member for North-West Norfolk (Dr. Turner) and the hon. Member for Somerton and Frome raised the important issue of improving the accessibility of benefits to people in rural areas. We have seen the value of NHS Direct in improving health advice to people in rural areas and we must learn the lessons from that for other national Government services such as benefits, and local government services such as social services.

Mr. David Heath *rose—*

Mr. Bayley: I have so many hon. Members to respond to that in fairness to them I shall press on.

My hon. Friend the Member for Stroud (Mr. Drew) mentioned the lack of information on rural deprivation. The Government's review of the index of local deprivation addresses that. We propose to introduce elements in the index, including that of access to services. Increasing the weighting will benefit rural communities and their local authorities. It will also allow the data to be disaggregated at ward, rather than just district, level and help to pinpoint the pockets of poverty and deprivation in rural areas that so many hon. Members have been at pains to emphasise. Indeed, during the past two years the increase in standard spending assessments for shire counties has been higher than for England as a whole, which reflects the fact that the Government recognise the need for additional resources in shire areas—we are putting our money where our mouth is. In Plymouth, many local authorities have developed their own local strategies for combating poverty. That is important in dealing with the issues that we have discussed today, and I hope that more authorities, shire counties and urban authorities, will do that.

My hon. Friend the Member for Braintree (Mr. Hurst) referred to the huge fall in the number of people working in agriculture during the past 50 years or so. However, there has been growth in other employment areas, and although I accept that averages mask many differences, unemployment is extremely low in many rural areas. In the constituency of the hon. Member for Somerton and Frome, unemployment is 2 per cent. In Plymouth, Sutton, it is 7.5 per cent. In Great Yarmouth, a very rural area, it is more than 10 per cent., so there is variation. There is a heavy burden of unemployment in many rural areas, as well as areas in which the burden is much less.

Since May 1997, there has been a significant fall in long-term unemployment of about one-third in all parts of the country, but interestingly, it has fallen by 36 per cent. in accessible rural areas, by 37.5 per cent. in remote rural areas and by only 30.9 per cent in urban areas. There has been a significant fall in long-term unemployment everywhere, but the largest fall has been in rural areas.

The hon. Member for East Londonderry (Mr. Ross) referred to the working families tax credit. He said that there had been a good take-up of the tax credit, which reflects the problem of poverty and low income in rural areas. The Labour party supported the introduction of the working families tax credit—sadly, the Conservatives and Liberal Democrats opposed it—and it is making a big difference to the issue of poverty in rural areas. The same goes for the national minimum wage. My hon. Friend the Member for High Peak (Mr. Levitt) said that 2,000 people in his constituency had benefited from that. Again, that measure was introduced in the face of stiff opposition from the Conservatives, who said that it would destroy jobs, yet jobs are being created in rural areas, unemployment is falling, and the wages of people on low incomes are rising as a result of the Government's policies.

My hon. Friend the Member for High Peak also raised the important issue of the minimum income guarantee for pensioners, which boosts the incomes of the poorest pensioners in rural and urban areas. In the House last week, we agreed to increase the value of the minimum income guarantee in line not with prices, but with earnings. That increase was supported by all parties except, of course, the Liberal Democrats.

My hon. Friend the Member for North-West Norfolk asked when the rural White Paper would appear. It will be published later this year, in tandem with the urban White Paper, because the interdependence between the two is important.

The hon. Member for Brentwood and Ongar (Mr. Pickles) made several important points but, given the time, I can respond to only one of them. I must respond to his challenge about post offices. Like me, he might have received a document from the House of Commons Library, which lists the number of post offices that have been closed in recent years. The number of Crown post offices—directly controlled by the Government—that closed while the Conservatives were in power was 974. The number closed by the Labour Government is six. Of course, we do not directly control sub-post offices as they are private businesses, but 3,435 closed while the Conservatives were in power and closures continue at much the same rate. Something must be done about that. The Government propose to rectify the problem by modernising the Post Office. We shall allow it to provide a wider range of services in order to seek new business. When the Conservatives were in government, they wanted to use automated credit transfer, which would mean that people would not have the right to collect benefits in cash from the local post

office. People should have choice. I argued for choice then, and I am pleased to say that the Labour Government are introducing choice.

Those who complain about the threat to post offices should do what I have done for many years. I have always supported my local post office, so I opened a Girobank account and went to the post office rather than the bank to withdraw cash.

Mr. Deputy Speaker: Order. Time is up. Would those hon. Members who do not want to stay for the next debate please leave quickly and quietly?

Rail Traffic (Lincoln)

4 pm

Gillian Merron (Lincoln): The debate is a tremendous opportunity to raise the real concerns of my constituents and of businesses, the local authority and community representatives in my constituency.

Our deep-rooted concerns result from Railtrack's commercial intention significantly to increase the number of freight trains passing through Lincoln without considering how that change might be managed to ensure that the city is not brought to a standstill. I share the fears of my constituents that, with the present road and rail layout, a further increase in rail traffic will be a burden rather than a bonus to the city.

I was determined to secure this parliamentary time to raise local issues because they highlight principles of wider significance, most notably the shortcomings of the Railways Act 1993 and of the fact that Railtrack is singularly and in my view unreasonably focused only on its part of the picture. I hope that my hon. Friend the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions will be able to assist in keeping the whole picture in our collective sight.

In using this opportunity to speak up for Lincoln, I wish to thank and pay tribute to those who have worked with me, some of whom are in the Chamber today. The rail forum includes representatives from Lincoln city council, Lincolnshire county council, the local chamber of commerce, Lincolnshire training and enterprise council and the university. I also thank the many individuals, including Mr. Carter, a retired railway man, who have taken the time to write, as well as the emergency services, including the fire service, and community groups such as the soroptomists society and the local media. That cross-section of opinion provides a measure of the overwhelming feeling of people in Lincoln. Everyone concerned has given the subject a good and open airing, which has informed the many aspects of the debate. It has been an important means of sending the message to Railtrack that it needs to work with us all to find a long-term solution that satisfies all parties.

The problem to which a solution must be found arises from Railtrack's intention to upgrade the east coast main line and develop the route to carry more passenger trains, faster trains and more freight services. To deliver those services, Railtrack intends to separate high-speed trains from slower trains by creating a four-track railway for much of the route. That will include a second parallel railway to the east coast main line, which will serve as a freight route.

What will that mean for Lincoln? In essence, there will be two extra freight trains an hour in each direction, and an increase in passenger services. Why does that present Lincoln with a problem? Lincoln has the rare distinction of having a railway line cut through the centre of the city, which necessitates a level crossing. When the barriers are closed, the railway cuts the high street in half for traffic and pedestrians alike. That now happens for 12 minutes in every hour, and it already causes congestion and inconvenience. It is estimated that the four extra rail freight journeys each hour will result in the barriers being closed for between 24 and 28 minutes an hour.

[Gillian Merron]

In January, I invited Railtrack executives to Lincoln to meet representatives from the rail forum. When asked at what point they would consider having to make alternative arrangements, they stated that the barriers would need to be down for about 40 minutes in every hour before they would feel compelled to act. Letting the high street of a vibrant city become impassable for 40 minutes in every hour is not good enough. If the increased freight traffic results in a down-time of 28 minutes, it will not take many passenger trains to cut the city in two for 40 minutes an hour.

To shed some light on the way forward, I refer to the joint statement from the rail forum. It states:

"Railtrack's intention to invest in Lincolnshire railways as part of its east coast main line investment is, in principle, welcomed.

Strong reservations are held in respect of the detailed proposals presently under active consideration due to their severe adverse effects on the city of Lincoln. Railtrack must ensure that full and proper consideration be given to finding a long-term strategic solution that avoids or minimises the unacceptable severance consequential with the present proposals."

I, too, am a great advocate of investment and development. I should very much like Lincoln to be at the heart of an improved road and rail network. We have already made considerable progress with the Government's much welcomed agreement to dual the A46 road between Newark and Lincoln. Railtrack's plans could bring even greater improvements, but not if it fails to accept its responsibilities to the people of Lincoln. The issue has generated much heat and, on Railtrack's part, little light. I have used every opportunity to raise the matter in Parliament, with Ministers and with Railtrack executives. Next month, at my request, I shall meet the chief executive of Railtrack, Mr. Corbett. I want to impress on him the need for Railtrack to consult and inform in a more meaningful way than it has done to date. Furthermore, Railtrack needs to be committed to finding a properly managed and funded solution to a fundamental change that will literally cut deeper into the heart of Lincoln.

The difficulties of congestion and severance caused by the location of the railway line have so far been undesirable, yet manageable to some extent as the area round the railway has been underutilised. However, that area is now a major focus of development as Lincoln goes from strength to strength as a tourist, shopping, education and employment centre, securing millions of pounds of Government money for regeneration.

In recent months, confidence in the city has been reflected in announcements that we are to have a new multiplex cinema and a new BT call centre with 900 jobs, and the confirmation, only last month, of the acquisition by Dynex Semiconductor, a Canadian company, of the Mitel factory on Doddington road, securing 350 jobs. The new university—the first in 25 years to be purpose-built in this country—goes from strength to strength while the associated housing, cultural and social developments also make their contribution to the economy.

My constituents identify strongly with their city. They are proud of it and the list I have given shows how justified that pride is. Lincoln has a rich heritage and an exciting future. The most commonly asked question about the unbelievable state of affairs that I have described is, "Can Railtrack really do this?" I regret that I am advised the answer is yes. We were let down by the previous Government, who, in pasing the Railways Act 1993, which gave Railtrack its powers, took no account of the impact that proposals to increase rail traffic would have on a constituency such as Lincoln.

Last week we suffered an extra transport setback as the Conservative county council passed a budget that did not include the requisite £1 million to secure the potential route of the eastern relief road. That would have helped to alleviate our difficulties. Lincoln county council's financial approach disadvantages and thwarts my constituents at every turn by failing to obtain funds at very low interest rates for such long-term projects—the opposite of the approach of most authorities.

Certain suggested diversions of traffic to avoid the railway line bring their own problems. It is fair to say that the matter is not new. Railway crossings in Lincoln have been a thorny issue across the centuries. The existence of a railway crossing in the centre of the city has always been the most contentious aspect of an unresolved debate. In May 1860, a headline in the *Lincolnshire Chronicle* asked "Who is to blame?" because of rail safety worries. Almost a century and a half later, in October 1999, the *Lincolnshire Echo* headline reading "Rail battle on track" shows that rail matters are still a cause for well-articulated outrage in my constituency. Pressure must be brought to bear on Railtrack to develop and execute the proper solution for my constituents.

On an environmental note, I have read the figures for the amount of pollution caused by traffic emissions. They measure nitrogen dioxide in parts per billion. Areas that are of potential concern are those in which traffic is expected to exceed 20,000 vehicles per day by 2005. The A15 at Pelham bridge and Broadgate has a permanent monitoring site at the drill hall which last year registered an average 34-plus parts per billion. The national guidelines set a target for the average, which should not exceed 21 parts per billion by the end of 2005. Lincoln has a potential pollution problem on its hands. It must not be worsened by the impact of rail developments on road traffic.

There are additional problems for the economy and the emergency services. Common sense tells us that if a city cannot be passed through at the High street for up to 40 minutes in any one hour, the ability of the emergency services to get where they need to be in the expected time will be greatly threatened. That is disturbing for my constituents. Likewise, increased traffic and pedestrian congestion is not conducive to businesses along and around the High Street doing well. I was staggered to read in a letter that Railtrack's chief executive sent to me on 9 August 1999 that

"the issue of level crossing closures, including high street level crossings, has been made worse by the significant retail developments that have generated extra pedestrian and vehicular movements."

Is the success of Lincoln's commercial activity to be blamed for the limitations of the railway line?"

In the mid-19th century it seemed certain for a while that the main railway from London to the north would pass through Lincoln. It is often thought that this failed to materialise because of the attitude and influence of

one of its two Members of Parliament, Colonel Sibthorpe, a Conservative with a reputation as a colourful character who first represented Lincoln in 1826. He was against the whole idea of railways, and enjoyed being a reactionary. I give the Chamber my assurance that, by contrast, the current Member of Parliament for Lincoln is greatly in favour of rail transport, and is keen for there to be an improved service to Lincoln. I ask my hon Friend the Minister to take full account of the comments that I have made on behalf of my constituents, including my reference to the lack of legislative protection for cities such as Lincoln. I hope that she will assist in bringing pressure to bear on Railtrack to get it to work with representatives in Lincoln to bring benefits rather than burdens to the city.

4.13 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I congratulate my hon. Friend the Member for Lincoln (Gillian Merron) on securing the debate. She set out with characteristic clarity the issues that she sees facing Lincoln as a result of the impact of the proposed increase in rail movements through the city.

Lincoln is a renowned history city. It is an important sub-regional centre for the east midlands and it provides significant employment and local services to a growing urban population. My hon. Friend realises that good transport access will play a vital part in its future prosperity. I recognise my hon. Friend's interest in transport issues as well as the considerable amount of work that she has done in the Lincoln area. She has been successful in addressing road issues. She mentioned lobbying for the A46 Newark to Lincoln road dualling scheme, which is now due to start. The knowledge and understanding of rail issues that she has demonstrated today shows that, like the Government, she is multi-modal in addressing transport issues.

The level crossing in Lincoln high street has been a local feature since the 19th century and it causes delays for pedestrians and local traffic. Over many years development close to the railway has exacerbated the problem. Unlike the extract from the letter to which she referred, we must welcome that development. I know that my hon. Friend recognises the continued and considerable investment in the centre of Lincoln in recent years. The opening of the new Brayford bridge in 1997 provided some relief for the high street and an alternative route across the railway line. However, the continued increase in both rail and road traffic has seen congestion in the high street approach previous levels.

My hon. Friend's concern relates to Railtrack's proposals for the increased use of the railway for rail freight and the potential for even greater delays, as she graphically outlined, in the high street area. Irrespective of Railtrack's current proposals, the railway line through Lincoln provides an important link to the rest of Lincolnshire. The number of passenger trains is likely to grow. The high street level crossing and the effect that the resulting congestion has on business need to be considered. I fully understand my hon. Friend's concerns and those of the people of Lincoln about the issue.

It is Government policy, as set out in the transport White Paper, to support initiatives to carry more freight by rail. As my hon. Friend has made clear, the increased use of the Lincoln route by freight trains is part of Railtrack's wider plans to increase the passenger capacity of the east coast main line. In 1998, the Government set up the shadow Strategic Rail Authority to oversee and regulate the operations of the rail industry. The establishment of that authority means that developing rail freight will finally be part of the strategic management of the whole network and the whole rail sector. The shadow Strategic Rail Authority is now fully engaged in steering the future development of the network and integrating it with other forms of transport.

The transport White Paper announced the move from a mainly road-based assessment by highways authorities in their bids for local transport funding, to a more widely focused approach through the development of local transport plans, which need to address all forms of transport. Local transport plans are important in this context. The part that rail plays in transport provision must be seen as part of the Government's integrated transport policy, as set out in the transport White Paper.

There needs to be a partnership between transport operators, local authorities, business, local interest groups and users to ensure that all modes of transport are properly integrated and transport networks are operated effectively across all forms of transport. We also recognise the need for local involvement in seeking solutions to transport problems. We have asked local highway authorities to produce five-year local transport plans covering all transport provision within their area. The local transport plans were introduced last year as the basis for Government funding for local transport policy and priority. The extra £700 million provided over three years through those transport plans enabled the Government to begin to address the underfunding of transport that the previous Government permitted.

Local authorities, including Lincolnshire county council, submitted provisional plans in July 1999 and decisions on those were announced in December. We were pleased to see the amount of effort that local authorities put into developing plans in line with Government guidance. As part of the development of a local transport plan, we expect wide consultation with all transport users, operators and businessess, so that all relevant issues can be brought into the picture. That will help to develop a strategy to address local transport needs and it will apply in Lincoln, as elsewhere.

My hon. Friend will know that the development of Lincoln's local transport plan is the responsibility of the county council, which attempted in its preparation of the full plan to consult a wide section of interests, including the shadow Strategic Rail Authority, Railtrack, local authorities and others. The county council has the opportunity to continue the integrated transport approach that it outlined in its provisional plan. The wider focus that it adopts over transport issues should help to develop a longer-term transport strategy.

The provisional plan included a section on a potential candidate for a major tranport scheme close to Lincoln city centre, costing in excess of £5 million. The Lincoln railway corridor scheme was one of four major schemes throughout Lincolnshire identified in the provisional plan for which further clarification is expected in the full

[Ms Beverley Hughes]

plans to be published later this year. Early indications from the county council suggest that the Lincoln railway corridor may not feature as a major scheme—"major" accords with a specific definition in the guidelines based on cost. However, subject to further investigation, it could emerge as one of several related measures for Lincoln that will be identified in the full plan. It is important for my hon. Friend and other interested local people to grasp and pursue that point and I can tell her and her constituents that tackling congestion is central to the transport priorities of this historic city. We expect such priorities to be addressed as a pivotal feature of the full plan.

The county council and the city council are anxious that any future regeneration in the city centre should be sustainable. That led the county council to commission a central Lincoln development and transportation study. I understand that Railtrack is contributing towards the costs. A key element in the study will be an examination of the scope for alternative infrastructure options in the High street area in the light of the possible increase in the number of level crossing closures. I welcome that initiative, on which Railtrack, rail users and local businesses will be consulted. The study is expected to be completed in early July and its result should help to develop a strategy to address future needs and to indicate the scope of specific measures. I must tell my hon. Friend and the county council that if the main results of the study are to inform the content of the full local transport plan, which has to be produced for June, those time scales will have to be adapted. My hon. Friend will want to take that point back with her. The study offers potential, but its results must be known in time if they are to inform the full local transport plan.

Railtrack has issued a consultation document about its proposals for using the Lincoln line for re-routing freight trains off the east coast main line. Railtrack's current consultation and the transport study being undertaken by the county council have some common objectives. Railtrack has held a meeting with local councils and the chamber of commerce. It accepts that communication between all the parties needs to be improved.

I publicly take my hon. Friend's point that consultation by Railtrack must be meaningful and genuinely directed at achieving a long-term strategic solution. I expect close co-operation between the key partners so that the issues may be understood. The Government support local partnerships and consultations as the way forward on agreeing solutions to transport problems. Close dialogue and wider interest are needed to develop a workable strategy, which puts a responsibility on all partners, including operators, to engage in such a process and find local solutions.

The Department of the Environment, Transport and the Regions is in regular contact with the county council via the Government office for the east midlands, and provides advice and assistance about the local transport plan. I have asked the Government office to assist in any way that it can the meetings between key partners that aim to secure agreement on the appropriate way forward for Lincoln.

The local issues identified by my hon. Friend must first be considered by the partners, including Railtrack, rail operators, Lincoln city council and Lincolnshire county council. Other interest groups must then be involved in the consultation on the local plan. I am pleased that my hon. Friend and local partners welcome the principle of an increase in investment on lines throughout Lincolnshire.

Increased investment in Lincoln is especially important to my hon. Friend although, as she pointed out, the consequences of that must be tackled. There is no alternative to a locally agreed solution. I encourage and expect all partners, including Railtrack, to work together to find one. Local solutions must recognise the needs of all rail users and take into account pedestrians, essential traffic access and legitimate business that has developed in the city centre.

I am sure that all partners subscribe to those goals and I wish them every success in pursuing them. Under the auspices of the Government office, the Department stands ready to play a full, constructive part in those discussions. I shall watch those discussions carefully and look forward to the partners working out a long-term strategic solution.

Mr. Deputy Speaker (Mr. John McWilliam): Order. The next debate will start three minutes early as all participants are now present. Those who do not wish to stay may leave quietly.

Anti-drugs Co-ordinator

4.27 pm

Mr. Christopher Chope (Christchurch): I am sure that those extra three minutes will be put to good use.

At the election, I assured the people of Christchurch that a parliamentary priority would be responding to the scourge of drugs, which is every parent's nightmare and the cause of so much crime. I was not alone in highlighting that issue. In its manifesto, the Labour party stated:

"The vicious circle of drugs and crime wrecks lives and threatens communities. We will appoint an anti-drugs supremo to co-ordinate our battle against drugs across all government departments. The 'drugs czar' will be a symbol of our commitment to tackle the modern menace of drugs in our communities."

In January 1998, Keith Hellawell was appointed for a three-year period at an annual salary that is now reported to be £106,000. His first action was to review the position and, in April 1998, the Government produced a strategy document entitled "Tackling Drugs to Build a Better Britain". When progress was debated in the House, the right hon. Member for Copeland (Dr. Jack Cunningham), then Minister for the Cabinet Office, spoke of the Government having a

"strategic vision in place and resources allocated to support it."

He concluded:

"the targets have been set. It is time for us to start delivering."—[*Official Report*, 2 July 1999; Vol. 334, c. 545-49.]

We are debating the matter today because the Government are not delivering. The use of illegal drugs is increasing from a base point at which drug abuse in the United Kingdom was already up to five times higher than that in other European countries and by far the worst in Europe. The British people now realise that that is yet another policy area in which the Government's comfortable words have not been translated into action. Whitehall is alert to the hunt for scapegoats. The Minister for the Cabinet Office has complained to the press about a whispering campaign against her from No. 10. Mr. Hellawell has complained that he is also a victim of a whispering campaign. For example, on 31 January, *The Guardian* reported Mr. Hellawell as challenging his critics at Westminster to

"put up or shut up".

He feared that the "negative spinning" directed at him was undermining his strategy. A similar story appeared in *The Daily Telegraph* on 1 February.

Meanwhile—no doubt in desperation—the Prime Minister responded by preaching to us through the internet last Friday. Perhaps he used the script that the Minister of State, Cabinet Office, will use in response to this debate. I hope not, because the right hon. Gentleman has a better record of using words of substance than the Prime Minister. I take issue with the empty expressions used by the Prime Minister in that broadcast. I wish to focus on one matter, in particular. He proposed to extend the "rat on a rat" scheme, so that children could telephone the police if they saw someone peddling drugs "near their school".

What about schoolchildren using or passing drugs to each other at school? What action should schools take? Some have requested the use of random searches and/or random testing. As a lawyer, the Prime Minister must know that there is no purpose in having a command without a sanction and that a sanction will be of no effect unless there is a likelihood of detection. Although the expressions "discipline" and "self-discipline" do not feature in the Government's drug strategy, teachers realise that firm boundaries have to be set in schools. The certain knowledge that anyone committing a drugs offence on school premises will be automatically excluded concentrates the minds of pupils and reinforces the behaviour of the law-abiding majority.

The Secretary of State for Education and Employment undermined the ability of individual schools to maintain such a zero tolerance policy against pupils using or being in possession of drugs. I have heard of the despair of head teachers in my constituency and elsewhere at the obstacles placed in their way. Mr. Hellawell said that he wanted a reduction in the number of young people excluded from schools because of drugs-related incidents, and he has made that a specific objective of his strategy. People assumed—wrongly, it turns out—that that would be achieved by reducing the incidence of drug activity inside schools rather than going soft on those who break the rules.

By concentrating on what is happening outside schools, the Prime Minister is again avoiding one of the key aspects of the problem. The problem is wider, because fundamental ambiguity and confusion lie at the heart of the Government's policy towards cannabis. That is well illustrated by a short quotation from Mr. Hellawell that was reported in *The Times* on 17 February this year. He said:

"We are concentrating on the drugs that cause most harm though this does not mean we are going soft on cannabis."

What does that mean? Perhaps the Minister can enlighten us.

The Government's confusion over cannabis is also reflected in Dorset. On 15 February, our local paper, the *Daily Echo*, reported that cannabis smokers are more likely to be convicted in Dorset than in any other county in Britain and that 37 per cent. of people arrested for possession in 1997 were cautioned, while 63 per cent. were charged and found guilty. Although the number of arrests is still very low, the police seemed to be sending out a clear message that cannabis was not to be tolerated. However, the bad news is that the newly appointed assistant chief constable for Dorset has announced that a different and less strict approach has been adopted to bring Dorset more into line with other areas of the county where cautioning for cannabis is the norm. It is none other than the Government's drug tsar who is held up as the person responsible for that softer line.

Last week, the *Daily Echo's* editorial under the heading Softer line? Go to Pot!" reflected the views of my constituents, when it stated:

"The area has a real problem and a softer line will only make it grow."

[Mr. Christopher Chope]

The chance of a young person being arrested for possession of cannabis is very remote. When that is coupled with a feeble system of penalties for those who are arrested, a clear message comes across that the police cannot be bothered about enforcing the law against cannabis. More seriously, young people's respect for the law is being undermined. The law seems to be enforced on only a random, spasmodic, arbitrary and inconsistent basis. That is given credence by announcements such as the recent one by the Cleveland constabulary—the police force in the area represented by the Minister for the Cabinet Office—that it would like cannabis to be legalised. We have also received persistent leaks to the effect that the Police Foundation will recommend a softer line on cannabis. The Government have said that they would never agree to that, but in the absence of firm leadership, the policy vacuum is being filled by conflict and counterclaim.

A further contradiction comes from the national crime squad, which warns that easing or ignoring the laws on cannabis possession for personal use would free up the drugs market and might make matters worse. At the root of the problem is the omission of any Government target for reducing cannabis use. That has sent the signal that cannabis has been degraded and, because there is no national target, local police forces are abandoning local targets for reducing cannabis use.

Cannabis use is not only unlawful, but anti-social, and those who still regard it as victimless are deluding themselves. The use of cannabis by motorists and motorcyclists contributes to a rising and significant number of deaths and injuries on our roads. Dorset experienced a graphic example of that when five young people were killed in a car crash near Puddletown after the driver had used cannabis. Road accidents are still the largest cause of premature death among young people, and drug use may already be the largest single contributor to that avoidable carnage.

What is the response of the Government's drug tsar? On 21 October 1998, *The Times* reported that he had spoken in favour of drug-drive tests on motorists to match spot checks on pilots and train drivers, yet the law has not been changed. We know the response of our magistracy. At October's annual general meeting of the Magistrates Association, the 700 representatives overwhelmingly passed a resolution to the effect that there should be a new, specific offence of driving with prohibited drugs in the body, leading to mandatory disqualification. Such an offence would be analogous to that of driving with excess alcohol. The motion was proposed by Hilda Brownlow JP, the chairman of the Dorset Police Partnership Trust and the Dorset youth court. She spoke in the presence of the Lord Chancellor and the resolution was circulated to Ministers, but nothing has happened since October, so far as I can ascertain.

Although a reliable roadside test for the presence of illegal drugs in the body is not yet possible, that is not a valid excuse for inaction. A simple roadside screening test is already available and could be used as a basis for establishing suspicion, which could lead to arrest and the obtaining of further evidence by blood or urine sample.

We need an urgent response to the statistics, which show a sixfold increase in the numbers of drivers and passengers killed in road accidents after taking drugs. The Royal Automobile Club reports that the figure has now reached 18 per cent. Breathtakingly, more than 750,000 passengers in cars in the past year have been driven by someone under the influence of drugs. That is an alarming statistic, to which there has been no response from a Government who, to judge from their words, should be eager to do something about it.

The subject is relevant to the issue of young people and drugs, because young people have a good record of compliance with drinking and driving laws. When I was Minister for Roads and Traffic, it was apparent that young people took the laws much more seriously than many middle-aged people did. I do not think that young people comply with the law because they are inherently more law-abiding, but because they realise that there is a high chance of detection if they offend and the certainty of a painful penalty if they are caught. No young people want to be disqualified from driving and subject to financial penalties on their insurance as well as court fines. If a similar regime were applied to driving with illegal drugs in the body, there is every reason to believe that young people would respond similarly. Would it not be better if the Government legislated to remove driving licences from those who drive with illegal drugs in their bloodstream rather than extending that penalty to those who do not meet their Child Support Agency payments? That is another example of the Government getting their priorities totally wrong.

We often hear the refrain from the police that it is difficult to prove evidence of possession of drugs because people discard substances before being searched by the police. Fundamental to that problem is a weakness in the Misuse of Drugs Act 1971. As interpreted by the courts, if someone has drugs in his pocket, he can be convicted of possession, but if he has them in his bloodstream or urine, he cannot. Possession needs to be redefined in law so that the presence of illicit drugs in the body would become prima facie evidence of the offence of their possession. That principle already applies to drugs in athletics and to the detection of drugs in prisoners. That simple reform could revolutionise the ease with which possession of drugs could be detected and offenders prosecuted.

It is not only the Magistrates Association that wants such changes in the law. RoadPeace, the national charity for road traffic victims, reports that a number of their members have the impression that drugs played a significant part in the crashes in which their relatives were killed or injured. It draws attention to the problem of obtaining sufficient evidence to ensure that those involved in accidents that cause fatalities as a result of drug-taking are penalised to the same extent as those in similar circumstances with an excess of alcohol in their bloodstream.

The No. 10 performance and innovation unit recently chided the Government for putting emphasis on processes rather than outcomes. The Government's drug policy is another example of that. I believe that the time has come for action. We all know about the way in

which the use of illicit drugs has brought personal tragedy into the Minister's life—no one is better qualified to get a grip on the subject—but it is clear, even from the Government's internal memorandum, that action has not happened. I wish the drugs tsar well—I know that he does not like that title, but that is what he was announced as in the Labour manifesto. He is fast becoming a symbol of the Government's failure in that all-important policy area.

The subject touches all of us, particularly parents. The Prime Minister referred to that in his internet broadcast last Friday, but the time has come for him to deliver something more than easy words. He said:

"So not just as a Prime Minister, as a parent too, we want to support hard working families and make sure that we engage in a real battle to combat the scourge of drugs in our society."

That is almost a mirror-image of what I said in my election manifesto. He went on to say:

"If we hold our nerve, we carry on with the strategy, tougher punishment"—

yet all the evidence shows that at what is for many people the point of entry into the illegal drugs trade there is weaker, less effective punishment and less enforcement. That must change if we are to get a grip on that worrying aspect of Government policy.

4.44 pm

The Minister of State, Cabinet Office (Mr. Ian McCartney): I welcome the opportunity to debate these matters with the hon. Member for Christchurch (Mr. Chope). I was hoping that we would have a serious debate about an issue that has been a growing menace in society for many years. The problems that exist in every town, village and city in Britain have the potential to affect every family in Britain.

The hon. Gentleman mentioned my personal circumstances. It is five months to the day since I had to go to a mortuary to identify my son's body. It is not only because of that or because of my having been involved for 10 years with young people with substantial problems relating to abuse, that I do not approach or debate the subject lightly. Nor does anyone in the Government. Nor was I given my portfolio because of my personal family problems. I received it last July, as a measure of the Government's committing additional resources to the ministerial team to support my right hon. Friend the Minister for the Cabinet Office and Mr. Hellawell, the drugs tsar. I hoped that we would debate how to create a healthy and confident society through activities in the community involving young people and their families. I hope that in the remaining minutes I shall be able to discuss that.

The hon Gentleman raised several issues. I shall write to him with a full explanation on some of them because I doubt that we have the time left for the intricate discussions that I should like to have on some legitimate issues that relate to all circumstances in which difficult decisions must be made about personal liberty, available resources and attitudes towards dealing with young people in difficult circumstances.

The hon. Gentleman mentioned cannabis, and tried to imply that the Minister for the Cabinet Office and Mr. Hellawell have gone soft. I reject that imputation entirely. The Government have absolutely no intention of relaxing the legal status of cannabis, or any other controlled drug, and nor do we recognise a need for a royal commission to review the law. All drugs are harmful. The strong evidence available on the toxic effects of cannabis justifies maintaining the ban on recreational use. The risks involved include impairment of concentration, short-term memory and manual dexterity, and respiratory diseases such as bronchitis and lung cancer, which are associated with smoking the drug, and are all too prevalent. The potential value of cannabis-based medicinal products does not support the argument for legalising cannabis. It is a medical issue that can be settled only through proper scientific research, and the Government have licensed projects to assess any benefits of medicines derived from cannabis.

The co-ordinator's annual report sets targets for the Government in supporting police trials for drug recognition training and for field impairment testing in respect of drug driving. I shall write to the hon. Gentleman about the progress of that work.

The hon. Gentleman became rather political. If that is his approach, perhaps he will talk to his colleagues on the Front Bench. The hon. Member for Rutland and Melton (Mr. Duncan) wrote a book entitled "Saturn's Children" in which he said:

"The only completely effective way to ameliorate the drug problem, and especially the crime which results from it, is to bring the industry into the open by legalising the distribution and consumption of all dangerous drugs".

He went on to say that drug use is not an especially threatening health problem and that there is no reason to suppose that the number of consumers would increase if dangerous drugs were legalised. That is not merely soft on drugs, but irresponsible. That person is now on the Front Bench, and that is an open encouragement. Young people are being offered not Smarties and sweets but dangerous drugs. He says that drugs present no health threat, but the first time could be the last—as it is for many young people. People in public life should be more careful about what they say and write in influencing young people. I hope that the hon. Member for Christchurch will withdraw what are perceived as scandalous remarks, especially by bereaved parents who have lost a child through drug abuse.

Mr. Chope: I hope that the right hon. Gentleman will complete the record by saying that my hon. Friend the Member for Rutland and Melton (Mr. Duncan) has omitted from the latest edition of his book the references to which the right hon. Gentleman refers. That may reflect a change of view, and should be placed on record.

Mr. McCartney: It should never have been written in the first place. People do not distinguish between version one and version two. The book is widely available, and was promoted to be read. As a result, information is available that tells young people that taking drugs does not constitute a danger to health. But drugs kill, and the Tory party should take action when someone like that, on the Front Bench—a man of influence—makes such comments.

The recent Home Office drugs seizure and drug offender statistics show that Customs and Excise and other enforcement agencies play a vital role in preventing drugs from reaching United Kingdom streets. In 1998, we seized drugs with a total value of £710 million and dealt with 127,900 drug offenders—an

[Mr. McCartney]

increase of 13 per cent. on the previous year. The hon. Gentleman's remarks are not true; the Government have not gone soft on dealing seriously with drug offenders and those who peddle drugs to young people.

Keith Hellawell was appointed in January 1999. His remit was to review existing Government policies and make recommendations for their development, to ensure a coherent national and international strategy, and to explain Government actions to the widest possible audience. Since then, we have launched a new 10-year strategy, in which our aims are to help young people resist drug taking, have a positive life style and realise their full potential; to protect communities from drug activities and anti-social or criminal behaviour; to provide treatment to overcome addiction; and to reduce drug availability by the pursuit and seizure of drugs.

The 10-year strategy represents a shift from a reactive to a preventative strategy and involves new, shared objectives across Government. All Departments with responsibility for such matters will effectively co-ordinate their response to the menace of drugs. Until recently, the strategy had had the full support of all political parties, but I am not sure whether the Conservative party still supports it. I hope that it does, because it is absolutely shameful when we are fighting a war against drugs, drug criminals and the effects of their activities that a major political party is not on side or all square with the strategy—a non-partisan, non-political approach to one of the most difficult issues facing the country.

Mr. Chope: Will the Minister give way?

Mr. McCartney: No. The hon. Gentleman spoke for about 20 minutes.

An extra £217 million has been pledged for action against drugs. That money is delivering new treatment services, supporting schemes to reduce drug-related offending and helping education and prevention work—an issue raised by the hon. Gentlemen. Some £6 million has been committed to research so that we adopt effective policies and find solutions. Drug action teams and drug treatment and testing pilot schemes have begun, and we are working with business. The Government have put in place a range of effective measures.

The Government want to work with every hon. Member to ensure that our 10-year strategy is effective. For every part of the strategy that is successful, a young person will not die, a young person will not be injured, or a young person's family will be able to see a child grow up and realise his or her dreams. When someone is lost, the hole can never be filled, and to lose someone because of drugs makes that hole deeper, wider and blacker. We politicians can debate such matters, score points and say, "We are stronger on drugs than you were", but the truth is that none of us has got the answer right. If we had, 3,000 young people in Britain would not die every year and we would not have inherited from the previous government a lack of strategy, and drugs and drug dealers out of control, communities across Britain living in fear of drug-related crime and a generation of young people being affected by drug abuse.

We have a long way to go. Drug addicts are human beings with a recurrent chronic illness and strategies are therefore difficult to implement, but the Government and all those involved in the strategy are absolutely committed to succeeding because when we do we shall have saved the lives of many young people. I just wish my son's could be one of them.

Mr. Chope: As there are six minutes remaining—

Mr. Deputy Speaker (Mr. John McWilliam): Order. The hon. Gentleman cannot make another speech but he can intervene.

Mr. Chope: I hoped that the Minister would accept an intervention that I sought to make earlier.

Mr. McCartney: Will the hon. Gentleman make his intervention?

Mr. Chope: It relates to what the Minister said about the previous Government not having a strategy. Does not the Government's own document state:

"The last Government's strategy for England, "Tackling Drugs Together" was an important step in the right direction. It has been implemented with some success. For the first time, Drug Action Teams set up partnerships to tackle the problem. We will build on that valuable work."?

Does not that quote from his own Government's new strategy document bear out that the Minister was slightly over the top in what he said about the previous Government?

Mr. McCartney: I am not over the top, for the following reason. Individual actions were indeed taken but there was no comprehensive UK-wide strategy. I will give a classic example of that. The Home Office was presided over by a Home Secretary who would do nothing about the industry, which operated protection rackets and had the most effective sales and distribution supply chain in Europe. After 10 years, that led to every club, pub or any other place to which a young person in Britain would go being utilised by these organisations for the distribution of all sorts of drugs, including ecstacy. The previous Government did nothing about it because they favoured deregulation instead of concentrating on crime prevention. Consequently, Britain now has an industry and a supply chain that are pumping out drugs worth millions of pounds designed for one simple reason—to attract our young people, make them addicts and commit them to a life of of drug-related criminal activity which, for so many of them, ends in the loss of their life. The Conservative Government had 10 years to do something about it, but they did nothing, even though people were crying out for help. The Tories did nothing because they took a partisan view of what was happening out there. My Government do not do that. For the first time a comprehensive plan is in place. I beg Opposition Members to get behind the plan because when it succeeds it will stop the carnage of 3,000 young people dying each year in Britain.

Mr. Chope: I am grateful to the right hon. Gentleman for giving way again. Drug action teams involve local police, probation services, social workers and all

Departments of Government. Can the Minister explain how Cleveland constabulary, which forms an important part of the Cleveland drug action team, is able to publicise its wish to see cannabis decriminalised?

Mr. McCartney: The hon. Gentleman has moved his ground again. I cannot stop individuals giving their views about cannabis. Drug action teams take a co-ordinated approach, working with every organisation in the community to deal not only with offending but to stop young people offending and to take them into rehabilitation and treatment. That is the important aspect of the new proposals. For the first time, people are being diverted into treatment and rehabilitation, not only in prison but out in the community. If we do not do this, young people will become abusers of drugs and there will be no way back for them from a criminal life style and—equally important—towards a healthy life style. The drug action teams offer a fundamental improvement on what went before. The hon. Gentleman should not confuse the comments of individuals, with which I disagree fundamentally, with the Government's policy. The hon. Gentleman has heard what I and the Government have had to say. Those comments do not alter the requirement on all of us to ensure that there is an co-ordinated, effective plan through which we work in the community with young people to prevent their becoming involved in drug abuse and, where they have abused drugs, to put treatment and other systems in place to assist them in ending the abuse and to deal with some of the criminal activity that arises in the community from their abuse of drugs. If we can achieve that, surely even the hon. Member for Christchurch must agree that it is a fundamental step forward and an improvement on what we inherited two and a half short years ago.

Question put and agreed to.

Adjourned accordingly at Five o'clock.

Written Answers to Questions

Monday 7 February 2000

CABINET OFFICE

Heroin Addiction

Jane Griffiths: To ask the Minister for the Cabinet Office what support the Government gives to the work of the East-West Detox organisation in combating heroin addiction; and if she will make a statement. [108586]

Mr. Ian McCartney: The commissioning of services for drug misusers is essentially a matter for local agencies. The East-West Detox organisation receives no financial support from the Berkshire Health Authority. Health authorities and local authorities will receive an extra £70.5 million from 1999 to 2002 to commission and develop drug treatment services. The Government believe that a range of treatments should be available to allow drug misusers to benefit from those most appropriate to their needs and abstinence should be the primary aim of treatment.

FOREIGN AND COMMONWEALTH AFFAIRS

International Criminal Tribunals

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what was his Department's financial contribution to *(a)* the International Criminal Tribunal on Yugoslavia and *(b)* the International Criminal Tribunal on Rwanda, in each year since these bodies were established. [107424]

Mr. Vaz: The International Criminal Tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY) are funded by a combination of assessed contributions by UN member states and voluntary contributions. UK contributions are as follows:

ICTY

Year	
UN assessed (US$)	
1995	1.1 million
1996	855,703
1997	1.2 million
1998	2.6 million
1999	5.1 million
Voluntary contributions (£)	
1995	258,400
1996	206,500
1997	500,000
1998	1.44 million
1999[1]	204,500

[1] Not final

ICTR

Year	
UN assessed (US$)	
1995	340,000
1996	685,108
1997	637,666
1998	2.8 million
1999	3.5 million
Voluntary contributions (£)	
1996	138,000
1997	56,000
1998	45,500
1999	185,000

Japan (Radioactive Materials)

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received concerning the sea shipment of plutonium MOX fuels and radioactive wastes from the United Kingdom to Japan from countries on the shipment route. [108693]

Mr. Hain: To date, we have received representations from the Governments of New Zealand, the Republic of Korea and the Commonwealth Caribbean countries, as well as the Fijian-based Pacific Concerns Resources Centre Inc.

Indonesia

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he held with the President of Indonesia during his visit to London about the loss of Indonesia's forest resource; and if he will make a statement. [108152]

Mr. Battle: My right hon. Friend the Secretary of State for International Development discussed the question of illegal logging with President Wahid during his recent visit to the UK.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings Her Majesty's Government *(a)* hosted and *(b)* arranged for Indonesia's Forestry Minister during his recent visit to London. [108153]

Mr. Battle: My right hon. Friend the Secretary of State for International Development called on President Wahid during his recent visit to the UK. The Indonesian Minister for Forestry and Plantation was present at the call.

PRIME MINISTER

Staff Bonuses

Mr. Matthew Taylor: To ask the Prime Minister how much his Office spent in total on extra bonuses above usual payments for staff working over the new year period; what were the *(a)* maximum and *(b)* minimum bonuses paid; how many people received the (i) maximum and (ii) minimum payment; and if he will make a statement. [104475]

The Prime Minister: The Cabinet Office, which for the purpose of this answer includes No.10, and the Government Millennium Centre have paid 53 millennium bonuses and will pay 26 special bonuses at a cost of £20,750.

	Millennium bonus	*Special bonus*
Maximum	£150	£750
Received by	19 staff	8 staff
Minimum	£100	£250
Received by	34 staff	1 staff

Millennium bonuses were paid to staff working for a minimum of six hours between 9 pm Friday 31 December and 9 am Saturday 1 January 2000.

Special bonuses have been awarded to staff in recognition of the exceptional contribution they made throughout the preceding two years ensuring that any possible detrimental effects of the date change were identified and resolved before 1 January 2000.

Asset Sales

Mr. Matthew Taylor: To ask the Prime Minister if he will list the items in the National Assets Register sold by his Office, its agencies and associated public bodies since 22 February 1999, stating in each case the amount of money realised; if he will estimate the total amount raised from such sales to date; and if he will make a statement. [104680]

The Prime Minister: For the purpose of this question, this answer includes my Office and the Cabinet Office and its agencies.

IT equipment, and vehicles in the fleet of the Government Car and Despatch Agency, are routinely replaced at the end of their useful life. The old equipment and vehicles are sold where it is appropriate and economic to do so.

In addition to these replacement programmes, the Cabinet Office has sold a surplus property, Alencon Link in Basingstoke, for £1.3 million. A payment of £1.25 million has also been received, representing deferred sale proceeds following the privatisation of Chessington Computer Centre.

Internal Histories

Mr. Bercow: To ask the Prime Minister for what reason it is established practice not to disclose the titles of internal histories which are planned or in progress. [106161]

The Prime Minister: Decisions about the publication of information about internal Departmental histories are a matter for the Department concerned. It is not uncommon for such histories, or for projects in the Official Histories programme, to contain classified information or for their subject-matter to evolve as work proceeds. Publication of the studies and information about them is therefore better decided when studies are completed and can be assessed.

Cabinet Committees

Mr. McNamara: To ask the Prime Minister on how many occasions each Cabinet Committee has met in the past year. [107829]

The Prime Minister: It is established practice under section 2 of the Code of Practice on Access to Government Information not to disclose information relating to proceedings of Cabinet Committees.

Privy Council (Judicial Committee)

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answer of 1 February 2000, *Official Report*, column 545W, what assessment he has made of the compatibility between the United Kingdom's obligations to the Council of Europe and under other international undertakings and the United Kingdom Privy Council presiding over appeals in cases where the death sentence has been imposed following conviction in the High Court of an independent Commonwealth jurisdiction; and if he will make a statement. [108672]

The Prime Minister: In the cases mentioned by my hon. Friend, the Privy Council is acting as part of the judicial structure of the independent state concerned, and not of the United Kingdom. There is no incompatibility with any of the United Kingdom's international obligations including those under Council of Europe instruments. Nevertheless, as I have made clear, the Government actively oppose the use of the death penalty by all states, including those from whose courts there is a right of appeal to the Privy Council.

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answer of 1 February 2000, *Official Report*, columns 544–45W, on the Privy Council, if the Queen appoints any judges or members of the United Kingdom's Privy Council on the recommendation of her Ministers from countries other than the United Kingdom. [108675]

The Prime Minister: Yes. It is, of course, not the United Kingdom Privy Council as such. Membership is also accorded to eminent people in some independent countries of the Commonwealth, of which Her Majesty is Queen.

Baroness Thatcher

Mr. Gordon Prentice: To ask the Prime Minister on how many occasions he has met Baroness Thatcher for discussions in the course of his official duties since 1 May 1997; and if he will make a statement. [108580]

The Prime Minister: I have meetings with a wide range of individuals and organisations.

Oath of Allegiance

Mr. Field: To ask the Prime Minister how many letters he has received since 1 May 1997 on (a) constituency matters and (b) other matters of Government policy from each of those Members of the House who have not taken the Oath of Allegiance. [108961]

The Prime Minister: In accordance with convention, correspondence received by Departments from hon. Members is treated in confidence.

Charter of Fundamental Rights

Mr. Mitchell: To ask the Prime Minister, pursuant to his answer of 17 January 2000, *Official Report*, columns 267–68W, concerning the drafting of the draft Charter of Fundamental Rights in the European Union, if he will (a) place in the Library a copy of the letter he has sent to the two Chairmen of the Scrutiny Committees and (b) publish in the Official Report the names of organisations with which meetings have taken place, or correspondence has been conducted, and place copies of the correspondence in the Library. [108732]

The Prime Minister: A copy of the letters from the Minister of State for Europe in the Foreign and Commonwealth Office, my hon. Friend the Member for Leicester, East (Mr. Vaz) to the Scrutiny Committees have been deposited in the Libraries of both Houses. The Government will continue to have meetings with a wide range of individuals and organisations. These exchanges will be made public where appropriate.

Intergovernmental Conference

Mr. Mitchell: To ask the Prime Minister if he will publish the Government's response to (a) the proposals made by the Commission for the forthcoming intergovernmental conference and (b) documents submitted for that Conference by the European Union Institutions, member states and candidate states. [108734]

The Prime Minister: The Government's position on all the issues likely to be raised at the intergovernmental conference will be set out in a White Paper to be published shortly.

EU Defence

Mr. Ottaway: To ask the Prime Minister, pursuant to his answers of 20 January 2000, *Official Report*, column 538W, and 1 February 2000, *Official Report*, column 544W, if he will place a synopsis of Mr. Liddle's speech in the Library. [108817]

The Prime Minister: No.

World Economic Forum

Mr. Matthew Taylor: To ask the Prime Minister what was the total cost to public funds of his attendance at the World Economic Forum at Davos. [108228]

The Prime Minister *[holding answer 4 February 2000]:* Not all bills have been received. However, the total cost to public funds of my attendance at the World Economic Forum is likely to be approximately £9,900.

Ministerial Meetings

Mr. Yeo: To ask the Prime Minister if he will list which Ministers of the Governments of (a) Austria, (b) Belgium, (c) Denmark, (d) Finland, (e) France, (f) Germany, (g) Greece, (h) Ireland, (i) Italy, (j) Luxembourg, (k) the Netherlands, (l) Portugal, (m) Spain and (n) Sweden he has met since 1 August 1999 and the date on which he met them. [108867]

The Prime Minister: I have met all EU Heads of State and some Ministers in multilateral fora since August. I have also held official discussions with the Prime Minister of Belgium on 30 November, the Prime Minister of Finland on 6 October and 30 November, the Greek Minister for Development on 13 December, the Prime Minister of Italy on 20 November and the Prime Minister of Portugal on 29 November and 6 January. I also met the French President, Prime Minister, Foreign Minister and Minister for Europe at the UK/French Summit on 25 November. There have been numerous meetings with the Taoiseach of Ireland in multilateral and bilateral fora. Most recently I had substantive discussions with him on 17 December and 3 February.

TRADE AND INDUSTRY

Sellafield MOX Plant

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what is the status of Japanese contracts with the new Sellafield MOX plant. [106713]

Mrs. Liddell *[holding answer 2 February 2000]:* Details of BNFL's contracts with their customers for the Sellafield MOX Plant are commercially confidential. BNFL will continue to pursue Mixed Oxide (MOX) fuel business in Japan, where the company is making major efforts to rebuild confidence.

Export Credits Guarantee Department

Mr. Chope: To ask the Secretary of State for Trade and Industry if export credit for vessels designed for protection of a nation's maritime boundaries is treated by the Export Credits Guarantee Department as unproductive expenditure within the meaning used to define those credits which the Department refuses to guarantee. [108480]

Mr. Caborn: As the hon. Member knows, my right hon. Friend the Chancellor of the Exchequer announced on 11 January a unilateral UK ban on export credits in respect of "unproductive expenditure" to 63 of the world's poorest countries.

Projects supported in future on these countries should be measured against the following indicative criteria:

assist social and economic development; or

be of maximum benefit to areas most affected by poverty; or

tackle problem areas where private investment is not available; or

wherever possible, earn foreign exchange; or

encourage viable self-financing projects.

These principles need not necessarily preclude ECGD support for the sale of defence or dual purpose equipment provided that such equipment is, for example, deemed essential for national security, or required to combat the drugs trade, piracy, smuggling etc. Support for projects must be cleared with the Department for International Development, who must be satisfied that the expenditure is consistent with the above.

Electricity Regulation

Mr. Coaker: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on jobs in the electricity industry of the cap on electricity distribution prices by the regulator; and if he will make a statement. [108975]

Mrs. Liddell: Decisions on the form and level of electricity price controls are a matter for the Director General of Gas and Electricity Markets. It is for the companies to decide how to meet the efficiency targets they have been set.

Trade Development

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what plans he has to encourage British trade development and promotion abroad. [108507]

Mr. Caborn: I want an ever-growing number of firms to benefit from British Trade International, the new unified operation, which brings together DTI and FCO responsibilities for trade development and promotion. Support for exporters is part of the Government's programme, with business, to improve Britain's competitiveness. The National Strategy for International Trade Development and Promotion, published on 29 October 1999, demonstrates the exciting direction in which the new organisation is moving.

Copies of the Strategy have been placed in the Libraries of both Houses.

Paper Industry

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what recent representations he has received from the paper industry about the consequences of the recent strength of the pound. [108230]

Mr. Alan Johnson: None.

Government clearly understand the concerns of businesses, particularly manufacturers in the paper industry and elsewhere trading within Europe, about the level of the pound. But we are determined to take a long-term view; it would be wrong to let short-term pressures lead back to policies which produced boom and bust in the past. Short-term fixes would be the biggest threat of all to industry, creating the illusion of temporary relief followed by the reality of long-term damage. The Government's economic policies are aimed at achieving sustained growth.

Utilities Bill

Mr. Dobbin: To ask the Secretary of State for Trade and Industry when he intends to publish draft guidance under Clauses 9, 13 and 90 of the Utilities Bill. [109176]

Mrs. Liddell: The Government have today published preliminary drafts of the social and environmental guidance to the energy and telecoms regulators provided for under Clauses 9, 13 and 90 of the Utilities Bill. Copies of these drafts have been placed in the Libraries of the House.

Oath of Allegiance

Mr. Field: To ask the Secretary of State for Trade and Industry how many letters he has received since 1 May 1997 on *(a)* constituency matters and *(b)* other matters of Government policy from each of those Members of the House who have not taken the Oath of Allegiance. [108397]

Mr. Byers *[holding answer 3 February 2000]:* Correspondence with Members of the House is treated in confidence unless the originating Member chooses to make it public.

Coal

Mr. Maclean: To ask the Secretary of State for Trade and Industry what estimate he has made of *(a)* the cost per ton and *(b)* the total cost of supply in coal to retired miners from the cheapest foreign source. [107949]

Mrs. Liddell: I have not made such an estimate because I do not expect retired miners to be supplied with imported coal.

Nuclear Accidents (Insurance)

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what is the size of the insurance liability fund set aside to underwrite accidents at United Kingdom nuclear facilities; what authority manages the fund; and if any part of the fund is invested. [108681]

Mrs. Liddell: Under the Nuclear Installations Act 1965, the operators of nuclear facilities in the UK are required to hold third party liability insurance to cover up to £140 million of damage resulting from accidents in nuclear installations. In the event of a severe nuclear accident in the UK, supplementary compensation would be made available in addition to this under the Brussels Convention Supplementary to the Paris Convention, providing an amount of compensation totalling £300 million Special Drawing Rights of the IMF. We are currently considering substantial increases in the amount of compensation available under the Act.

Insurance arrangements must be approved by the Secretary of State; operators without a Government indemnity purchase insurance from private sector insurers.

Textile and Clothing Industry

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry what steps he has taken to ensure fair competition between the United Kingdom's textile and clothing industry and that of competitor nations. [108661]

Mr. Alan Johnson: As with other industries, the Government seek to promote fair competition between the United Kingdom and other textile and clothing industries through a wide range of national, European Union and international action.

Agriculture and Environment Biotechnology Commission

Dr. Gibson: To ask the Secretary of State for Trade and Industry (1) if he will ensure that the appointee to the Chair of the Agriculture and Environment Biotechnology Commission has had scientific training; [108090]

(2) why the position of Chair of the Agriculture and Environment Biotechnology Commission was re-advertised; [108089]

(3) when he will appoint the Chair of the Agriculture and Environment Biotechnology Commission. [108088]

Marjorie Mowlam: I have been asked to reply because the Agriculture and Environment Biotechnology Commission will report to me.

The position of Chair of the Commission was re-advertised in order that we may choose from a wider range of candidates. Scientific training is not a prerequisite, but the person we are looking for must be able to understand what scientists are saying and to explain it clearly and simply in public. The appointment will be made as soon as possible.

CULTURE, MEDIA AND SPORT

UNIDROIT Convention

Mr. Pound: To ask the Secretary of State for Culture, Media and Sport if he has made a decision about whether the UK should become a signatory to the UNIDROIT convention on the international return of stolen or illegally exported cultural objects. [109245]

Mr. Chris Smith: After a lengthy inter-departmental consultation, I have concluded that the UK should not become a signatory to the UNIDROIT convention due to conflicts with our current law. In order to implement the convention, changes to our limitation periods and to our personal property law would be required, resulting in a special regime for cultural objects and arguably a less generous position for original rightful owners of objects which are later stolen. I will, however, be considering the possible options for an alternative legislative approach which would share some of the objectives of the UNIDROIT Convention.

West Yorkshire Theatres

Mr. Hilary Benn: To ask the Secretary of State for Culture, Media and Sport if he will list, for each of the last five years, total public funding in *(a)* cash and *(b)* current prices for (i) the West Yorkshire Playhouse and (ii) regional theatres in West Yorkshire. [108211]

Mr. Alan Howarth: Grant-in-aid allocated by Yorkshire Arts to the West Yorkshire Playhouse, Wakefield Theatre Royal and Lawrence Batley Theatre is shown in the table.

£

Funding	1998–99	1997–98	1996–97	1995–96	1994–95
West Yorkshire Playhouse					
Cash	840,800	840,750	840,750	840,750	790,800
Real terms	840,800	868,185	892,601	921,349	891,655
Wakefield Theatre Royal					
Cash	35,000	29,500	25,000	12,000	8,000
Real terms	35,000	30,463	26,542	13,150	9,020
Lawrence Batley Theatre					
Cash	35,000	29,500	28,000	20,000	—
Real terms	35,000	30,463	29,726	21,917	—

Coaching (Children)

Mr. Jenkins: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the effect of the Child Protection Act 1999 on coaching within children's sport. [106116]

Kate Hoey: The main effect of the Child Protection Act 1999 on coaching has been to raise awareness of the issues that need to be addressed by sport in this area. Sport England has established the Child Protection in Sport Task Force involving the National Coaching Foundation (NCF), the National Society for Prevention of Cruelty to Children (NSPCC), the Association of Chief Police Officers (ACPO), the Local Government Association (LGA) and the Central Council for Physical Recreation (CCPR). The Task Force is working on a cross-sport action plan and met recently to discuss how best to take this forward.

Mr. Jenkins: To ask the Secretary of State for Culture, Media and Sport what plans he has to issue guidelines to the sports bodies responsible for coaching on best practice following enactment of the Child Protection Act 1999. [106115]

Kate Hoey: There is already a great deal of guidance available to sports bodies and coaches in this area. The National Coaching Foundation (NCF) have been working with the National Society for Prevention of Cruelty to Children (NSPCC) in looking at guidelines since 1996. NCF Child Protection resources include the following:

Protecting Children (1998)

Protecting Disabled Children and Adults (1999)—Disability Sport England)

Code of Ethics and Conduct for Sports Coaches

Guidelines in Child Protection Policy and Implementation "Safe and Sound" leaflet (1999)

As well as publications and resources targeted specifically at coaches, the NCF also offers consultancy, workshops for coaches, officials and volunteers in sport.

The Child Protection in Sport Task Force established by Sport England will also be producing cross-sport action plan on child protection and sport.

TV Licensing (Five-year Formula)

Mr. Kaufman: To ask the Secretary of State for Culture, Media and Sport if the statement in paragraph 5 of his Memorandum, Cm 4258, dated February 1999, that the review will not reconsider the current five-year formula for the level of the income fee until 2002, remains the policy of Her Majesty's Government. [108453]

Janet Anderson *[holding answer 4 February 2000]:* Although the formula was not included in the terms of reference, the independent review panel, chaired by Gavyn Davies, did consider the possibility of reopening the five-year formula and, in reaching our decisions, we are taking account of the panel's views on this.

Lottery Funds

Mr. Webb: To ask the Secretary of State for Culture, Media and Sport to which existing lottery funds and which planned lottery programmes an application should be made for funding for dedicated premises for a pre-school group. [108448]

Kate Hoey *[holding answer 4 February 2000]:* An application for funding for dedicated premises for a pre-school group can be considered by the National Lottery Charities Board, provided the group is a

charitable, philanthropic or benevolent body. The project may also be eligible for funding from other Lottery distributors, depending on its nature.

School Sports

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the DfEE about using national sporting standards of achievements to develop school sport. [107968]

Kate Hoey *[holding answer 3 February 2000]:* My Department has regular discussions with the Department for Education and Employment (DfEE) about a whole range of issues including the Sportsmark and Activemark recognition awards for secondary and primary schools.

The recent appointment of Sue Campbell on secondment from the Youth Sport Trust will help to strengthen these links and build good practice between DCMS and DfEE on a number of issues relating to sport and physical education, including national sporting standards of achievement.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Driving Accidents

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions how many reportable injuries there were in 1998–99 as a result of driving accidents caused while at work. [107659]

Mr. Hill: Data specifically referring to "drivers at work" are not currently reported as part of the national injury road accidents survey. However, data on heavy goods vehicles and buses and coaches are recorded and the driver casualty data are shown in the table.

HGV and bus/coach driver casualties[1] by severity: GB 1998

Severity	*Buses*	*Lorries*
Fatal	1	52
Serious	68	430
Slight	838	2,462
All	907	2,944

[1] Not necessarily incurred "at work"

Driving Licences

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 January 2000, *Official Report*, column 278W, on driving licences, *(a)* when the more flexible arrangement to assist driving licence applicants will be announced and *(b)* how the arrangement will be publicised to applicants. [108069]

Mr. Hill: The new arrangements are still under consideration. I hope to be able to provide further details very shortly. Officials will discuss the appropriate publicity arrangements with the Immigration and Nationality Directorate once agreement has been reached on the way forward.

Rail Freight and HGV Movements

Mr. Dobbin: To ask the Secretary of State for the Environment, Transport and the Regions what change there has been in *(a)* rail freight usage and *(b)* heavy goods vehicle movements since 1 May 1997. [107863]

Mr. Hill: The changes in tonnes moved (billion tonne-kilometres) in Great Britain are as given in the table:

	Rail	*HGVs*[1]
Q2 1997	4.1	39.0
Q3 1999[2]	4.5	37.2
Percentage change	+9	-5

[1] GB registered vehicles over 3.5 tonnes gross vehicle weight
[2] Provisional figures

Monthly figures are not available. The question has therefore been answered by taking the second quarter of 1997 as a base for the comparison.

Genetically Modified Organisms

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to ensure that modifications to Directive 90/220 (Deliberate Release of Genetically Modified Organisms) do not suppress technological developments in developing countries. [108092]

Mr. Meacher: The purpose of Directive 90/220/EEC is to protect human health and the environment against any adverse effects which might arise from the deliberate release or placing on the market of genetically modified organisms.

The Common Position on the revision of the Directive agreed by the Council on 9 December 1999 continues to reflect this purpose while increasing the efficiency and transparency of the decision making process under the Directive. It does not affect the operation of the Directive with regard to the technological developments in developing countries.

However, such countries which are without domestic legislation relating to the import of genetically modified organisms will in the future be able to decide, on the basis of a specific risk assessment, whether to accept the import of genetically modified organisms. Provisions to do this are included in the United Nations Environment Programme Biosafety Protocol to the Convention on Biological Diversity, adopted on 29 January.

Quiet Lanes

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many proposals for non-statutory quiet lanes have been included in provisional Local Transport Plans. [108208]

Mr. Hill: Authorities were encouraged to identify broad programmes rather than specific schemes in their Local Transport Plans. Accordingly, authorities looking to establish quiet lanes would not necessarily refer to specific proposals in their plans and our assessment has not attempted to identify the number of such proposals across the country.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many non-statutory quiet lanes had been introduced by 1 December in England. [108316]

Mr. Hill: This information is not held centrally. The quiet roads concept, being promoted by the Countryside Agency, is supported by my Department. Pilot quiet roads schemes in Norfolk and Kent are under consideration and are due to be implemented over the next few months, with one in Devon later on this year. My Department is assisting in the pre-implementation, monitoring surveys, currently being undertaken in Norfolk and Kent.

Vulnerable Road Users

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what recent surveys the Government have undertaken concerning intimidation of walkers, cyclists and horse-riders by fast-moving traffic. [108207]

Mr. Hill: The Government commission a wide range of research into traffic speed and road safety. Some of the studies include surveys of road users on the problems they experience, including seeking their views about fast moving traffic. As part of the monitoring of the Quiet Lanes project promoted by the Countryside Agency, my Department has commissioned the Transport Research Laboratory to conduct telephone and roadside surveys of equestrians, pedestrians and cyclists. One of the questions to be asked is how much they are bothered by fast moving traffic. The surveys are due to take place in the Norfolk Quiet Lane area at the end of February and in the Kent Quiet Lane area in March.

Local Government

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what guidance has been given to district auditors about requiring local authorities to make preparations for (a) new local government structures and (b) the euro. [108282]

Ms Armstrong: The Audit Commission provides auditors it has appointed with a wide range of guidance about the implications, for their audit, of changes which affect local authorities. Such changes include local authority preparations for new local government structures and the euro.

Connex Rail Strike

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate he has made of the number of commuters who were affected by the Connex rail strike on Tuesday 25 January; [108369]

(2) how many of the Connex trains that ran on Tuesday 25 January were delayed; [108368]

(3) how many Connex train services were cancelled on Tuesday 25 January; and how many Connex trains ran on that day. [108381]

Mr. Hill: On a normal weekday Connex run approximately 3,500 trains. On 25 January they planned to run 449 trains under an emergency timetable, but actually ran 697. Due to the way in which the emergency timetable was devised it is not possible to state how many of the trains which ran were delayed. Most of the 200,000 commuters who use Connex services were affected to a greater or lesser extent.

Rail Passenger Partnership Scheme

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions when the Franchising Director will announce the successful bid under the Rail Passenger Partnership Scheme. [108777]

Mr. Hill: I refer my hon. Friend to the answer I gave on 24 January 2000, *Official Report,* columns, 132–33W.

British Railways Board

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the criteria by which the British Railways Board decides on the sale of land. [108465]

Mr. Hill: I refer my hon. Friend to the reply I gave on 17 January 2000, *Official Report,* column 253W.

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the assets for which the British Railways Board has responsibility. [108467]

Mr. Hill: Following privatisation of the railways, the British Railways Board remains responsible primarily for the British Transport Police, residual property and certain residual liabilities.

At 31 March 1999 tangible assets on the balance sheet totalled £32.0 million comprising buildings (£25.0 million), plant and equipment (£6.7 million) and investments (£0.3 million). Non-operational property totalling £103.6 million was held in current assets.

In addition, the Board remains responsible for some 5,000 isolated engineering structures such as bridges, viaducts and tunnels.

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the contacts which his Department had with the British Railways Board over the last 12 months; and what was the content of each contact. [108466]

Mr. Hill: Ministers and officials in my Department have had numerous contacts with the British Railways Board (BRB) and the shadow Strategic Rail Authority (SSRA) (of which the BRB now forms part) covering a range of issues including advice to Ministers.

Parish and Town Councils

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what applications for areas to become a parish or town council are outstanding. [108395]

Ms Beverley Hughes: The table shows the principal local authorities that have submitted recommendations to the Secretary of State for new parishes, either as a result of a review of parish arrangements in their area, or following receipt of a petition for a new parish, which are outstanding.

Outstanding local authority recommendations submitted to the Secretary of State for the Environment, Transport and the Regions for the creation of parishes in their area, either as a result of a review or a petition

Principal authority	*Area(s) of proposed new parish/parishes*
East Northamptonshire District Council	Stanwick
	Rushden
East Staffordshire District Council	Stapenhill
	Waterside and Edgehill
	Winshill
	Uxbridge and Broadway
	Victoria and Snobhall
	Horninglow and Eton
	Burton
Harlow District Council	Church Langley
High Peak Borough Council	Glossop
	Chapel-en-le-Frith
Kettering District Council	Barton Seagrave
Milton Keynes Council	Central Milton Keynes
	Fenny Stratford and Water Eaton
	West Bletchley
	New Bradwell
	Simpson
	Stony Stratford
	Wolverton and Greenleys
	Kents Hill, Monkston and Brinklow
Newcastle-under-Lyme District Council	Silverdale
North Somerset District Council	St. Georges
Swale District Council	Minster

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the areas that have applied to become a parish or town council in each of the last three years; and what was the outcome of each application. [108396]

Ms Beverley Hughes: The list shows the principal local authorities that have submitted recommendations to the Secretary of State for new parishes, either as a result of a review of parish arrangements in their area, or following receipt of a petition for a new parish.

Local authorities that have since 1997 submitted recommendations to the Secretary of State for the Environment, Transport and the Regions for the creation of new parishes within their area, either as a result of review or petition

Principal Authority	*Area(s) which applied for parish status*	*Outcome*
1997–98		
Isle of Wight	East Cowes	1 new parish created
New parishes constituted on 1 April 1998		1
1998–99		
Colchester Borough Council	Myland	1 new parish created
East Hampshire District Council	Beech	1 new parish created
East Lindsey District Council	Saltfleetby	1 new parish created
East Riding of Yorkshire Council	Beverley	
	Cottingham	2 new parishes created
Forest Heath District Council	Beck Row	
	Kenny Hill	
	Exning	
	Newmarket	4 new parishes created
Hartlepool Borough Council	Headland	1 new parish created
Leeds City Council	Allerton Bywater	
	Horsforth	2 new parishes created
Lewes District Council	Seaford	1 new parish created
Maidstone Borough Council	Collier Street	1 new parish created
New Forest District Council	Godshill	1 new parish created
Portsmouth City Council	Southsea	1 new parish created
Scarborough Borough Council	Eastfield	1 new parish created
Tameside Metropolitan Council	Mossley	1 new parish created
Tonbridge and Malling Borough Council	Kings Hill	1 new parish created
West Lancashire District Council	Hilldale	1 new parish created
New parishes constituted on 1 April 1999		
1999–2000		
Birmingham City Council	New Frankley in Birmingham	1 new parish created
Bradford City Council	Haworth, Cross Roads and Stanbury	1 new parish created
Braintree District Council	Great Notley	1 new parish created
Cannock Chase District Council	Hednesford	1 new parish created
Cherwell District Council	Banbury	1 new parish created
Cotswold District Council	Upper Rissington	1 new parish created
County of Herefordshire District Council	Belmont Rural	
	Hereford	2 new parishes created

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Local authorities that have since 1997 submitted recommendations to the Secretary of State for the Environment, Transport and the Regions for the creation of new parishes within their area, either as a result of review or petition

Principal Authority	*Area(s) which applied for parish status*	*Outcome*
East Riding of Yorkshire Council	Bridlington	
	Anlaby with Anlaby Common	
	Kirk Ella	
	Willerby	4 new parishes created
Elmbridge Borough Council	Claygate	1 new parish created
Erewash Borough Council	Sawley	1 new parish created
Forest of Dean District Council	Cliffords Mesne	1 new parish created
	Gorsley and Kilcot	1 proposed parish rejected
Gravesham Borough Council	Vigo	1 new parish created
Leeds City Council	Morley	1 new parish created
Mid Sussex District Council	Ashurst Wood	
	Hassocks	2 new parishes created
North Somerset District Council	Weston-super-Mare	1 new parish created
Rotherham Metropolitan Borough Council	Maltby	1 new parish created
Sefton Metropolitan Borough Council	Hightown	1 new parish created
South Bedfordshire District Council	Chalton	1 new parish created
South Northamptonshire	Overthorpe	1 new parish created
Stafford Borough Council	Stowe-by-Chartley	1 new parish created
Tandridge District Council	Caterham-on-the-Hill	
	Caterham Valley	
	Chaldon	
	Dormansland	
	Lingfield	
	Outwood	
	Warlingham	
	Whyteleafe	
	Woldingham	9 new parishes created
Wear Valley District Council	Witton-le Wear	
	Dene Valley	2 new parishes created
Welwyn Hatfield District Council	Woolmer Valley	1 new parish created
West Berkshire District Council	Holybrook	1 new parish created
West Lindsey District Council	Brookenby	1 new parish created
New parishes to be constituted on 1 April 2000		39

Swindon and Wiltshire Structure Plan

Ms Drown: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that no parties to the examination in public of amendments to the Swindon and Wiltshire structure plan exert undue influence on the proceedings. [108154]

Ms Beverley Hughes: The panel of the examination in public which was held last year was appointed by the Secretary of State and is independent of any parties interested in the plan. Examinations in public are carried out in accordance with well-known procedures in a strictly impartial and open manner.

It is the responsibility of the relevant local authorities to ensure that the process of preparing structure plans is carried out fairly and is consistent with national Planning Policy Guidance.

Ms Drown: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding the extent of influence by developers on the examination in public of the amendments to the Swindon and Wiltshire structure plan. [108155]

Ms Beverley Hughes: None.

Local Bypasses

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions when he will respond to the hon. Member for Mid-Worcestershire's request for a meeting with the Minister for Transport to discuss the criteria used by his Department to assess bids for local bypasses. [109007]

Mr. Hill: I replied to the hon. Member on 4 February.

National Bus Pensions

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the distribution of the National Bus Company Pension Fund settlement. [109056]

Mr. Hill: The Government reached a settlement with the Trustees of the NBC Pension Fund in July last year. Responsibility for deciding on, and implementing, the distribution of the settlement now rests entirely with the NBC pension trustees who are independent of the Government. However, I have written to the Trustees to express my deep concern about the time it is taking to resolve this issue. I understand that the Trustees intend to make initial payments to some 8,000 older pensioners in March and April. They are urgently investigating the feasibility of making an initial payment to other pensioners as soon as possible.

Departmental Expenditure Limit

Ms Bridget Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to amend his Departmental Expenditure Limits and running costs limits for 1999–2000. [109270]

Mr. Prescott: Subject to Parliamentary approval of the necessary Supplementary Estimates for Class III, Votes 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11, the Department of the Environment, Transport and the Regions' Departmental Expenditure Limits for 1999–2000 will change as follows. All references to the take-up of end-year flexibility refer to the Chief Secretary to the Treasury's announcement of 27 July 1999, *Official Report*, column 393W.

(a) The DETR Main Programmes Departmental Expenditure Limit will be increased by £168,685,000 from £10,235,305,000 to £10,403,990,000. This increase reflects the net impact of a take-up of end-year flexibility of £66,168,000; net transfers into the DETR Main Programmes Departmental Expenditure Limit of £27,517,000 and a call on the DEL Reserve of £75,000,000. The changes are set out in greater detail below.

(i) The changes for Class III, Vote 1 are as follows: £304,000 will be transferred to the Housing Corporation from Class XII, Vote 3 (Department of Social Security, administration) for homelessness administration costs previously carried by that department's Resettlement Unit; and the take-up of end-year flexibility of £689,000 for support to local authorities for Estate Renewal Challenge Fund projects. Transfers will be made of £1,500,000 to Class IV, Vote 1 (Home Office administration, police, probation, immigration and other services, England and Wales) for Youth Inclusion Programme spending by the Youth Justice Board; £155,000 to Class II, Vote 1 (Department of Health, Hospital, community health, family and related services, England) for health authority costs incurred in respect of the Rough Sleepers Unit Victoria pilot project; and £2,000,000 to Class III, Vote 4 (Local government, England) for Audit Commission 'Best Value in Housing' inspection work. There will also be inter-vote transfers of £4,504,000 to Class III, Vote 7 (Other executive agencies) for The Rent Service Executive Agency; £750,000 to Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration) out of departmental running costs held on this vote; and transfers from the non-voted element of the DETR Main Programmes Departmental Expenditure Limit of £1,000,000 for capital projects by the Housing Corporation and £300,000 for grant in aid to Regional Development Agencies in respect of Derelict Land Grant.

(ii) The changes for Class III, Vote 2 are as follows: a transfer of £113,000 to Class XIV, Vote 1 (Welsh Office, Office of the Secretary of State for Wales and payments to the National Assembly for Wales) for a travel awareness campaign; an increase of £1,830,000 in respect of the re-classification as expenditure within the DETR Main Programmes Departmental Expenditure Limit of Licence fee refunds to goods vehicle and public service vehicle operators and drivers; and a net increase of £1,000 for revised forecasts of expenditure and receipts associated with the Statistics, censuses and surveys programme. There will also be an inter-vote transfer of £500,000 to Class III, Vote 6 (Transport industries) for the start-up costs of London minicab licensing.

(iii) The changes for Class III Vote 3 are as follows: the take-up of end-year flexibility of £2,441,000 for the Energy Saving Trust's work on the Powershift Project (£300,000); for costs incurred on sustainable goods and services initiatives following the wind-up of the UK Ecolabelling Board (£118,000); to meet additional obligations under international environmental treaties (£333,000); for grant in aid payments to British Waterways (£340,000); for the Home Energy Efficiency Scheme (£1,350,000); a transfer of £335,000 to Class XIII, Vote 1 (Scotland and transfers to the Scottish Consolidated Fund) and of £150,000 to Class XIV, Vote 1 (Welsh Office, Office of the Secretary of State for Wales and payments to the National Assembly for Wales) for environmental publicity work. In addition there are increases of grant in aid to the Environment Agency of £2,303,000 funded by a transfer from the non-Voted element of DETR Main Programmes Departmental Expenditure Limit; and a transfer of £1,655,000 from the non-Voted element of DETR Main Programmes Departmental Expenditure Limit and a transfer from the DETR Departmental Unallocated Provision of £900,000 for the Home Energy Efficiency Scheme.

(iv) The changes for Class III, Vote 5 are as follows: take-up of £1,000,000 gross running cost and £3,500,000 other current provision from end-year flexibility entitlement for the Health and Safety Commission grant in aid; a transfer to Class XI, Vote 1 (Department for Culture, Media and Sport: programme expenditure and administration) of £592,000 gross running cost provision for the management and maintenance costs of Marlborough House; a transfer to Class XIV, Vote 1 (Welsh Office, Office of the Secretary of State for Wales and payments to the National Assembly for Wales) of £50,000 gross running cost provision in respect of publicity costs for energy conservation; a transfer to Class II, Vote 2 (Department of Health administration, miscellaneous health and personal social services, England) of £60,000 gross running cost provision towards the cost of the Teenage Pregnancy Unit; a transfer to Class X, Vote 2 (Ministry of Agriculture, Fisheries and Food) of £107,000 for minor occupier costs; and a transfer to Class III, Vote 4 (Local government, England) on the DETR Local Government Departmental Expenditure Limit of provision from gross running costs of £100,000 and other current of £350,000 for mapping costs. There will also be inter-vote transfers within the DETR gross running cost limit of provision from Class III, Vote 1 (Housing, construction, regeneration, regional policy, and countryside and wildlife, England) of £750,000, Class III, Vote 7 (Other executive agencies) of £8,500,000, and from Class III, Vote 8 (Highways Agency) of £3,500,000; and a transfer to the Maritime and Coastguard Agency on Class III, Vote 7 (Other executive agencies) of £44,000 gross running cost provision towards the salary and travel costs of an agency employee. Gross running cost provision and appropriations in aid provision have also both been increased; by £3,250,000 for increased expenditure and the subsequent recovery of VAT on contracted out services; and by £700,000 for the rent and other associated costs paid by the Greater London Authority Implementation Team in respect of Romney House.

(v) The changes for Class III, Vote 6 are as follows: an agreed claim on the Reserve of £75,000,000 for London Transport; a transfer of £35,000,000 from Class XIII, Vote 1 (Scotland and transfers to the Scottish Consolidated Fund) in respect of Bus Fuel Duty rebates; a transfer of £6,000,000 from the non-Voted element of the DETR Local Government Departmental Expenditure Limit in respect of the Docklands Light Railway; a transfer of £2,600,000 to the Office of the Rail Regulator Departmental Expenditure Limit (Class III, Vote 11); and the take-up of £17,600,000 end-year flexibility by Docklands Light Railway (£12,000,000), Civil Aviation Services (£3,000,000) and London Transport (£2,600,000). There will also be

inter-vote transfers of: £500,000 from Class III, Vote 2 (Planning, roads, local transport and vehicle safety) in respect of Minicab licensing start-up costs; £59,000 to Class III, Vote 7 (Other executive agencies). In addition to these changes Voted DEL provision for London Transport and British Rail will increase by £1,050,000 and £19,600,000 respectively, offset by equivalent decreases in the non-Voted DETR Main Programmes Departmental Expenditure Limit associated with Vote 6.

(vi) The changes to Class III, Vote 7 are as follows: a transfer of £93,000 from Class X, Vote 2 (Ministry of Agriculture, Fisheries and Food); to the Maritime and Coastguard Agency for engine testing on fishing vessels and the take-up of end-year flexibility of £10,061,000 for: the Maritime and Coastguard Agency for stationing an additional emergency towing vessel in the Fair Isle (£561,000); to offset a shortfall arising as a consequence of the revaluation of the Queen Elizabeth II Conference Centre Trading Fund Executive Agency (£8,500,000); a loan to the Vehicle Inspectorate to enable them to cover investment costs arising from revised rules relating to single vehicle approvals (£1,000,000); There will also be inter-vote transfers of: £44,000 from Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration) to the Maritime and Coastguard Agency to cover half of the salary and travel costs of a shared employee who works primarily at the International Maritime Organisation; £59,000 from Class III, Vote 6 (Transport industries) to the Maritime and Coastguard Agency to cover expenditure for Formal Safety Assessment for Bulk Carriers; £4,504,000 from Class III, Vote 1 (Housing, construction, regeneration, regional policy, and countryside and wildlife, England) to the Rent Service Executive Agency for the development of new IT systems; £8,500,000 gross running cost provision to Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration); and £1,500,000 from the DETR Departmental Unallocated Provision to the Planning Inspectorate to cover a receipts shortfall.

(vii) The change for Class III, Vote 8 is a reduction of £3,500,000 to reflect a transfer of running costs provision to Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration).

(viii) The change for Class III Vote 9 is the take-up of £14,520,000 end-year flexibility to cover the cost of introducing Graduated VED.

(ix) The change for Class III, Vote 10 is a token increase of £1,000 to allow an increase in gross expenditure, to be offset by the Appropriation in Aid of additional receipts, to reflect the performance of the Train Operating Companies.

(x) As a consequence of the changes to Class III, Votes 1,5,7,8 and 9 the DETR gross running cost limit has been increased by £21,874,000 from £649,195,000 to £671,069,000. These changes total; £750,000 reduction for Rent Assessment Panels (Class III, Vote 1): £9,969,000 increase for Central Administration, £1,209,000 increase for Government Offices in the Regions and £726.000 increase for PSA Services (all Class III, Vote 5); £353,000 increase for the Marine Coastguard Executive Agency, £250,000 reduction for the Planning Inspectorate Executive Agency and £8,500,000 reduction for the Queen Elizabeth II Conference Centre (all Class III, Vote 7); £3,500,000 reduction for the Highways Executive Agency (Class III, Vote 8); and £22,617,000 increase for the Driver Vehicle Licensing Executive Agency (Class III, Vote 9). The Health and Safety Executive gross running cost limit has been increased by £1,000,000 from £169,898,000 to £170,898,000.

(xi) Provision within the non-Voted element of the DETR Main Programmes Departmental Expenditure Limit will be decreased by £19,551,000 from £1,716,805,000 to £1,697,254,000. This reflects a transfer of: £1,300,000 to Class III, Vote 1 (Housing, construction, regeneration, regional policy, and countryside and wildlife, England) for capital projects by the Housing Corporation and grant in aid to Regional Development Agencies; £3,958,000 to Class III Vote 3 (Environmental protection and water) for the Home Energy Efficiency Scheme and grant in aid to the Environment Agency; £20,650,000 to Class III, Vote 6 (Transport industries) for London Transport and British Rail. It also includes transfers from the DETR Departmental Unallocated Provision of £900,000 to Class III, Vote 3 (Environmental protection and water) for the Home Energy Efficiency Scheme; £1,500,000 to Class III, Vote 7 (Other executive agencies) for the Planning Inspectorate; and £7,600,000 to Class III Vote 4 (Local government, England) on the DETR Local Government Departmental Expenditure Limit for preparation costs of the Greater London Authority and associated bodies. Non-voted provision will be increased by the take-up of end-year flexibility of £15,848,000 for National Air Traffic Services and £509,000 for the Civil Aviation Authority to fund capital investment.

The net increase in the DETR Main Programmes Departmental Expenditure Limit will be offset by transfers to the DETR Local Government Departmental Expenditure Limit, Office of the Rail Regulator Departmental Expenditure Limit, Home Office Departmental Expenditure Limit, Department of Health Departmental Expenditure Limit, Wales Departmental Expenditure Limit, Scotland Departmental Expenditure Limit, Department of Culture, Media and Sport Departmental Expenditure Limit; from the DETR Local Government Departmental Expenditure Limit, Scotland Departmental Expenditure Limit and Ministry of Agriculture, Fisheries and Food Departmental Expenditure; and by a charge on the DEL Reserve and will not therefore add to the planned total of public expenditure.

(b) The DETR Local Government Departmental Expenditure Limit will be increased by £7,170,000 from £34,211,567,000 to £34,218,737,000. This increase is the net effect of a take-up of end-year flexibility of £3,120,000, transfers from the DETR Main Programmes Departmental Expenditure Limit of £10,050,000, and a transfer of £6,000,000 to the DETR Main Programmes Departmental Expenditure Limit. The changes are set out in greater detail below.

(i) The changes for Class III, Vote 4 are as follows: transfers of £2,000,000 from Class III, Vote 1 (Housing, construction, regeneration, regional policy, and countryside and wildlife, England) for Audit Commission 'Best Value in Housing' inspection work and £450,000 from Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration) for mapping costs arising from periodic electoral reviews by the Local Government Commission; a transfer of £7,600,000 from the DETR Main Programmes Departmental Expenditure Limit Departmental Unallocated Provision for preparation costs of the Greater London Authority and associated

bodies, including publicity; and a transfer of £7,800,000 to a new non-Voted programme, within the Local Government Departmental Expenditure Limit, for returning officers' expenses in the London elections of May 2000.

(ii) Provision within the non-Voted element of the Local Government Departmental Expenditure Limit will be increased by £4,920,000 from £366,986,000 to £371,906,000. This reflects a take-up of end-year flexibility of £3,120,000 for the Local Authority Capital Challenge programme; a transfer of £7,800,000 from Class III, Vote 4 for returning officers' expenses in the London elections of May 2000; and a transfer of £6,000,000 to the DETR Main Programmes Departmental Expenditure Limit for the Docklands Light Railway.

The net increase in the DETR Local Government Departmental Expenditure Limit will be offset by transfers from the DETR Main Programmes Departmental Expenditure Limit and by a charge on the DEL Reserve and will not therefore add to the planned total of public expenditure.

(c) The Office of the Rail Regulator Departmental Expenditure Limit will increase by £2,634,000 from £1,134,000 to £3,768,000. This increase for Class III, Vote 11 will be partly effected by the take-up of £34,000 of end-year flexibility. The remainder of the increase is the result of a transfer of £2,600,000 from Class III, Vote 6 (Transport industries) on the DETR Main Programmes Departmental Expenditure Limit. The running cost limit for ORR will be increased by £2,208,000 from £10,033,000 to £12,241,000.

The increase in the Office of the Rail Regulator Departmental Expenditure Limit will be offset by a transfer from the DETR Main Programmes Departmental Expenditure Limit and a charge on the Departmental Expenditure Limit Reserve and will therefore not add to the planned total of public expenditure.

SOLICITOR-GENERAL

Operation Lancet

Dr. Kumar: To ask the Solicitor-General what action the Crown Prosecution Service has taken regarding files on Operation Lancet forwarded by the Cleveland Police to Treasury Counsel. [108768]

The Solicitor-General: A large number of files relating to serious allegations of police misconduct have been forwarded by Operation Lancet to the Crown Prosecution Service for review to decide whether or not any prosecutions should be brought. Treasury Counsel has been instructed by the Crown Prosecution Service to advise. The Crown Prosecution Service and Treasury Counsel have undertaken a considerable amount of work in respect of these files. Further work on this complex matter is necessary before any decisions can be taken.

Dr. Kumar: To ask the Solicitor-General when the Crown Prosecution Service will reach a decision on the files regarding Operation Lancet. [108806]

The Solicitor-General: The Crown Prosecution Service has received a large number of files from Operation Lancet relating to many and complex serious allegations of police misconduct. Further files are expected. Decisions will be taken as soon as is properly possible. It is anticipated that decisions will begin to be taken during the course of the next two or three months.

PRESIDENT OF THE COUNCIL

Millennium Bug

Mr. Maclean: To ask the President of the Council if she will list the main recipients of Government expenditure on dealing with the millennium bug. [107508]

Mrs. Beckett: The main Government expenditure on dealing with the Millennium Bug was on departmental programmes to check, fix and test systems. Central Government Departments and agencies spent an estimated £380 million on tackling the Bug in their own systems. Detailed information about each department's programme expenditure is not held centrally.

Action 2000's budget to raise awareness and encourage action in the private sector and to ensure no material disruption across the national infrastructure forms the main expenditure on the Government's central programme. Action 2000 is a private company, set up by the Department of Trade and Industry in 1998, which receives grant from both the DTI and the Cabinet Office totalling approximately £58.4 million.

Mr. Maclean: To ask the President of the Council if she will list those principal individuals and organisations who gave her advice on the dangers of the millennium bug. [107494]

Mrs. Beckett: I have received information and advice on the risks posed by the millennium bug from a considerable number of individuals and organisations in both the public and private sectors and from the governments of other countries, as well as representations from a variety of pressure groups. The advice has been both written and oral and based largely on the direct experience within these organisations of problems they have themselves experienced. I have also, of course, had advice from the Public Accounts Committee and the National Audit Office on further action which should be pursued.

My principal advisers on this issue have been Dr. Iain Anderson, Don Cruickshank, Gywnneth Flower and Action 2000, the Central Computer and Telecommunications Agency and the Year 2000 Team in the Cabinet Office.

EU Charter of Human Rights

Mr. Mitchell: To ask the President of the Council, pursuant to her answer of 8 December 1999 to my hon. Friend the Member for South Ribble, (Mr. Borrow) *Official Report*, column 532W, on the European Union Charter of Human Rights, if she will state *(a)* by what means the delegates were appointed and what consultations were undertaken concerning the appointments, *(b)* by what means and to whom the delegates will report and *(c)* if draft papers containing proposals by the European Union to the delegates will be available to hon. Members prior to their consideration by the drafting body. [105125]

Mrs. Beckett: Delegates were appointed after appropriate consultations through the usual channels.

The Cologne and Tampere European Council Conclusions set out the procedures for drafting and delivering the Charter. The Charter Drafting Body will produce its draft report and seek endorsement from the European Council.

The Charter drafting process is designed to be transparent. The Charter website, which will contain the various working documents can be reached through hhtp://ue.eu.int.

HOUSE OF COMMONS

EU Documents

Mr. Bercow: To ask the President of the Council how many EU documents have been considered by the European Legislation Committee and the European Scrutiny Committee in each year since 1 May 1997; and for how many hours those committees sat during that period. [108217]

Mrs. Beckett: The number of documents considered by the European Legislation and Scrutiny Committees are listed in the sessional returns for the relevant sessions: (1997–98) HC142, and (1998–99) HC1. Information on the length of sittings is not recorded.

Official Report

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many copies of the *Official Report* were printed during the 1998–99 session; at what *(a)* total and *(b)* unit cost; how many copies were sold; and what was the total revenue generated. [106976]

Mr. Kirkwood *[holding answer 26 January 2000]:* A total of 397,486 copies of the *Official Report* daily part, comprising 154 issues, were printed during the 1998–99 session at a total cost of £658,167. That provides a unit cost of about £1.65. Sales to Parliament were paid for by the two Houses under a bulk charge arrangement which, in addition to the cost of copies supplied, covered all aspects of the printing process. House of Commons subscribers accounted for 47,432 copies and 168,000 copies were supplied to the two Houses under the direct delivery arrangements for distribution to Members and other uses within the House. Sales to customers outside Parliament amounted to 182,054 copies, a substantial proportion of which were sold to public libraries, local authorities and educational authorities at discounts of up to 50 per cent. off the cover price of £5. Information about the total revenue generated is not available and can be obtained only at disproportionate cost.

Staff

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many House of Commons Clerks are employed by the House of Commons Commission; and how many of those are of ethnic minority origin. [106980]

Mr. Kirkwood *[holding answer 26 January 2000]:* There are presently 73 clerks in the Department of the Clerk of the House. Of these approximately 85 per cent. have supplied information on their ethnic origin. Fewer than five of these are non-white.

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what is the current establishment of employees of the House of Commons Commission; and what percentage are of ethnic minority origin. [106979]

Mr. Kirkwood *[holding answer 26 January 2000]:* The Commission currently employs 1,421 members of staff. Of these 1,073 (just over 75 per cent.) have completed ethnic monitoring forms. The table shows the percentage who say they have an ethnic minority origin.

Ethnic minority origin	*Number of staff on whom information about ethnic origin is held*	*Number of staff in group as percentage of those on whom information is held*
White	960	89.5
Asian	31	2.9
Black	72	6.7
Other	10	0.9
Total	1,073	100

INTERNATIONAL DEVELOPMENT

Global Free Trade

Mr. Streeter: To ask the Secretary of State for International Development what plans she has to include in the next development White Paper the target of achieving global free trade by 2020. [109240]

Clare Short: We will be covering trade issues in the next Development White Paper. Trade is important for developing countries as a way of helping to generate the economic growth necessary for poverty eradication. The Government support the early launch of a comprehensive round of trade negotiations aimed at a substantive package to remove trade barriers and to promote growth in the world economy.

Research Contracts

Dr. Harris: To ask the Secretary of State for International Development, pursuant to her answer of 6 December 1999, *Official Report*, columns 337–38W, what restrictions were placed on contractors carrying out research projects funded by her Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108198]

Clare Short: Our standard research contract makes no provision for veto over publication but does require contractors to obtain our agreement before communicating with the media. In 1999 no such requests were received by departments who commissioned research and therefore no requests were refused.

DEFENCE

Gulf War

Mr. Malins: To ask the Secretary of State for Defence how many British civilians were *(a)* seconded

and *(b)* contracted to Her Majesty's Forces in the war theatre during the Gulf War; if they came under military discipline; and what insurance arrangements were made on their behalf by Her Majesty's Government. [107284]

Mr. Spellar: Civilians, including foreign nationals, based in the UK and overseas, played a vital role in supporting British Forces during the 1990–91 Gulf conflict, but the precise number seconded (that is attached to British Forces) has not been determined. However, a review of Ministry of Defence (MOD) records shows that on 22 February 1991, 931 MOD civilian staff were reported as being in the Gulf theatre, but not all were working in direct support of British Forces. Of these, 785 were members of the Royal Fleet Auxiliary. In addition, there were a significant number of civilian contractors' employees working in direct support of British Forces in the Gulf theatre. My Department conservatively estimates that the number of civilian contractors' employees involved would have been in excess of 1,000 people.

All civilians (including contractors) serving with any part of British Forces who were on active service would have been subject to military discipline.

The MOD does not normally purchase insurance. In accordance with Treasury guidelines and in common with other Government Departments, the MOD underwrites its own financial risks and pays claims for compensation directly out of current expenditure. When compensation claims are submitted, they are considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a legal liability to pay compensation we do so. No insurance would have been purchased by the MOD covering British civilians seconded or contracted to British Forces during the Gulf conflict. This would be a matter for the employing organisations and the individuals themselves. The MOD would expect the cost of any insurance to be reflected in the contract price.

Northern Ireland

Mr. Beggs: To ask the Secretary of State for Defence how many *(a)* full-time and *(b)* part-time members of the armed forces were stationed in Northern Ireland on 31 January 1998, 31 January 1999 and 31 January 2000; and if he will make a statement. [108109]

Mr. Spellar: The number of members of the Armed Forces serving in Northern Ireland are set out in the table:

	Strength as at[1]		
	31 January 1998	*31 January 1999*	*31 December 1999*[2]
Army (General Service)	9,840	9,063	8,697
Royal Air Force	1,152	1,150	1,133
Royal Navy	321	182	179
Royal Irish Regiment[3]	2,703	2,627	2,511
Royal Irish Regiment[4]	1,967	1,923	1,799
Total	15,983	14,945	14,319

[1] Excludes those forces fully committed to Northern Ireland but rear-based on the mainland

[2] Strengths given for December 1999 as the January 2000 figure is not yet available

[3] Home Service full-time

[4] Home Service part-time

RAF Pilots

Mr. Menzies Campbell: To ask the Secretary of State for Defence what are the NATO recommended minimum flying times for (a) rotary pilots, (b) multi-transport pilots and (c) fast jet pilots; what percentage of RAF pilots in each of these categories met or exceeded NATO recommendations in each of the last five years; and if he will make a statement. [107545]

Mr. Spellar *[holding answer 2 February 2000]:* The NATO recommended minimum flying times are in the table:

Pilots	*Flying times (hours per year)*
Rotary	Not defined
Multi engine	240
Fast jet (readiness 1—3)	180
Fast jet (readiness 4)	160

Information relating to the percentage of RAF pilots who met or exceeded NATO recommended hours is not held in the format requested and could only be provided at disproportionate cost. However, the average hours per crew in the fast jet (not defined by readiness states) multi-engine and rotary categories for each of the last five years are shown in the table, indicating in broad terms that the NATO minimum figures have been comfortably exceeded in each year.

Aircraft category	*1995*	*1996*	*1997*	*1998*	*1999*
Rotary	345	389	382	354	319
Multi engine	361	448	462	479	451
Fast jet	239	236	235	238	211

Army (Welfare Services)

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he would (a) list the MoD funding received by the Army Welfare Service as separate from the Personal Welfare Service in each year between and including financial year 1996–97 and the current financial year, (b) provide an explanation of the remit and function of the AWS, (c) list the MoD funding received by the Personal Welfare Service as separate from the Army Welfare Service in each year between and including financial year 1996–97 and the current financial year, (d) provide an explanation of the remit and function of the PWS and (e) provide an explanation for the change in the combined AWS/PWS budget allocation and spend between financial year 1998–99 and 1999–00. [108094]

Mr. Spellar: Although the Army Welfare Service (AWS) has been operating since 1996, records of total expenditure have only been recorded since centralising funding was established on 1 April 1999. Expenditure for the AWS before 1999–2000 therefore could only be provided at disproportionate cost. A breakdown of funding between the AWS and the Personal Welfare Service (PWS) is provided for 1999–2000. Figures for 1996–97 to 1998–99 are for the PWS in Northern Ireland only.

Year/Organisation	Spend	Allocation
1996–97		
PWS	87,165	88,000
1997–98		
PWS	87,368	90,000
1998–99		
PWS	88,002	90,000
1999–2000		
AWS	5,941,000	6,528,000
PWS	[1]81,000	[1]99,000

[1] Spend to date

The AWS's mission is to provide a comprehensive, professionally based and confidential welfare support service responsive to the needs of individuals, the chain of command and statutory requirements, in order to maximise the operational effectiveness of service men and women.

The AWS provides support for soldiers and their families in recognition of the greater turbulence, and a lack of the wider family support resulting from military service. The AWS supports Commanding Officers by developing a long term static welfare infrastructure at garrison and station level through which units can move with the assurance of expert welfare assistance and advice that is complementary to, and integrated with, civil agencies whose help can be drawn upon when required.

MoD policy adopts and reflects UK national legislation for its Service community overseas. In the welfare area this means that the AWS, using the Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help personnel, is given the same statutory responsibilities with regard to the protection of children as those of local authority social service departments. The AWS also uses other specialist agencies, such as RELATE and HomeStart, to provide specific assistance.

The PWS provides comparable services in Northern Ireland.

Imphal Barracks

Mr. Key: To ask the Secretary of State for Defence (1) what is the annual cost of maintenance of The Keep at Imphal barracks, York; and what estimate he has made of the cost of renovation; [108665]

(2) what area of Portakabin office accommodation will be hired at Imphal barracks, York; for what reason; and at what cost; [108668]

(3) what (a) area and (b) proportion of custom-built office accommodation at Imphal barracks, York, will be used for document storage. [108669]

Mr. Spellar: The average annual cost of maintenance per year of The Keep at Imphal Barracks is some £600. In financial year 1998–99, however, exceptional work totalling £18,800 was carried out to repair the roof and re-point brickwork. There are no plans to renovate it.

There is no requirement to hire portakabins for use as office accommodation, as the existing office accommodation available within the Garrison is sufficient to meet our needs.

At present, there is no area of office accommodation at Imphal Barracks set aside for document storage. The relocation of the Defence Vetting Agency (DVA) to the Barracks in April 2000, however, will also involve the setting up of the DVA Library, estimated at 535 metres square, which will represent approximately 2.65 per cent. of the total office accommodation within the Barracks.

National Ignition Facility (US)

Ms Drown: To ask the Secretary of State for Defence (1) if he will make a statement on the Government's policy of investing in the US National Ignition Facility; [107734]

(2) how much the Government (a) have invested and (b) are planning to invest in the US National Ignition Facility. [107735]

Mr. Hoon: The decision to invest in the US National Ignition Facility (NIF) was announced by my predecessor in June last year. The currently projected UK total investment is some £100 million over a period of 10 years. Of this, expenditure of some £11 million has been approved so far to fund measures aimed at increasing the laser shot rate, and initial feasibility work related to the second target chamber. Decisions on future UK investment will depend largely on the outcome of the feasibility study, which will also take into account the US Government's assessment of the status of the NIF project.

Credit Ratings

Mr. Pickles: To ask the Secretary of State for Defence how often the credit rating of companies supplying services to his Department is checked. [107752]

Dr. Moonie: During the period of a contract, the Department will only carry out checks if it has reason to believe that any of its contractors may be in financial trouble.

Fuel Allocations

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many driving hours per year were provided for in Army fuel allocations for (a) Warrior variants, (b) Challenger 1, (c) Challenger 2, (d) Saxon variants, (e) AVF 430 variants, (f) Sabre, (g) Striker, (h) Scimitar, (i) Spartan, (j) Sultan, (k) Samaritan and (l) Samson in each of the last five years; and if he will make a statement. [107551]

Mr. Spellar *[holding answer 2 February 2000]:* The information is not available in the required format and could be provided only at disproportionate cost. Driver hours are not used as an allocation currency for fuel. Overall activity levels for the vehicles in question are based, in all cases, on annual track mileage allocations for each vehicle type. Specific exercise activity levels are, in turn, determined against these allocations through the annual planning cycle and in-year management process. Fuel is allocated through this planning process based on comparisons of previous activity levels with future plans.

Satellite Systems

Mr. Cohen: To ask the Secretary of State for Defence what discussions he has had with his US counterpart on the introduction of space-based infra-red satellite systems; and if he will make a statement. [108419]

Mr. Hoon: None. But matters relating to the Space Based Infra Red System are the subject of regular discussions between my officials and their US counterparts.

Research Contracts

Dr. Harris: To ask the Secretary of State for Defence, pursuant to his answer of 7 December 1999, *Official Report,* columns 454–55W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists (a) before and (b) after publication. [108203]

Dr. Moonie: MOD approval is required for any proposed publication of research findings, or any open discussion of such findings, between contractors and third parties, including journalists. Decisions are made on a case-by-case basis with a presumption that approval will be given unless security, commercial or other overriding reasons dictate otherwise.

Air Accidents

Mr. Field: To ask the Secretary of State for Defence how many accidents there were in which deceased air crew were found guilty of gross negligence in aircraft that were not fitted with cockpit voice recorders and flight data recorders since 1980; and what proportion of accidents involving military aircraft this represented. [108491]

Mr. Spellar: There was one such accident: the RAF Chinook HC2 which crashed on the Mull of Kintyre on 2 June 1994. This represents one such finding in approximately 550 military aircraft accidents.

Iraq

Mr. Alan Simpson: To ask the Secretary of State for Defence, pursuant to his answer of 12 January 2000, *Official Report,* column 165W, on Iraq, how many British aircraft came under fire before dropping their laser-guided bombs. [108433]

Mr. Hoon: On the morning of 28 November 1999, coalition aircraft patrolling the southern no fly zone came under fire from Iraqi anti-aircraft artillery. During a further patrol later that day, coalition aircraft were again fired at by Iraqi anti-aircraft artillery. Coalition aircraft responded in self-defence by attacking one fire control radar and two batteries of anti-aircraft artillery. I am withholding information on the number of aircraft involved in specific incidents under Exemption 1a of the Code of Practice on Access to Government Information.

Ministerial Meeting

Mr. Llew Smith: To ask the Secretary of State for Defence what (a) discussions were held and (b) agreements were reached during his recent meeting in Washington with his US counterpart. [108685]

Mr. Hoon: I had a wide-ranging discussion covering matters of mutual interest with Defense Secretary Cohen during my recent visit to Washington.

Old Ranges, Shoeburyness

Sir Teddy Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 28 January 2000, *Official Report,* column 383W, on how many occasions he has used Exemption 7 of the Code of Access to Government Information in the past 12 months; and for what reason he used it in relation to the sale of the Old Ranges in Shoeburyness. [108226]

Dr. Moonie *[holding answer 3 February 2000]:* Of 3,097 Parliamentary Questions answered in the past 12 months, information was withheld under Exemption 7 of the Code of Access to Government Information on 5 occasions. This exemption was used in relation to the sale of Old Ranges in Shoeburyness to protect commercially sensitive information which could have prejudiced negotiations with the prospective purchaser.

RAF (Aircraft Accidents)

Mr. Collins: To ask the Secretary of State for Defence how many RAF aircraft crashed in United Kingdom airspace in 1999. [108359]

Dr. Moonie: Eight.

Mr. Collins: To ask the Secretary of State for Defence for what reason there were more crashes of RAF aircraft in 1999 than in 1998 and 1997; and if he will make a statement. [108360]

Dr. Moonie: The number of RAF aircraft accidents in 1999 went against the trend in the accident rate, which has been one of overall decline over the past 10 years. Fluctuations in this trend have occurred before, and we will be looking carefully to see whether there is any significance in last year's pattern of accidents. Initial investigations into the accidents have shown no common causal link.

Mr. Collins: To ask the Secretary of State for Defence if he will initiate an inquiry into the reasons for the higher incidence of crashes of RAF aircraft in 1999; and if he will make a statement. [108362]

Dr. Moonie: As is normal practice, a RAF Board of Inquiry has been convened to carry out a full investigation and establish the cause of each crash. Once all the Inquiries have been completed, their reports will be scrutinised in depth to see whether any overall causal link may be established. Initial investigations indicate no common cause.

RAF Pilot Training

Mr. Collins: To ask the Secretary of State for Defence what assessment he has made of the quality of training of RAF pilots; and if he will make a statement. [108361]

Mr. Spellar: Assessment of the standards of training of RAF pilots is a continuous process. Pass rates are examined to ensure that they are correctly set in order that only suitable candidates graduate to the next stage of training and, eventually, to the front-line. Course syllabi are subject to review by both staff and students at the end of each course.

Last year the RAF adopted the Integrated Training Quality Management System; this assesses the efficacy of the flying training system by questioning pilots at each stage of the training on the suitability of the preceding course in preparing them for the next stage of training.

Mr. Collins: To ask the Secretary of State for Defence what sums were spent on training RAF pilots in (a) 1996–97, (b) 1997–98, (c) 1998–99 and (d) 1999–2000 and are planned for (e) 2000–01 and (f) 2001–02. [108363]

Mr. Spellar: The information is not available in the form requested. I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

RAF (Aircraft Maintenance)

Mr. Collins: To ask the Secretary of State for Defence what sums were spent on the maintenance of RAF aircraft in (a) 1996–97, (b) 1997–98, (c) 1998–99 and (d) 1999–2000; and what sums are planned for this purpose in (e) 2000–01 and (f) 2001–02. [108364]

Mr. Spellar: The information is not held centrally and could be provided only at disproportionate cost.

Defence Medical Services

Mr. Hawkins: To ask the Secretary of State for Defence what plans he has for part of the Defence Medical Services to use the former Staff College buildings at Camberley; and if he will make a statement. [108774]

Mr. Spellar: We are presently examining a number of options for the future location of headquarters elements of the Army Medical Services. I hope to be in a position to make an announcement shortly.

Defence Catering Organisation

Mr. Key: To ask the Secretary of State for Defence when the headquarters of the proposed Defence Catering Organisation will be moved to York; and how many (a) military and (b) civilian staff will be employed there. [108670]

Mr. Spellar: The Defence Catering Group will be located at Ensleigh, near Bath.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many times Ministers in his Department met members and officials on the United States Government between 2 May 1997 and 1 January 1998; on what dates and at which locations; and which (a) Ministers and (b) US counterparts and officials attended each meeting. [103181]

Dr. Moonie *[pursuant to the reply, 10 January 2000, c. 86W]:* I regret that one detail contained in the response was inaccurate. The appointment held by the hon. Joe Reeder, who was met by the Minister for Defence Procurement in the UK on 1 July 1998, should have read, the Under Secretary of the Army and not Secretary of the Navy, as stated.

EDUCATION AND EMPLOYMENT

New Deal

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment if it is the policy of the Government to continue the New Deal beyond 2002; and if he will make a statement. [107794]

Ms Jowell: The different New Deal programmes we have put in place are all helping people move from welfare to work. Almost 180,000 young people have moved into work from the New Deal for young unemployed people; nearly 30,000 have found work from the New Deal for people aged 25+, and more than 28,000 people have found work from the New Deal for lone parents. We are also offering help through the New Deal for disabled people, New Deal for partners and New Deal for 50+.

The precise shape of this government's welfare to work programme for the new Parliament will be settled as part of the spending review 2000.

Ofsted

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment if he will list the local education authorities inspected by Ofsted during the autumn term 1999. [109011]

Ms Estelle Morris: The Local Education Authorities inspected by Ofsted and the Audit Commission during the autumn term 1999 were as follows:

Barnet
Bristol
Derbyshire
Doncaster
Greenwich
Halton
Hertfordshire
Lancashire
Leeds
Lewisham
Oxfordshire
Plymouth
Rotherham
Salford
Sheffield
Solihull
Southwark
Walsall
Worcestershire

Leeds LEA

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what proportion of responses to the survey of schools undertaken in connection with the Ofsted inspection of Leeds Local Education Authority rated the Local Education Authority's strategy and services as satisfactory or better. [109010]

Ms Estelle Morris: This is a matter for Her Majesty's Chief Inspector of Schools, Chris Woodhead. I have asked him to write to my hon. Friend and to place a copy of his letter in the Libraries.

Social Exclusion Unit

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what assessment he has made of the implementation of the Social Exclusion Unit report on truancy and school exclusion. [108515]

Ms Estelle Morris: Our latest assessment is set out in the First Annual Report of the Ministerial Task Force on Truancy and School Exclusion, a copy of which I am sending to my hon. Friend.

Research Contracts

Dr. Harris: To ask the Secretary of State for Education and Employment, pursuant to his answer of 10 January 2000, *Official Report*, column 39W, on departmental research contracts, if he will place in the Library a copy of standard research contracts used by his Department *(a)* between May 1997 and October 1998 and *(b)* after October 1998. [107104]

Mr. Wicks: A copy of the standard research contracts used by the Department *(a)* between May 1997 and October 1998 and *(b)* after October 1998 shall be placed in the Library by 17 February 2000.

Educational Achievement

Mr. Field: To ask the Secretary of State for Education and Employment what proportion of 19-year-olds had at least one level two qualification or equivalent at each autumn quarter in each of the last three years. [108357]

Mr. Wicks: The proportion of 19 to 21-year-olds in England with at least one level two qualification or equivalent, as measured by the Labour Force Survey, was 72.3 per cent. in 1997, 73.9 per cent. in 1998 and 74.9 per cent. in 1999.

Learning to Succeed

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will publish a detailed analysis of the anticipated net administration savings arising from the restructuring proposals of Learning to Succeed, Cm. 4392. [107644]

Mr. Wicks: The new arrangements for learning and skills will cut through the present duplication and bureaucracy and will secure savings of at least £50 million a year across post 16 learning, which will be invested in improving the quality of learning. The savings come from two main sources. Nearly £15 million will be saved because Government Offices for the regions will no longer need to contract with 72 TECs. The remainder will come partly from operating through fewer local branches—47 instead of 72, and partly from operating through more efficient systems, with less negotiation and contracting.

Learning and Skills Council

Mr. Boswell: To ask the Secretary of State for Education and Employment when he will announce the names of the chairperson and members of the Learning and Skills Council. [107643]

Mr. Wicks: In the Learning and Skills Council Prospectus, we published the timetable for appointments to the Learning and Skills Council. However, we are currently reviewing the timetable and I will write to the hon. Member with further details shortly.

Oxbridge Intakes

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the *(a)* total number and *(b)* percentage share of (x) applicants and (y) successful applicants to (i) Oxford and (ii) Cambridge universities from (1) private schools, (2) state comprehensive schools, (3) sixth form colleges, (4) state grammar schools and (5) general further education colleges in each of the last five years. [106982]

Mr. Wicks: The information is given in the tables.

UCAS UK-domiciled applicants and acceptances to Oxford University by previous educational establishment

	Year of entry									
	1995		1996		1997		1998		1999	
	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]
Applicants										
Independent	3,399	39	3,501	42	3,393	42	3,361	42	3,416	42
Comprehensive	2,108	24	1,973	24	1,963	24	1,945	24	1,967	24
Sixth Form College	808	9	677	8	747	9	747	9	714	9
Grammar	1,000	12	924	11	921	11	925	12	1,004	12
FE college	645	7	593	7	515	6	502	6	454	6
Other[2]	649	8	598	7	498	6	526	7	532	7
Total	8,609	100	8,266	100	8,037	100	8,006	100	8,087	100
Accepted applicants										
Independent	1,424	50	1,494	51	1,500	51	1,477	49	1,431	48
Comprehensive	613	22	617	21	613	21	684	22	647	22
Sixth Form College	226	8	201	7	219	7	275	9	253	9
Grammar	344	12	391	13	384	13	364	2	396	13
FE college	122	4	116	4	104	4	94	3	102	3
Other[2]	119	4	129	4	122	4	150	5	135	5
Total	2,848	100	2,948	100	2,942	100	3,044	100	2,964	100

UCAS UK-domiciled applicants and acceptances to Cambridge University by previous educational establishment

	Year of entry									
	1995		1996		1997		1998		1999	
	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]
Applicants										
Independent	3,413	37	3,603	37	3,764	37	3,518	37	3,491	36
Comprehensive	2,581	28	2,600	27	2,797	28	2,613	28	2,739	28

UCAS UK-domiciled applicants and acceptances to Cambridge University by previous educational establishment

	Year of entry									
	1995		1996		1997		1998		1999	
	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]
Sixth Form College	821	9	919	9	947	9	875	9	915	9
Grammar	1,112	12	1,238	13	1,261	13	1,293	14	1,410	14
FE college	721	8	642	7	648	6	511	5	518	5
Other[2]	673	7	716	7	658	7	667	7	752	8
Total	9,321	100	9,718	100	10,075	100	9,477	100	9,825	100
Accepted applicants										
Independent	1,359	45	1,223	44	1,338	45	1,345	45	1,286	43
Comprehensive	701	23	657	24	711	24	701	24	736	25
Sixth Form College	231	8	241	9	262	9	259	9	238	8
Grammar	405	14	410	15	404	13	434	15	469	16
FE college	127	4	100	4	129	4	91	3	91	3
Other[2]	166	6	136	5	157	5	152	5	165	6
Total	2,989	100	2,767	100	3,001	100	2,982	100	2,985	100

Recruitment and Retention

Mr. Boswell: To ask the Secretary of State for Education and Employment what consultations he has held with the Committee of Vice-Chancellors and Principals on their most recent analysis of recruitment and retention problems in the higher education sector. [107876]

Mr. Wicks: My right hon. Friend meets representatives of the Committee of Vice-Chancellors and Principals from time to time to discuss a variety of issues of interest to the higher education sector. He last met them on 25 January.

Teaching Staff (TUPE Regulations)

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the application of TUPE as it affects existing employees of *(a)* TECs and *(b)* the FEFC; and what steps he is taking to encourage a smooth transition of essential staff to the new local learning and skills councils. [107646]

Mr. Wicks: In respect of TECs, their functions are being split several ways; some will transfer to the Learning and Skills Council (LSC), some to the Employment Service and some to other bodies. We expect a significant proportion of TEC staff to transfer under TUPE to these organisations. In respect of the FEFC, some functions transfer to the LSC, some to the Adult Learning Inspectorate and some to OFSTED. Again we expect the majority of staff to transfer under TUPE to these organisations.

We are working closely with partner organisations to ensure a smooth transition to the new arrangements.

Independent State Schools Partnership

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the number of state school pupils receiving lessons from independent school teachers as a result of the Independent State Schools Partnership scheme. [108573]

Ms Estelle Morris: We estimate that over 18,000 pupils in maintained schools and 12,000 pupils in independent schools have been involved in the Independent/State School Partnership scheme so far. Many of the partnerships also focus on staff development, through joint INSET training, sharing ideas on curriculum development and classroom observation. Some involve joint teaching, particularly in minority subject areas, to provide a broader curriculum for pupils and a wider experience base for teachers in both sectors; but information is not collected specifically on the number of state school pupils taught by independent school staff.

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will list *(a)* state schools and *(b)* independent schools participating in the Independent State Schools Partnership scheme. [108574]

Ms Estelle Morris: There are around 300 state and independent schools participating in the Independent/State School Partnerships Scheme. These schools are listed in the Department's Press Notices 241/98 and 200/99, copies of which have been placed in the Library.

Mr. Clappison: To ask the Secretary of State for Education and Employment how much *(a)* has been spent and *(b)* was planned to be spent in support of the Independent State Schools Partnership scheme in each year since its inception. [108575]

Ms Estelle Morris: Actual expenditure in support of the Independent/State School Partnerships scheme is given in the table, together with the originally announced planned expenditure which was later supplemented in the light of the response to the scheme:

£

Financial year	Actual expenditure[1]	Planned expenditure[1]
1998–99	600,000	500,000
1999–2000	925,000	675,000
2000–01	n/a	675,000

[1] Including £250,000 joint funding from the Sutton Trust in 1998–99 and £100,000 in each of 1999–2000 and 2000–01.

Playing Fields

Mr. MacShane: To ask the Secretary of State for Education and Employment if he will list by local education authority the total acreage of playing fields sold by schools in each year since 1990. [108119]

Jacqui Smith: The tables list, by local education authority, the total area (in acres) of sports pitches that the Secretary of State has given approval to sell since Section 77 of the Schools Standards and Framework Act 1998 took effect on 1 October 1998. Before that date, this information was not collected by the Department.

Section 77 protects school playing fields by requiring local authorities to obtain the Secretary of State's consent before they dispose, or change the use, of any school playing fields. Before approving any application, the Secretary of State must be satisfied that:

a. any sale proceeds are used to enhance sports or education facilities;

b. the sports pitch needs of the school, and neighbouring schools, are met;

c. there is no loss of sports facilities to the community; and

d. there has been adequate consultation on the proposed disposal.

1 October 1998–31 December 1998

Acres

Local education authority	*Sports pitch and approved for sale*
Bristol	17.16
Bury	0.31
Calderdale	3.75
Cheshire	1.60
Halton	0.53
Hillingdon	0.07
North Somerset	4.74
Warwickshire	1.65
Wirral	1.73

1 January 1999–31 December 1999

Acres

Local education authority	*Sports pitch and approved for sale*
Bedfordshire	6.67
Bolton	4.58
Buckinghamshire	2.47
Cheshire	6.05
Coventry	0.16
Croydon	3.80
Derbyshire	19.58
Devon	3.60
Durham	8.15
Enfield	2.12
Essex	3.70
Hammersmith and Fulham	0.54
Hertfordshire	9.88
Kent	2.94
Lancashire	21.43
Leeds	1.23
Milton Keynes	7.65
Newcastle	28.00
North Tyneside	1.06
North Yorkshire	2.05
Northumberland	4.62
Oxfordshire	8.15
Rochdale	2.96
Sheffield	0.62
Staffordshire	0.30
Surrey	18.25
Wakefield	6.91
Walsall	3.26
Warwickshire	1.26
West Sussex	7.98
Wigan	5.12

New Deal (Blyth Valley)

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what estimate he has made of the number of jobs that have been created in Blyth Valley as a result of the New Deal. [106825]

Ms Jowell: New Deal is not a job creation scheme. It is designed to help unemployed people improve their skills and compete effectively for vacancies. The latest figures to the end of October 1999 show that this policy is working; in the Blyth Valley constituency, 329 people have found employment through the New Deal (275 young people under the New Deal for young people and 54 people through the New Deal for long term unemployed adults).

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment if he will list the destination of those who have left the New Deal for those aged 18 to 24 years (a) at the time at which they left the New Deal, (b) 13 weeks after leaving the New Deal and (c) 26 weeks after leaving the New Deal, for the parliamentary constituency of Blyth Valley. [106826]

Ms Jowell: The table summarises the immediate destinations of the 392 young people who have left the New Deal in Blyth Valley. In addition to those recorded as leaving for unsubsidised employment, many of those recorded as leaving for unknown destinations will have found work but not told the Employment Service. In fact, a recent survey found that of those leaving for unknown destinations from the Gateway stage of New Deal, 57 per cent. entered paid employment.

Young people who return to claim Jobseeker's Allowance within 13 weeks of leaving New Deal are not regarded as having left the New Deal. By definition, the leavers in the table below have not returned to Jobseeker's Allowance within 13 weeks.

In Blyth Valley, evaluation shows that 80 per cent. of young people had not returned to claim Jobseeker's Allowance within 26 weeks.

Immediate destination on leaving New Deal cumulative to end October 1999

	Blyth Valley
Sustained unsubsidised jobs	180
Other benefits	85
Other known destinations	46
Unknown destinations	81

Nuclear Engineering

Mr. Dalyell: To ask the Secretary of State for Education and Employment if he will list the nuclear engineering courses available at higher education institutions in England. [108232]

Mr. Wicks: At present there are two postgraduate courses in nuclear engineering. These are at the University of Birmingham and the Royal Naval College. It is understood that the nuclear industry also provides its own specially designed training programmes for suitable graduates, enabling them to meet the required standards in the field.

Higher Education

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment what plans he has to introduce ethnic monitoring in relation to academic and academic-related staff working in higher education institutions. [108276]

Mr. Wicks: As independent bodies, higher education institutions appoint their own staff. Like other employers, they are responsible for implementing equal opportunities legislation and fair employment policies. My right hon. Friend has asked the Higher Education Funding Council for England to ensure that all higher education institutions have equal opportunity policy statements and that they are accountable for their implementation. He has also asked the Council to encourage institutions to give proper emphasis to racial equality in their policy statements.

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment how many higher education institutions in the United Kingdom have a racial equality policy. [108278]

Mr. Wicks: Most higher education institutions have equal opportunity policy statements which cover racial equality but the latest research which drew upon a sample of 123 responses from HEIs showed that one third had specific racial equality policies.

Textile and Clothing Industry

Mr. Nicholas Winterton: To ask the Secretary of State for Education and Employment what initiatives his Department has set in place to develop training opportunities for students interested in pursuing careers in the United Kingdom textile and clothing industry; and if he will make a statement. [108659]

Mr. Wicks: The Secretary of State and I announced on 3 February a major new advice, guidance and support service for all 13 to 19-year-olds, called the Connexions Service. This will be a universal service but with intensive help for those in greatest need. It will be at the heart of the Government's strategy to prepare all young people for a successful adult and working life.

My Department also works through the two relevant employer-led National Training Organisations (National Textile Training Organisation (NTTO) and CAPITB, the NTO for the Clothing Sector). CAPITB has placed particular importance on providing high quality careers guidance and actively supports the placement of graduates with employers. Following the restructuring of the industry both NTOs are refocusing their attention on meeting skill gaps at technologist, management and technician levels.

Mr. Nicholas Winterton: To ask the Secretary of State for Education and Employment what initiatives his Department has taken to improve (a) the marketing skills of the United Kingdom textile and clothing industry and (b) employment opportunities within the United Kingdom textile and clothing industry. [108660]

Mr. Wicks: The National Training Organisations for the Textile and Clothing industries (NTTO and CAPITB) are refocusing their work in line with the restructuring of the industries, both bodies having recognised that although the demand for traditional skills is declining there is increased demand for specialist skills. Competitive success depends on the development of such skills with marketing very much to the fore. My Department is encouraging the National Textile Training Organisation and CAPITB, the National Training Organisation for the Clothing and Apparel industries, to develop Skills Foresight for their industries. Skills Foresight involves the collection of skills intelligence in a conscious and planned manner, engaging directly with employers. My Department will help the employer-led NTOs to use this intelligence as the basis for Workforce Development Plans, reviewing the study of education and training to meet the ends identified by Skills Foresight, establishing the necessary partnership arrangements needed to ensure the skill needs of employers and individuals are met and ensuring their plans link to the expected strategies of the Learning and Skills Councils, nationally and locally. In addition the Government support the Apparel and Textile Challenge whose activities include developing marketing skills among textiles and clothing suppliers. We also support the raising of the profile and marketing of "generic brands" such as Scottish Cashmere.

Pupil Attainment

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment if he will list in rank order, for the latest year for which information is available, pupil attainment for (i) Key Stage 1, (ii) Key Stage 2, (iii) Key Stage 3, (iv) Key Stage 4, (v) GCSE and (vi) A levels for the following local education authorities (i) Leeds, (ii) Sheffield, (iii) Liverpool, (iv) Islington, (v) Hackney and (vi) Hull. [109009]

Ms Estelle Morris: The available information for 1999 is shown in the table. For the Key Stage 1, 2 and 3 results, the Local Education Authorities have been ranked using the sum across subjects of the percentage of pupils attaining the given levels in the tests/tasks. There is no measure of pupil attainment for Key Stage 4.

Percentage of pupils achieving level 2 or above key stage 1 test/tasks and teacher assessments in 1999

	Test/Tasks					*Teacher Assessments*		
	Reading	*Writing*	*Spelling*	*Mathematics*	*Aggregate*	*English*	*Mathematics*	*Science*
Leeds	83	83	75	86	327	83	86	86
Liverpool	82	82	70	85	319	81	85	85
Sheffield	78	81	68	86	313	79	83	84
Hull	74	76	63	83	296	74	81	82
Islington	74	73	60	81	288	75	80	79
Hackney	71	72	58	79	280	71	77	75

Percentage of pupils achieving level 4 or above key stage 2 tests and teacher assessments in 1999

	Test/Tasks				Teacher Assessments		
	English	Mathematics	Science	Aggregate	English	Mathematics	Science
Leeds	72	71	81	224	65	68	73
Islington	65	65	73	203	62	66	71
Sheffield	63	65	73	201	61	65	71
Liverpool	64	62	71	197	63	64	70
Hull	58	61	72	191	55	60	66
Hackney	53	55	59	167	53	56	58

Percentage of pupils achieving level 5 or above key stage 3 tests and teacher assessments 1999

	Tests				Teacher Assessments		
	English	Mathematics	Science	Aggregate	English	Mathematics	Science
Leeds	61	59	51	171	58	61	57
Sheffield	59	57	50	166	55	56	54
Liverpool	55	50	43	148	55	53	49
Hull	42	44	38	124	41	46	39
Hackney	46	40	29	115	45	47	38
Islington	45	38	30	113	42	44	37

Pupils aged 15 gaining 5 + GCSE Grades A-C or the GNVQ equivalent in 1999*

	Percentage 5 A*-C GCSE/GNQV
Leeds	39.4
Sheffield	37.6
Liverpool	32.4
Hackney	27.8
Islington	27.4
Hull	23.4

Average point score per student aged 16–18 entered for 2 or more GCE A/AS examinations in 1999

	Average score per candidate
Leeds	18.5
Sheffield	18.4
Liverpool	16.7
Hull	14.0
Islington	12.0
Hackney	11.4

HOME DEPARTMENT

Policing Powers

Mr. Hunter: To ask the Secretary of State for the Home Department what powers are available to the police to impose crowd control and safety measures on the organisers of popular events which are held on private land; and what plans he has to strengthen them. [108112]

Mr. Charles Clarke: There are no specific police powers relating to crowd control or safety for events on private land. For an organised entertainment event where there are no trespassers, the local authority for the area would be the lead body to ensure public safety, and fire and police services would also be consulted with regard to both safety and emergency planning. Once this consultation has been completed, the local authority can issue a Public Entertainments Licence under the Local Government (Miscellaneous Provisions) Act 1982.
There are no plans to amend the legislation.

Mr. Hunter: To ask the Secretary of State for the Home Department if he will take measures to enable the police to remove more promptly motor vehicles which have been abandoned on *(a)* public and *(b)* private land; and if he will make a statement. [108113]

Mr. Charles Clarke: The enforcement of road traffic law is an operational matter for chief officers of police. The legislative provisions governing the removal of vehicles are contained in the Road Traffic Regulation Act 1984, the Refuse Disposal (Amenity) Act 1978 and the Disposal of Vehicle Regulations 1986. Under the 1986 Regulations, the police have powers to remove vehicles abandoned without lawful authority which are left in breach of local traffic regulation orders or left where they are causing an obstruction or likely to cause a danger. In these circumstances, removal would be arranged as soon as possible.

Where vehicles are not illegally parked but otherwise appear to be abandoned, the responsibility for removing and ultimately disposing of them rests with local authorities. The police do not have the power to remove abandoned vehicles from private land.

Metropolitan Police

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will list the number and percentage of ethnic minority officers in each of the 18 specialist departments within the Metropolitan police; and if he will make a statement. [108185]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that there are four Specialist Departments within the Metropolitan police, comprising over 50 branches. The numbers and percentages of ethnic minority officers in each specialist department is shown in the table.

Department	Ethnic minority officers	Percentage
Specialist Operations (SO)	84	3.17
Headquarters Department (CO)	20	2.25
Deputy Commissioners Command Department (DCC)	5	1.79
Personnel (P)	28	4.0

Stop and Search (Dover)

Mr. Cox: To ask the Secretary of State for the Home Department how many (a) articulated lorries, (b) commercial vans and (c) private motor cars were stopped and searched on arrival at Dover in 1999. [108175]

Mrs. Roche: The immigration service does not keep records of the searches of individual vehicles it conducts. However, immigration service staff based at Dover dealt with 8,878 clandestine illegal entrants who had arrived through the port of Dover in 1999.

Macpherson Inquiry

Mr. Forth: To ask the Secretary of State for the Home Department what was the total cost of conducting the Macpherson inquiry; and what estimate he has made of the cost of implementing its recommendations. [108218]

Mr. Straw: The final costs of the inquiry have yet to be determined as there are outstanding bills for settlement in terms of legal fees. However, the costs incurred to date are as follows:

Pay and allowances	£
Inquiry Team, Advisers and civil servants	667,000
Accommodation and Associated Costs	710,000
Legal Representation and Treasury Solicitors Costs	2,084,000
Miscellaneous Running Costs	777,000

This provides a total cost to date of £4.238 million. I explained in the reply I gave to my hon. Friend the Member for Eltham (Mr. Efford) on 23 July 1999, *Official Report*, column 729W, the Metropolitan police service are, in accordance with section 49(5) of the Police Act 1996, meeting the full costs of setting up and establishing the inquiry, together with all costs which directly accrued from Part 1 of the inquiry relating to the police investigation of the murder of Stephen Lawrence. These costs amount to £3.1 million to date of the total costs. The costs of Part 2 of the inquiry, on the future handling of racially motivated crime, will be met by the Home Office as the findings were of more general application.

Arrangements had been made to reimburse the costs arising from the need of 18 families and individuals to be moved by Greenwich Council or to sell their houses as a result of the inquiry's error in publishing Appendix 11 of the inquiry's report in full. The final amount is not yet known but is likely to be about £350,000, which is significantly less than the estimate given in that earlier reply.

I made it clear in the Action Plan I published in March 1999 in response to the inquiry's report that the changes required by the inquiry will work only if they are systemic and implemented within the mainstream of the police service at every level. We have recognised the need for proper investment in the police service to help achieve that, which is why we are investing an extra £1.24 billion in policing over three years following the comprehensive spending review. Several of the changes called for by the report, including some of the most far-reaching, require further study or piloting before they can be implemented on a national basis. It is not, therefore, possible at present to give an overall figure for the costs of implementing the report's recommendations.

Asylum Seekers

Mr. Forth: To ask the Secretary of State for the Home Department what the total cost of dealing with asylum seeking was in (a) 1997–98 and (b) 1998–99; and what the budgeted and estimated figures are for (i) 1999–2000 and (ii) 2000–01 respectively. [108159]

Mrs. Roche: Figures and estimates are available for the cost of providing support to asylum seekers and the cost of operating the immigration and nationality directorate, which includes dealing with asylum seekers.

In 1997–98, the total cost of operating the immigration and nationality directorate was £215 million. A further £375 million was provided for supporting asylum seekers by the Department of Social Security and the Department of Health. In 1998–99, the total cost of operating the immigration and nationality directorate was £209 million. A further £470 million was provided by the Department of Social Security and the Department of Health for the support of asylum seekers.

Responsibility for the budget for supporting asylum seekers transferred to the Home Office from April 1999. It is anticipated that the total cost of operating the immigration and nationality directorate and supporting asylum seekers for the financial year 1999–2000 will be in the region of around £800 million. Estimating costs for 2000–01 is subject to a large number of variables such as the level of new asylum applications, the speed of processing claims and the resources directed at processing cases and other work. Those estimates are currently under review.

Police Funding

Mr. Fraser: To ask the Secretary of State for the Home Department what measures he is taking to increase the funding for police constabularies broken down by each constabulary in England and Wales. [108286]

Mr. Charles Clarke: My right hon. Friend the Home Secretary announced in his reply to my hon. Friend the Member for Tynemouth (Mr. Campbell), on 27 January 2000, *Official Report*, columns 241–42W, the funding allocations for police authorities in England for 2000–01. Allocations for 2000–01 for each police authority in England and Wales are set out in the table.

Funding for police authorities will increase by £202 million to a total of £7,415.3 million in 2000–01. In addition, the Government are making available £35 million in 2000–01 as part of the crime fighting fund to recruit 5,000 police officers over and above the number forces would otherwise have recruited over the three years from April 2000. Additional funding will be available in the following two years. All forces will receive a share.

£ million

Police authority	1999–2000 allocation[1]	2000–2001 allocation[1]
English Shire forces		
Avon and Somerset	168.4	173.7
Bedfordshire	61.4	64.1
Cambridgeshire	74.8	77.2
Cheshire	109.0	111.9
Cleveland	81.7	84.7
Cumbria	60.1	62.2
Derbyshire	102.1	105.4
Devon and Cornwall	174.3	178.9
Dorset	70.1	72.4
Durham	81.3	83.9
Essex	163.0	174.8
Gloucestershire	62.4	63.5
Hampshire	194.5	202.7
Hertfordshire	100.0	117.2
Humberside	113.0	116.9
Kent	183.1	191.2
Lancashire	178.2	185.3
Leicestershire	102.3	105.6
Linconshire	63.4	65.4
Norfolk	83.4	86.5
North Yorkshire	77.6	79.7
Northamptonshire	65.3	67.7
Nottinghamshire	126.3	130.0
Staffordshire	113.0	116.8
Suffolk	68.6	70.9
Surrey	91.9	112.8
Sussex	166.4	172.4
Thames Valley	224.6	231.7
Warwickshire	52.2	54.3
West Mercia	113.0	117.2
Wiltshire	64.9	66.7
English Metropolitan forces		
Greater Manchester	375.7	386.1
Merseyside	236.3	242.3
Northumbria	213.0	218.4
South Yorkshire	171.3	177.2
West Midlands	380.6	392.7
West Yorkshire	286.3	297.1
London forces		
Metropolitan police[2,4]	1,743.9	1,731.2
City of London[3]	55.4	56.4
English Total	6,852.8	7,045.1
Welsh forces		
Dyfed-Powys	51.7	53.2
Gwent	69.7	71.9
North Wales	75.5	77.5
South Wales	163.8	167.6
Welsh Total	360.8	370.2
Total	7,213.6	7,415.3

[1] Rounded to the nearest £100,000. The Allocation is the sum of: Police Grant, Transitional Grant, Police SSA, Capital Finance SSA, SSA Reduction Grant and Central Support Protection Grant.

[2] Figure for the Metropolitan Police does not include funding allocated to the Receiver under the Environmental, Protective and Cultural Services SSA for school crossing patrols, Magistrates' Courts and the Probation Service. It does include its Special Payment.

[3] Figure for the City includes Police SSA. Grant and SSA Reduction Grant, but excludes other SSAs (eg Capital Financing) and Central Support Protection Grant. These are allocated to the Common Council of the City of London as a whole in respect of all its functions.

[4] These authorities will be affected by the changes to police force boundaries around London on 1 April 2000. To provide comparison, indicative 1999–2000 totals for these authorities as on the new boundaries are Essex: £169.8 million, Hertfordshire: £114.3 million, Surrey: £113.6 million and Metropolitan Police: £1,701.9 million.

Mike Tyson

Ms Jenny Jones: To ask the Secretary of State for the Home Department if he will break down the costs of policing related to Mike Tyson's visit to (a) London and (b) Manchester, indicating the sources from which the costs were met. [108379]

Mr. Charles Clarke: The Metropolitan and Greater Manchester Police forces inform me that manpower costs of policing the visit of Mike Tyson were met within current resources. The Metropolitan police estimate net additional costs of approximately £9,700 for Mr. Tyson's visit to Brixton. Greater Manchester police charged costs of £21,713 in respect of policing the boxing match and venue to the event organisers, Manchester Evening News Arena.

Travel Documents

Ms Oona King: To ask the Secretary of State for the Home Department if he will set a target date for clearing the outstanding travel document applications made between January and August 1999. [108210]

Mrs. Roche: We are aiming to clear this backlog by the end of August this year.

HMP Blantyre House

Mr. Shaw: To ask the Secretary of State for the Home Department what options he has considered for the future use of HMP Blantyre House; and when he will make an announcement. [108417]

Mr. Boateng: As a key part of the Government's wide-ranging reforms of the youth justice system the Prison Service is developing a distinct estate for under-18-year-old boys. This forms part of a wider strategy, overseen by the new Youth Justice Board, to improve the coherence of the juvenile secure estate and drive up standards. Initially the estate will consist of 13 establishments, but the Prison Service and the Youth Justice Board have drawn up a strategy for securing further improvements in due course.

One area targeted for improvement is the provision of places in London and the south-east. To ensure that boys from the region can be held closer to home, the option of including Blantyre House within the under-18 estate has been considered. However, the proposal is contingent upon the availability of resources and trends in the prison population and it is not possible to say when a final decision will be taken. In determining Blantyre House's future, the Prison Service will seek to weigh up all the competing strategic needs. This will include the role that Blantyre House currently fulfils as a resettlement establishment.

Police Indices Formula

Ms Walley: To ask the Secretary of State for the Home Department if he will review the Police Indices Formula. [107590]

Mr. Charles Clarke: The Police Negotiating Board is responsible for considering all matters concerned with police pay and allowances. There are no plans currently to review the pay formula.

The formula for calculating the annual pay award for the federated ranks of the police service has been in use since 1994, and is intended to keep police pay in line with inflation. The pay award for 1997 was 3.5 per cent, for 1998, 4.0 per cent. and for 1999, 3.6 per cent, paid from September each year.

Animal Procedures Committee

Mr. Dalyell: To ask the Secretary of State for the Home Department what his policy is regarding the number of members with medical qualifications on the Animal Procedures Committee. [108233]

Mr. Mike O'Brien: There is no specific policy in relation to the number of members of the Animal Procedures Committee with medical qualifications. The legislation requires that at least two thirds of the Committee's members be persons who hold full registration as a medical practitioner or veterinary surgeon or have qualifications or experience in an approved biological subject, and the Government fully recognise the importance of this requirement.

Operation Lancet

Dr. Kumar: To ask the Secretary of State for the Home Department (1) what decision has been made by Treasury Counsel regarding files on the Operation Lancet inquiry held by Cleveland police force; [108769]

(2) if he will call for a report from the Chief Constable of Cleveland Police on the action they have taken regarding Operation Lancet files which were returned by Treasury Counsel on 6 December 1999. [108805]

Mr. Charles Clarke: The Chief Constable has been informed that Treasury Counsel has provided advice to the Crown Prosecution Service on a number of files from Operation Lancet and that these files are now receiving final consideration at the Crown Prosecution Service (CPS) Headquarters. The Chief Constable is currently considering the disciplinary issues arising from the investigation.

Harvey Hector

Mr. Mackinlay: To ask the Secretary of State for the Home Department between which dates Harvey Hector was held in the custody of CIB3; for what reasons; and if he will make a statement. [108075]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that Mr. Hector Harvey was arrested on 3 August 1998 for armed robbery. On his first appearance at court on 5 August 1998 he was remanded into police custody. He was subsequently remanded into the custody of Complaints Investigation Branch Number 3 (CIB3) under section 29 of the Criminal Justice Act 1991, as amended by section 41 and schedule 1 of the Crime (Sentences) Act 1997, to assist in the investigation of further robberies and other criminal acts.

Christopher John Paddle

Mr. Mackinlay: To ask the Secretary of State for the Home Department what were the circumstances of the shooting of Metropolitan police officer Christopher John Paddle on 16 April 1993. [108076]

Mr. Charles Clarke: The Commissioner of Police for the Metropolis informs me that Constable Paddle was accidentally shot in the hand while on an operation to arrest a team of armed robbers.

Mr. Mackinlay: To ask the Secretary of State for the Home Department why the complaint by Mr. and Mrs. Christopher Paddle made to the Metropolitan Police Commissioner on 19 January 1998 was not acted upon until February 1999; and if he will make a statement. [108077]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that following an incident in January 1998, solicitors acting on behalf of Mr. and Mrs. Paddle wrote to the Metropolitan police seeking the return of property. Following lengthy correspondence between the solicitors and the Metropolitan police, Mrs. Paddle made a formal complaint, which was received on 23 February 1999.

SAL 2 Forms

Mr. Gibb: To ask the Secretary of State for the Home Department what is his estimate of the number of forged SAL 2 forms in circulation. [107951]

Mrs. Roche: It is impossible to make a reliable estimate of the number of forged or counterfeit SAL 2 forms in circulation.

Criminal Justice (Mode of Trial) Bill

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what consultation there has been between his Department and HM Treasury concerning the Criminal Justice (Mode of Trial) Bill; and if he will make a statement. [108087]

Mr. Straw: Her Majesty's Treasury were consulted as part of the normal procedure for reaching collective agreement on policy changes, including the financial implications for the criminal justice system.

Police and Fire Service Pensions

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when he will announce plans to change the way pensions for police and fire service personnel are allocated and funded; and if he will make a statement. [108084]

Mr. Charles Clarke: Following major reviews of the Police Pension Scheme and the Fire Service Pension Scheme, I am currently considering what long-term changes, if any, are required to the funding arrangements for the two schemes. I hope to publish specific proposals in the spring. Any such proposals will be subject to consultation—in particular with the Police Negotiating Board and the Central Fire Brigades Advisory Committee.

Police Recruits

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is his estimate of the total cost to police forces of employing 5,000 additional recruits; what is his estimate of the total cost of retaining 5,000 officers for a year; and if he will make a statement. [108086]

Mr. Charles Clarke: Forces will be recruiting 5,000 officers over a three-year period. The cost of employing a police officer and retaining an officer for a year will vary between forces.

The estimated annual cost to police forces of 5,000 police constables would be around £150 million.

SCOTLAND

Staff Bonuses

Mr. Matthew Taylor: To ask the Secretary of State for Scotland how much his Department, its agencies and associated public bodies spent in total on extra bonuses above usual payments for staff working over the new year period; what were the *(a)* maximum and *(b)* minimum bonuses paid; how many people received the (i) maximum and (ii) minimum payments; and if he will make a statement. [104499]

Dr. Reid: The maximum level of bonus paid to staff in my Department for working over the new year period was £250. The minimum level was £150. One member of staff received a bonus of £250 plus overtime payments for hours actually worked and two members of staff received £150.

Departmental Properties

Mr. Baker: To ask the Secretary of State for Scotland if he will list those properties held by his Department and agencies responsible to him which are *(a)* wholly and *(b)* mainly unoccupied at present, giving locations and when they became so unoccupied in each case. [105310]

Dr. Reid: My Department has no unoccupied properties.

SOCIAL SECURITY

Retirement Provision

15. **Mr. Gardiner:** To ask the Secretary of State for Social Security what action he is taking to help people on low incomes make provision for their retirement. [107202]

Mr. Rooker: Our plans to reform SERPS through the introduction of the State Second Pension are set out in the Child Support, Pensions and Social Security Bill. This was introduced to this House on 1 December 1999 and is currently subject to the usual Parliamentary processes.

The State Second Pension will help low and moderate earners, together with carers and some long-term disabled people with broken work records, to build up increased pension entitlement.

Low earners will receive a dramatic boost to their additional pension entitlement which will more than double under State Second Pension. Moderate earners will also benefit, including those who choose to contract out of the State scheme.

Minimum Income Guarantee

17. **Dr. Tonge:** To ask the Secretary of State for Social Security if he will make a statement on his plans to launch a take-up campaign for those pensioners entitled to the minimum income guarantee. [107204]

Mr. Rooker: We are committed to taking action to find more effective ways of encouraging eligible pensioners to claim their entitlement to the Minimum Income Guarantee. We will announce details of a national programme shortly.

23. **Mr. Viggers:** To ask the Secretary of State for Social Security what assessment he has made of the impact on savings by low earners of the introduction of the minimum income guarantee. [107210]

Mr. Bayley: We made a commitment in the Pensions Green Paper to "better reward" savers. We will bring forward our proposals later in this Parliament.

Mr. Davidson: To ask the Secretary of State for Social Security what plans he has to increase the level of the minimum income guarantee for pensioners and to include a clawback element. [107203]

Mr. Rooker: The minimum income guarantee will be increased in line with earnings for the rest of this Parliament. We have no plans to taper the guarantee.

Stakeholder Pensions

18. **Mr. Baldry:** To ask the Secretary of State for Social Security how he intends to promulgate stakeholder pensions. [107205]

Mr. Rooker: Publicity campaigns will be used to communicate the benefits of stakeholder pensions and how to contact providers, while the annual pension statement will help to make people aware of the need to save.

Pensioners

19. **Mr. Blizzard:** To ask the Secretary of State for Social Security what plans he has to help pensioners with small second incomes who do not qualify for benefits. [107206]

Mr. Rooker: We made a commitment in the pensions Green Paper to "better reward" those individuals who have made provision for their retirement. We will bring forward proposals during this Parliament.

Housing Benefit Fraud

20. **Mr. Hunter:** To ask the Secretary of State for Social Security if he will report on progress in tackling housing benefit fraud. [107207]

Angela Eagle: We are committed to taking tough action to combat Housing Benefit fraud. We have:

reformed the anti-fraud financial incentive scheme for local authorities to ensure they can be rewarded for detecting and prosecuting cases of fraud;

made an additional £100 million available over the next three years to encourage them to adopt the Verification Framework, which, through a series of checks throughout the period of a benefit claim, will help make Housing Benefit administration more secure;

invited all local authorities to participate in the Royal Mail "do not redirect" initiative which prevents benefit claimants from using Royal Mail's postal redirection arrangements to make false claims to benefit from multiple addresses. Already, around 250 local authorities are operating this scheme and many more are preparing to implement it;

made £4 million available to install computer terminals in local authorities which provide access to the Department's benefit systems. We are now looking to extend this initiative to include exchanging information electronically between local authorities and the Department, providing further scope to prevent fraud and error occurring in the first place.

Jobseeker's Allowance

21. **Mr. Lilley:** To ask the Secretary of State for Social Security if he will make a statement on trends in payments of jobseeker's allowance to those aged 18 to 24 years *(a)* between 1993 and 1996 and *(b)* since January 1998. [107208]

Angela Eagle: Expenditure on payments of Jobseeker's Allowance to those aged 18–24 years has fallen slightly more quickly in the period since 1997 than it did during the period 1993–96. The same is true of the numbers of 18–24-year-olds in receipt of JSA and of the proportion of the total number of JSA recipients who are aged 18–24.

Disability Benefits

22. **Sir Teddy Taylor:** To ask the Secretary of State for Social Security what estimate he has made of the numbers of persons on disability benefits whose entitlement has been cancelled in the last year. [107209]

Mr. Bayley: About 160,000 awards of Disability Living Allowance and 275,000 awards of Attendance Allowance stopped in 1999. These benefits provide help with extra costs which arise from disablement, and awards stop in a range of circumstances, including when people's condition improves, they go to live abroad, or they die, or enter long-term residential care.

Child Support Agency

24. **Sir David Madel:** To ask the Secretary of State for Social Security when the new arrangements for contact between the public and the Child Support Agency at a local level will begin operating; and if he will make a statement. [107211]

Angela Eagle: The CSA is currently rolling out a programme of face-to-face customer service across the country. This will be completed by March this year, when there will be 600 staff in 86 locations providing face-to-face interviews.

33. **Miss McIntosh:** To ask the Secretary of State for Social Security what recent representations he has received on his proposed reforms of the Child Support Agency; and if he will make a statement. [107221]

Angela Eagle: We have received widespread support for our proposed reforms. The legislation, giving effect to these reforms, is currently before the House.

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 6 December 1999, *Official Report*, columns 375–76W, if he will make a statement on the Child Support Reforms New Rules Implementation Project, including the progress to date and the amount which has been spent. [106803]

Angela Eagle: I refer the hon. Member to the written answer my right hon. Friend the Secretary of State for Social Security gave my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on 31 January 2000, *Official Report*, columns 465–66W.

The Child Support Agency has so far incurred expenditure of around £800,000 on implementing the new child support rules.

Mr. Webb: To ask the Secretary of State for Social Security if he will make a statement on progress made with establishing the computer system designed to provide a link between the Child Support Agency and Income Support systems; and if he will estimate the amount spent on this aspect of the Affinity Project to date. [106774]

Angela Eagle: Discussions are ongoing between the Department and the Affinity Consortium to agree the detailed business specification for Child Support Reform, including enhanced links between the Child Support and Income Support systems, with a view to agreeing a contract for a new computer system. An announcement about the contract will be made in due course. The cost of developing and implementing the computer system to link Child Support and Income Support will form part of this contract.

Mr. David Stewart: To ask the Secretary of State for Social Security for each Child Support Agency centre in the years 1993 to 1999 *(a)* in how many cases an inspector was appointed under section 15 of the Child Support Act 1991 as a result of information coming to light of the section 18 review procedure; *(b)* in how many cases an inspector was appointed as a result of direction by a tribunal; *(c)* in how many cases a tribunal direction to appoint an inspector was not acted upon; and for the cases in which inspectors were appointed what were the average sums recovered and audited to (i) parents with care and (ii) Her Majesty's Treasury for each of the above years. [107952]

Angela Eagle: The administration of the Child Support Agency is a matter for Mrs. Faith Boardman, the Chief Executive. She will write to my hon. Friend shortly.

Letter from Mrs. Faith Boardman to Mr. David Stewart, dated January 2000:

I am replying to Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency.

The information requested is not currently held. However, as part of the Child Support Reforms fraud is a major issue and tough sanctions are proposed for those parents who deliberately supply false information.

Dealing with fraud allows us to play a full part in the Government's plans for tackling fraud and incorrectness, in a way that fits in with our priorities and the Government's proposed reform.

CSA is developing a child support programme review (to determine the level of fraud) and an anti-fraud strategy which will work hand in hand with the Agency's improvements to service delivery.

The Agency intends, as part of the CSR reforms, to appoint full time inspectors and issue penalty notices to uncooperative parents and employers. It will also introduce a fraud training and awareness package for all CSA staff., along with clear operational procedures.

The current sanctions available to the Agency will be reviewed and a Head of Security will be appointed together with a small team of highly skilled staff to develop and continue the security strategy.

To ensure that the security strategy is working, we propose to seek assurance through internal audit, external assistance by BFI and by benchmarking security with other organisations.

I hope that this is helpful.

Child Poverty

25. **Mr. Cox:** To ask the Secretary of State for Social Security what measures he is taking with other Government Departments to meet the Government's objective of eliminating child poverty. [107213]

Mr. Bayley: We are making real progress in tackling poverty. We are the first Government to be committed to eradicating child poverty in a generation, and halving it within 10 years.

In all, we will provide an additional £6 billion a year in new tax and benefit measures for families with children by the end of this parliament. 800,000 children will be lifted above half average income through measures in the last two Budgets. All families will be, on average, £740 a year better off.

Later this year we will be publishing our second annual report on tackling poverty and social exclusion, monitoring progress so far.

Benefit Payments

26. **Mr. Andrew George:** To ask the Secretary of State for Social Security what discussions he has had with banks regarding the proposed transfer of benefit payments to automated credit transfer between 2003–05. [107214]

Mr. Rooker: I refer the hon. Member to the Written Answer I gave the hon. Member for Twickenham (Dr. Cable) on 7 December 1999, *Official Report*, column 494W.

Winter Fuel Payment

27. **Mr. Wigley:** To ask the Secretary of State for Social Security if he will make it his policy to ensure that every man and woman who reaches retirement age during the course of each winter will be entitled to a fuel payment. [107215]

Angela Eagle: We want to ensure that people receive their payments in good time to contribute towards winter fuel bills. To ensure the payment process is completed in time it is necessary to put in place a qualifying week during which eligible people can be identified.

Under these arrangements, those who reach their 60th birthday after the qualifying week will not receive a payment until the following winter. Our policy of making payments at the earliest opportunity ensures that the very elderly, who will include the vast majority of those who are most frail, have their payment in their hands when they need it.

Benefits Payment (Norwich)

28. **Dr. Gibson:** To ask the Secretary of State for Social Security what plans he has to speed up the payment of benefits to claimants in Norwich. [107216]

Angela Eagle: We have no specific plans to speed up the payment of benefit to claimants in Norwich. The Benefits Agency has published targets for the clearance of benefits and every effort is made to clear claims within that period. There are, however, always a number of cases where further investigation is required and payment of the full rate of benefit cannot be made from the date of entitlement.

Published clearance targets for claims to contributory benefits are as follows:

Retirement Pension—60 days

Incapacity Benefit—30 days

Job Seekers Allowance—21 days

Minimum Income Guarantee (North-west)

29. **Mr. Goggins:** To ask the Secretary of State for Social Security what estimate he has made of the number of north-west pensioners who are entitled to but not claiming the minimum income guarantee. [107217]

Mr. Bayley: Estimates of numbers of pensioners entitled to but not claiming the Minimum Income Guarantee are not available at regional level.

Benefit Withdrawal

30. **Mr. Simon Hughes:** To ask the Secretary of State for Social Security what safeguards he will introduce to protect the welfare of the dependants of those who have had their benefit withdrawn. [107218]

Angela Eagle: Under proposals contained in the Child Support, Pensions and Social Security Bill, offenders who are referred back to Court for an alleged breach of a Probation Order, Community Service Order or a Combination Order will be subject to a benefit sanction. The measure will initially be piloted in England and Wales; during the pilots the period of the sanction will be four weeks.

In the case of Jobseeker's Allowance and certain Training Allowances, benefit will be withdrawn. The welfare of the claimant and any dependants will be safeguarded by hardship payments. These will be available for vulnerable groups and others at risk of hardship. The conditions for receiving a hardship payment will be broadly similar to those currently applied to people who are subject to an employment sanction. Income Support will not be withdrawn, but will be reduced by 40 per cent. or 20 per cent. of the single person's adult rate, depending on their circumstances.

The best safeguard for dependants is for the offender to comply with the terms of the community sentence. Providing there is no breach of the sentence, then no benefit sanction will be applied and the question of hardship payments will not arise.

Single Room Rent Restrictions

31. **Mr. Gordon Marsden:** To ask the Secretary of State for Social Security what representations he has received in the past 12 months from *(a)* voluntary organisations and *(b)* others on the impact of single room rent restrictions on young people aged under 25 years. [107219]

Angela Eagle: The representations we have received from voluntary organisations and others suggest that the single room rent restriction is causing localised difficulties for some young people under 25 years in that the accommodation to which the restriction relates is not readily available.

ONE Service Pilots

32. **Mr. Healey:** To ask the Secretary of State for Social Security if he will make a statement on the implementation of the ONE Service pilots. [107220]

34. **Kali Mountford:** To ask the Secretary of State for Social Security if he will make a statement about the ONE Service pilots. [107222]

Angela Eagle: The ONE service is a radical new initiative designed to streamline the operation of the benefit system and help claimants move from welfare into work. The first four ONE pilots were launched in June last year and a further eight commenced in November.

The changeover to the new system was achieved with minimum disruption to services and all of the pilots are settling in well. While it is too early to measure the degree of success we have had in helping people move into sustainable employment, the improved level of customer service and the focus on individual needs have been well received by our clients.

Disability Living Allowance

35. **Helen Jones:** To ask the Secretary of State for Social Security if he will make it his policy to ensure that the mobility component of Disability Living Allowance is paid directly to those in residential care and not into the bank account of organisations running residential homes. [107223]

Mr. Bayley: Benefits Agency (BA) normal practice is to ensure that the mobility component of Disability Living Allowance is paid directly to the beneficiary, and that remains the case whether a person lives at home or in residential care.

Regulations provide, however, that if a person is unable to act, for example because of senility or mental illness, the Secretary of State can appoint a suitable person, the Appointee, to act on that person's behalf. In such cases, the Appointee will be empowered to receive and deal with, subject to the discretion of the Secretary of State, any sums of mobility component payable to the beneficiary. BA instructions allow a proprietor of a residential care home to be made Appointee but only if no other suitable person (for example, a relative) can be found.

Miners (Compensation Payments)

36. **Mr. Rowlands:** To ask the Secretary of State for Social Security if he will review the proposed clawback of benefits relating to the compensation payments being made to miners and miners' widows. [107224]

Mr. Bayley: No. The provisions of the compensation recovery scheme apply to miners and miners' widows in the same way as they do for other victims of accident, injury or disease. The compensation recovery scheme is intended to ensure that victims do not receive double compensation for the same need.

Compensation paid in respect of loss of past earnings, cost of past care or loss of past mobility is therefore reduced to take account of benefits paid, but only for a maximum period of five years from the date of claim to benefit in respect of the disease. Whether miners see a reduction in the amount of compensation they actually receive, therefore, will depend on the make-up of their compensation payment. However, compensation awarded to miners and miners' widows in respect of pain and suffering will be paid at the full amount awarded under the terms of the handling agreement and is not subject to any deduction.

Staff Bonuses

Mr. Matthew Taylor: To ask the Secretary of State for Social Security how much his Department, its agencies and associated public bodies spent in total on extra bonuses above usual payments for staff working over the New Year period; what were the *(a)* maximum and *(b)* minimum bonuses paid; how many people received the (i) maximum and (ii) minimum payments; and if he will make a statement. [104485]

Mr. Rooker: The information requested could be obtained only at disproportionate cost.

Automated Credit Transfer System

Mr. Crausby: To ask the Secretary of State for Social Security (1) if he will make it his policy to ensure that recipients who collect their benefits on a weekly basis will be able to continue to do so when Automated Credit Transfer is introduced in 2003; [108418]

(2) what recent representations he has received on the decision to pay benefits through Automated Credit Transfer. [108416]

Mr. Rooker: This is one of a number of issues to be considered on the move to payments by Automated Credit Transfer. No decisions have yet been taken, but we will ensure that the new arrangements from 2003 continue to meet people's needs.

On recent representations, I refer my hon. Friend to the written answer I gave the right hon. Member for Yeovil (Mr. Ashdown) on 28 January 2000, *Official Report*, column 372W.

Mr. Cotter: To ask the Secretary of State for Social Security (1) what steps he has taken to ensure the accuracy of benefits payments made through the automated credit transfer system; and if he will make a statement; [107963]

(2) what is the total amount by which benefits have been *(a)* overpaid and *(b)* underpaid in error using the automated credit transfer system in the last full year for which records are available; [108056]

(3) what is the annual administrative cost of making benefit payments through the automated credit transfer system; and what proportion of that cost relates to the administrative cost of correcting payments made in error; [107962]

(4) how many people were *(a)* overpaid and *(b)* underpaid benefits in error by his Department using the automated credit transfer system in the last full year for which records are available. [107964]

Angela Eagle *[holding answer 2 February 2000]:* The administrative cost of making benefit payments through automated credit transfer (ACT) is a small fraction of the cost of other methods. For example, it costs 49p every time an order book foil is presented, and 79p per giro cashed, against 1p for each ACT payment. We expect savings in administrative costs of £400 million a year when ACT becomes the norm.

Under and over-payment of benefit may occur for a number of reasons. I am aware of only one occasion (involving nearly 112,000 customers being overpaid a total of about £10.5 million) where the ACT process itself has been the cause of under or over-payment. The Benefits Agency is taking urgent steps to recover the money and to ensure it does not happen again.

Social Fund (Funeral Expenses)

Mr. Levitt: To ask the Secretary of State for Social Security if he will review the rules governing payments for funeral expenses from the Social Fund to make them easier to understand and to implement. [108439]

Angela Eagle: The Funeral Payment scheme was revised in April 1997 to make it easier to understand and to increase the level of help available to eligible people. The previous provision was complex, making it difficult for claimants to work out how much was allowable for individual items which were specified in regulations, and this led to inconsistent decision making. Further changes were made in November 1997 and again in January of this year. The latest revision has reduced the complexity of the scheme further by setting out more clearly the arrangements for meeting burial and cremation charges.

Under current legislation, therefore, where an eligible person is deemed to have good reason for taking responsibility for funeral expenses, the scheme allows for the fees levied by the burial authorities and crematoria (in so far as it is necessary to incur them), specified travel expenses and up to £600 for any other funeral expenses. We do not plan any further reforms in the immediate future but will continue to review the policy periodically.

Armed Services Pensions

Mr. David Atkinson: To ask the Secretary of State for Social Security if those in receipt of an armed services pension are entitled to unemployment and other benefits; and if he will make a statement. [108739]

Angela Eagle: Armed services pensions are taken into account in the benefits system in the same way as any other occupational pension.

Occupational pensions are taken fully into account in income-based Jobseeker's Allowance, Income Support, Housing Benefit and Council Tax Benefit. Working Families Tax Credit also takes occupational pensions fully into account.

Contribution-based Jobseeker's Allowance is reduced on a penny-for-penny basis for any amount of pension received in excess of £50 a week.

Incapacity Benefit is not currently affected by occupational pensions. However, from April 2001, any occupational pension above £85 a week will affect entitlement for new claimants. The amount of benefit payable will be reduced by 50p for each £1 of pension received above £85.

Benefits

Mr. Burstow: To ask the Secretary of State for Social Security (1) how many Benefits Agency claimants were overpaid *(a)* benefit and *(b)* income support in each of the last 12 months; and how many of these claimants have repaid that (i) benefit and (ii) income support in full; [108643]

(2) how much *(a)* benefit and *(b)* income support was overpaid in each of the last 12 months; and how much of this (i) benefit and (ii) income support was recovered from claimants; [108642]

(3) what estimate he has made of the annual administrative costs of recovering unpaid *(a)* benefit and *(b)* income support per claimant; and how much was spent by the Benefits Agency recovering overpaid (i) benefit and (ii) income support in each of the last 12 months; [108644]

(4) what is his policy in respect of recovering overpaid benefit from claimants overpaid by *(a)* over £5.00 and *(b)* under £5.00; [108645]

(5) what methods are used by the Benefits Agency to recover overpaid benefit from claimants who do not repay such benefit voluntarily; and in what percentage of overpayment cases these methods are used. [108646]

Angela Eagle: Administration of benefits and recovery of overpayments is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to the hon. Member.

Letter from Mark Fisher to Mr. Paul Burstow, dated 4 February 2000:

The Secretary of State has asked Peter Mathison to respond to your recent questions about overpaid benefits. As he is unavailable I am replying on his behalf.

The Benefits Agency (BA) aims to obtain the recovery of overpayments as quickly and efficiently as possible by the most cost-effective method, without causing hardship, and in accordance with Government Accounting and Departmental Policy.

The BA spent £44m on recovering overpayments in the period April to December 1999. A monthly breakdown of this figure is set out in the attached appendix. Some of the information is not available in the format requested. For example, the BA does not break this down by benefit or by the number of overpayments recovered. Prior to April 1999, the BA did not separately identify costs relating purely to overpayment recovery across the whole BA.

The BA captures information on the value of recoveries made. The number of overpayments arising during 1998/99 totalled just over one million, and 707,000 have been raised so far this year. A

monthly breakdown of the recovery figures for the last 12 months is attached, they also provide a breakdown showing Income Support (IS) and all benefits (including IS) as you have requested.

The BA does not normally seek repayment of overpayments less than £25. This is based on cost-effectiveness and in line with Government Accounting. However, there may be occasions when this is not adhered to, for example, when the overpayment has been quickly identified and the sum to be recovered is still likely to be held by the claimant and easily recoverable.

The BA recovers overpayments by deductions from ongoing benefits, instalments, by a lump sum, or by civil proceedings. Typically, the BA will firstly invite repayment and in the vast majority of cases, recovery is implemented by mutual agreement between the debtor and the BA.

Where the debtor remains in receipt of benefit and is not in a position to repay the overpayment immediately, recovery is normally pursued by deduction from ongoing benefit entitlement. This deduction can also be imposed compulsorily if no offer of repayment is forthcoming. Deductions from benefit, whether voluntary or compulsory, account for 74% of the overpayments currently being recovered.

Where customers are not in receipt of any benefit, repayments will be expected. A person's failure to respond to an invitation to repay (or making an unreasonable offer) could lead the BA to consider seeking recovery through a civil action. The threshold for acceptance for civil action is currently £150. There is a six year time limit on proceedings.

6.5% of overpayments currently being recovered have been subject to civil proceedings. The remaining are being recovered by other voluntary arrangements.

Policy on civil proceedings to recover overpayments is that litigation is not pursued where the debtor remains in receipt of benefit. For those not in receipt of benefit, litigation is pursued as a last resort where voluntary arrangements are unsuccessful or break down.

Recovery procedures follow guidance as provided in Government Accounting, where the recovery is likely to be detrimental to the health and/or welfare of the debtor or a member of their family, the Secretary of State has the power to exercise discretion and abandon recovery.

Recovery of an overpayment arising as a result of an official error is pursued if the overpayment is identified quickly and it is reasonable to expect the customer to have been aware of the overpayment. Duplicate payments are classed as over provisions of benefit and are recoverable under common law. The Secretary of State has a duty to seek recovery of such overpayments where it is cost effective to do so.

I hope this is helpful.

Appendix A	*January 1999*	*February 1999*	*March 1999*	*April 1999*	*May 1999*	*June 1999*	*July 1999*
Total number new recovery OPs in month (IS)	123	26,630	30,777	18,567	18,281	21,877	22,266
Total number new recovery OPs in month (All Benefits)	56,966	58,612	65,771	45,059	43,379	51,070	49,601
Value of new recovery OPs in month (IS)	£18,795,578	£18,737,449	£22,131,924	£13,447,701	£12,600,292	£14,728,335	£14,754,107
Value of new recovery OPs in month (All Benefits)	£33,294,104	£33,589,813	£37,199,443	£23,982,129	£22,195,461	£25,180,629	£25,467,597
Total number new non-recovery OPs in month (IS)	20,339	22,045	24,800	17,554	19,761	23,760	19,561
Total number new non-recovery OPs in month (All Benefits)	26,778	28,099	29,198	22,047	22,408	24,825	21,004
Value of new non-recovery OPs in month (IS)	£5,591,023	£6,182,900	£6,961,243	£4,986,998	£5,457,898	£6,464,630	£5,488,999
Value of new non-recovery OPs in month (All Benefits)	£5,734,980	£5,672,743	£5,181,333	£4,356,669	£4,303,023	£4,946,916	£4,881,638
Value of Recoveries (IS)	£10,398,441	£11,310,508	£12,936,673	£11,604,654	£11,371,316	£13,273,713	£11,978,626
Total Value of Recoveries (All Benefits)	£13,497,835	£14,757,275	£16,479,909	£15,475,968	£14,825,677	£16,818,919	£15,315,710
Overpayment Recovery Costs (All Benefits)	n/a	n/a	n/a	£4,721,919	£4,684,713	£4,847,579	£4,787,460

Appendix A	*August 1999*	*September 1999*	*October 1999*	*November 1999*	*December 1999*	*Total*
Total number new recovery OPs in month (IS)	19,434	21,918	21,616	23,987	16,483	268,959
Total number new recovery OPs in month (All Benefits)	44,354	50,362	49,992	54,602	35,520	605,288
Value of new recovery OPs in month (IS)	£13,507,006	£15,013,895	£14,698,705	£15,726,724	£10,876,725	£185,018,441
Value of new recovery OPs in month (All Benefits)	£22,366,215	£25,009,507	£25,793,776	£26,768,767	£17,864,733	£318,712,173
Total number new non-recovery OPs in month (IS)	18,013	18,523	15,083	20,114	14,800	234,353
Total number new non-recovery OPs in month (All Benefits)	22,285	22,138	22,810	21,079	15,546	278,217
Value of new non-recovery OPs in month (IS)	£5,119,030	£5,310,799	£4,415,309	£5,669,686	£4,292,804	£65,941,319
Value of new non-recovery OPs in month (All Benefits)	£4,252,299	£4,397,912	£4,695,007	£3,863,935	£2,705,772	£54,992,228
Value of Recoveries (IS)	£12,381,124	£12,178,512	£11,982,626	£13,126,183	£11,594,655	£144,137,031
Total Value of Recoveries (All Benefits)	£15,615,466	£15,587,541	£15,181,118	£16,712,401	£14,612,603	£184,880,422
Overpayment Recovery Costs (All Benefits)	£5,494,698	£4,502,158	£4,886,722	£5,538,471	£5,222,073	£44,685,793

HEALTH

Ronkswood, Worcester

Mr. Gill: To ask the Secretary of State for Health what is the cost of providing temporary operating theatres at the NHS site at Ronkswood, Worcester. [104035]

Yvette Cooper: The cost of providing additional theatre capacity at the Ronkswood site of the Worcester Royal Infirmary National Health Service Trust is £491,000, forming part of an overall development of £1,699,000. The development, which enables certain services to be transferred from the Castle Street site in Worcester, will generate savings of £1,728,000 over a three-year period, thereby paying back the capital investment.

The development addresses a number of clinical safety issues, including the current separation of accident and emergency and trauma services at the Worcester Royal Infirmary, and the need for 24-hour anaesthetic cover and on-site paediatric cover.

Preventive Medicine

Mr. Barron: To ask the Secretary of State for Health if he will estimate *(a)* NHS expenditure on cholesterol-lowering statins, on nicotine replacement therapy and on all smoking-cessation treatment for the three years of the Comprehensive Spending Review and *(b)* the cost-effectiveness in cost per discounted quality-adjusted life-year saved for treatment with statins, for nicotine-replacement therapy and for the range of smoking-cessation treatments. [104640]

Yvette Cooper: The estimated expenditure on cholesterol lowering statins for the three years of the Comprehensive Spending Review were as follows:

1999: £200 million

2000: £245 million

2001: £275 million.

In "Smoking Kills", published in December 1998, the Government announced that up to £60 million would be invested over three years in National Health Service services to help smokers to quit. £10 million has been invested in smoking cessation services in Health Action Zones in 1999–2000. No decision has yet been made about budgets for 2000–01 and 2001–02. It has been estimated that around 12.5 per cent. of the overall smoking cessation budget will be spent on one week's free nicotine replacement therapy for poorer smokers.

Estimates of cost effectiveness of these therapies exist in the literature, though not in the precise form requested. Copies of the following literature will be made available in the Library:

Parrott S, Godfrey C, Raw M, West R, McNeill A. Guidance for commissioners on the cost effectiveness of smoking cessation interventions. Thorax 1998;53 (Suppl 5, Part 2).

Ebrahim S, Davey Smith G, McCabe C, Payne N, Pickin M, Sheldon T.A, Lampe F, Sampson F, Ward S, Wannamethee G. What role for statins? A review and economic model. Health Technology Assessment 1999; Vol. 3: No. 19.

Minimum Wage

Mr. Hogg: To ask the Secretary of State for Health what estimate he has made of the cost to the NHS of the introduction of the minimum wage in the current and each of the next three financial years. [106793]

Mr. Denham: The introduction of the national minimum wage will add between £2–3 million to the National Health Service paybill from 1 April 1999.

Patients (Transfers)

Dr. Stoate: To ask the Secretary of State for Health (1) how many patients were transferred from private hospitals to NHS hospitals in the last three years; [107430]

(2) how many deaths occurred in NHS hospitals of patients transferred from private hospitals in the last three years. [107431]

Ms Stuart: The information available is set out in the table:

Source of admission	*Admissions*	*Deaths*
1995–96		
Non-NHS institution[1]	21,160	1,345
1996–97[2]		
Non-NHS hospitals[1]	5,153	298
1997–98[3]		
Non-NHS hospitals[1]	6,978	414

[1] In 1995–96 the code for 'non-National Health Service institution' included non-NHS hospitals, nursing homes, health care and residential institutions.

[2] In 1996–97 the category was sub-divided so that admissions from non-NHS hospitals formed a single classification.

[3] Figures for 1997–98 are provisional and no adjustments have been made for shortfalls in data.

Dentistry

Mr. Bob Russell: To ask the Secretary of State for Health how many dentists have ceased to treat NHS patients in each of the past five years for which figures are available. [107727]

Mr. Hutton: There are a number of reasons why dentists leave the General Dental Services (GDS) including retirement and career breaks. The 1998–99 figures are inflated by the transfer of some dentists from the GDS to some Personal Dental Service pilots.

The available information for the number of dentists leaving the GDS for the years 1994–95 to 1998–99 is shown in the table.

Number of dentists who left the GDS from 1994–95 to 1998–99

England

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Principals	764	744	692	738	761
Assistants	46	54	64	85	106
Vocational trainees	84	22	78	77	105
Total	894	820	834	900	972

Clinical Negligence Claims

Mr. Cox: To ask the Secretary of State for Health how many claims were made against the NHS for clinical negligence in each of the last three years. [108174]

Ms Stuart: Historically, data on the number of claims made have not been collected centrally. Costs of clinical negligence claims are as follows:

1995–96: £173 million

1996–97: £235 million

1997–98: £144 million.

It should be noted, however, that changes to accounting practice required by the National Audit Office mean that these data are not directly comparable.

Scientists

Mr. Sanders: To ask the Secretary of State for Health, pursuant to his oral statement of 14 December 1999, *Official Report,* column 35WH, how many trainee biomedical scientists have received a 26 per cent. pay rise. [108305]

Mr. Denham: I refer the hon. Member to the reply I gave my hon. Friend the Member for Erith and Thamesmead (Mr. Austin) on 31 January 2000, *Official Report,* column 453W.

NHS Finance

Mr. Pearson: To ask the Secretary of State for Health (1) if he will list for each year since 1989–90 the amount in (a) cash and (b) real terms allocated to each NHS region (i) in total and (ii) on a per capita basis; [107408]

(2) if he will list for each year since 1989–90 the amount in (a) cash and (b) real terms provided to each health authority in the west midlands (i) in total and (ii) on a per capita basis. [107407]

Mr. Ottaway: To ask the Secretary of State for Health what was the Hospital and Community Health Services revenue allocation (a) for each health authority, (b) per head of population and (c) in each health authority in total, for each of the last five years. [107263]

Mr. Denham: The information requested has been placed in the Library.

Health authorities have existed in their current form since 1 April 1996. Allocations are calculated in respect of individual health authorities based on the health authority weighted capitation formula. Prior to 1 April 1996 allocations were made to regional health authorities.

Tables showing the allocation, the allocation per crude head of population and the allocation per weighted head of population in cash real terms have been placed in the Library. The allocations for 2000–01 are not comparable with those for 1996–97 to 1998–99, which cover hospital and community hospital services only. 1999–2000 was the first year of unified allocations, which cover HCHS, prescribing and discretionary general medical services.

Includes increase for targeted funding for health authorities with health action zones.

Health Spending

Mr. Matthew Taylor: To ask the Secretary of State for Health what plans there are for (a) hospital building and (b) total capital spending on the NHS over the period of the Comprehensive Spending Review. [108163]

Mr. Denham: The information requested is shown in tables A and B.

Table A:

Shows all major private finance initiative and public hospital development schemes that are currently either:

(a) approved and work has started on site, or

(b) under financial procurement.

Table B:

Shows total planned spending in the National Health Service over the period of the Comprehensive Spending Review.

Table A: Major capital schemes—approved since May 1997

	NHSRO	*Approximate capital value (£ million)*
PFI schemes reached financial close with work started on site		
Dartford and Gravesham NHS Trust	SE	94
Carlisle Hospitals NHS Trust	N and Y	65
South Buckinghamshire NHS Trust	SE	45
Norfolk and Norwich NHS Trust	East	144
North Durham Health Care NHS Trust	N and Y	61
Greenwich Healthcare NHS Trust	London	93
Calderdale Healthcare NHS Trust	N and Y	65
South Manchester University Hospitals NHS Trust	NW	66
Bromley Healthcare NHS Trust	London	118
Barnet and Chase Farm Hospitals NHS Trust	London	54
Worcester Royal Infirmary NHS Trust	WM	87
Hereford Hospitals NHS Trust	WM	64
South Durham Healthcare NHS Trust	N and Y	41
South Tees Acute Hospitals NHS Trust	N and Y	122
Swindon and Marlborough NHS Trust	SW	96
Kings Healthcare NHS Trust	London	64
Total PFI schemes reached financial close with work started on site (16)		1,277
PFI schemes approved but not yet started on site		
University College London Hospitals NHS Trust	London	274
St. Georges Hospital NHS Trust	London	44

Table A: Major capital schemes—approved since May 1997

	NHSRO	Approximate capital value (£ million)
Barts and The London NHS Trust	London	462
Central Manchester Healthcare NHS Trust and Manchester Children's Hospital NHS Trust	NW	250
Dudley Priority Hospitals NHS Trust	WM	68
West Berkshire Priority Care NHS Trust	SE	29
Newcastle Upon Tyne Hospitals NHS Trust	N and Y	124
Walsgrave Hospitals NHS Trust and Coventry Healthcare NHS Trust	WM	181
West Middlesex University Hospitals NHS Trust	London	33
Leeds Teaching Hospitals NHS trust	N and Y	125
Oxford Radcliffe Hospitals NHS Trust	SE	71
Havering Hospitals NHS Trust	London	148
Portsmouth Hospitals NHS Trust	SE	75
Blackburn, Hyndburn and Ribble Valley Healthcare	NW	61
Southern Derbyshire Acute Hospitals NHS trust	Trent	177
Total PFI schemes approved but work not yet started on site (15)		2,122
Total PFI		3,399
Publicly funded schemes with work started on site		
Rochdale Health Care NHS trust	NW	24
Royal Berkshire and Battle Hospital NHS Trust	SE	74
Central Sheffield University Hospitals NHS Trust	Trent	24
Guys and St. Thomas' NHS Trust	London	50
Total		172
Publicly funded schemes approved but not started on site		
Royal Hull Hospitals NHS Trust	N and Y	20
Gloucestershire Royal NHS Trust	SW	25
Total		45
Total publicly funded		217
Total major capital investment given go ahead		3,616

Notes:
1. For schemes still in early stages of development, estimates are based on highest costed option.
2. Figures may not sum due to rounding.
3. The capital value of PFI schemes are approximate and defined as:
Total capital cost to the private sector includes the cost of land construction, equipment and professional fees but excludes VAT, rolled up interest and financing costs such as bank arrangement fees, bank due diligence fees, banks' lawyers fees and third party equity costs. As PFI procures a service rather than the underlying asset, capital values shown are necessarily estimates.

Table B: Build up of CSR programme

£ million

	Year 1 1999–2000	Year 2 2000–01	Year 3 2001–02
1. Net HCHS Capital—Exchequer	1,413	1,726	2,012
2. Plus Total Receipts	337	363	351
3. Gross HCHS Capital	1,750	2,089	2,363
4. Other NHS Capital	27	16	16
5. Gross NHS Capital	1,776	2,105	2,379
6. PFI	400	710	790
7. Total Capital Investment	2,176	2,815	3,169

Mr. Matthew Taylor: To ask the Secretary of State for Health what the (a) weighted and (b) unweighted average spending by EU countries as a proportion of gross domestic product on public-funded and private-funded health systems has been for the last 20 years; and if he will set out the basis for the figures. [108303]

Mr. Denham: The information requested is not collected by the Department. It is collected by the Organisation for Economic Co-operation and Development and can be obtained from the OECD 1999 health database.

Mr. Matthew Taylor: To ask the Secretary of State for Health what was the level of spending on the NHS at current prices in each of the last 20 years. [108304]

Mr. Denham: I refer the hon. Member to the reply given to the hon. Member for Northavon (Mr. Webb) on 2 February 2000, *Official Report*, column 630W.

Care Statistics

Mr. Field: To ask the Secretary of State for Health what were the (a) mean and (b) median rate per 1,000 people aged 65 years and over in England of households receiving (i) intensive home care and (ii) community-based care for each of the last two years. [108346]

Mr. Hutton *[holding answer 3 February 2000]:* The information available is in the table. The community based services which have been included are home help/care services, meals services and day centres. Information is only available on number of households for home help/care services.

Rates of "intensive[1]" home help/home care and [illegible] community-based[2]" care for England

	Rates per 1,000 people aged 65 and over			
	1997		1998	
	Mean rate	Median of rates	Mean rate	Median of rates
Households receiving "intensive" home help/care	15.4	15.6	17.6	19.1
All households receiving home help/care	61.5	58.3	57.0	55.5
People receiving meals at home, aged 65+	22.8	23.6	20.6	20.5
Attendances/attendees at day centres[3] of those aged 65+	21.3	19.6	14.9	14.6

[1] Intensive home help/home care is defined as households receiving six or more visits and total contact of five or more hours in a week.
[2] Community based services has been defined as those receiving home help/care, meals in their own homes and those attending day centres.
[3] In 1997, the number of attendances at day centres was collected. In 1998, there was a change in definition to collect attendees at day centres. Therefore figures for 1998 are not directly comparable with earlier years.
Note:
Survey week, September

Smoking

Mr. Field: To ask the Secretary of State for Health what percentage of people in England aged 16 years and over smoked in (a) 1997, (b) 1998 and (c) 1999. [108342]

Yvette Cooper *[holding answer 3 February 2000]:* The available information is given in the table:

Prevalence of smoking cigarettes among adults aged 16 and over, England

Year	Percentage
1996–97	28
1998–99	27

Notes:
1 The data are rounded to the nearest whole figure.
2 The sample size for England was 13,381 in 1996–97 and 12,295 in 1998–99.
Source:
Office for National Statistics: Living in Britain: Results from the 1996 and 1998 General Household Surveys

Amputations (Ethics)

Mr. Gordon Prentice: To ask the Secretary of State for Health what recent discussions he has had with the BMA concerning the ethics of amputating healthy limbs as a way of addressing a mental health problem. [108577]

Mr. Hutton: No discussions have taken place with the British Medical Association concerning the ethics of amputating healthy limbs as a way of addressing a mental health problem.

Doctors' decisions about treatment and care for a patient are based on a thorough assessment of the individual's condition, taking account of the patient's needs and wishes, the evidence base for the effectiveness of treatment, and the resources available.

Primary Care Groups

Mr. Amess: To ask the Secretary of State for Health if it is the Government's intention that the support of a primary care group and its constituent general practitioners will be required by the Secretary of State before he approves its progression to primary care trust status. [108870]

Mr. Denham: Each application for Primary Care Trust (PCT) status will be carefully considered against the national criteria published in Health Service Circular 'HSC 1999/167'. This guidance makes clear that those wishing to form PCTs should demonstrate broad local support and include the relevant Primary Care Group, constituent general practitioners, community and practice nurses, other clinical professional staff and partner organisations in their consultations.

Waiting Lists

Mr. Burns: To ask the Secretary of State for Health, pursuant to his answer of 1 February 2000, *Official Report*, column 565W, on waiting lists, for what reason he did not list the weeks in which information on waiting lists would be published in the next 12 months. [108764]

Mr. Denham: Because it is not usual practice under this Government or the previous Government for the Department to announce publication dates of official statistics more than one month in advance.

GP Training

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to develop continuing medical training and education for general practitioners. [108509]

Mr. Denham: Continuing professional development (CPD) in general practice is important. Learning must be lifelong and cannot cease at the end of formal training. To provide the best possible service to their patients general practitioners should keep up to date with advances in patient care and continually review and improve their knowledge, skills and abilities. We are considering proposals for developing CPD in primary care, building on the many examples of good work already being done by GPs and extending these principles to all primary care staff.

HIV/AIDS

Mr. Jim Cunningham: To ask the Secretary of State for Health what estimate he has made of trends in the number of HIV/AIDS related deaths; and if he will make a statement. [108513]

Yvette Cooper: An estimate of the trend in HIV/AIDS related deaths has been made by looking at the number of deaths reported by the end of the year in which they occurred for the last decade. Since 1990 the number of HIV/AIDS related deaths rose each year until 1994 and then declined so that in 1998 they were less than a third of those in the mid-1990s. This decrease was maintained in 1999, but without further decline from the 1998 number of deaths.

Prison Health Care

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to develop prison health care. [108511]

Mr. Hutton: We have accepted the recommendations made in the report on 'The Future Organisation of Prison Health Care' published last year[1]. Two new joint Prison Service/National Health Service Executive units are being established: a prison healthcare task force and a prison health policy unit to help support and lead the reform of prison healthcare.

Prisons and health authorities are being asked to examine together the health needs of prisoners, identify appropriate services to meet those needs and effective ways of delivery. This work is being co-ordinated by the Prison Health Task Force, supported by Prison Service Area Managers and the NHS regional offices, and early pilots are underway in 12 prisons. More generally ten joint Prison Service/NHS Executive regional seminars were held in the past three months to help reinforce links and support joint planning.

[1] 'The Future Organisation of Prison Health Care: Report by the Joint Prison Service and National Health Service Executive Working Group'. Department of Health, March 1999.

Homeless People

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to combat mental health problems amongst the homeless. [108510]

Mr. Hutton: The Department is working with the Department of the Environment, Transport and the Regions to fund services through the Homeless Mentally Ill Initiative in line with the principles of the Government's national strategy for rough sleeping.

We are making available £9.6 million for 1999–2000 to 2001–02 to provide services for homeless people with mental health problems in London. An additional £1 million is being provided in 2000–01 to support additional specialist mental health workers and housing and resettlement services to support the launch of our strategy to reduce rough sleeping in England by two thirds by 2002.

21 areas outside London with rough sleeping problems are receiving funding of £4.5 million over 1999–2000 to 2001–02 for local authorities to provide social care services for the homeless mentally ill. This is mainly in the form of specialist mental health support workers who work as part of a team doing outreach work and undertaking assessments of needs.

The needs of the homeless mentally ill will also be addressed through the Mental Health National Service Framework. Standard one of the Framework relates to health promotion and specifically highlights the homeless as one of the vulnerable population groups whose mental health, local authorities and health authorities should seek to improve.

Spongiform Encephalopathies

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment he has made of the proliferation of spongiform encephalopathies. [108508]

Yvette Cooper: Sporadic Creutzfeldt-Jakob Disease (CJD) is the most common form of spongiform encephalopathy in people, with an incidence in the United Kingdom and world-wide of approximately one per million of the population, per year. For variant CJD—the form of CJD linked to exposure to the BSE agent—a total of 52 definite or probable cases have so far been confirmed in the UK. The Department publish data on the incidence of all types of CJD in a monthly press release. The next one will be issued Monday 7 February. Copies will be available in the Library.

There are on-going assessments of spongiform encephalopathies made by the Spongiform Encephalopathy Advisory Committee and its sub-committees.

Blood

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment he has made of blood provision within the National Health Service. [108512]

Mr. Denham: Progressively over the last two years the blood service has become more integrated into the National Health Service, building a partnership to ensure a high standard of patient care. There has been steady recruitment of donors, an ongoing modernisation of donor services and a reliable supply of blood.

To ensure that there continues to be an adequate and safe supply of blood used effectively in first class transfusion practice, we required NHS trusts to ensure from March 1999 that hospital transfusion committees were in place to oversee all aspects of blood transfusion. We also required them to have agreed by March 2000 local transfusion protocols to ensure the safest and most effective use of blood and we will audit the outcome.

NHS Patients (Forms)

Mr. Letwin: To ask the Secretary of State for Health what reports he has received about NHS patients needing major surgery using forms E111 and E112 to obtain faster treatment. [108778]

Ms Stuart: Form E111 provides entitlement to immediately necessary treatment for conditions arising during a temporary visit to another European Economic Area Member state. Only a minority of emergency treatments involve major surgery. Referrals specifically for treatment of pre-existing conditions require Form E112, and each application is considered individually by the patient's health authority and by the Department. The criteria for a successful application are based on medial and social considerations. Full information is given in the Department's leaflet "Health Advice for Travellers", copies of which are available in the Library. We have received no recent representation on the subject.

NHS Expenditure

Mr. Webb: To ask the Secretary of State for Health, pursuant to his answer of 2 February 2000, *Official Report*, column 630W, if he will list the values of UK total gross NHS expenditure which underlie his estimates of UK total gross NHS expenditure as a percentage of GDP. [108989]

Mr. Denham: The information requested is set out in the table.

£ million

Year	United Kingdom total gross NHS expenditure in cash terms
1978–79	8,103
1979–80	9,633
1980–81	12,486
1981–82	14,041
1982–83	15,304
1983–84	16,265
1984–85	17,479
1985–86	18,496
1986–87	19,863
1987–88	21,829
1988–89	24,283
1989–90	26,208
1990–91	29,178
1991–92	33,048
1992–93	36,233
1993–94	38,227
1994–95	40,432
1995–96	42,326
1996–97	43,921
1997–98	46,240
1998–99	48,795
1999–2000	52,645
2000–01	55,744
2001–02	59,099

Note:
Figures are not directly comparable over the period due to classification changes

TREASURY

Bank of England (Profits)

Mr. Bercow: To ask the Chancellor of the Exchequer what profit the Bank of England made on its *(a)* foreign exchange and *(b)* gold dealings in each of the last three years. [108447]

Miss Melanie Johnson *[holding answer 4 February 2000]:* The 1997–98 accounts of the Exchange Equalisation Account, the account at the Bank of England which holds the United Kingdom's foreign currency and gold reserves, published on 26 January, provides details of the return earned by the Treasury on the foreign currency reserves. This was the first time the Exchange Equalisation Account has ever been published. The accounts for 1998–99 will be published once the National Audit Office have completed their audit.

Working Families Tax Credit

Charlotte Atkins: To ask the Chancellor of the Exchequer how many families have benefited from the working families tax credit in *(a)* Staffordshire, Moorlands, *(b)* North Staffordshire and *(c)* Staffordshire. [107190]

Dawn Primarolo: Reliable estimates for the number of families in receipt of the Working Families Tax Credit are not yet available on a constituency or county basis, but will be available shortly.

Disabled Persons Tax Credit

Angela Smith: To ask the Chancellor of the Exchequer what steps he is taking to encourage take-up of the disabled persons tax credit. [107186]

Dawn Primarolo: Disabled Person's Tax Credit has been advertised through a number of different media in order to attract attention in various ways.

A national press campaign began in October, with a national radio campaign in November. Both gave a freephone number for further information.

This was supported by providing a free supply of information leaflets and posters to over 21,000 welfare organisations such as Citizen's Advice Bureaux, disability and welfare groups.

An audio tape and video were produced featuring DPTC and these were distributed free through RNIB and RNID.

Ten ministerial roadshows promoted DPTC to delegates from local welfare organisations throughout October.

Leaflets and a video about DPTC also featured in main post offices throughout October.

Tax Inquiries (Belgium)

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer (1) what is the backlog of information to be provided by the Inland Revenue about the affairs of named United Kingdom taxpayers requested by the Belgian tax authorities; [108375]

(2) what arrangements exist for the provision of information by the Inland Revenue about the tax affairs of United Kingdom taxpayers to the Belgian tax authorities; and under what powers this is done. [108376]

Dawn Primarolo *[holding answer 3 February 2000]:* Inland Revenue procedures for dealing with requests for information received from other fiscal authorities are set out in the report of the National Audit Office "Exchange of Information on Direct Taxation within the European Union" of November 1997. A copy of this report is available in the Library of the House. The UK exchanges taxpayer information under the provisions of the EC Mutual Assistance Directive, as given effect under section 77, Finance Act 1978, and under the terms of the Double Taxation Agreement with Belgium, as given effect under section 788, Income and Corporation Taxes Act 1988.

Capital Gains Tax

Mr. Burnett: To ask the Chancellor of the Exchequer how many individuals who qualified for retirement relief from capital gains tax made chargeable gains of less than £250,000 for capital gains tax purposes in tax years *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96 and *(e)* 1996–97. [108804]

Dawn Primarolo: The estimated number of individuals who claimed capital gains tax retirement relief of less than £250,000 for the years 1992–93 to 1996–97 is given in the table.

Year	Estimated number of retirement relief claims less than £250,000
1992–93	2,750
1993–94	4,500
1994–95	3,750
1995–96	5,750
1996–97	9,750

Foreign Earnings

Mr. Burnett: To ask the Chancellor of the Exchequer how many individuals qualified for the foreign earnings deduction for income tax purposes in tax years (a) 1992–93, (b) 1993–94, (c) 1994–95, (d) 1995–96 and (e) 1996–97. [108802]

Dawn Primarolo: This information has only been available since Self Assessment was introduced in 1996–97. About 35,000 people received a foreign earnings deduction for this year.

Company Car Drivers (Insurance)

Miss McIntosh: To ask the Chancellor of the Exchequer if he will introduce a duty on insurance premiums for company car drivers; and if he will make a statement. [108382]

Dawn Primarolo: There are no plans to introduce a duty on insurance premiums for company car drivers.

VAT (Church Repairs)

Miss McIntosh: To ask the Chancellor of the Exchequer what legal advice he has received on the application of a derogation under the 6 VAT Directive to exempt church repairs from VAT or allow a lower rate of VAT on such repairs. [108187]

Dawn Primarolo: Derogations are normally permitted only to simplify the procedure for charging VAT or to prevent tax evasion or avoidance. It would therefore be inappropriate to seek a derogation for church repairs. EC law does not permit an exemption or a reduced rate for church repairs.

Tax Competition

Mr. Bercow: To ask the Chancellor of the Exchequer if he will deposit in the Library a copy of the (a) OECD report on offshore centres of tax competition and (b) code of conduct paper discussed at ECOFIN on 29 November 1999; and if he will make a statement. [108280]

Dawn Primarolo: A copy of the OECD report "Harmful Tax Competition: An Emerging Issue" has already been deposited in the House of Commons Library.

The Code of Conduct states that it is for ECOFIN to decide whether to publish the final report. The UK is pressing for the report to be published.

LORD CHANCELLOR'S DEPARTMENT

Departmental Research Contracts

Dr. Harris: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 6 December 1999, *Official Report*, columns 398–400W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108192]

Jane Kennedy: The Lord Chancellor's Department has not sought to control or veto contacts between contracted researchers and journalists, before or after publication, but does require that the researchers provide advance notice and/or brief details of the interview. For further details the hon. Member should consult the copies of the standard form of contract placed in the Library as indicated in my written answer of 4 February 2000, *Official Report*, column 764W.

AGRICULTURE, FISHERIES AND FOOD

Ministerial Meetings

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the dates since 16 December 1999 on which he *(a)* met and *(b)* spoke by telephone with the French Minister of Agriculture and Fish. [108426]

Mr. Nick Brown *[holding answer 3 February 2000]:* I met the French Agriculture Minister on 24 January at a meeting of the EU Agriculture Council.

Farming (Berkshire)

Mrs. May: To ask the Minister of Agriculture, Fisheries and Food what was the total number of pig units in Berkshire in *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99. [108422]

Ms Quin *[holding answer 3 February 2000]:* Information on the number of holdings with pigs is provided in the table.

Number of main holdings in Berkshire with pigs

Year	Holdings with pigs
1996	74
1997	76
1998	79
1999	70

Source:
Agricultural and Horticultural Census

Suicide Rates

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what have been the rates of suicides among *(a)* farmers and *(b)* vets in each of the last 10 years. [108503]

Mr. Morley *[holding answer 4 February 2000]:* The number of suicides and deaths from undetermined injury between 1988–98 is set out in the table.

Deaths from suicide and undetermined injury 1988–98
Men and women aged 16–74 at death

Year of occurrence	*Farmers, orticulturalists, and farm managers*	*Other agricultural employees*	*Veterinarians*
1988	60	36	3
1989	45	32	6
1990	49	33	6
1991	54	31	5
1992	47	32	2
1993	50	35	3
1994	44	29	2
1995	41	17	5
1996	36	35	2
1997	42	25	3
1998	54	25	6

Note:
Data for 1999 will be available later in the year
Source:
Office for National Statistics

Farm Acreages

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what was the average acreage of land of a farm in England and Wales in the last 12 months for which figures are available. [108172]

Ms Quin: The information requested is provided in the table:

Number and area of main holdings in England and Wales: June 1999

	Number/area
Total Number of Holdings (thousand)	175.2
Total Area (thousand hectares)	10,644
Average Farm Size (hectares)	60.7

Source:
Agricultural and Horticultural Census

Over-30-months Scheme

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food at what point ownership of a cow over 30 months old transfers to the Intervention Board under the over-30-months scheme in the case where a livestock market is used as a collection centre and animals are tagged by the Board at that centre. [108130]

Ms Quin: For the purpose of the Over-30-months scheme the Intervention Board does not take ownership of the cattle until they are presented for slaughter, and it is at this point that eligibility for compensation is determined. Producers have the option of submitting animals into the scheme directly to abattoirs on a deadweight basis, or via auction markets who act as agents for producers in submitting animals into the scheme on a liveweight basis. At auction markets animals undergo preliminary eligibility checks, in particular weighing. A further tag is inserted in the animal's ear at this stage for ease of identification purposes only.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the operational and cost consequences for farmers and the livestock trade in the north-west of the decision by the Intervention Board to withdraw the Nottingham processing company from the over 30 months scheme. [105297]

Ms Quin *[holding answer 19 January 2000]:* Sufficient Over-30-months Scheme (OTMS) slaughtering capacity has been contracted from the abattoirs at Oldham, Great Harwood and Ulverston, such that there will be little, if any effect on the farming community in the north-west as a consequence of the non-award of an OTMS slaughtering contract to the Nottingham abattoir.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the financial checks which are made on companies competing for over 30 months scheme contracts. [105293]

Ms Quin *[holding answer 19 January 2000]:* I refer the right hon. Member to the reply given to the hon. Member for Brentwood and Ongar (Mr. Pickles), on 24 January 2000, *Official Report*, column 9W.

Meat and Bonemeal

Mr. John Cryer: To ask the Minister of Agriculture, Fisheries and Food if he will list the location of each site where meat and bone meal is stored prior to incineration and the tonnage stored at each of these sites. [107933]

Ms Quin: At 31 December 1999 stocks of meat and bone meal produced from the rendering of animals under the Over-30-Month Scheme and Selective Cull Scheme were estimated at 459,712 tonnes. The material is stored at 15 locations in the UK as shown in the table.

Store location	*Tonnage as at 31 December 1999*
Preston, Lancashire	21,447
Longton, Lancashire	35,040
Chorley, Lancashire	29,690
Liverpool, Merseyside	54,269
Widnes, Cheshire	2,535
Barkston Heath, Lincolnshire	92,841
Childs Ercall, Shropshire	9,991
Woodbury Salterton, Devon	11,677
Wrangton, Devon	49,224
Glenrothes, Fife	49,798
Kirknewton, Midlothian	22,314
Newtownabbey, County Antrim	11,822
Castledawson, Londonderry	23,882
Ballinderry, County Antrim	10,329
Newtonstewart, County Tyrone	34,853
Total	459,712

Pig Industry

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what representations he has received regarding EU grants for exceptional occurrences within the pig industry; and what action he has taken. [R] [107472]

Ms Quin: We have received no representations and there are no such EU grants. MAFF Ministers continue to follow closely developments in the pig sector.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the European Agriculture Commissioner regarding payments to the pig industry to offset the cost of exceptional occurrences resulting from BSE in cattle. [R] [107471]

Ms Quin: My right hon. Friend has many discussions with Mr. Fischler on all manner of topics. The Minister and I last discussed state aid in the pig sector with Mr. Fischler in the margins of the Agriculture Council on Monday 24 January.

Red Tape Review

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food when he will implement the recommendations of the Pooley report. [R] [107473]

Ms Quin: As indicated in the reply to my hon. Friend the Member for Bristol, North-West (Dr. Naysmith), 1 February 2000, *Official Report,* column 570W, we have placed in the Library of the House a copy of the Government's response to the report of the Meat Industry Red Tape Working Group. This indicates that we have accepted most of the recommendations in the report. Some of these can be implemented straight away but others will require discussions in Brussels with the EU Commission and others (including the industry) before they can be fully implemented. Nevertheless, it is our intention that this should be done as speedily as possible. From April most of the recommendations will be for the Food Standards Agency to carry forward.

Farming (Worcestershire)

Mr. Michael J. Foster: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 25 January 2000, *Official Report,* column 188W, if he will list the amounts received by each of the 10 largest recipients of CAP payments made to farms in Worcestershire for the calendar year 1998. [107513]

Ms Quin: The amounts received by the 10 largest recipients of CAP payments in Worcestershire for the calendar year 1998 were:

£295,311.52
£212,553.75
£209,935.30
£164,103.59
£135,969.63
£133,134.44
£125,069.15
£113,926.16
£113,579.34
£112,654.25.

Climate Change Levy

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the likely impact of the climate change levy on the horticulture sector; and if he will publish the results. [107236]

Mr. Nick Brown *[holding answer 27 January 2000]:* It is not possible to say what the likely impact of the levy on the horticulture sector will be. That will depend on a number of factors including future energy consumption and what use the sector makes of electricity generated from 'new' renewable sources of energy or in 'good quality' combined heat and power plants. The use the sector makes of the proposed system of enhanced capital allowances for energy saving investments will also have an impact. The horticultural industry, in common with other industries, will also benefit from the lower overall rates of the levy announced by the Chancellor in his pre-Budget report statement.

Parliamentary Questions

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what percentage of written parliamentary questions to him received a response within (a) two weeks and (b) one month in the last year for which figures are available. [106988]

Mr. Morley: In the 1999 calendar year, 1,117 parliamentary questions were tabled to my right hon. Friend the Minister for written answer. From the date of their initial appearance in the Order Paper, 72 per cent. received a response within two weeks and 15 per cent. received a response within one month.

Cattle Tuberculosis

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food when the Independent Scientific Group on Cattle Tuberculosis will publish its second report. [109244]

Ms Quin: I am pleased to tell the House that the second report by the Independent Scientific Group on Cattle Tuberculosis is published today. The report sets out progress made so far on the wide-ranging research measures being taken to combat cattle TB as well as plans for work to be undertaken in the future. Copies have been placed in the Library of the House.

Easter Floods (1998)

Mr. Ben Chapman: To ask the Minister of Agriculture, Fisheries and Food what progress the Environment Agency has made in implementing its action plan in response to the independent report on the Easter 1998 floods. [109243]

Mr. Morley: While there were no further specific actions timed for completion by the end of December 1999, the Environment Agency has nevertheless kept the Ministry informed of progress up to that date.

For flood forecasting, all of the Environment Agency's regions are working on delivering the first phase of their hydrometric monitoring network improvement programmes by April 2000.

The work relating to flood warning is progressing well. The National Flood Warning Centre is established and the necessary relationships with other national bodies are being actively developed.

Flood risk maps have been produced and were disseminated to local planning authorities and emergency planners in September 1999. The Agency is using the

maps to identify high-risk properties on a consistent basis to aid targeting of direct warnings and public awareness material. Local authorities are using the maps for both development control and emergency planning purposes. The information in the maps will be made publicly available so that people can make informed decisions about flood risks.

The Agency has further improved liaison arrangements with local authorities and emergency services, at both local and national level to ensure effective response to flooding incidents.

A flood warning public awareness campaign commenced in October. Plans are being developed for revised flood warning codes to be introduced in September 2000, with appropriate publicity.

Visual inspection of all flood defences continues against a deadline of April 2000. The Agency has set up meetings to resolve isolated problems where local authorities have not always been able to identify the location of defences on ordinary watercourses.

The Agency continues its work in implementing the recommendations in the independent report on its management and skills.

I am pleased to note the Agency's continuing progress in implementing the Easter Floods report, contributing to achievement of the Ministerial priority of a seamless and integrated service of flood forecasting, warning and response.

I shall ensure that the House is updated on progress in implementing the final phases of the Action Plan, including the introduction of new flood warning codes in September 2000.

Written Answers to Questions

Tuesday 8 February 2000

NORTHERN IRELAND

Police Authority

Sir Brian Mawhinney: To ask the Secretary of State for Northern Ireland if he will list the official visits made by executive and non-executive members of the Northern Ireland Police Authority outside Northern Ireland in the past three years, indicating in each case *(a)* who authorised the visit, *(b)* the cost of the visit to public funds and *(c)* if non-members' costs were borne by the taxpayer. [103566]

Mr. Ingram *[holding answer 20 December 1999]:* During the three years referred to in the question, the number of executive members of the Police Authority have averaged around 3,300, many of whom will have subsequently retired, resigned or been transferred to other Government Departments. Information on official visits made by executive members outside Northern Ireland is not readily available and could be obtained only at a disproportionate cost.

Official visits made by non-executive members of the Police Authority in the past three years are summarised in the table. All visits were authorised by the Police Authority and the associated costs met from public funds.

Location	*Number of individual visits*	*Total cost (£)*
England	44	15,647
Scotland	1	540
Republic of Ireland	1	116
Europe	3	4,298
USA	5	20,994
Canada	2	6,300
Australia	2	6,835

Terrorism Legislation

Mr. Jim Cunningham: To ask the Secretary of State for Northern Ireland what assessment he has made of the Northern Ireland Human Rights Commission's response to the White Paper, "Legislation Against Terrorism". [108530]

Mr. Ingram: A consultation paper "Legislation Against Terrorism" (Cm 4178) was published by the Government in December 1998 and was followed by a period of consultation. The Northern Ireland Human Rights Commission responded in April 1999. In all, the Government received a total of 80 responses from interested groups, practitioners and members of the public.

The Human Rights Commission's response was considered closely as were all the responses to the White paper and an analysis of the responses was set out in a brief summary compiled by the Home Office, excluding 29 respondees whose representations were to remain confidential. The previous Secretary of State also met Professor Dickson, Chief Commissioner, in July 1999 to discuss their response and particularly their proposed approach to counter-terrorist legislation.

The Government published the Terrorism Bill on 2 December 1999. In preparing this it drew on the advice Lord Lloyd of Berwick gave in his report on the future of Counter-Terrorism Legislation published in December 1996, and took into account the views expressed by those who responded to the consultation paper. My officials and legal advisers have also met with the Human Rights Commission following introduction of the Bill to discuss the new legislation in detail and address any ECHR compatibility issues they have raised.

In parallel with the passage of the Terrorism Bill, the Secretary of State for Northern Ireland has commissioned a review of the Diplock Court system. This was announced during the Bill's Second Reading on 14 December 1999. The Diplock Review Group has invited comment from legal and human rights bodies and I have written to Northern Ireland political parties for their views. Any responses will be considered by the Group in preparing its report for the Secretary of State for Northern Ireland.

Oath of Allegiance

Mr. Field: To ask the Secretary of State for Northern Ireland how many letters he has received since 1 May 1997 on (a) constituency matters and (b) other matters of Government policy from each of those Members of the House who have not taken the oath of allegiance. [108406]

Mr. Mandelson [holding answer 3 February 2000]: I am unable to provide this information on the basis that correspondence, including the number of letters sent, between Members of the House and Government Departments is a confidential matter.

Police Association

Mr. McNamara: To ask the Secretary of State for Northern Ireland on how many occasions in each of the past five years he has received written representations from each of the three sections of the Police Association. [108488]

Mr. Ingram: This information is not readily available and could be provided only at a disproportionate cost.

EDUCATION AND EMPLOYMENT

Disability Rights Commission

Mr. Darvill: To ask the Secretary of State for Education and Employment what guidance he has given the Disability Rights Commission on discharging its functions. [109354]

Ms Hodge: My right hon. Friend the Secretary of State has written to Bert Massie, the Chair of the Disability Rights Commission, to offer broad guidance on how we see the body discharging its functions and priorities and the tasks to which the Government attaches particular importance in its first year of operation. We will look to the Commission to ensure that its first set of strategic

priorities, and subsequently, its first corporate plan, reflect the guidance in the letter. A copy of the letter has been placed in the Library.

Pensions Mis-selling

Mr. Terry Davis: To ask the Secretary of State for Education and Employment what is the time currently taken, in the context of pensions mis-selling, for the Teachers Pensions Agency to complete the reinstatement process once the Agency has been notified; and if he will make a statement. [109223]

Mr. Wicks: The average time taken to complete a re-instatement case is 14 weeks, measured from the time Teachers' Pensions are notified that mis-selling has taken place. Cases which take longer than the average are frequently the result of the personal pensions provider failing to act on the re-instatement quotation within the three month period for which the quotation is guaranteed. Some 25 per cent. of restoration quotations have to be re-calculated for this reason.

Mr. Terry Davis: To ask the Secretary of State for Education and Employment what steps are being taken to reduce the time taken to rectify pensions mis-selling to teachers in England and Wales. [109222]

Mr. Wicks: A number of initiatives have been introduced by Teachers' Pensions to streamline the reinstatement processes. These include improvements to their computer systems; the introduction of a dedicated e-mail address; regular contact between Teachers' Pensions staff and personal pension providers; and monthly productivity targets.

Mr. Terry Davis: To ask the Secretary of State for Education and Employment how many staff have been allocated by *(a)* the Teachers Pensions Agency and *(b)* the Government Actuary's Department solely to rectify the mis-selling of pensions to teachers. [109224]

Mr. Wicks: The administration of the teachers' pension scheme is undertaken under contract by Teachers' Pensions, part of Capita Business Services Ltd. Sixteen staff within Teachers' Pensions work exclusively on the restoration of pension benefits of those teachers who have been mis-sold a personal pension. The Government Actuary's Department does not have any staff dedicated solely to this work. Advice on mis-selling cases is provided by staff who carry out a range of functions on behalf of this Department.

Quality Assurance Agency

Mr. Keith Simpson: To ask the Secretary of State for Education and Employment what is the annual cost of the Quality Assurance Agency Subject Review for Universities. [109207]

Mr. Wicks: The Higher Education Funding Council for England has a statutory duty to make provision for assessing the quality of education provided in institutions for whose activities it provides financial support. It currently contracts with the Quality Assurance Agency to carry out subject reviews on its behalf. In 1998–99 QAA carried out 233 subject reviews in England at a cost of £4.2 million. For 1999–2000 QAA is contracted to carry out 375 subject reviews in England at a cost of £5.6 million.

Mr. Keith Simpson: To ask the Secretary of State for Education and Employment (1) what is the total number of person hours that the Quality Assurance Agency Subject Review assessors spent away from their own universities and colleges on work for the review in the last 12 months for which figures are available; [109204]

(2) what was the total number of person hours spent by Quality Assurance Agency Subject Review assessors on work for the Review in the last 12 months for which figures are available. [109205]

Mr. Wicks: The information is not held in the form requested.

Mr. Keith Simpson: To ask the Secretary of State for Education and Employment if he will list the *(a)* names, *(b)* departments and *(c)* educational establishments of the assessors employed by the Quality Assurance Agency for its subject review for universities. [109206]

Mr. Wicks: The information is not available in the form requested.

At the end of each cycle of reviews a subject overview report is published which includes the names of all assessors involved in that cycle. Copies of overview reports have been placed in the House of Commons Library.

Education Service (Islington)

Mr. Corbyn: To ask the Secretary of State for Education and Employment if he will publish an annual report on the performance, costs and profit of the contractor appointed to run Islington's education service. [108875]

Ms Estelle Morris: Islington Council have signed, and are therefore responsible for, the education services contract with Cambridge Education Associates (CEA at Islington). Their council papers have made known the fact that the cost of the seven year contract is fixed at £86.6 million and that CEA agreed to cap their target related management fee at £600,000 net per annum. CEA are working to clear specifications and if they do not deliver they will not be rewarded. 50 per cent. of their profit is linked directly to standards. All changes in standards will be reflected in the published performance tables.

The London Borough of Islington is overseeing the tight contract monitoring arrangements with the assistance of DfEE officials. It is therefore up to Islington Council to decide whether they wish to publish an annual report regarding the monitoring of the contract.

New Deal

Laura Moffatt: To ask the Secretary of State for Education and Employment what arrangements are offered to young people on disability benefits who wish to join the New Deal and who are recovering from drug and alcohol misuse. [108606]

Ms Hodge: Young people on incapacity benefits are not eligible for New Deal for 18 to 24-year-olds which is designed for jobseekers actively looking for work. However, we are developing initiatives to ensure that all disabled people who want to work are given the help they need. For example, the New Deal for Disabled People offers personal adviser support in 12 pilot areas to people

of all ages on incapacity benefits. The personal adviser offers an individually designed programme to tackle the specific needs of each client, including any who may need to overcome drug or alcohol misuse. We hope to make an early announcement about the next stage of the New Deal for Disabled People taking account of emerging findings from the pilots.

Class Sizes

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what is his estimate of the cost of introducing a maximum class size of *(a)* 30 pupils, *(b)* 28 pupils and *(c)* 25 pupils for (i) Key Stage 1, (ii) Key Stage 2, (iii) Key Stage 3 and (iv) Key Stage 4. [108866]

Ms Estelle Morris: We have made available £620 million to reduce Key Stage 1 class sizes to 30 by September 2001.

We have estimated that the cost of reducing class sizes to 25 for all primary school children would be around £3 billion.

We have not made any other estimates of the costs which the hon. Member asks about.

School Meals

Mr. Steinberg: To ask the Secretary of State for Education and Employment what plans he has to enforce minimum nutritional standards in school meals. [108442]

Jacqui Smith: The Government believe it is very important that children should be able to have healthy and enjoyable school meals. We have consulted widely on the introduction of minimum nutritional standards for school lunches, and we are currently considering representations on our draft Regulations and guidance. Schools and local education authorities will be under a duty to comply with the Regulations, to be laid this year, which will set out the new standards. My right hon. Friend the Secretary of State will investigate any complaints that the standards are not being met and could issue a direction to ensure compliance with the statutory duties.

Students (Argyll and Bute)

Mrs. Ray Michie: To ask the Secretary of State for Education and Employment if he will estimate how many students from Argyll and Bute are currently attending universities in *(a)* England, *(b)* Wales and *(c)* Northern Ireland. [108578]

Mr. Wicks: The information is given in the table.

Students[1] from Argyll and Bute local authority area studying in higher education institutions 1998–99

Country of study	*Number of students*
England	246
Wales	12
Northern Ireland	2

[1] Full-time and part-time students, excluding students on sabbatical or writing up theses.

Homophobic Bullying

Mr. Maclean: To ask the Secretary of State for Education and Employment what recent reports he has received of homophobic bullying in schools; and if he will make a statement. [108313]

Jacqui Smith *[holding answer 3 February 2000]:* In March 1998 we received from Stonewall a copy of the report "Playing it Safe", which they commissioned with the Terrence Higgins Trust. This contains, among other things, evidence and recommendations on homophobic-related bullying. And in October 1998 the noble Lord Tope's unstarred question in the Other Place about bullying in secondary schools focused to a large extent on the problem of homophobic bullying.

We attach a high priority to helping schools prevent and combat bullying in whatever form—be it racial, or as a result of a child's appearance, behaviour or special needs, or related to sexual orientation.

Teachers' Pay (West Sussex)

Mr. Loughton: To ask the Secretary of State for Education and Employment what assessment he has made of the cost of the teachers' pay rise to West Sussex Education Authority. [109059]

Ms Estelle Morris: In his written answer on 1 February 2000, *Official Report*, column 498W, my right hon. Friend the Secretary of State for Education and Employment made clear his assessment that the pay settlement would be affordable within the resources available to local authorities in 2000–01. The cost from 1 April 2000 will be 3.3 per cent., with assimilation costs of around 0.1 per cent. West Sussex will receive an increase in its Education Standard Spending Assessment of 6.11 per cent., which takes account of changes in local authority function. Its share of the £50 million special grant to support school budgets will add the equivalent of a further 0.2 per cent. to this. The rescheduling of increased employers' contributions to teachers' pensions will save the authority 0.7 per cent. of the cost of its teachers' pay bill.

Playing Fields

Mr. MacShane: To ask the Secretary of State for Education and Employment what data he has collated on the extent of access by schools to sports playing fields since May 1997; and if he will make a statement. [108118]

Jacqui Smith: The Education (School Premises) Regulations 1999 (SPRs) prescribe minimum areas, as well as quality standards, for team game playing fields for which schools must have access. No data have been gathered on the extent of access which schools have to sports playing fields since May 1997, or before.

Data being obtained through Asset Management Plans will eventually provide a comprehensive picture of the number and condition of school playing fields throughout England.

School Sports

Mr. Reed: To ask the Secretary of State for Education and Employment what estimate he has made of the total cost of sport played in schools in the most recent year for which figures are available; what organisations other than his Department provide funds for sport in schools; and if he will estimate the amount of such other funding in the most recent year for which information is available. [108297]

Jacqui Smith: Schools and Local Education Authorities (LEAs) decide how much to spend on sport in schools. We do not collect centrally information on this support. However there are a number of organisations which support sport in schools nationally, and many others which give support at a local level. Sport England, the Sports Lottery distributor, spent £14.4 million in schools and colleges in 1998–99. The National Sports Governing Bodies also contribute a great deal at national and local level through coaching and talent development schemes and competitions involving schools. We are working closely with DCMS, OFSTED, QCA and national PE and sport bodies to further develop and expand the range and quality of opportunities available to all young people.

Ethnic Minority Achievement Grant

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans he has to develop the Ethnic Minority Achievement Grant. [108517]

Jacqui Smith *[holding answer 7 February 2000]:* As part of the drive to raise the achievement of ethnic minority pupils, we are making available more money than ever before through the Ethnic Minority and Traveller Achievement Grant. For 2000–01, £162.5 million will be available to LEAs to improve the attainment of ethnic minority, Traveller and refugee pupils, an increase of 7 per cent on the amount available for these purposes in 1999–2000. From April 2000, we are phasing in a needs-based formula for allocating the Grant for raising ethnic minority achievement. Increasingly, as we build up for the first time a national picture of achievement levels, we will target the Grant at those who need it most. In further developing the Grant we will seek to embed in local strategies the knowledge we are acquiring about good practice in raising achievement levels.

INTERNATIONAL DEVELOPMENT

Departmental Secondments

Mr. Willis: To ask the Secretary of State for International Development how many staff were seconded from the private sector to her Department from *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109069]

Clare Short: Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Educatica, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

During the respective periods, the numbers of staff seconded to my Department from the private sector, all from NRI/University of Greenwich, were:

(a) 3

(b) 4

(c) 1.

Child Care

Caroline Flint: To ask the Secretary of State for International Development what child care provision was made available in the financial year 1998–99 for use by *(a)* departmental staff and *(b)* employees of executive agencies under the control of her Department; what was the cost to parents of this child care; and how many parents used the facilities. [108859]

Clare Short: We provide holiday playschemes at both our Headquarter sites.

The site in East Kilbride operates under partnership between DFID and the Inland Revenue. The site in London is part of the Whitehall Holiday Playscheme, run by the Cabinet Office at three sites in Central London and open to a large proportion of Government Departments. The figures requested are as follows:

East Kilbride

Cost to parents:

£10 annual registration fee per family

£7.50 per child per day

Parents using the facilities in the financial year 1998–99:

Number—10

London

Cost to parents:

Total cost per child per day £17.03

Of which: £8.51 is paid by the parent and £8.52 by DFID

Parents using the facilities in the financial year 1998–99

Number—16.

Providing access to the holiday playscheme is one of a range of family friendly policies that are available to staff. Other benefits include paid maternity leave at full pay, paternity leave, parental leave, extended career breaks (up to a maximum of five years) and special leave for domestic emergencies. To help staff balance work and family life, they are also able to apply to work part-time or flexible hours, to job-share or to work from home.

The Department for International Development has no executive agencies.

Sudan (Oil Fields)

Dr. Tonge: To ask the Secretary of State for International Development what assessment her Department has made concerning the use of the oil revenue from the Sudanese oil fields being used for development projects. [108799]

Clare Short: Oil was first exported from Sudan in August 1999 and the Government of Sudan has a 5 per cent. stake. We have pressed for revenues to be used for development projects and for transparency in the oil account. The Government of Sudan has made public assurances that this will happen. We look to them to honour them. But the key issue for Sudan's development is the ongoing civil war. We are encouraging all sides to play a constructive part in current peace talks.

Land Mines Clearance

Mrs. Ray Michie: To ask the Secretary of State for International Development what recent representations she has received concerning the Dervish anti-personnel land mines clearance project. [108617]

Clare Short: In December 1999, we invited proposals for UK based institutions and individuals for consideration under the Humanitarian Mine Action Knowledge Generation and Research Programme. The University of Edinburgh's Department of Mechanical Engineering submitted an application entitled 'Extending Dervish Mine Detonating Vehicle Capability'. All bidders will be assessed later this month.

Mrs. Ray Michie: To ask the Secretary of State for International Development what research her Department has *(a)* commissioned and *(b)* evaluated on the effectiveness of methods currently in use for anti-personnel land mines clearance. [108619]

Clare Short: *(a)* My Department is funding, at the request of the United Nations, a study which will examine the effectiveness and suitability of existing capabilities in current mine action programmes. We are also funding a review and revision of international mine clearance standards.

(b) We participate in international fora which aim to improve the effectiveness of international mine action. Projects funded bilaterally by DFID are assessed and monitored for effectiveness and safety of methodology and for community benefit.

Know-how Fund (Estonia)

Mr. Gordon Prentice: To ask the Secretary of State for International Development what steps she is taking to increase the application of the Know-how Fund to Estonia. [108581]

Clare Short: 1. Our plans for technical assistance to Estonia are set out in the published Baltic States Country Strategy Paper (CSP), which covers Estonia, Latvia and Lithuania. A copy of the CSP has been placed in the Library of the House.

2. The strategy focuses on:

i. Strengthening capacity in strategic planning and project design in environment, enabling effective take-up of both domestic and donor funding.

ii. Strengthening capacity in strategic participatory planning for regional and rural development.

iii. Effective public administration, underpinning sound policy development and service delivery to all sections of the population.

3. We are working closely with other donors, notably the EC Phare programme in all three of the above priority areas.

Aid Targets

Mr. Streeter: To ask the Secretary of State for International Development what progress has been made in meeting the target of *(a)* 75 per cent. of bilateral country programme resources being allocated to low income countries by 2002, *(b)* reducing under-6 mortality rates to no higher than 70 per 1,000 live births by 2002 and *(c)* reducing maternal mortality rates to no higher than 240 per 100,000 live births by 2002. [109192]

Clare Short: Substantial progress has been made towards achieving these targets. By 1998–99 our expenditure in low income countries had increased to 71 per cent., and is expected to rise to 75 per cent. in 1999–2000. The average under-5 mortality rate across the top 30 recipients of DFID assistance has fallen to 69 per 1,000 births, and the average maternal mortality rate across the same countries has declined to 316 per 100,000 live births.

Project Targets

Mr. Streeter: To ask the Secretary of State for International Development if she will make a statement on the progress made towards meeting the target of 75 per cent. of projects assessed as likely to fully or largely achieve their objectives by 2002. [109200]

Clare Short: We are well on track towards achieving this target. Of all the projects assessed in 1997 and 1998, over 74 per cent. had fully or largely achieved their objectives. Information is not yet available on results for 1999.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Home Buying

17. **Ms Christine Russell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his proposals to streamline the home buying and selling process. [107323]

Mr. Mullin: On 11 October last year we announced our intention to take forward a package of complementary measures aimed at making the home buying and selling process in England and Wales faster, more transparent and consumer-friendly. The package is based on extensive research and consultation, and requires action by everyone involved in home buying and selling.

Local Councils

18. **Mr. Clifton-Brown:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has had from local councils which wish to retain the committee system. [107324]

Ms Armstrong: We receive many representations from councils about all aspects of the modernisation agenda.

Rural Transport

19. **Mr. Bercow:** To ask the Secretary of State for the Environment, Transport and the Regions what plans

he has to address the concerns of people living in rural areas about the impact of his Department's transport policies. [107325]

Mr. Mullin: My Department's transport policies are tackling the impact of decades of underinvestment and neglect for transport in both rural and urban areas. Most of the proposals in the Integrated Transport White Paper apply to rural areas just as much as other areas of the country. But we recognise that people living in rural areas have particular needs. That is why we have made available an additional £170 million for rural transport measures over the three years to March 2001.

26. **Mr. Chidgey:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to improve rural transport. [107332]

Mr. Mullin: Most of the proposals in the Integrated Transport White Paper apply to rural areas just as much as other areas of the country. But we recognise that people living in rural areas have particular needs. That is why we have made available an additional £170 million pounds for rural transport measures over the three years to March 2001.

London Underground

20. **Mr. John Cryer:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on negotiations towards a public private partnership for the London Underground. [107326]

Mr. Hill: Excellent progress has been made. Bids for the two deep-Tube PPP contracts are due back by the end of next month. There has been strong interest in the Sub-surface lines and property PPP competitions as well. Submissions to pre-qualify for those contracts are due back later this month.

Regional Development Agencies

21. **Mrs. Anne Campbell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the regional economic strategy prepared by the Eastern regional development agency. [107327]

Ms Beverley Hughes: The East of England Development Agency (EEDA) submitted its strategy for the East of England, "Moving Forward," to Ministers on 26 October. The Government responded to EEDA and the other RDAs on 12 January. Copies of the responses have been placed in the Library of the House.

Mr. McCabe: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the rates of pay offered to the chairmen of regional development agencies. [109434]

Ms Armstrong: I refer to the reply given by the Minister for Trade, my right hon. Friend the Member for Sheffield, Central (Mr. Caborn) on 23 July 1998, *Official Report*, columns 668–69W, on the rates of pay offered to board members of Regional Development Agencies. When appointed in December 1998 the Chairmen were contracted for two days per week with an annual remuneration of £44,000.

I have now agreed that the Chairmen of the RDAs in the East Midlands, West Midlands and North East will be contracted to work on RDA business for three days a week from 1 October 1999 until 31 March 2000. Their rate of pay will be increased pro rata to £66,000. The Chairman of the North West Development Agency will be contracted on these revised terms from 1 November 1999 until 31 March 2000.

Regeneration

22. **Helen Jones:** To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to regenerate the north-west. [107328]

Ms Beverley Hughes: One of the main steps that the Government have taken is in establishing the North West Development Agency on 1 April 1999. With a total budget of over £176 million for 1999–2000, it has developed and is starting to implement a strategy for regenerating the north-west.

Mr. Hopkins: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to promote the regeneration of disadvantaged areas in the eastern region. [107310]

Ms Beverley Hughes: The Government are supporting regeneration of the disadvantaged areas of the east of England through a number of area-based and other initiatives including the Single Regeneration Budget, Land and Property and Rural programmes, and Skills and Competitiveness Development Funds, all managed by the East of England Development Agency; the New Deal for Communities and Sure Start programmes; and European funding via the current Objective 5b programme and the new Objective 2.

West Coast Main Line

23. **Mr. Martlew:** To ask the Secretary of State for the Environment, Transport and the Regions when he last met representatives of Virgin Trains to discuss the west coast main line service. [107329]

Mr. Hill: The Secretary of State has not met representatives of Virgin Trains to discuss the West Coast Main Line service. The Franchising Director and his staff have regular meetings with Virgin Trains as part of their monitoring of the franchise agreement.

Rail Investment

24. **Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on future investment plans for the rail system. [107330]

Mr. Hill: We have made it clear that we want to see much higher levels of rail investment. We are confident that the next ten years will see the largest investment in the railways for 100 years.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage train operating companies to make the necessary long-term investment in their rail services; and if he will make a statement. [107953]

Mr. Hill: We have made it clear that there must be more investment in the railways. Train operators have been told that we are willing to consider longer franchises in return for better services for passengers in terms of greater investment and improved performance, and value for money for the taxpayer. We have asked the Franchising Director, when considering requests for franchise replacements, to give due weight to commitments to new or earlier investment.

Shipping

25. **Dr. Naysmith:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's plans for the shipping industry. [107331]

Mr. Hill: The Government set out its plans for the shipping industry in its policy paper "Charting a new course". It sets out 33 inter-related actions designed to secure the future of UK shipping.

Parish Councils

27. **Mr. Sanders:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the future of parish councils. [107333]

Ms Beverley Hughes: Parish councils will continue to play a key role in many of our towns and villages.

In our forthcoming rural White Paper, we intend to address further how we see parish councils playing their part in rural governance.

Strategic Rail Authority

28. **Mr. Savidge:** To ask the Secretary of State for the Environment, Transport and the Regions what steps are being taken to establish the Strategic Rail Authority; and what its impact will be in Scotland. [107334]

Mr. Hill: The Transport Bill makes provision for the establishment of the Strategic Rail Authority. In Scotland it will administer all passenger rail franchises including the making of franchise payments to the relevant train operating companies. The Authority will also receive directions and guidance for Scottish passenger rail services from the Scottish Ministers together with financial provision from the Scottish Consolidated fund to help meet the costs of these services.

Disadvantaged Communities

29. **Mr. Fitzpatrick:** To ask the Secretary of State for the Environment, Transport and the Regions what projects his Department has recently evaluated relating to schemes to improve the quality of life for people in disadvantaged communities in east London. [107335]

Ms Armstrong: My Department places great importance on the thorough evaluation of its regeneration programmes and over the past two years we have received independent evaluations of the Stratford and Bethnal Green City Challenge Schemes, as well as an interim evaluation of the South Leytonstone Single Regeneration Budget Scheme. A mid-point review of Housing Action Trusts will be published in the spring, including those in Tower Hamlets and Waltham Forest. In addition, last year, an interim evaluation of the impact made by the East London and Lee Valley Objective 2 European programme on deprived communities was undertaken.

Town Centres

30. **Mr. Sawford:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the support his Department makes available for increasing and improving shopping facilities in existing town centres. [107336]

Mr. Raynsford: Planning policy guidance for town centres and retail developments (PPG6) strongly promotes town centre management and makes particular reference to improving access to and within town centres, improving the pedestrian environment and addressing the needs of people with mobility difficulties. Through our funding of the Association of Town Centre Management and the Civic Trust, we have been assisting local authorities to promote town centre management by preparing and disseminating good practice.

Greenfield Developments

31. **Mrs. Laing:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to deal with extra traffic flows in areas of new greenfield developments. [107337]

Mr. Raynsford: Planning Policy Guidance note 13, a draft of which was issued for consultation in October last year, requires a transport assessment to be submitted with every major development which will include an assessment of traffic flows.

In addition, local authorities are now required to address traffic flows in their local transport plans and set targets for reducing traffic growth, where they consider it appropriate, and the strategies for achieving these targets.

Brownfield Developments

32. **Mr. Evans:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received concerning brownfield housing developments in the north-west. [107338]

Ms Beverley Hughes: The Secretary of State has received a number of representations in the course of his statutory planning functions and the review of the Regional Planning Guidance for the north-west.

Homelessness

34. **Fiona Mactaggart:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on actions taken by his Department to tackle homelessness among young people. [107341]

Ms Armstrong: Since coming to office, we have taken a number of positive steps to tackle youth homelessness and ensure better housing outcomes for young people. These include work on the promotion of local homelessness strategies and preventative initiatives; setting up the Youth Homelessness Action Partnership to look at the particular problems young homeless people face; and committing an integrated budget of £145 million until 2002 to tackle all aspects of rough sleeping.

Helen Jones: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in implementing the recommendation of the Social Exclusion Unit to allow housing authorities to accept as being vulnerable under the provisions of homelessness legislation 16 and 17 year olds who have no family support. [108520]

Mr. Mullin: Local authorities already have the power to accommodate young people whom they consider to be vulnerable and therefore in priority need, under the provisions of the Housing Act 1996. We recognise that young people who are leaving care may face particular difficulties in making the transition to independent living, as a consequence of institutionalisation and perhaps having limited back up support. The Department of the Environment, Transport and the Regions' revised draft Code of Guidance on the Allocation of Accommodation and Homelessness, due to be published in the Spring, will therefore recommend that local authorities treat young care leavers, and 16–17 year olds with little or no back up support, as being vulnerable under the homelessness legislation.

In the revised Code of Guidance we will be recommending strategies for co-ordinated working between agencies, including the value of exploring joint assessments for those with multiple needs at an early stage. The Guidance will also explicitly refer to the need for this approach when assessing homelessness applications from vulnerable people and when dealing with the needs of young people between the ages of 16–18. The forthcoming Housing Green Paper is likely to include proposals for reform of the homelessness legislation to provide further protection for vulnerable people in priority need.

Kyoto Summit

35. **Mr. Ben Chapman:** To ask the Secretary of State for the Environment, Transport and the Regions what follow-up action he has undertaken with developing countries on the proposals adopted at the Kyoto summit. [107343]

Mr. Meacher: Climate change is a global problem which requires a global response. The Government are working with developing countries to promote ways of reducing greenhouse gas emissions without compromising economic growth. This was a key theme during my right hon. Friend the Deputy Prime Minister's visits to India and China.

Rail Development (Nottingham)

36. **Mr. Coaker:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the Greater Nottingham area rail development strategy. [107344]

Mr. Hill: Funding for the capital cost of heavy rail schemes is now generally a matter for the Shadow Strategic Rail Authority (SSRA). The SSRA is currently in discussion with Nottinghamshire County Council about the Strategy. I understand that the County Council will shortly be submitting a pre-qualification bid for funding to the SSRA under the Rail Passenger Partnership scheme for a new station at Ilkeston. The Strategy was however, also included as part of the proposals for local heavy rail network development within the Greater Nottingham Local Transport Plan, submitted in July 1999. It is open to the authorities to use their block allocations to support rail improvements associated with the Strategy.

Local Authority Spending

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to review the method of calculating the spending needs of local authorities. [107339]

Ms Armstrong: Assessment of the relative spending pressures faced by local authorities is an important step in the distribution of revenue grants from central to local government. The method of distributing grants is being reviewed, and discussions are well underway between central and local government officials on a range of options for improving the system. Decisions about the merits of the various options for reform will not be taken until we have consulted widely this summer.

Road Travel (Risks)

Mr. Donohoe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the risk incurred in travelling as (i) a driver of a car, (ii) an adult passenger in a car, (iii) a child passenger in a car, (iv) a driver of a motorcycle, (v) an adult pillion passenger on a motorcycle and (vi) a child pillion passenger on a motorcycle; and if he will make a statement. [107131]

Mr. Hill: The risks incurred travelling are normally compared in terms of kilometres travelled by different users (passenger kilometres). The information requested is shown in the following table.

Adult/child car and TWMV casualty data: GB 1997

Casualty rate per 100 million passenger kilometres

Severity	*Adult Driver*	*Adult Passenger*	*Child Passenger*
Car			
Fatal	0.3	0.4	0.1
KSI[1]	4.0	4.6	2.0
All	36	40	27
TWMV[2]			
Fatal	12	[3]—	[3]—
KSI[1]	145	[3]—	[3]—
All	554	[3]—	[3]—

[1] Killed and seriously injured

[2] Two Wheeled Motor Vehicles; includes mopeds, scooters and motorcycle combinations

[3] Kilometres travelled by pillion passengers are not available

Building Regulations

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve energy conservation standards required by the building regulations; and if he will make a statement. [108018]

Ms Beverley Hughes: Amendment proposals are being prepared with the aim of maximising the Building Regulations' contribution towards achieving our commitments under the Kyoto Protocol and our UK domestic target for reducing carbon dioxide emissions,

while also meeting requirements for better regulation. I intend that a consultation paper setting out our proposals should be issued shortly.

Abandoned Vehicles

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions if he will take measures to enable local authorities to remove more promptly motor vehicles which have been abandoned on *(a)* public and *(b)* private land; and if he will make a statement. [108115]

Mr. Mullin: We have no plans to shorten the period of notice a local authority must give before removing from public or private land any vehicle which it considers has been abandoned. The existing regulations are intended to provide owners with safeguards against a local authority prematurely assuming a vehicle is abandoned and having it towed away for scrap. They also ensure that local authorities do not have to go to the unnecessary expense of removing and storing vehicles that may not, in the event, have been abandoned.

We believe that the current legislation provides a good balance between the powers of the police and local authorities to deal with abandoned vehicles and the rights of vehicle owners.

Crowd Control

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions what powers are available to local authorities to impose crowd control and safety measures on the organisers of popular events which are held on private land; and what plans he has to strengthen them. [108114]

Mr. Meacher: The Health and Safety at Work, etc. Act 1974 requires the organisers of popular events held on public land to control risks to workers or the public arising from work activities. These provisions are enforced by local authorities. There are no plans to strengthen these powers.

Driver Test Centres

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the driver test centres in the Greater London area. [108171]

Mr. Hill: In the Greater London area, driving theory tests are conducted from six centres:

Croydon, Ilford, Kingston upon Thames, Palmers Green, Southwark and Uxbridge.

Practical tests for learner car drivers are conducted from 30 centres (moped and motorcycle tests are also conducted at those centres shown in *italics*):

Barking, Barnet, Bexleyheath, *Chingford*, Greenford (Horsenden Lane and *Ruislip Road*), Hayes, *Hendon*, Hither Green, *Hornchurch*, Ilford, Isleworth, Loughton, Mill Hill, Morden, New Southgate, *Pinner*, *Sidcup*, South Norwood, Southall, Southfields, Surbiton, Sutton, Teddington, Wallington (Mint House and *Old Town Hall*), Wanstead, West Wickham, Winchmore Hill and Wood Green.

Practical tests for learner lorry and bus drivers are conducted from four centres:

Croydon, Enfield, Purfleet and Yeading.

Research Contracts

Dr. Harris: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 20 December 1999, *Official Report*, column 338W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108193]

Mr. Mullin: I refer to the answer that I gave on 1 February 2000, *Official Report*, column 521W, on Departmental Research Contracts, when a copy of the standard research contract conditions in use by the Department of the Environment, Transport and the Regions, was placed in the Library of the House of Commons. Standard condition 13.6 requires that the contractor shall not communicate with representatives of the general or technical press, radio, television or other communications media unless specifically granted permission to do so in writing by the Department. This would apply to disclosure to journalists both before and after publication.

Public-private Partnership

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions if he will lis the public-private partnership schemes currently in progress in Leeds. [108608]

Ms Beverley Hughes: There are currently three public-private partnership schemes in progress in Leeds:

1. Refurbishment and renovation of Swarcliffe Estate—Leeds City Council
2. Provision of replacement buildings for Cardinal Heenan Secondary School
3. Provision of a new primary school and refurbishment of four other primary and two secondary schools.

Zoos

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions how many zoos in England and Wales are situated next to *(a)* funfairs and *(b)* amusement or video arcades. [108629]

Mr. Mullin: Information on the proximity of zoos in England and Wales to funfairs and amusement and video arcades is not held centrally.

Dacorum Borough Council

Mr. McWalter: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect on Dacorum Borough Council of the changes in negative housing subsidy which he has proposed. [108582]

Mr. Mullin: My Department is currently consulting on the detail of the proposals for changes in the Housing Revenue Account subsidy regime. Consideration of the outcome of that exercise will be required before any decisions are taken. It is too early to say what the financial impact of any changes will be. The financial implications for any authority will depend upon both the results of the consultation exercise and conditions pertaining nearer the time that any changes are made.

Planning Guidance

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions when his Department will publish its finalised guidance on land use planning and electro-magnetic fields. [108495]

Mr. Raynsford: My Department issued for consultation the draft of a joint circular with the Department of Health on land use planning and electro-magnetic fields. The guidance will be finalised as soon as practicable after the Independent Expert Group on Mobile Phones, set up at the instigation of the Government and chaired by Sir William Stewart FRS, FRSE, has reported in the spring.

Telecommunications (Planning)

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to update the Code of Best Practice for Telecommunications Prior Approval Procedures; and what representations his Department has received on the code in the last 12 months. [108494]

Mr. Raynsford: My Department has reconvened the working group responsible for the preparation of the Code to update it to reflect the changes in planning policy and procedures set out in Circular 4/99 'Planning for Telecommunications'. The working group comprises representatives of local government and the main mobile operators.

My Department has not received representations relating specifically to the Code in the last 12 months.

GM Cosmetics

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made by the EU on plans to develop harmonised guidelines for GMO risk assessment for cosmetic products; and if he will make a statement. [108622]

Mr. Meacher: Proposals for the development of such guidelines are still under consideration by the European Commission Scientific Steering Committee.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what recent advice he has received about the use of antibiotic marker genes in genetically modified plants which provide raw materials for the production of cosmetics and perfumes. [108621]

Mr. Meacher: I have received no additional advice further to that given in my answer of 17 June 1999, *Official Report*, column 200W.

European Parliament

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements he has in place to monitor the activities of the European Parliament's Environment Committee in respect of its *(a)* work on legislative oversight and amendment and *(b)* reports prepared by the committee, on matters relevant to United Kingdom environment and transport policy. [108692]

Mr. Meacher: The Department receives regular information on the agenda and activities of the European Parliament and its Committees through the UK Representation to the European Union, and through contact between Ministers and Members of the European Parliament. The European Parliament and the European Commission's websites are a further source of information.

Departmental Press Releases

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many press releases his Department has issued in each year since 1995. [108599]

Ms Beverley Hughes *[holding answer 4 February 2000]:* The information is as follows:

	Number of press releases
Department of the Environment	
1995	655
1996	579
1997[1]	171
Department of Transport	
1995	440
1996	410
1997[1]	96
Department of the Environment, Transport and the Regions	
1997[2]	586
1998	1,121
1999	1,248

[1] 1 January 1997 to 30 April 1997
[2] 1 May 1997 to 31 December 1997

Landlord Registration

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities operate landlord registration schemes following applications to his Department for the special control scheme. [109188]

Mr. Mullin: Nine authorities in England, mainly in coastal areas, have had registration schemes for houses in multiple occupation confirmed containing the special control provisions in Part II of the Housing Act 1996. One further scheme has been agreed in principle.

Asylum Seekers

Mr. Lilley: To ask the Secretary of State for the Environment, Transport and the Regions what assumption about the number of asylum seekers staying in the United Kingdom is incorporated in the forecast of housing demand up to 2021 used by his Department. [109027]

Mr. Raynsford: Information on net levels of international migration assumed in the latest household projections can be found in Annexe C of the Department's publication "Projections of Households in England to 2021", a copy of which is in the Library of the House. This Annexe summarises the assumptions contained in the 1996-based national population projections which are published in "National Population projections: 1996-based" Office for National Statistics series PP2 No. 21.

Oil Slicks

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what plans his Department has in place to protect coasts from oil slicks. [107317]

Mr. Hill: My Department's Maritime and Coastguard Agency (MCA) will shortly be publishing a revised National Contingency Plan for Marine Pollution from Shipping and Offshore Installations. The plan provides a framework for the UK's response to marine pollution from ships and offshore installations. The MCA implements the plan when marine pollution incidents involving ships and offshore installations occur in UK waters. The plan remains under constant review in the light of the experience gained from incidents and exercises.

The MCA also inspects at least one quarter of ships calling at UK ports to ensure that they comply with international safety rules and standards and operates surveillance aircraft to patrol UK waters.

In addition, my Department will shortly begin a consultative process that could lead to the setting up of Marine Environmental High Risk Areas (MEHRAs) to help protect sensitive marine and coastal environments at particular risk from pollution from shipping.

Housing Waiting Lists

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each London borough the number of (a) families on the housing waiting list, (b) families on the transfer list and (c) his estimates of the number of single people who need housing but are not accepted on to waiting lists. [108874]

Mr. Mullin: The latest information on the number of households on the housing registers of London boroughs was included in my reply to my hon. Friend on 1 December 1999, Official Report, columns 205–06W. Information on transfer lists, and estimates of single persons in housing need but not accepted on to housing registers, is not held centrally.

Global Warming

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department is funding into the potential severity of 100 year climatic events due to global warming, and if the Environment Agency will take this into account in commenting on planning applications. [109012]

Mr. Meacher: My Department supports a £7.8 million programme on climate prediction at the Hadley Centre, which is based at the Met Office. Part of this research programme considers how sea level is projected to rise as a result of climate change. Extreme climate events are characterised by their "return period", i.e. the 100-year water level is the water level which occurs once in every 100 years. The Hadley Centre projections have been used by the Proudman Oceanographic Laboratory to calculate how the return period for the current 100-year water level might change by the 2050s at a number of UK ports. The projections are currently very uncertain because of incomplete understanding of the climate system, and do not allow for any changes in storminess which may result from climate change.

The projections indicate that in England and Wales, a current high tide which would be expected to occur once in every 100 years will occur more frequently. This would be exacerbated if storminess were also to increase as a result of climate change.

The Environment Agency considers new research (some of which it is actively involved in) as it emerges and uses it to inform procedures for responding to planning applications.

Air Safety

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to develop the safety management system operated by National Air Traffic Control Ltd; [108525]

(2) what plans he has to maintain safe levels in the volume of air traffic. [108527]

Mr. Mullin: My right hon. and noble Friend the Minister of State for Transport and I had two meetings with the Institute of Professional and Managerial Staff and the Public and Commercial Services Union in December at which we made clear that the Government have the highest regard for the Safety Management System operated by NATS. We have indicated that the system will remain in place, subject only to such changes and improvements as are agreed with the Safety Regulation Group (SRG) of the Civil Aviation Authority.

The new arrangements, proposed in the current Transport Bill, will lead to the separation of SRG as the regulator, from NATS as operator, as recommended by the Select Committee on the Environment, Transport and the Regions. Under these arrangements, SRG will continue to have robust oversight of all NATS operations. This oversight will include the approval of processes and procedures through the NATS Safety Management System to ensure that traffic flows are regulated and managed at safe levels, irrespective of increasing demand, and that staff are rostered in compliance with the Scheme for the Regulation of Air Traffic Controllers' Hours (SRATCOH), so as to deal safely with the resulting volume of traffic.

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has had from representatives of the British Association of Air Line Pilots and the Institute of Professional and Managerial Staffs on proposed changes in the status and organisation of air traffic controllers; and if he will make a statement. [107552]

Mr. Mullin: Since September, my right hon. and noble Friend the Minister of State for Transport and I have had four meetings with the Institute of Professional and Managerial Staffs and the Public and Commercial Services Union. The Deputy Prime Minister and the British Association of Air Line Pilots were present at one of these meetings. We propose to hold a further meeting with the unions shortly. Subjects discussed include the future of National Air Traffic Services Ltd. under the public-private partnership which the Government

proposes to establish, and the vital importance of maintaining in full existing safety standards in the air traffic control industry.

Hackney Carriage Zones

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to issue a licence allowing the de-zoning of the existing hackney carriage zones to form a single zone in Herefordshire; and if he will make a statement. [109075]

Mr. Hill: A request from Herefordshire Council to approve its resolution to amalgamate existing hackney carriage zones is being carefully considered and a decision will be made as soon as possible.

Railway Signalling

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions how many (a) miles of track and (b) railway junctions in Scotland are controlled by (i) colour light signal systems, (ii) radio-electronic token signals and (iii) mechanical semaphore signals. [108652]

Mr. Hill: 1,497 miles of track in Scotland are controlled by coloured lights systems, 400 miles by Radio Electronic Token Block Signalling and 700 miles by mechanical semaphore signalling. An equivalent figure for railway junctions cannot be given as it is dependent on the definition used.

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions what is the track mileage in Scotland which has electronic train protection, broken down by mileage of the system used; and how many (a) miles of track and (b) junctions in Scotland are not covered by electric or electronic train protection. [108653]

Mr. Hill: 2,454 miles of track in Scotland are protected by the Automatic Warning System (AWS). 143 miles of track on the Ayr-Stranraer and Aberdeen-Inverness routes are without AWS, although they will be fitted later this year. The Train Protection Warning System (TPWS) will be fitted to 1,424 signals and 88 buffer stops by 2003. An equivalent figure for railway junctions cannot be given as it is dependent on the definition used.

Post Offices

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the number of sub-post offices which receive (a) 50 per cent. rates relief and (b) 100 per cent. rates relief; and what would be the estimated cost of extending rates relief at (i) 50 per cent. and (ii) 100 per cent. to all sub-post offices; and if he will make a statement. [108906]

Ms Beverley Hughes: The number of rural post offices receiving the 50 per cent. mandatory village shop rate relief and the number to which local authorities have granted discretionary relief of up to 100 per cent. are not collected centrally. However for 1998–99, the last year which figures are available, sole village stores and post offices in England received £2,022,332 in mandatory relief and £1,091,833 in "top up" discretionary relief.

We are unable to estimate the cost of extending both mandatory and discretionary rate relief to all sub post offices because information is not held centrally on the number and rate liabilities of those already receiving village shop rate relief and those which are not. This information could be obtained only at disproportionate cost.

Air Services

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he has approved the terms of reference for the South East and East of England Regional Air Services Study; and how he will ensure consistency in evaluating the demands for, and constraints on, airports and air service development in the South East and East of England Regional Air Services Study. [109353]

Mr. Mullin: I have now approved the final terms of reference for the South East and East of England Regional Air Services Study, taking account of comments received following the consultation on draft terms of reference. Copies will be placed in the House Libraries. They will be circulated to interested parties, and will be on the DETR website.

A consultation paper, "Appraisal Framework for Airports in the South East and Eastern Regions of England" was published today. This paper is about the development of an appraisal framework to be applied to the alternative ways of dealing with future demand for airport capacity in the South East and East of England. Putting a framework in place will mean that schemes to meet or restrain that demand can be compared on a consistent basis.

The consultation paper has been circulated widely. Comments have been invited from transport groups, airport consultative committees, local authorities, environmental organisations and other interested parties and will be considered carefully before the Appraisal Framework is finalised.

Solar Power

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has carried out into the contribution that the use of solar power in domestic dwellings can make to reducing energy consumption; and if he will make a statement. [108020]

Mrs. Liddell: I have been asked to reply.

The Department of Trade and Industry (DTI) has funded a considerable amount of research into the exploitation of solar energy in the UK. This research can be divided into three technology sectors: Passive Solar Design—the direct use of solar heat gain and daytime light in buildings to display conventional energy demand—Solar Thermal Hot Water Heating—to displace energy from other conventional heating sources—and Photovoltaics—which produce electricity from the action of daylight on photovoltaic cells.

To date most of the DTI funded PV research has focused on issues which are common to all applications of PV in buildings, and to research into aspects of PV integration into larger non-domestic buildings. The

potential contribution that PV can make to UK conventional electricity demand has been estimated in "New and Renewable Energy Prospects for the 21st Century. Supporting Analysis. March 1999. ETSU R-122". This gave a theoretical estimate of around 270 TerraWatt hours a year (TWh/yr) if PV were installed on all available walls and roofs for the entire building stock. More realistically, if PV were to be installed on all south-facing roofs and facades this would yield an annual output of around 70 TWh, or a little over 22 per cent. of current electricity consumption, which stands at around 324 TWh/yr. Obviously, if we are looking only at the roofs of domestic properties, the theoretical potential would be proportionately less. Installing 2 kW systems on 50,000 homes would cost around £500 million at current prices, but would generate less than one half of one tenth of 1 per cent. of current UK electricity demand.

In the short to medium term, up to 2010, the installed cost for PV on dwellings is expected to remain a major barrier to faster deployment of the technology. However, costs are expected to continue to reduce, and a market for domestic PV should develop accordingly, so that in the longer term PV has the potential to make a significant contribution to reducing energy consumption and carbon emissions.

The DTI funded a demonstration project for a domestic PV roof in Oxford in the mid to late 90s. The 4 kW system cost in the region of £25,000, and showed that, over the year, output from the system could match demand from an energy-efficient home, with surplus electricity generated by PV during the day, particularly during the summer months, being exported to the grid, and being balanced by imports during the night and winter months.

The DTI is contributing £1 million towards a field trial looking at the implementation of PV on clusters of domestic dwellings. It is hoped this will result in total investment of £2 million and the installation of PV systems on two to three hundred dwellings. Other ongoing work within the DTI Solar Programme is investigating the development of PV systems for domestic roofing.

DEFENCE

Medical Records

Mr. Dalyell: To ask the Secretary of State for Defence what his policy is on keeping medical records of personnel working in sensitive defence research establishments. [108469]

Dr. Moonie: *[holding answer 7 February 2000]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Tam Dalyell, dated 8 February 2000:

I have been asked to reply to your question about policy on keeping medical records of personnel working in sensitive defence research establishments in view of my responsibilities as Chief Executive of the Defence Evaluation and Research Agency (DERA) which comprises many of the previously separate Ministry of Defence research establishments.

The medical records of personnel fall into two types:

(a) Records of a clinical nature which are required to be held under conditions of medical confidentiality. Where there has been any occupational health intervention of anything more than a trivial nature, such a record should exist and will be held within the occupational health department under the control of suitable medical staff for the duration of a person's employment. Material maintained in the record will include items such as the results of medical examinations, results of health surveillance and clinical correspondence from other medical practitioners.

(b) Records not requiring storage under conditions of medical confidentiality which are retained on an individual's personal file. These will include items such as sickness certificates, any medical advice from a doctor to the employer (which should not include medical-in-confidence material) and records of sickness absence.

All records are maintained for the duration of an individual's employment by DERA. In the case of individuals taking up further Civil Service employment, it is our policy to forward records to the new department or unit along with all other personal records. Otherwise, the clinical records are associated with the personal file (in a suitably sealed package) and forwarded to the Defence Storage and Distribution Centre at Llangennech.

I hope this information is helpful.

Smart Procurement

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the accountability to the taxpayer provided by Smart Procurement; and if he will make a statement. [108742]

Dr. Moonie: My Department's accountability to Parliament and the taxpayer has not been affected by Smart Procurement. By applying Smart Procurement principles to the way we conduct business, the taxpayer should see increased value for money from every pound spent on defence equipment. It enables us to equip, train and support the armed forces as cost-effectively as possible.

Gurkhas

Mr. Burnett: To ask the Secretary of State for Defence when the Government next intend to review with the Indian and Nepalese Governments the salaries and pensions payable to Gurkhas serving in the British Army; and what is the Government's policy on salaries and pensions payable to Gurkhas serving in the British Army. [108794]

Mr. Spellar: Under the terms of the Tri-Partite Agreement (TPA) between India, Nepal and the UK, rates of pay and pensions are linked to the Indian Army pay code. Major reviews of pay and pensions are carried out by Indian Government Pay Commissions which report every 10 years. The next Pay Commission will report in 2006. Interim changes continue to be implemented as they are notified to us by India.

British Gurkha pay is calculated in line with Indian Army rates although in 1997 a Universal Addition was introduced to take account of the cost of living outside Nepal; this is reviewed annually. These two elements combine to give salaries for British Gurkhas that are in line with comparable British servicemen.

The recent examination of Gurkha pensions and gratuities has substantially increased Gurkha pensions to allow for a welfare related cash uplift that will double the

pension payments for all Gurkha pensioners with effect from 1 April 2000. There are no plans for any further reviews of this nature. Pensions will continue to be paid immediately after 15 years service and index linked in accordance with cost of living in Nepal. These increases remain within the context of the TPA.

Anti-ballistic Missile Treaty

Mr. Baker: To ask the Secretary of State for Defence if his Department permits the use of MoD land by the United States for activities contrary to the terms of the anti-ballistic missile treaty. [108896]

Mr. Spellar: I refer the hon. Member to the answer I gave on 30 November 1999, *Official Report*, column 83W.

Departmental Secondments

Mr. Willis: To ask the Secretary of State for Defence how many staff were seconded from the private sector to his Department from *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109074]

Dr. Moonie: Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the civil service and other organisations. All sectors of the economy are involved: Voluntary, Eduction, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

The information requested on personnel on secondment from the private sector to my Department, excluding Trading Fund Agencies, is as follows:

May 1997-April 1998

Total—17

Company:

Rolls Royce Ltd. (x2)
British Aerospace (x5)
BMT Defence Systems
British Nuclear Fuels Ltd.
British Telecom
GEC Marconi Radar and Defence
Pricewaterhouse
Private Finance Panel Ltd. (x2)
Tarmac ServiceMaster
Vickers
Vosper Thorneycroft

May 1998-April 1999

Total—19

Company:

GEC Marconi Radar and Defence
Private Finance Panel Ltd.
Tarmac ServiceMaster
British Nuclear Fuels (x2)
AWE plc
Gardiner and Theobald
TI Group
British Aerospace (x3)
Devonport Management Ltd.
Simmons & Simmons
Wragg & Co.
Defence Acquisition Group (x2)
PA Consulting Group
Dibb, Lupton Alsop
Rolls Royce

May 1999-to date

Total—19

Company:

British Nuclear Fuels
Devonport Management Ltd.
Simmons & Simmons
Wragg & Co.
Defence Acquisition Group (x2)
PA Consulting Group
Dibb, Lupton Alsop
Marconi Electronic Systems (x3)
British Aerospace (x5)
Price WaterhouseCoopers
Rolls Royce Ltd. (x2).

RAF Menwith Hill

Mr. Baker: To ask the Secretary of State for Defence what authority the US Government sought from his Department before commencing the construction of an anti-ballistic missile system at RAF Menwith Hill. [108893]

Mr. Spellar: RAF Menwith Hill is the site for the European Relay Ground Station of the US Space Based Infra Red System (SBIRS). SBIRS is designed to detect and provide information on the launch of ballistic missiles. As Her Majesty's Government retain legal ownership and control of all sites made available to the United States Visiting Forces in the UK, it was necessary for the US to seek permission to construct the SBIRS European Relay Ground Station at RAF Menwith Hill. Permission was granted in March 1997.

Mr. Baker: To ask the Secretary of State for Defence what representations his Department has received from the French Government in respect of anti-ballistic missile developments at RAF Menwith Hill. [108897]

Mr. Spellar: None.

Mr. Baker: To ask the Secretary of State for Defence if the anti-ballistic missile defence system being constructed at RAF Menwith Hill will provide protection from attack for the United Kingdom. [108895]

Mr. Spellar: RAF Menwith Hill is the site for the European Relay Ground Station of the US Space Based Infra Red System (SBIRS). SBIRS is designed to detect and provide information on the launch of ballistic missiles, but offers no physical protection. It will upgrade the detection and warning capabilities that currently contribute to the defence and security of the UK and NATO.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Defence if he will list for the financial year 1998–99 the number and total value of contracts let by his Department with external consultants and advisers that have *(a)* been put out to competitive tender, *(b)* not been put out to competitive tender and *(c)* been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109065]

Dr. Moonie: This information is not held centrally and could be provided only at disproportionate cost.

Garvie Island, Sutherland

Mr. Maclennan: To ask the Secretary of State for Defence what supervisory arrangements are operated to monitor the use by foreign military forces of Garvie Island, Sutherland, as a target. [108992]

Mr. Spellar: Any use of ranges at Garvie Island is governed by UK regulations and is directly supervised by UK military personnel.

Mr. Maclennan: To ask the Secretary of State for Defence if he has approved the use of Garvie Island in Sutherland for shelling by US warships; and if he will make a statement. [108991]

Mr. Spellar: I have not approved Garvie Island in Sutherland for any use by US warships.

Mr. Maclennan: To ask the Secretary of State for Defence if depleted uranium-based ammunition is authorised for use at Garvie Island, Sutherland, by *(a)* UK forces and *(b)* overseas forces; and if he will make a statement. [108993]

Mr. Spellar: Depleted uranium is not authorised for use at Garvie Island either by UK or overseas forces.

Mr. Maclennan: To ask the Secretary of State for Defence under what arrangements exercises by non-UK forces are conducted involving the *(a)* shelling and *(b)* bombing of Garvie Island, Sutherland; and if he will make a statement. [108990]

Mr. Spellar: The range at Garvie Island is open to use by members of NATO. All exercises are conducted under UK regulations and are under the direct control of UK military personnel. Garvie Island is used only by aircraft. There is no shelling of the island.

Army Foundation College

Ms Dari Taylor: To ask the Secretary of State for Defence what progress has been made on the PPP project for the Army Foundation College at Harrogate. [109357]

Mr. Spellar: I am pleased to be able to say that a contract has been let to Defence Training Services Ltd., a joint venture between Jarvis Projects Ltd. and Halifax Bank, to provide and run a modern residential Army Foundation College at Harrogate, with the associated accommodation and infrastructure support services, for a period of 30 years. The military element of the training at the college will continue to be delivered by uniformed personnel. This investment of private finance and expertise will create a flagship college where young people will have a unique opportunity to gain qualifications combining vocational education with military leadership skills.

Royal Navy Links

Ms Squire: To ask the Secretary of State for Defence what recent progress has been made on strengthening links between the Royal Navy and the French Navy. [109358]

Mr. Spellar: I am pleased to announce that HMS Victorious will shortly conduct a port visit to France. She will arrive in Brest on 11 February. This is the second visit of its kind, the first having taken place at Gibraltar in November 1998. The visit has been made possible as a result of the reduced operational tempo of our SSBN fleet, as implemented in the Strategic Defence Review.

Helicopter Landing Platform

Mr. Burnett: To ask the Secretary of State for Defence which vessel his Department plans to be used as a landing platform for helicopters over the next 10 years during the times when HMS Ocean is in refit. [108803]

Mr. Spellar: On current plans HMS Ocean's first full refit will take place in about seven years' time. It is anticipated that the new Landing Platform Docks, HMS Albion and HMS Bulwark, currently being built, will cover the period of refit, along with an Invincible Class aircraft carrier in the Landing Platform Helicopter role.

Iraq

Mr. Alan Simpson: To ask the Secretary of State for Defence if he will list the military actions carried out by Iraqi forces against Kurds and Sh'ia Muslims between 18 November and 15 December 1999 which required operational sorties by UK forces. [108434]

Mr. Hoon: It is not for us to account for the actions of the Iraqi military over a specific period of time. It is clear, however, that Saddam's internal security organisations continue to persecute all opponents of the regime on the ground. Coalition patrols of the no fly zones prevent Saddam Hussein from using his air force to repress the Iraqi people in the north and south of Iraq. Previously he has made extensive use of helicopter gun ships to repress the Kurdish population in the north, as well as both fixed wing aircraft and helicopter gun ships to repress Sh'ia Muslims in the south. Given the extensive history of brutality by Saddam Hussein's regime, there is no reason to believe that he would not resume these tactics were we to cease patrols. Coalition patrols of the no fly zones remain an essential humanitarian task in support of UN Security Council Resolution 688; without our continued presence in the air, he would be free to use his air force to return to an all out assault.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Efford: To ask the Secretary of State for Culture, Media and Sport if he will make a statement about the change of Chief Executive at the Millennium Dome. [109501]

Mr. Chris Smith: Jennie Page has done a sterling job seeing the Millennium Dome through from its inception to opening, on time and on budget, on 31 December. The scale of this achievement should not be underestimated. However, it is the view of the NMEC Board, supported by the Shareholder on behalf of the Government, that a different approach and different skills are now needed to manage the project successfully during its year of operation. Jennie Page has resigned as Chief Executive of NMEC. The NMEC Board have appointed Pierre-Yves Gerbeau to succeed her. He took up his post yesterday. A copy of the Press Notice has been placed in the Libraries.

Lottery Funding

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how much money from National Lottery funding has been directed to projects in parliamentary constituencies in the London Borough of Wandsworth; and for what projects this funding has been used. [109052]

Kate Hoey: I have placed a table showing National Lottery awards directed to projects based in parliamentary constituencies in the London Borough of Wandsworth (correct to 7 February 2000) in the Libraries of the House. This information is taken from the National Lottery Awards database which uses information supplied by the Lottery distributing bodies.

Nandrolone

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport if he will make a statement about the UK Athletics report into the drug nandrolone. [107655]

Kate Hoey: UK Sport's review into the anabolic steroid nandrolone which I initiated in August last year, reported on 18 January after an intensive period of expert study and discussion lasting three months.

UK Sport has accepted the conclusions of the Review Committee and has already consulted the International Olympic Committee and the International Amateur Athletic Federation—both of whom co-operated with the review and who have received the report favourably. National governing bodies are also being consulted. Comments on the report have been invited by the end of February.

The report has also generated substantial interest among members of the public, media, legal and scientific communities. I have placed a copy in the House Libraries.

Sports Facilities

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what discussions he has held with local education authorities on the increased provision of facilities for sporting groups. [105544]

Kate Hoey: My right hon. Friend and I are in regular contact with ministerial colleagues in the Department for Education and Employment, and through them, local education authorities, on a wide range of issues of mutual interest, including the important issue of improving the provision of sports facilities in schools.

I have also discussed this with local authorities in my travels around the country and have met with the Local Government Association.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with the Department for Education and Employment on increasing the number of playing fields and extending sporting facilities at schools. [105102]

Kate Hoey *[holding answer 17 January 2000]:* My right hon. Friend and I are in regular contact with ministerial colleagues in the Department for Education and Employment on a wide range of issues of mutual interest, including the important issues of playing fields and improving the provision of sports facilities in schools. I have also discussed this with local authorities in my travels around the country and have met with the Local Government Association and the National Playing Fields Association.

Oath of Allegiance

Mr. Field: To ask the Secretary of State for Culture, Media and Sport how many letters he has received since 1 May 1997 on *(a)* constituency matters and *(b)* other matters of Government policy from each of those Members of the House who have not taken the Oath of Allegiance. [108403]

Mr. Chris Smith *[holding answer 3 February 2000]:* The information requested is not held centrally.

Lottery Funds

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport how much money the National Lottery has donated to the National Health Service; and if he will make a statement. [108716]

Kate Hoey: The National Lottery has not donated any money to the National Health Service. The New Opportunities Fund has a remit to support initiatives connected with health, education and the environment, all funding allocated to health programmes, such as for the establishment of Healthy Living Centres or for cancer prevention, detection, treatment and care is quite separate from and additional to any money spent by the National Health Service in these areas.

Digital Television

Mr. Livsey: To ask the Secretary of State for Culture, Media and Sport how many relay stations will be digitalised when the phasing out of the analogue system is completed. [108719]

Mr. Chris Smith: At least 30. The current digital terrestrial television (DTT) transmission plan comprises a network of 51 main transmitter sites and 30 relay transmitters. The BBC and Independent Television Commission, with their transmission providers, are now considering how to develop DTT coverage further, in consultation with the digital broadcasters, Government and representatives of manufacturers and consumers.

Concessionary TV Licences

Mr. Coaker: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the application of the concessionary TV licence scheme to sheltered housing units where the residents include non-pensioners who have been placed there by the local authority to meet urgent housing needs. [106833]

Mr. Chris Smith *[holding answer 25 January 2000]:* I recognise that this practice is increasing and gives rise to apparent anomalies in the application of the concessionary television licence scheme to sheltered housing units, which depends on the particular circumstances of the case. The Government asked the independent review panel on the future funding of the BBC to consider the structure of the scheme and whether a suitable alternative structure might be available. The Government are considering the Davies report's recommendations in the light of responses to the public consultation. We intend to announce our conclusions shortly.

BBC World

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport (1) if he will make an assessment of the benefits to the United Kingdom from BBC World; [108649]

(2) what discussions he has had with the Foreign and Commonwealth Office in respect of funding for BBC World. [108648]

Mr. Chris Smith *[holding answer 7 February 2000]:* I have had no such discussions with the Foreign and Commonwealth Office. BBC World is a commercial venture and we have no plans to assess its impact overseas, though I would expect that, in its own way, BBC World makes a positive contribution to the standing of the United Kingdom.

Millennium Commission

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) how many applications for lottery funding, and to what value, have been received by the Millennium Commission in each year since its establishment; and what is the number and value of grants made or announced in each year; [108773]

(2) what arrangements are in place for the continued funding after 31 December of ongoing projects supported by the Millennium Commission; and if he will make a statement. [108771]

Mr. Chris Smith *[holding answer 7 February 2000]:* This is a matter for the Millennium Commission. I will write to the hon. Member in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

Research Contracts

Dr. Harris: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 8 December 1999, *Official Report*, column 537W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108204]

Mr. Chris Smith: All research contracts contain standard terms and conditions which place restrictions on contractors requiring permission from the Department before any discussions of their findings with journalists, either before or after publication.

School Playing Fields

Mr. MacShane: To ask the Secretary of State for Culture, Media and Sport if he will encourage the *(a)* Football Association, *(b)* Football League, *(c)* television networks and *(d)* Football Trust to provide funds for schools without sports playing fields to obtain access to such fields for team sports. [108284]

Kate Hoey: The FA Premier League and the Nationwide Football League have signed the Central Council of Physical Recreation's Voluntary Code on Broadcasting, under which governing bodies commit themselves to investing at least 5 per cent. of broadcasting revenues in the grass roots development of their sports. The Premier League re-affirmed its commitment to the principles of the Code in January 1999 following the publication of the Football Task Force's report Investing in the Community. My officials are in discussion with the Football Trust and the sport's governing bodies about the distribution and use of that investment, a proportion of which may be allocated to the provision of playing areas for school team sports.

HEALTH

Parliamentary Questions

Mr. Field: To ask the Secretary of State for Health when he will give a substantive answer to the question from the right hon. Member for Birkenhead on the birth weight of babies, tabled on 12 January (ref. 105430). [109122]

Yvette Cooper: I shall let my right hon. Friend have a reply to his earlier question as soon as possible.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health how many dentists have been *(a)* struck off and *(b)* reprimanded for professional negligence in each year since 1995. [106719]

Mr. Hutton *[holding answer 24 January 2000]:* Under the Dentists Act 1984, it is the General Dental Council (GDC) that has statutory functions in relation to both the professional conduct and the fitness to practise of dentists in the United Kingdom. The proceedings of the Professional Conduct Committee of the GDC are made public by the Council. The number of dentists found guilty of serious professional misconduct in the last five years is given in the table.

Dentists found guilty of serious professional misconduct 1995–99

Year	*Erased*	*Suspended*[1]	*Admonition*
1995	4	1	3
1996	7	0	3
1997	7	1	2
1998	5	0	6
1999	6	5	2

[1] Suspended up to 12 months

Source:
General Dental Council

Waiting Lists

Mrs. Virginia Bottomley: To ask the Secretary of State for Health (1) what percentage of patients on waiting lists, and how many patients this represented, were waiting over one year in *(a)* 1979, *(b)* 1989, *(c)* 1995 and *(d)* the latest date for which figures are available; [107062]

(2) in which year since 1970 there was the smallest percentage of patients on waiting lists who were waiting over one year for hospital treatment; and how many patients this represented. [107106]

Mr. Denham: The information requested is shown in the table. The March 1996 data are presented since this is the year with the smallest percentage of patients waiting over 12 months for inpatient treatment:

Date	*Total waiting*	*Over 12 month waiters*	*Percentage over 12 months*
September 1979	695,726	197,532	28.4
September 1989	929,056	218,116	23.5
September 1995	1,040,142	27,938	2.7
September 1996	1,061,558	14,993	1.4
September 1999	1,084,529	50,916	4.7

Notes:
Ordinary cases only collected in 1979 (day cases were not included). All other years represent ordinary and day cases combined.
March 1996 figures were total waiting: 1,048,029; over 12 month waiters: 4,576; percentage over 12 months 4.7.
Source:
KH07 return (Trust-based data)

Chiropody

Mr. Nigel Jones: To ask the Secretary of State for Health if he will make a statement on NHS chiropody services in Gloucestershire. [107560]

Mr. Hutton: As part of a package of savings to ensure Gloucestershire Health Authority meets its financial duties, Gloucestershire Health Authority introduced changes to the provision of chiropody on 1 November 1999.

The changes to chiropody services have been reached in agreement with local National Health Service trusts and primary care groups to ensure that patients are affected as little as possible by the need to make financial savings.

All the measures taken have been aimed at ensuring chiropody services continue to be provided to all individuals with an identified medical and chiropodial need for the service.

Gloucestershire Health Authority are continually monitoring the impact of the changes in chiropody and are reviewing the situation early this year and again at the end of April 2000.

Ethnic Monitoring

Mr. Hope: To ask the Secretary of State for Health when charities will be notified of the outcome of their section 64 applications for projects beginning in the financial year 2000–01. [109046]

Mr. Hutton: Section 64 applications are still being considered for the financial year 2000–01. The Department hopes to be able to notify decisions before April 2000.

Disease Statistics

Mr. Jim Cunningham: To ask the Secretary of State for Health what was the incidence of (a) serious kidney disease, (b) prostate cancer and (c) cervical cancer (i) in the last 12 months for which figures are available and (ii) five years ago. [108524]

Yvette Cooper: The category of "serious kidney disease" is not used in the statistics collected. One definition would be those with end stage renal failure, who are receiving renal replacement therapy (dialysis and transplant). The last published national survey of renal units showed the number of such patients treated in England and Wales in 1995 was 473 per million population. The 1999 report of the United Kingdom Renal Registry shows that the most comparable figure for 1998 was 528 per million population. The latest available incidence figures (1996) for prostate and cervical cancer together with data for 1991 for comparison are shown in the table.

England and Wales	*1991*	*[1]1996*
Incidence of prostrate cancer (ICD9 185)		
Number of newly diagnosed cases	14,256	18,900
Rates per 100,000 population[2]	49.7	63.5
Incidence of cervical cancer (ICD 9 180)		
Number of newly diagnosed cases	3,592	2,600
Rate per 100,000 population[2]	12.8	8.9

[1] Provisional data
[2] Directly age standardised to the European standard population
Source:
Office for National Statistics (1999), Report: Registrations of cancer diagnosed in 1993–96, England and Wales, Health Statistics Quarterly 4; 59–70

Child Runaways

Helen Jones: To ask the Secretary of State for Health (1) what progress has been made by his Department in developing a joint strategy with the Home Department to provide services for children who run away from home; [108521]

(2) if he will make it his policy to introduce central monitoring of the number of children running away from local authority care; and if he will make a statement; [108522]

(3) what progress has been made in identifying care placements which have a high rate of children running away; and if he will make a statement. [108523]

Mr. Hutton: We are taking forward a comprehensive range of measures to prevent children reaching the point where they feel the need to run away from home. These include the Government's Supporting Families programme and the Quality Protects programme to transform social services for children in need and their families. These initiatives will help to reduce the pressures felt by families which can lead to conflict and the breakdown of relationships. Schools have also been asked to pay greater attention to the home circumstances of a child and to liaise with other agencies where a child appears to have problems or difficulties. The proposed youth support service for 13–19 year olds will also have a significant role in identifying and assisting children in difficulty at home or at school.

It is essential that a holistic multi-agency approach to runaways is taken locally and the Department's Children's Services Planning Guidance advises social services departments to plan services for runaways on a collaborative basis with other agencies. Current provision includes refuges, drop-in centres, advocacy for young children, emergency foster care placements and night-stop accommodation.

Children's Services Planning Guidance also stresses the need for local authorities to monitor incidence and patterns of running away to assist the planning of services and to identify both families and institutions from which children run away repeatedly. From this April we will require local authorities in England to record absences of more than 24 hours from agreed placements for a sample of one third of their looked after children. These data will provide the first national estimate of the incidence of running away.

Bed Availability

Mr. David Taylor: To ask the Secretary of State for Health when he expects to publish the bed availability statistics for the year to 31 March 1999 in England. [109058]

Ms Stuart: The information will be published shortly.

Departmental Secondments

Mr. Willis: To ask the Secretary of State for Health how many staff were seconded from the private sector to his Department from (a) May 1997 to April 1998, (b) May 1998 to April 1999 and (c) May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109073]

Ms Stuart: Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

Central records are held on the following secondments from the private sector which commenced in the years shown:

Year	*Number*	*Companies seconded from*
May 1997-April 1998	6	Private Finance Panel Executive (2) Tarmac plc Nabarro Nathanson Pinsent Curtis Rawlings Ophthalmic Opticians
May 1998-April 1999	6	Hempsons PriceWaterhouseCoopers Ward Hadaway Beachcroft Stanleys Dickinson Dees Lloyds Bank
May 1999 to date	6	Addleshaw Booth and Company Berwin Leighton Taylor Woodrow Deloitte and Touche Herbert Smith British Airways

TRADE AND INDUSTRY

World Trade Organisation

Mrs. Ewing: To ask the Secretary of State for Trade and Industry what organisations he has consulted regarding Her Majesty's Government's policy in relation to the Seattle round of negotiations of the World Trade Organisation; and if he will list separately the Scottish organisations in the consultation process. [107467]

Mr. Caborn *[holding answer 2 February 2000]:* We have consulted a large number of organisations across the UK, including the Scotch Whisky Association. We do not have a separate list of Scottish organisations since many Scottish interests are also represented by UK-wide organisations.

Export Credits Guarantee Department

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will publish a list of those countries excluded from guarantees from the Export Credits Guarantee Department for unproductive expenditure, showing for each *(a)* the number and *(b)* the value of credits given for (i) defence and (ii) other unproductive exports in each of the past five years. [108479]

Mr. Caborn: ECGD has supported no defence related business for any of the affected countries in the last five years.

While it is not possible to apply the criteria for productive expenditure retrospectively on a definitive basis, from information readily available, all business supported by ECGD on these markets in the past five years would have met the criteria against which future export credit business with these countries will be assessed.

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if he will list the investigations carried out into allegations of corruption and maladministration in the use of Export Credits Guarantee Department funds. [108798]

Mr. Caborn: In the last five years ECGD has reported five such cases to HM Treasury. In only one of these cases was it felt necessary to refer the case to the relevant external investigatory body. My hon. Friend will appreciate that it is not possible for me to provide details of individual cases for legal reasons.

Coal

Mr. Clapham: To ask the Secretary of State for Trade and Industry what the percentage was of UK-mined coal burned by individual power stations in Britain in 1999. [109019]

Mrs. Liddell: In the 12 months to November 1999 major power producers' net purchases of coal amounted to 40.1 million tonnes. Of this, 32.8 million tonnes (82 per cent.) was of UK purchased coal and 7.3 million tonnes (18 per cent.) was of imported coal. The total quantity of coal consumed by major power producers over this 12 month period was 39.2 million tonnes. Data for individual coal-fired power stations are not available.

Mr. Trickett: To ask the Secretary of State for Trade and Industry what estimate he has made of the accessible coal reserves in each of the collieries in Yorkshire; what is their current rate of depletion; and what is his estimate of the life of each colliery at current rates of depletion. [109116]

Mrs. Liddell: As part of its Review of Energy Sources for Power Generation, the Department of Trade and Industry commissioned International Mining Consultants Limited (IMCL) to provide a report on the prospects for coal production in England, Scotland and Wales in the period to 2020. That report was substantially undertaken in May 1998 and published by The Stationery Office in March 1999. Since that time the world price of coal has fallen and this is likely in general terms to have reduced the levels of economically workable reserves and to have accelerated the date at which economic reserves of some collieries are likely to exhaust.

A summary of the assessment of reserves for each of the collieries in Yorkshire as at early 1998 was shown as follows:

	Proven (Mt)	*Probable (Mt)*
Ricall[1]	4.664	14.793
Stillingfleet[2]	2.315	20.102
Wistow	3.085	11.173
Kellingley	3.698	11.509
Maltby	4.086	15.222
Prince of Wales	2.258	2.953
Rossington	—	12.714
Hatfield	0.305	1.639

[1] Ricall/Whitemoor combine
[2] Stillingfleet/North Selby combine

Various scenarios were considered in the report. The summary of projected operating performance prepared by IMCL, on the scenario of current mines to exhaustion at company output levels full profit/loss cost basis, for each of the collieries in Yorkshire in 1998 was shown as follows:

	1998 output '000t	*Projected exhaustion date*
Ricall[1]	1,730	2009
Stillingfleet[2]	3,700	2009
Wistow	2,600	2009
Kellingley	1,348	2020
Maltby	1,400	2020
Prince of Wales	1,750	2009
Rossington	825	2020
Hatfield	348	2009

[1] Ricall/Whitemoor combine
[2] Stillingfleet/North Selby combine

Electricity Interconnector

Mr. Clapham: To ask the Secretary of State for Trade and Industry when negotiations will begin with EDF on a replacement electricity supply contract through the interconnector; if he will seek a reciprocal arrangement; and when the new contract is required to be in place. [109018]

Mrs. Liddell: The Interconnector Agreement between the National Grid Company and EDF expires on 31 March 2001 and it is a matter for the parties to the Agreement when negotiations on a successor Agreement take place. As an essential facility, access to the interconnector should be granted to third parties on reasonable and non-discriminatory terms, and any new Agreement will be subject to the normal application of EU competition law.

Pakistan

Mr. Corbyn: To ask the Secretary of State for Trade and Industry if he will list (a) the total number of contracts and their value relating to arms exports to Pakistan for each of the last five years, (b) the value of ECGD support and (c) what payments were made under the ECGD scheme. [108880]

Mr. Caborn: ECGD has not supported defence related equipment to Pakistan in any of the last five years.

Postal Services

Mr. Mitchell: To ask the Secretary of State for Trade and Industry which EU document promotes the lowering of the monopoly limit on postal services of member states; what measures restrict national choice; and what consultation he has had with postal users in the United Kingdom concerning the policies of Her Majesty's Government in these matters. [108722]

Mr. Alan Johnson: The Postal Services Directive (97/67/EC) sets the agreement between the European Union member states and the European Commission on common rules for the development of the internal market of community postal services and the improvement of quality of service. The Directive established the principle that postal services may be reserved by member states only to the extent necessary to ensure the maintenance of the universal service. The initial upper limit to the reserved area was set at five times the public tariff for an item for correspondence in the first weight step of first class post provided that it weighs less than 350 grams. The United Kingdom's reserved area is within this limit. The Directive also provided for further steps to be taken towards the completion of the internal market of postal services and tasked the European Commission to come forward with proposals for gradual and controlled liberalisation. It is expected that these proposals will issue shortly.

In the United Kingdom, extensive consultation has taken place, in relation to the reserved area and other postal matters, during the review which led to the White Paper on Post Office Reform which was published in July 1999. A Bill has now been laid in with the intention of consolidating the reforms outlined in the White Paper.

The Government are of the view that greater competition is essential for postal reform. Liberalisation promotes competition and greater choice and keener pricing for consumers. It also encourages greater innovation, productivity and growth of businesses. The Postal Service Commission (which takes up its duties on 1 April 2000) will have a duty to promote the interest of consumers of postal services, having regard to the need for effective competition wherever possible and appropriate.

As set out in the White Paper, the Postal Services Commission will be expected to report on the scope for liberalisation within one year of appointment. We shall be asking the Postal Services Commission to provide its advice on the scope for reductions in the monopoly at the

earliest opportunity. We shall also be encouraging them to be thorough and to take account of the views of all interested parties.

Match Funding

Mr. Mitchell: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 17 January 2000, Official Report, columns 258–59W, on match funding, (a) what structural funds grants were received in the United Kingdom for (i) 1999 and (ii) preceding years, (b) what was the total of associated matched funding for that sum, and (c) if he will initiate a scheme to record the sources of matched funding for each grant received in 2000. [108966]

Mr. Caborn: As explained in my previous answer of 17 January 2000, Official Report, columns 258–59W, there are no specific annual allocations to structural funds programmes and grants for individual years therefore cannot be identified. However the total value of grants to the UK's structural funds programmes which ended in 1999 amounted to approximately £5.5 billion.

The previous answer also explained that the level of match funding varied from programme to programme, and depended on the nature of the various projects. That information was not recorded centrally.

It would require disproportionate effort to record and collate the precise source of match funding for each of the many thousands of projects which receive structural funds assistance.

Kerosene and Gas Oil

Mr. Robertson: To ask the Secretary of State for Trade and Industry how much (a) kerosene and (b) gas oil was used industrially in the last year for which figures are available. [108711]

Mrs. Liddell: The latest published data show that during 1998 the amounts of kerosene and gas oil used by industry were 841 and 2,894 thousand tonnes respectively, the latter figure including some eight thousand tonnes of gas oil used by industry for on-site generation of electricity during the year. The figure for gas oil does not include any amount of gas diesel oil used as a fuel for round transport, i.e. DERV fuel. Information on the amount of DERV fuel used by industry is not available. Preliminary figures for 1999 suggest that industrial kerosene use has increased by approximately 15 per cent. while industrial gas oil use has decreased by approximately 10 per cent.

Parental Leave

Mr. John D. Taylor: To ask the Secretary of State for Trade and Industry if he will estimate the total cost of statutory paid parental leave in the United Kingdom set at the level of the minimum wage. [109045]

Mr. Alan Johnson: It is not possible to provide an estimate based on the information given in the question. The cost of any paid parental leave scheme to the Exchequer and employers will depend upon the assumptions made about take up, the length of leave taken as well as the level of support provided.

WALES

Departmental Consultation

Dr. Tony Wright: To ask the Secretary of State for Wales if he will list the public consultation exercises on policy matters carried out by his Department and its agencies in each of the last five years; who was consulted and by what means; how responses were analysed; how and in what form the results were transmitted to those responsible for the consultation; how the results of the consultation were published; and what analysis has been carried out of the extent and nature of policy changes resulting from the consultation. [106294]

Mr. Paul Murphy: The Government want to hear what people have to say about suggested new proposals and policies, and this is an important aspect of the modernising government initiative. However, for the Welsh Office up until 30 June 1999, the information requested is not held centrally, and could be provided only at disproportionate cost.

For the Wales Office from 1 July 1999, a joint consultation with DETR titled "Improving Rights of Way in England and Wales" has been carried out. The actual consultation was carried out by the Assembly, on my behalf, and they wrote to me summarising the responses, and copied them to the relevant Whitehall department, to ensure that the responses were fed into the outcome. The results have not yet been published, and it is too soon for any analysis of the extent and nature of policy changes arising from the consultation to have been conducted.

A further consultation, again in conjunction with DETR, into "High Hedges: the Problems and Possible solutions in England and Wales" has also been carried out in Wales by the Assembly on my behalf. The consultation period has just concluded, and responses are now being analysed.

I have also asked the Assembly to carry out a consultation on "The Physical Punishment of Children". The Assembly will be issuing this consultation shortly. A similar consultation has been issued for England by the Department of Health.

Farming

Mr. Walter: To ask the Secretary of State for Wales what recent discussions he has had with the Minister of Agriculture regarding the state of farming in Wales. [105570]

Mr. Paul Murphy *[holding answer 18 January 2000]:* I speak regularly with my colleagues in Whitehall, and we discuss a wide range of issues. I am acutely aware of the long-term problems facing Welsh agriculture and the current difficulties. Our priority must be to work towards a stable, sustainable and prosperous future for Welsh farming. Support for this objective is a matter for the Assembly and they are pursuing it through their Food Strategy and Rural Development Plan.

Post Offices

Mr. Jack: To ask the Secretary of State for Wales what proposals are being considered by his Department to help sustain and develop the viability of rural and urban sub-post offices. [105855]

Mr. Hanson: I refer the right hon. Member to the reply given to him by the Minister for Competitiveness, my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson) on 20 January 2000, *Official Report*, column 520W, as these matters relate to my hon. Friend's responsibilities within the Department of Trade and Industry.

Cubie Report

Mr. Flynn: To ask the Secretary of State for Wales what discussions he has had with the First Minister of the Welsh Assembly concerning the Cubie report. [105927]

Mr. Hanson *[holding answer 24 January 2000]:* I recently met the National Assembly for Wales Secretary for Training and Education Tom Middlehurst, when we discussed the Cubie report. The Cubie report is a report to the Scottish Executive on student finance, an area of responsibility that has not been devolved to the National Assembly for Wales. My right hon. Friend the Secretary of State for Education and Employment has announced that he has set aside resources for a major new package of extra measures to widen access to higher education and tackle student hardship in England and Wales. Mr. Middlehurst will be announcing in due course increased help for students at higher education institutions in Wales through the Assembly's HE Student Access funds.

Research Contracts

Dr. Harris: To ask the Secretary of State for Wales, pursuant to his answer of 6 December 2000, *Official Report*, column 370W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108200]

Mr. Paul Murphy: The standard contract for Research Services which is used by my Department provides that researchers shall obtain the approval of the Client before making any communication to the press or others on the Project, its contents, or the results.

Working Families Tax Credit

Mr. Barry Jones: To ask the Secretary of State for Wales in what ways he has publicised the working families tax credit in Wales; and if he will make a statement. [107423]

Mr. Hanson: My right hon. Friend and I take every opportunity to publicise the Working Families Tax Credit which demonstrates this Government's strong commitment to improving the lot of working families and to eradicating child poverty.

In a statement on 7 September 1999, my right hon. Friend said

> "The Working Families Tax Credit represents a major step forward in making work worthwhile, and in helping those workers who were most disadvantaged by the previous system. This is especially good news for Wales, which has suffered from amongst the lowest wage levels in the UK".

A copy of the press release is available from the Library of the House.

Rail Transport

Mr. Barry Jones: To ask the Secretary of State for Wales what recent representations he has made to the Secretary of State for the Environment concerning improved rail transport in Wales; and if he will make a statement. [107420]

Mr. Paul Murphy: I have regular contact with my right hon. Friend the Secretary of State for the Environment, Transport and the Regions to discuss a range of issues. In particular I have discussed with him and with the Minister for Transport how we can ensure that Welsh interests are properly reflected on the face of the Transport Bill.

Alyn and Deeside

Mr. Barry Jones: To ask the Secretary of State for Wales if he will discuss with the First Secretary the situation of dairy farmers in Alyn and Deeside. [106702]

Mr. Paul Murphy: I meet the First Secretary regularly and we discuss a wide range of issues, including various aspects of the agriculture industry, and we are aware of the problems currently facing dairy producers. The Assembly is supporting the farming industry, in particular through their Food Strategy and Rural Development Plan.

CABINET OFFICE

Parliamentary Questions

Mr. Oaten: To ask the Minister for the Cabinet Office how many questions to her Department tabled for written answer on a named day during Session 1998–99 were answered *(a)* on or before a named day, *(b)* within one week of a named day, *(c)* within one month of a named day, *(d)* within three months of a named day and *(e)* after three months of a named day. [106483]

Mr. Stringer: The information is not held in the form requested. In the Session 1998–99, 154 named day questions were tabled to the Cabinet Office of which 68 per cent. received a substantive answer on the day specified.

Mr. Oaten: To ask the Minister for the Cabinet Office how many questions to her Department tabled for ordinary written answer during Session 1998–99 were answered *(a)* within two weeks of tabling, *(b)* within one month of tabling, *(c)* within three months of tabling and *(d)* after three months of tabling. [106488]

Mr. Stringer: The information is not held in the form requested. In the Session 1998–99, 291 ordinary written questions were tabled to the Cabinet Office of which 83 per cent. received a substantive reply within five working days.

Mr. Oaten: To ask the Minister for the Cabinet Office how many questions to her Department were tabled for written answer during Session 1998–99; and how many of these she replied to *(a)* by means of a letter placed in the Library rather than by substantive answer in the *Official Report*, *(b)* by stating that a substantive answer could not be given due to information not being held centrally and *(c)* by stating that a substantive answer could not be given due to disproportionate cost. [106484]

Mr. Stringer: In the Session 1998–99, 676 questions for written answer were tabled to the Cabinet Office of which 12 were replied to by means of a letter placed in the Libraries of the House. Five questions received an answer in part in so far as information was available, and 13 were replied to by stating that the information requested was not held centrally and could be obtained only at disproportionate cost.

National Minimum Wage

Mr. Swinney: To ask the Minister for the Cabinet Office if she will estimate the impact of increasing the minimum wage *(a)* in line with average earnings, *(b)* to £4 per hour and *(c)* to £4.20 per hour on the cost of salaries of the Civil Service (i) in total and (ii) for each nation of the United Kingdom in the next financial year. [108654]

Mr. Stringer: This information is not held centrally. The effect of an increase in the National Minimum Wage would need to be calculated against an individual's precise working hours and contractual terms. This is therefore a matter for individual Departments.

Departmental Expenditure Limit

Mr. Patrick Hall: To ask the Minister for the Cabinet Office what proposals she has to change the 1999–2000 Departmental Expenditure Limit of the Parliamentary Commissioner for Administration and Health Service Commissioners; and for what reasons. [109356]

Mr. Stringer: The total Departmental Expenditure Limited for the Office of the Parliamentary Commissioner for Administration and Health Service Commissioners on Class XVIII, Vote 4 will be reduced by £570,000, falling from £14,971,000 to £14,401,000.

The Office of the Parliamentary Commissioner for Administration and Health Service Commissioners is currently meeting the cost of complaints in respect of services which, following devolution, now fall within the responsibility of the Scottish Parliament and Welsh Assembly. The cost of these services will in future be moved to a repayment basis. The proposed reduction in the Departmental Expenditure Limit will allow for this. Of the reduction £300,000 will be transferred to the Welsh Assembly Ombudsman and Welsh Health Service Commissioner and £270,000 will be transferred to the Scottish Parliamentary Commissioner for Administration and Scottish Health Service Commissioner.

These changes will not add to the planned total of public expenditure.

Mr. Goggins: To ask the Minister for the Cabinet Office what proposals she has to change the 1999–2000 Departmental Expenditure Limit or running costs limit for the Cabinet Office. [109355]

Mr. Stringer: Subject to parliamentary approval of the necessary Supplementary Estimates:

> The Departmental Expenditure Limit for Cabinet Office will be decreased by £4,163,000 from £318,701,000 and the running costs limit will be decreased by £156,000 from £115,018,000 to £114,862,000.
>
> This is mainly to take account of the following changes:
>
> *Transfer payments in*
>
> A transfer towards the project review of Better Government for Older People from Department of Social Security (Class XII, Vote 3) (£20,000).
>
> *Transfer payments out*
>
> A transfer in respect of staff transferring from Security Facilities Division to Police Scientific Development Branch to the Home Office (Class XVIII, Vote 3) (£25,000). A transfer payment to the Privy Council Office (Class XVIII, Vote 3) (£89,000) and to the Countryside Agency (Class III, Vote 1) (£64,000) to provide for accommodation costs. Provision for ownership of St. Christopher House has transferred from the Property Advisers to the Civil Estate to the Ministry of Defence (Class VI, Vote 1) (£1,075,000). Provision for ownership of 83 Piccadilly has been transferred to Department for Education and Employment (Class I, Vote 1) (£32,000).
>
> *Civil Superannuation*
>
> The scheme for the central funding of early departures as announced in the White Paper: The Civil Service: Continuity and Change (Cm 2627) ended on 31 March 1997. The amount of central funding required has decreased by £2,900,000.

SOCIAL SECURITY

Fraud

Mr. Dobbin: To ask the Secretary of State for Social Security what steps his Department is taking to reduce benefit fraud; and if he will make a statement. [108576]

Mr. Rooker: We set out our strategy for combating fraud and reducing error in "Safeguarding Social Security", published on 23 March 1999. We are putting this strategy into practice with strong and sensible safeguards to ensure the right money goes to the right people. Among the new initiatives that carry this forward are the following:

> New more robust powers for fraud inspectors in The Child Support, Pensions and Social Security Bill published on 1 December. These provisions give greater clarity and allow all benefit fraud investigations to proceed on the basis of common powers.
>
> All payments will move to automated credit transfer (ACT) from 2003 as a modern, more secure and efficient method of paying benefits. This will virtually eliminate "instrument of payment" fraud and enhance security over the life of a claim. This is expected to yield fraud savings in the region of £140 million—£240 million.
>
> A regional radio campaign, costing some £500,000, with supporting adverts in local newspapers, to advertise the Benefit Fraud Hotline. This has led to thousands of extra calls to the Hotline. Later this year the public will be able to contact the Hotline via the internet.

Pensioners' Incomes

Mr. Webb: To ask the Secretary of State for Social Security if he will update his estimates based on the Family Resources Survey 1997–98 of *(a)* median pensioner incomes, excluding means-tested benefits, by age, sex and marital status, consistent with his answer of 18 January 1999, *Official Report*, column 372W, on pensions, and *(b)* the size of each group. [108493]

Mr. Rooker: The information is in the tables.

Pensioner units median gross income excluding means-tested benefits, by age, 1997–98

£ per week

	Age				
	60–64	*65–69*	*70–74*	*75–79*	*80+*
Single male pensioners	n/a	125	107	104	106
Single female pensioner	130	106	101	88	90
Pensioner couples	n/a	254	202	197	187

Notes:

1. All amounts are in £ per week at July 1997 prices. They are rounded to the nearest £1, although estimates are not necessarily accurate to this level.
2. Estimates are for pensioner units. A pensioner unit is defined as a single (non-cohabiting) person over State Pension Age (65 years or above for men and 60 years or above for women), or a couple (married or cohabiting) where the man, defined as the head, is over State Pension Age. Estimates for pensioner couples are broken down by the age of the man.
3. Estimates marked "n/a" are not applicable. Single men and couples are only defined as pensioner units if the man is aged 65 years or above.
4. Means-tested benefits are defined as Income Support, Family Credit, Council Tax Benefit and Housing Benefit.
5. Levels of means-tested benefit may be particularly affected by mis-reporting by survey respondents, as receipt of State Retirement Pension and receipt of Income Support are often confused in the FRS.
6. All estimates, and in particular those for single male pensioners, should be treated with caution since they are based on small sample sizes.
7. Figures are for GB only.

Source:
The Pensioners' Incomes Series dataset, based on the Family Resources Survey (FRS) 1997–98

Number of pensioner units by age and marital status 1997–98

	Age				
	60–64	*65–69*	*70–74*	*75–79*	*80+*
Single male pensioners	n/a	250,000	210,000	220,000	260,000
Single female pensioner	380,000	540,000	640,000	700,000	1,010,000
Pensioner couples	n/a	1,020,000	780,000	490,000	360,000

Notes:

1. Figures are for GB only and rounded to the nearest 10,000 pensioner units.
2. Estimates are for pensioner units. A pensioner unit is defined as a single (non-cohabiting) person over State Pension Age (65 years or above for men and 60 years or above for women), or a couple (married or cohabiting) where the man, defined as the head, is over State Pension Age. Estimates for pensioner couples are broken down by the age of the man.
3. Estimates marked "n/a" are not applicable. Single men and couples are only defined as pensioner units if the man is aged 65 years or above.
4. Estimates are not controlled to independent population estimates by the age bands used in this analysis and therefore may be affected by variation by age in survey response rates.
5. All estimates, and in particular those for single male pensioners, should be treated with caution since they are based on small sample sizes.

Source:
The Pensioners' Incomes Series dataset, based on the Family Resources Survey (FRS) 1997–98.

Mr. Webb: To ask the Secretary of State for Social Security if he will provide separate analyses for pensioners aged 80 years or above as part of the core analyses contained in the Pensioners Income Series. [108432]

Mr. Rooker: The age groupings used in the Pensioners' Incomes Series will be reviewed before the publication of the 1998–99 edition, as part of the publication's ongoing development.

Incapacity Benefit

Mrs. Ewing: To ask the Secretary of State for Social Security if he will estimate the cost to *(a)* the United Kingdom and *(b)* Scotland of restoring eligibility for incapacity benefit to its status before 1999. [106579]

Mr. Bayley *[holding answer 25 January 2000]:* Information is not available in the form requested. Such information as is available is in the table.

Our welfare reforms are estimated to affect benefit expenditure for disabled people in Great Britain from 6 April 2001 as shown in the following table. The Incapacity Benefit charges apply only to new claims and no existing recipient will be adversely affected at the point of change.

Our reforms are intended to modernise the welfare system and to encourage work for those who can, while providing security for those who cannot. The reforms are not focused on making savings in benefit expenditure; spending on benefits for sick and disabled people will continue to rise.

Financial effects of welfare reform measures in Great Britain from April 2001

Measure	*£ million*
Incapacity Benefit contribution changes	-20
Incapacity Benefit occupational and personal pension changes	-30
Replacement of Severe Disabled Allowance by Incapacity Benefit for under 20–25-year-olds	0
Severe Disablement Allowance abolition for new cases	-10
Extension of Disability Allowance mobility component to 3 and 4-year-olds	+15
Disability Income Guarantee	+60

Notes:

1. Estimate for the United Kingdom is unavailable.
2. Estimates are available for Great Britain. It is expected that the effects will be proportionate for each measure in Scotland.
3. All above figures are in April 1998 prices from April 2001.
4. From 6 April 2001 the Welfare Reform and Pensions Act 1999 amends the National Insurance contributions that have to be met to qualify for Incapacity Benefit and provides for some account of occupational and personal pension income in excess of £85 a week to be taken. Both measures apply to new Incapacity Benefit claims only.
5. The Disability Income Guarantee is included in the above table as it was part of the welfare reforms published in the command paper "A New Contract for Welfare: Support for Disabled People".

Minimum Wage

Mr. Swinney: To ask the Secretary of State for Social Security if he will estimate the impact on benefit payments in the next financial year of a single minimum wage for all age groups of *(a)* £4.00 per hour, *(b)* £4.20 per hour and *(c)* £4.50 per hour. [108674]

Angela Eagle: The information is in the table.

Estimated savings in 2000–01 on benefit payments of a national minimum wage of £4.00, £4.20 and £4.50

£ million

	£4.00	£4.20	£4.50
Income Support/JSA (IB)	-30	-50	-70
Housing Benefit	-50	-100	-140
Council Tax Benefit	-10	-20	-30
Total	-90	-170	-240

Notes:

1. Estimates based on 1996–97 Family Resources Survey data, uprated to 2000–01 prices and benefit rates.
2. Estimates rounded to the nearest £5 million. Totals may not sum due to rounding.
3. Estimates assume no secondary effects on employment or wages.

Benefit Administration

Mr. Best: To ask the Secretary of State for Social Security what assessment he has made of the initiatives local government authorities have taken to improve the administration of benefits. [107342]

Angela Eagle: Local and central government have a common aim in transforming the delivery of Housing Benefit/Council Tax Benefit (HB/CTB) so that all local authorities can provide their communities with a faster, more accurate service which is more secure against fraud and error, provides value for money and takes account of the views and needs of clients.

Many local authorities are providing an excellent benefits service and are committed to modernising the way in which they provide it for local people. We are delighted that Leeds City Council was one of the five councils awarded Beacon status under the Modern Service Delivery theme along with the London Boroughs of Camden and Harrow, Exeter City Council and New Forest District Council. Beacon councils have a key role in disseminating best practice so that others can benefit from their experience.

New Best Value performance indicators will target key areas of benefit administration from April 2000. All local authorities will be required to set and meet challenging targets against indicators and demonstrate that they are achieving continuous improvements in the standards of service they provide.

There are many other initiatives underway between local and central government, including the pilot ONE service where Leeds City Council is a key player. Their involvement has been key to the delivery of the ONE service in Leeds, not only because of their responsibility for delivering housing benefit and council tax benefit, but also because of their expertise in providing a wide range of local services and information.

LORD CHANCELLOR'S DEPARTMENT

Departmental Secondments

Mr. Willis: To ask the Parliamentary Secretary, Lord Chancellor's Department how many staff were seconded from the private sector to his Department from *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109072]

Mr. Lock: Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

Records in this Department are only available for the periods April 1997 to March 1998 and April 1998 to March 1999. During 1997–98, we had one individual seconded from ICL to LCD Headquarters for less than three months and in 1998–99 a lawyer from Clifford Chance was seconded to the Law Commission for more than three months.

Public Trust Office

Ms Oona King: To ask the Parliamentary Secretary, Lord Chancellor's Department how his Department will take forward reform of the Public Trust Office following the Quinquennial Review of its executive agency status, published on 18 November 1999. [109502]

Jane Kennedy: When he published the Quinquennial Review of the Public Trust Office, my noble and learned Friend the Lord Chancellor indicated that he would explore the Review's recommendations in a programme of reform and would make a further announcement on the way forward in February 2000. It remains his view that radical reforms are needed but he is also determined to ensure, in an area where we are trying to protect the interests of some of the most vulnerable in society, that we consider very carefully the full implications of any changes we make. Several organisations and professional groups commenting on the Quinquennial Review have asked for an extension of the timetable in order to put forward their views. In order to ensure that all have sufficient time to give their views, the Lord Chancellor now intends to allow comments to be submitted up until 3 March. The Lord Chancellor will consider these and make an announcement on the way forward for the Public Trust Office by this Easter.

TREASURY

Bertram Fleurose

Mrs. Brinton: To ask the Chancellor of the Exchequer if he will place a copy of the transcript of the hearings of the appeals against the judgments of the Securities and

Futures Authority's disciplinary tribunal in the case of Bertram Fleurose in the Library, together with a set of the papers available to the appeals tribunal. [109117]

Miss Melanie Johnson: I will arrange for transcripts of the hearings to be placed in the Library as soon as possible. However, the papers available to the tribunal are not being supplied as they contain commercially sensitive information and documents subject to legal professional privilege.

Government Spending

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if it his policy that the Comprehensive Spending Review to be announced this year will set Government spending plans up to and including 2004–05; and if he will make a statement. [108903]

Mr. Andrew Smith: I refer the hon. Gentleman to the Pre-Budget Report (Box 2.1, page 15, "Stability and steady growth for Britain", Cm 4479).

The Spending Review will set plans for Departmental Expenditure Limits up to and including the financial year 2003–04.

Budget Statement

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer when he will present his Budget Statement for 2000; and if he will make a statement. [108977]

Dawn Primarolo: The Chancellor announced to the House on 3 February 2000, *Official Report*, column 1187, that he will deliver his Budget Statement on 21 March.

Partnerships UK

Mrs. Lawrence: To ask the Chancellor of the Exchequer what progress has been made with Government plans to establish Partnerships UK; and if he will make a statement. [109298]

Mr. Andrew Smith: Partnerships UK will be a new public-private partnership which will make available to the public sector the key commercial skills to forge more and better partnerships with the private sector. The business plan for Partnerships UK is under development. The next step is to start putting arrangements in place to launch Partnerships UK. Parliamentary approval to this new service will be sought in an Estimate for HM Treasury, Class XVI, Vote 1. Pending that approval, urgent expenditure estimated at £3.6 million in 1999–2000 will be met by repayable advances from the Contingencies Fund.

Cash Machines

Mr. Chidgey: To ask the Chancellor of the Exchequer what assessment he has made of the possible effect of the introduction of surcharges for cash machine withdrawals on financial exclusion. [108436]

Miss Melanie Johnson: I refer the hon. Member to the answer I gave my hon. Friend the Member for South Swindon (Ms Drown) on 2 February 2000, *Official Report*, column 634W.

UK Economic Cycle

Sir Brian Mawhinney: To ask the Chancellor of the Exchequer what specific steps he is taking more closely to align the United Kingdom's economic cycle with that of the countries in the euro group of the EU. [108869]

Miss Melanie Johnson *[holding answer 7 February 2000]:* The Government's policy on membership of the single currency remains as set out by the Chancellor of the Exchequer in October 1997.

The Government have introduced a programme of economic reforms, which by building a platform for greater stability are in the UK's national economic interest.

The Government have said they will recommend joining a successful single currency only if it is in our national economic interest to do so, and if the economic benefits to the UK, from joining, are clear and unambiguous.

FOREIGN AND COMMONWEALTH AFFAIRS

European Council Appointment

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what controls, other than the provisions of the relevant treaties, there are on the activities of the High Representative and Secretary General of the European Council; for how long the present appointment has been made; and if it is renewable. [105130]

Mr. Vaz: The role of the Secretary General of the Council and High Representative for the Common Foreign and Security Policy is to assist the Presidency. The Presidency represents the Union in matters coming within the common foreign and security policy, and is responsible for the implementation of decisions taken under the common foreign and security policy. The High Representative has been appointed for five years. There has been no discussion of whether or not this period is renewable.

Departmental Fees

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the fees his Department, its agencies and associated public bodies collect; how much has been raised or it is anticipated will be raised from each of these fees from 1989–90 to 2004–05; and which of these fees count as negative expenditure. [106000]

Mr. Hain: The Foreign and Commonwealth Office (FCO) are responsible for accounting for receipts from Visa Issuing, Passport Issuing Overseas and Other Consular Activities fees. Visa Issuing became negative public expenditure in 1997–98, Passport issuing became negative public expenditure in 1998–99 and Other Consular Activities are classed as Consolidated Funds Extra Receipts (CFERs).

Actual receipts from each of the categories, for the 10 year period from 1989–90 to 1998–99 and estimated receipts for 1999–2000 are, in pounds million, as follows.

Fees

	Visa	*Passport*	*Consular*
1989–90	—	4.7	1.6
1990–91	31.0	4.3	1.6
1991–92	26.6	4.8	1.7
1992–93	31.2	5.1	2.6
1993–94	30.5	5.9	3.0
1994–95	32.3	6.1	3.5
1995–96	42.1	6.0	4.5
1996–97	57.0	6.0	4.6
1997–98	63.5	6.0	5.1
1998–99	67.5	10.7	4.6
1999–2000	69.0	14.6	4.6

Departmental Press Releases

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Press releases his Department issued in each year from 1995 to 1999. [106120]

Mr. Robin Cook: The Foreign and Commonwealth Office issues a daily bulletin of Ministerial engagements and announcements. We do not keep records of the number of additional press releases issued each year.

Departmental Consultation

Dr. Tony Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the public consultation exercises on policy matters carried out by his Department and its agencies in each of the last five years; who was consulted and by what means; how responses were analysed; how and in what form the results were transmitted to those responsible for the consultation; how the results of the consultation were published; and what analysis has been carried out of the extent and nature of policy changes resulting from the consultation. [106300]

Mr. Robin Cook: The Foreign Office welcomes ideas from outside Whitehall. Ministers and officials consult widely on policy matters. Detailed information of the kind asked for is, however, not available centrally and could be obtained only at disproportionate cost.

Russia

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what information the United Kingdom Embassy in Moscow has on the visits made to Russia by *(a)* presidents of other EU countries, *(b)* heads of Government of other EU countries and *(c)* other ministers of EU countries since 1 May 1997. [107628]

Mr. Vaz *[holding answer 31 January 2000]:* The United Kingdom Embassy in Moscow does not keep records of all visits to Russia by EU partners. However, the information readily available in the FCO (which is not necessarily comprehensive) shows that the following visits took place:

Date	*Visitor*	*EU Country*
(a) Visits made by presidents of other EU countries		
1 September 1997	President Herzog	Germany
25–27 September 1997	President Chirac	France
(b) Visits made by heads of government of other EU countries		
4 January 1997	Chancellor Kohl	Germany
28–29 September 1997	Prime Minister Prodi	Italy
29–30 October 1997	Chancellor Klima	Austria
30 October to 1 November 1997	Prime Minister Jospin	France
30 November 1997	Chancellor Kohl	Germany
10 November 1998	Prime Minister Lipponen	Finland
16–17 November 1998	Chancellor Schroeder	Germany
1 June 1999	Prime Minister Bondevik	Norway
29 July 1999	Prime Minister Lipponen	Finland
(c) Visits made by other ministers of EU countries		
7–9 September 1997	Foreign Minister Derycke	Belgium
8–9 September 1997	Foreign Minister Vedrine	France
21–24 September 1997	Defence Minister Von Sudow	Sweden
30 October 1997	Interior Minister Napolitano	Italy
30 October to 1 November 1997	Foreign Minister Vedrine	France
17 November 1997	Foreign Minister Petersen	Denmark
17 September 1998	Foreign Minister Schussel	Austria
17 September 1998	Foreign Minister Kinkel	Germany
10 February 1999	Foreign Minister Halonen	Finland
May 1999	Foreign Minister Papandreou	Greece
30 November to 1 December 1999	Foreign Minister Papandreou	Greece
20 January 2000	Foreign Minister Dini	Italy

The rest of this information is not held centrally and to provide a complete answer would incur disproportionate costs.

Research Contracts

Dr. Harris: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 December 1999, Official Report, column 315W, on departmental research contracts, how many research contracts, other than science or technology contracts, have been let by his Department since May 1997; what is the value of each contract, and in each case whether the contract included (a) departmental veto over publication of the research results, (b) departmental control over the date of publication of the research and (c) a requirement that the final research results incorporate departmental

amendments; and if he will place in the Library a copy of the standard research contract currently in use by his Department. [107103]

Mr. Hain [holding answer 1 February 2000]: We have not let any research contracts since May 1997. There is no standard FCO research contract.

EU Intergovernmental Conference

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral statement of 18 January 2000, *Official Report,* column 671, on the EU Intergovernmental Conference, what the source of his information was on the allegiances of the six members of the European Parliament. [108279]

Mr. Vaz: An article in *The Independent* entitled "Now MEPs round on Hague" (6 January 2000), confirmed by Conservative MEP, Daniel Hannan, in *The Daily Telegraph* (11 January 2000).

Anti-ballistic Missiles

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy in respect of compliance with the Anti-ballistic Missile Treaty by the parties concerned. [108415]

Mr. Vaz: We continue to value the Anti-ballistic Missile Treaty, and wish to see it preserved.

But it is not for the Government to comment on the question of compliance with treaties to which it is not a party.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have received from (a) Russia and (b) other EU states in respect of the Anti-ballistic Missile defence system being constructed at RAF Menwith Hill. [108894]

Mr. Vaz: None.

EU Enlargement

Mr. Norman: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations the Government have made on the Commission's proposal in "Adapting the Institutions to make a Success of Enlargement", for the establishment of a European Public Prosecutor to investigate fraud across the Union; and if he will make a statement; [108499]

(2) what representations the Government have made on the Commission's proposal in "Adapting the Institutions to make a Success of Enlargement", that some members of the European Parliament should be elected on Europe-wide lists; and if he will make a statement; [108497]

(3) what representations the Government have made on the Commission's proposal in "Adapting the Institutions to make a Success of Enlargement", for the partial redrafting of (a) harmonisation of legislation on certain forms of taxation (articles 93 and 95 EC) and (b) measures in the social security field (first indent of Article 137(3) EC). [108500]

Mr. Vaz: We are in regular contact with the Commission about the IGC, and have taken careful note of its Opinion. However, the IGC is a matter for the member states.

The Government will set out its position on all major IGC issues in a White Paper to be published very shortly.

Feira European Council

Mr. Norman: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he will make to the Portuguese Presidency in advance of its report on security and defence policy to be presented at the Feira European Council; and if he will make a statement. [108498]

Mr. Vaz: My right hon. Friend the Foreign Secretary visited Lisbon on 6–7 January 2000. British Ministers remain in close touch with their Portuguese counterparts. UK and Portugal are working towards an effective European security and defence policy which strengthens both NATO and the European Union.

Visas (Subcontinent)

Audrey Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs what data he collates relating to visitor visa applications in the Indian subcontinent in addition to information on numbers allowed and refused. [108689]

Mr. Vaz: Full details of all information collected centrally on non-settlement visa applications can be found in the Global Entry Clearance Statistics, copies of which are available in the House of Commons Library for the years 1994–98. Statistics for 1999 are currently being compiled and will be placed in the Library in due course. Statistics collected in respect of applications in the Indian subcontinent do not differ from those collected elsewhere.

Audrey Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for visitor visas have been (a) allowed and (b) refused, in each of the last two years, in (i) Islamabad, (ii) Karachi, (iii) New Delhi, (iv) Bombay and (v) Nigeria. [108688]

Mr. Vaz: The following are the figures for non-settlement visa applications in the countries requested.

	1999[1]		*1998*	
	Issued	*Refused*	*Issued*	*Refused*
Islamabad	26,249	8,675	26,737	5,615
Karachi	21,763	3,682	22,270	3,116
New Delhi	53,890	10,547	50,538	7,742
Bombay	63,023	5,431	55,957	4,528
Lagos	37,454	8,138	29,480	8,351
Abuja	13,133	1,883	9,562	1,421

[1] Provisional

The Global Entry Clearance Statistics for 1999 will be placed in the House of Commons Library in due course. The figures for 1994–98 are already available in the Library.

Audrey Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will instruct immigration posts in Pakistan to allow applicants for visas to be accompanied at their interviews by a relative or friend. [108690]

Mr. Vaz: We recognise that it may be helpful in some cases for visa applicants to be accompanied at interview by a friend or relative. For this reason entry clearance posts have discretion to allow this. But in other cases the presence of a second person at an interview may make it more difficult for entry clearance officers to judge the applicant's intentions, which they are required to do under the Immigration Rules. I therefore believe that the current policy of allowing posts discretion to decide should be retained.

Regional and Minority Languages

Ms Atherton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards the ratification of the Council of Europe Charter on Regional and Minority Languages. [108435]

Mr. Vaz: We hope to sign the Charter very soon with a view to ratification later this year, subject to the completion of the required Parliamentary procedures.

Freedom Party (Austria)

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the response of (a) the UK and (b) the President of the European Commission to the possibility of the Freedom Party attaining Government office in Austria. [108641]

Mr. Vaz [holding answer 4 February 2000]: The UK has made very clear our deep concern and distaste at the inclusion of Haider's far-right party in the Austrian Government. We welcome the fact that the new government has committed itself to abiding by the common obligations and values of EU membership, but we will be judging it by its future actions. We also support the Commission statement on this issue. The measures which Britain agreed on 31 January with the 13 other member states are now a force to limit bilateral contact with Austria.

Vishna Hindu Parishad

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received that the Vishna Hindu Parishad attacks on Christian groups are part of an orchestrated campaign of intimidation. [108709]

Mr. Hain: We share concerns in the UK over attacks on Christians in India and have relayed those concerns to the Indian authorities. We have been assured that the incidents in question are isolated, and that they have been investigated and action taken against the perpetrators.

Saudi Arabia

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning the arrest and detention of Christians in Saudi Arabia; and if he will make a statement. [108889]

Mr. Hain: On 7 January, 15 Filipinos were arrested at a Christian service in Riyadh. According to the Philippine Embassy in Riyadh, 11 have been released without charge. The others are expected to be released soon.

East Timor

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's estimate of the total expenditure of the United Nations in East Timor since its staff returned there in late 1999; of this expenditure, how much is (a) on UN staff costs and (b) distributed to the people of East Timor. [108887]

Mr. Hain: The Secretary-General reported to the UN General Assembly on 29 November that he expected the cost of civilian staffing for the United Nations Transitional Administration in East Timor to be US$53,632,100 and the cost of military staff to be $54,412,800 for the period 1 December 1999 to 31 March 2000. He will report again to the General Assembly in March with revised estimates, including on disbursements for staffing costs to date.

The UN Inter-Agency-Coordinated Appeal for East Timor, launched on 27 October 1999, set out requirements of US$199 million for urgent humanitarian needs. This was subsequently revised to $126 million, with the remaining $57 million of spending plans assumed into those for longer term reconstruction and development spending. Of this $126 million, $40 million was expected to have been disbursed by the end of 1999.

A United Nations/World Bank Donor meeting held in Tokyo on 17 December 1999 also set out requirements of $300 million over three years for reconstruction and medium to long-term development and $28.3 million for the governance and public administration of East Timor. Voluntary contributions for these requirements will be channelled through Trust Funds established by the World Bank and United Nations respectively.

Indonesia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the recent representations which he has received on the issue of arm sales to Indonesia; and if he will make a statement. [108886]

Mr. Battle: To date I have received many representations from MPs, NGOs and members of the public on this subject. To publish them would entail disproportionate cost and permission from the authors of the correspondence.

Chagos Islands

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions are being taken by his Department to ensure that the Chagos Islands can be re-occupied by the Ilois people. [108873]

Mr. Battle: The immigration law affecting the British Indian Ocean Territory is the subject of High Court proceedings. While these are underway the matter is sub judice and I cannot comment further.

Sri Lanka

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the different forces in Sri Lanka concerning a possible peace process; and if he will make a statement. [108884]

Mr. Hain: I refer my hon. Friend to the answer I gave on 18 January 2000, Official Report, column 416W.

Bond Scheme

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on the proposed financial bond scheme for visitors to the UK from India, Pakistan and Bangladesh; and what reports he has received on reactions to the proposal in those countries. [108876]

Mr. Vaz: Ministers and officials in India and Bangladesh raised this issue with me during my recent visit to these countries. We have taken note of their concerns and will pass these on to colleagues in the Home Office, who are conducting a consultation exercise on the proposed scheme.

Chechnya

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list his Department's ministerial meetings that were held with representatives of the people of Chechnya in the last 12 months. [108885]

Mr. Vaz: I refer my hon. Friend to the response given to an earlier question of 17 January 2000, Official Report, column 327W.

No meetings have been held in the last 12 months between FCO Ministers and Chechen representatives.

Pakistan

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings British officials have held with human rights groups in Pakistan in the past 12 months. [108888]

Mr. Hain: The Political and Development Sections of our High Commission in Islamabad are in regular contact with a wide-range of human rights groups. These include the Human Rights Commission of Pakistan, Shirkat Gah (women's rights), SPARC (rights of the child) and the Progressive Women's Association. A senior FCO official visited Pakistan in May 1999 and had comprehensive talks on human rights issues with NGOs and the Pakistani authorities.

HOME DEPARTMENT

Prison Standards

Mr. Derek Twigg: To ask the Secretary of State for the Home Department how he plans to raise the performance of those prisons that are identified as performing to a poor standard. [109168]

Mr. Boateng: I refer my hon. Friend to the reply given to my hon. Friend the Member for Bolton, West (Ms Kelly) on 31 January 2000, *Official Report*, column 426W.

Passport Applications

Mr. Kidney: To ask the Secretary of State for the Home Department for what reason the UK Passport Agency ended the service available at main post offices for processing urgent applications for passports. [108587]

Mrs. Roche: The Passport Agency's partnership arrangement with Post Office Counters Limited, entered into in January 1996, provided a facility for applications marked as urgent to be processed within a minimum of four working days. The service proved very difficult to operate and the urgency of the applications was not always clear. When the Agency re-tendered the partnership arrangements late in 1999, the specification was for a guaranteed 10 day service for customers applying via a partner. The Agency believes this is the best way to meet its customers needs. Final negotiations are currently taking place with Post Office Counters Limited on the new arrangements, but the Agency considered it sensible to implement the standard 10 day turnaround now.

The Agency is planning to introduce a "Fast Track" five day service via the Post Office from December 2000.

Mr. Kidney: To ask the Secretary of State for the Home Department what length of time in future the UK Passport Agency will take to process standard passport applications received via the Post Office's special service whereby applications are checked for common errors and forwarded by secure post. [108588]

Mrs. Roche: The Passport Agency aims to process all straightforward and complete applications received from their partners, Post Office Counters Limited and Worldchoice Travel Agents, within 10 working days. This target will continue to apply in the future.

Electronic Tracking

Mr. Bob Russell: To ask the Secretary of State for the Home Department, pursuant to his answer of 31 January 2000, *Official Report*, column 431W, on electronic tracking, (1) which category of one-off absence was used to allow a professional footballer to breach the home detention curfew restrictions; who gave authority for this one-off absence; and if the player will be allowed further one-off absences; [108682]

(2) if he will make it a requirement for private sector contractors operating the home detention curfew scheme to notify his Department of all one-off absences and the circumstances in which they occur. [108683]

Mr. Boateng: Mr. Gary Croft was granted a variation in the hours of his Home Detention Curfew on 21 and 22 January by the Governor of Her Majesty's Prison Hollesley Bay. The variation in hours was, therefore, not a one-off absence, which can be granted by contractors in specified circumstances as outlined in my earlier reply to the hon. Member.

Governors have the discretion to vary an offender's curfew hours, taking into account legitimate reasons for the necessary absence of the curfewee from his or her home at certain times. This would include working hours, and would take into account reasonable travelling times. Mr. Croft was granted the variation in hours to enable him to represent his employers, Ipswich Town Football Club, in an away match against Bolton Wanderers Football Club. He was subsequently granted a similar variation in hours to enable him to represent Ipswich Town in an away match against Barnsley Football Club on 5 February.

Mr. Croft continued to be subject to the curfew requirement until his automatic release date on 6 February and the total number of hours he spend under curfew was not reduced.

There is no contractual provision for the electronic monitoring contractors to notify the Home Office of one-off absences. The contractors are able to provide the Home Office with details of any such absence on request, and there are no plants to make any changes to these requirements.

Mr. Fraser: To ask the Secretary of State for the Home Department what offences have been committed by prisoners released under the home detention curfew scheme while they were on the scheme. [108291]

Mr. Boateng *[holding answer 3 February 2000]:* I refer the hon. Member to the reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 2 February 2000, *Official Report,* column 249W.

Satpal Ram

Mr. Winnick: To ask the Secretary of State for the Home Department if Satpal Ram has been given a place on the offending behaviour course. [108310]

Mr. Boateng *[holding answer 3 February 2000]:* Mr. Ram is currently held at Full Sutton prison which does not provide a specific offending behaviour course. However, it does provide a number of other courses all directed towards dealing with offending behaviour. Following an assessment by probation staff and psychologists, Mr. Ram has been recommended for the reasoning and rehabilitation programme which is available at the prison.

Mr. Winnick: To ask the Secretary of State for the Home Department when Satpal Ram will be eligible for parole. [108311]

Mr. Boateng *[holding answer 3 February 2000]:* As with any mandatory life sentence prisoner, Satpal Ram will be released from prison on life licence only if, following a review of his case by the Parole Board, the Board recommend his release and Ministers, after consulting the judiciary, agree. Satpal Ram's latest Parole Board review began in December 1999. The review will take account of reports prepared by prison and probation staff familiar with Mr. Ram's case, an interview between Mr. Ram and a Parole Board member (who will not be a member of the Panel who ultimately considers Mr. Ram's case) and any representations which Mr. Ram wishes to make for consideration by the Board. A Panel of the Board will then consider his case and make their recommendation. This all takes time, but the outcome of Mr. Ram's latest review should be known later this year.

Sexual Offences

Jackie Ballard: To ask the Secretary of State for the Home Department when he will complete the review into sexual offences; and if he will list those offences which are under review. [109057]

Mr. Charles Clarke: The Sex Offences Review should be completed in the spring. The review has been asked to review the sex offences in common and statute law in England and Wales. These are primarily contained in the Sexual Offences Acts 1956 and 1967, the Criminal Law Act 1977 and the Criminal Justice and Public Order Act 1994. The review is also looking at the offences of indecent exposure (Vagrancy Act 1824; Town Police Clauses Act 1847); indecency with children (Indecency with Children Act 1960); burglary with intent to rape (Theft Act 1968) and the prohibition on sexual intercourse with patients in the Mental Health Act 1959.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department what estimate he has made of the number of asylum seekers whose applications for asylum were refused who *(a)* were removed from the United Kingdom as a result of enforcement action, *(b)* left the United Kingdom voluntarily after enforcement action had been initiated, *(c)* left the United Kingdom voluntarily otherwise than as a result of enforcement action and *(d)* absconded, in each of the last 10 years for which figures are available. [109213]

Mrs. Roche: The available information on asylum removals and voluntary departures is given in the table. As requested, the information provided relates only to enforcement action and therefore excludes removals and voluntary departures of port asylum applicants under port procedures. There are no estimates of the numbers of failed asylum seekers who depart voluntarily before enforcement action has been initiated.

The latest figure for the number of known asylum absconders is 20,000. This is a snapshot, taken from the immigration and nationality directorate (IND) port and enforcement databases at the end of November 1998, of those persons (excluding dependants) who have applied for asylum at some point and who have breached the conditions of their temporary admission, temporary release or restriction order, or are otherwise found to be out of contact with IND. Some persons recorded as absconders may have left the United Kingdom without the knowledge of IND.

Removals and voluntary departures[1] of asylum applicants, excluding dependants, as a result of enforcement[2] action, 1992–99[3]

	Removed	*Departed voluntarily[1]*	*Total*
1992	[4]—	[4]—	390
1993	[4]—	[4]—	580
1994	700	170	870
1995	1,000	290	1,290
1996	1,720	430	2,150
1997	2,340	710	3,060
1998	2,720	720	3,440
1999[3]	[4]—	[4]—	2,750

[1] Covers only those persons departing 'voluntarily' after enforcement action had been initiated.

[2] Deportation and illegal entry action. Does not include removals and voluntary departures of port asylum applicants under port procedures.

[3] 1999 data are provisional.

[4] Data not available.

Note:

All figures are rounded to 10.

Mr. Corbyn: To ask the Secretary of State for the Home Department what his estimate is of the number of asylum seekers held in detention. [108878]

Mrs. Roche: A total of 985 persons were detained in immigration detention centres and prison establishments in the United Kingdom solely under Immigration Act powers on 31 December 1999. This figure is not recorded in such a way as to identify those who had applied for asylum at some point.

The latest reliable snapshot of detained asylum seekers relates to those asylum applicants detained in immigration detention centres, prison establishments and police cells solely under Immigration Act powers as at 30 December 1998 for port applicants and 4 January 1999 for in-country applicants. On those dates, 741 such persons were recorded.

Mr. Tynan: To ask the Secretary of State for the Home Department what funds will be made available to assist in the Asylum Seekers Dispersal Programme with regard to *(a)* recurring revenue and *(b)* capital costs to local authorities. [108877]

Mrs. Roche: In England and Wales for the period 1 April—5 December 1999, local authorities may recover costs associated with supporting asylum seekers subject to unit cost limits of £140 per week for single adults and £240 per week for families. In addition, local authorities may reclaim a maximum of £10 per week for capital investment to bring accommodation on-stream. Financial arrangements for the period 6 December 1999 to 31 March 2000 are still being discussed with the Local Government Association.

In Scotland, local authorities will be able to reclaim at the rate of £165 per week per person in this financial year.

Where local authorities provide accommodation after 1 April 2000 for the National Asylum Support Service, this will be on the basis of a contract between the Home Office and the local authority or local authority consortia concerned.

Mr. Lidington: To ask the Secretary of State for the Home Department when he expects the backlog of unprocessed asylum applications to be cleared. [109210]

Mrs. Roche: We remain committed to meeting the White Paper targets of clearing the backlog of asylum applications by April 2001.

Bond Scheme

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will publish the responses to his Department's consultation document on the proposed financial bond scheme for visitors. [108882]

Mrs. Roche: Responses to the consultation document are now being considered, and we shall make available an analysis of them in due course.

Mr. Corbyn: To ask the Secretary of State for the Home Department what estimate his Department has made of the cost of administering a financial bond scheme for visitors to the UK. [108881]

Mrs. Roche: The cost of the proposed pilot scheme will be absorbed within departmental budgets. The costs of operating any scheme subsequent to the pilot could not be assessed until a decision were taken on whether to make the scheme more widely available.

Mr. Corbyn: To ask the Secretary of State for the Home Department when he will make a statement on the introduction of a bond scheme for visitors to the United Kingdom under sections 12 and 13 of the Asylum and Immigration Act 1999. [108883]

Mrs. Roche: We intend to make an announcement about the results of the consultation process on the design of a pilot study for financial bonds for visitors under sections 16 and 17 of the Immigration and Asylum Act 1999 in due course.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will place in the Library all correspondence between his officials and the legal representatives of General Pinochet. [108872]

Mr. Straw: I have placed in the Library a letter dated 24 January from a Home Office official to Senator Pinochet's legal representatives which was disclosed in the application brought by Belgium for permission to bring judicial proceedings against the Secretary of State. All the correspondence between my officials and Senator Pinochet's legal representatives which has been disclosed in the current judicial review proceedings is now available in the Library. I do not at present propose to make available any other correspondence.

Community Safety

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department if he will make a statement on recent initiatives local authorities have taken to improve community safety. [107340]

Mr. Boateng: The Crime and Disorder Act 1998 requires local authorities, jointly with police, to lead local partnerships to tackle crime and disorder in their area. The strategies which the 357 partnerships in England and Wales have produced show clearly the wide range of initiatives being undertaken. Coventry City Council is to be congratulated on selection as a Beacon Council in the field of preventing crime and disorder in town and local shopping centres.

Graffiti

Mr. Edward Davey: To ask the Secretary of State for the Home Department if he will estimate the cost of graffiti to public and private property owners over the past four years; what plans he has to tackle the problem of graffiti on public and private property; and what recent guidance he has given to paint spray manufacturers and retailers concerning age limits on the sale of their products. [109249]

Mr. Charles Clarke: Graffiti is a form of criminal damage, which is recorded in the Home Office Statistical Bulletin—Notifiable Offences. According to the Recorded Crime Statistics covering England and Wales from October 1998 to September 1999, there were 908,585 offences of criminal damage. There is no sub-total for graffiti and it is not, therefore, possible to estimate the costs of graffiti over the past four years.

The Government take all forms of criminal damage seriously. Under the Criminal Damage Act 1971, where the value of the damage is more than £2,000, the

maximum penalty is ten years imprisonment for those over 18 and over, and up to two years detention in a Young Offender Institution for those aged 15–17.

The Home Office recognise that the most effective way to tackle vandalism is through co-ordinated preventive action at the local level involving all of the relevant agencies, such as the police, local authorities and schools. That is why the police and local authorities now have a statutory duty under the Crime and Disorder Act 1998 to develop crime reduction partnerships.

Regarding guidance for paint spray manufactures and retailers, I understand the attraction of introducing a ban on the sale of aerosol paint. To introduce a blanket ban on the sale of aerosol paint, however, would penalise young people who have a legitimate reason for their purchase. Such a ban would prevent the determined graffiti "artists" from obtaining aerosol paint and continuing their criminal activity. Retailers should, as a matter of course, give consideration to whom they sell such products. There are no plans to issue guidance on this; nor do we have any present plans to legislate against the sale of spray paints. The matter will be kept under review.

Asylum and Immigration

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish the text of the amendment to the motion considered by the House on 2 February 2000 which was approved by Ministers but not tabled, to which he referred in his oral statement of 2 February 2000, *Official Report*, column 1048. [109215]

Mr. Straw: The text of the amendment to the motion approved by Ministers but not tabled, read as follows:

"That this House approves the Government's comprehensive, integrated strategy to modernise the immigration and asylum system to make it fairer, faster and firmer; notes the increase in asylum applications in the United Kingdom and other European countries as result of the war in Kosovo and instability in other countries; welcomes the provisions of the Immigration and Asylum Act 1999 which will overhaul the inadequate legislative framework created by the previous Government and replace the present chaotic asylum support arrangements which have imposed an intolerable burden on local authorities; notes with concern the conclusion of the Seventh Report of the Public Accounts Committee that the contract signed in 1996 to computerise the Immigration and Nationality Directorate was over-ambitious from the outset; welcomes the substantial additional investment that the Government is making to increase the volume and speed of asylum decisions; and supports the Government's commitment to protecting genuine refugees while dealing firmly with those who seek to evade the control".

Mr. Lidington: To ask the Secretary of State for the Home Department how many prosecutions there have been under section 8 of the Asylum and Immigration Act 1996 in each of the last three years; how many were successful; and what penalties were imposed in each case. [109211]

Mrs. Roche: Home Office administrative records show only one prosecution under section 8 of the Asylum and Immigration Act 1996, in 1999. A company was found guilty on nine counts, fined £500 on each count and ordered to pay costs.

Immigration Delays

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department when he intends to give formal notice to the Department of Social Security that Mrs. B (HO Ref:- B 1009308) has been given exceptional leave to remain; why this was not done in July 1999; what were the reasons for the delay between July and late December 1999; what steps were taken following representations by the hon. Member for Manchester, Central; and what the reasons were for the further delay in taking action since December. [108600]

Mrs. Roche: After my hon. Friend was informed on 26 July 1999 of the decision to grant exceptional leave to enter to Mrs. B and her children, their papers were prepared and sent to the port for service. However, due to an administrative error the names on their papers were incorrect so they were returned for amendment. The file was then unfortunately put into a large queue and not considered until quite recently.

Mrs. B was notified on 7 February that she and her children have now been granted exceptional leave to enter. She should show these papers to the Department of Social Security when she applies for benefits. I am sorry for the delay in dealing with her case.

Drugs (Prisons)

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department how many reports on prisons were made by the Prisons Inspectorate in each of the past two years indicating those which mentioned the *(a)* use and *(b)* supply of illegal drugs. [107928]

Mr. Boateng: Between 1 February 1998 and 31 January 2000, the Chief Inspector of Prisons published 76 inspection reports on Prison Service establishments. Of these, 41 were announced and 35 were unannounced. Of the 35 unannounced, five were full inspections and 30 were short. To provide the detailed information on drugs requested would entail disproportionate cost. However, it is likely that all the announced and full unannounced reports will have mentioned the use of drugs, as will some of the short unannounced reports. References to the supply of drugs would require line by line scrutiny of each report.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if any prison establishment has been closed because of illegal drugs use. [107930]

Mr. Boateng: No.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will estimate the proportion of prisoners known to have taken illegal drugs who could only have taken the drugs while in prison. [107931]

Mr. Boateng: In 1999, 84,911 mandatory drug tests were undertaken, and some 17,789 of those tests were positive for drugs. This figure includes results from both random and targeted tests. Provisional information indicates that, during 1999, there were 15,857 recorded offences of "unauthorised use of a controlled drug", of which 13,409 were recorded as being proven at adjudication and punished under Prison Rules.

Driving Licences

Mr. Dismore: To ask the Secretary of State for the Home Department, pursuant to his answer of 27 January 2000, *Official Report*, column 278W, on driving licences *(a)* what confirmation of details for the purposes of a driving licence application the Immigration and Nationality Department is prepared to offer those whose cases have yet to be finalised by them and *(b)* how long on average it took the

Immigration and Nationality Department to issue such information of details in response to (i) a written request and (ii) a telephone request in the last 12 months for which figures are available. [108068]

Mrs. Roche: Further to the answer I gave on 31 January 1999 to my hon. Friend, as the Immigration and Nationality Directorate is not the issuing authority of an applicant's identity document, they are not in a position to offer any confirmation of their proof of identity.

CCTV

Miss McIntosh: To ask the Secretary of State for the Home Department if he will take steps to promote the use of CCTV in car parks to increase safety and reduce theft; and if he will make a statement. [R] [108383]

Mr. Charles Clarke: Under the Crime Reduction Programme Closed Circuit Television (CCTV) Initiative, the Government are investing £153 million over three years in public area CCTV systems in England and Wales. We have already allocated £32 million for 180 car park related schemes under the first round of the initiative.

The second round of the initiative will be launched in the spring. We will continue to encourage applications aimed at reducing theft in car parks, particularly where CCTV is being introduced as part of a package of measures to achieve Secured Car Park status.

Car Theft

Miss McIntosh: To ask the Secretary of State for the Home Department what recent representations he has received on reducing car theft; and if he will make a statement. [R] [108384]

Mr. Charles Clarke: We have received 110 comments in response to the report of the Vehicle Crime Reduction Action Team (VCRAT) published in September 1999 setting out measures to achieve the Government's 30 per cent. vehicle crime reduction target. All but two of the comments referred specifically to the VCRAT proposal for the compulsory fitting of electronic immobilisers to seven to 10-year-old cars and most of these were opposed to the proposal. Two comments were received on the question of compulsory carriage of driving licenses (one for and one against). In addition, two of the comments covered wider issues including the role of the courts, motor projects, the insurance industry, crime and disorder partnerships, legislative protection of marks on vehicle component parts, retention of motor salvage, motorcycle theft and the possibility of reducing the rate of Value Added Tax on vehicle security products.

Police Pensions

Mr. Lidington: To ask the Secretary of State for the Home Department what proportion of police funding was spent on pensions for each of the last 10 years for which figures are available; and what estimate he has made of the proportion to be so spent in each of the next 10 years. [109214]

Mr. Charles Clarke: The information available is set out in the table. Information on police pension costs as a proportion of police funding is not available beyond 2001–02.

Percentage

Year	*Proportion spent on pension costs*[1]
1990–91	7.2
1991–92	7.7
1992–93	8.2
1993–94	9.2
1994–95	10.0
1995–96	10.8
1996–97	11.3
1997–98	11.9
1998–99	12.6
1999–2000	13.8
2000–01	14.1
2001–02	14.8

[1] Information from 1990–91 to 1998–99 taken from the Chartered Institute of Public Finance Accounts Police Statistics. Information from 1999–2000 to 2001–02 taken from Government Actuary's Department Projections of pension costs as a proportion of Total Standard Spending.

Wheel Clamping

Miss McIntosh: To ask the Secretary of State for the Home Department what representations he has received on changing the law in England and Wales to ban wheel clamping on private land; and if he will make a statement. [R] [108385]

Mr. Charles Clarke: We regularly receive representations from members of the public, right hon. and hon. Members, and others about wheel clamping on private land, but the majority are in favour of regulating, not banning, the practice.

Race Relations

Mr. Lidington: To ask the Secretary of State for the Home Department what recent discussions he has had with chief officers of police regarding his proposals to amend the Race Relations (Amendment) Bill to make public authorities subject to legislation forbidding indirect discrimination. [109212]

Mr. Mike O'Brien: The Commission for Racial Equality's Third Review of the Race Relations Act 1976 recommended, among other things, that the Act apply to all activities of Government and to all public sector bodies. The Association of Chief Officers of Police responded positively to this recommendation, as part of the Government's public consultation on the Commission's proposals, indicating support for it. The Association reiterated that support in March 1999 in the context of the recommendation in the Report of the Inquiry into the Death of Stephen Lawrence that the full force of the Race Relations legislation should apply to the police.

The Government had initial concerns that including indirect discrimination in the Race Relations (Amendment) Bill might leave public bodies open to routine legal challenges to regulatory, economic and social policies in circumstances where these were entirely proper, in particular those that helped ethnic minorities the most. On balance, however, the Government concluded having listened carefully to the arguments put forward about this issue in Parliament and elsewhere that the risk of spurious challenge is outweighed by the principle of including indirect discrimination in respect of public sector functions in the Bill. No further formal public consultation was conducted.

Written Answers to Questions

Wednesday 9 February 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Energy Conservation

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what average saving in energy consumption he estimates would be made if new houses were constructed using best available techniques for energy conservation in place of the requirements of current building regulations. [108019]

Ms Beverley Hughes: New dwellings might have an annual energy consumption for space heating and hot water around half that of dwellings built in compliance with current building regulations if built using best available techniques that take account of factors such as capital and running costs, buildability and environmental costs.

A36(T) Wiltshire

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he received *(a)* from Wiltshire County Council and *(b)* from named councillors in support of the provision of a pedestrian crossing on the A36(T) at South Newton, Wiltshire; [107640]

(2) for what reason he decided to construct a pedestrian crossing on the A36(T) at South Newton, Wiltshire; what type of crossing will be built; when it will be operating; and how much it will cost. [107641]

Mr. Hill *[holding answer 1 February 2000]:* I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the hon. Member.

Letter from Peter Nutt to Mr. Robert Key, dated 9 February 2000:

I have been asked by the Secretary of State for the Environment, Transport and the Regions to reply to your recent Parliamentary Questions about the provision of a pedestrian crossing on the A36 trunk road at South Newton as these are operational matters for the Highways Agency.

A written representation was received from Wiltshire County Council last December asking the Agency seriously to consider a pedestrian crossing at South Newton. In addition, Mr. West, a County Councillor for the area, has also asked orally for a pedestrian crossing to be provided there.

The reason for providing a crossing is that a large part of the village is cut of from the village shop by a heavy traffic flow, and there have been personal injury accidents involving pedestrians crossing the A36 at this point. When taken together, these factors support the case for the provision of a crossing.

A signal controlled crossing is to be provided and detail design work is programmed to commence in Spring of this year. We expect the crossing to be operational by Winter 2000. The estimated cost of this scheme is £30,000.

If you require any further information, the Route Manager, Mr. Nigel Dovell, telephone 0117 987554, who is based in the Highways Agency's Bristol office, will be pleased to help you.

Airline Accidents

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 24 January 2000, *Official Report*, columns 131–32W, on airline accidents, if new boundaries for public safety zones at airports were defined following the receipt of the advice from NATS Ltd. [108215]

Mr. Mullin: We have accepted NATS' advice that it is feasible to base public safety zone boundaries on risk contours around airports, and NATS are well advanced with the detailed work to redefine the boundaries for us on this basis. We hope to bring the new boundaries into effect, together with guidance to local planning authorities, in the spring.

Open Skies

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had concerning the Open Skies policy in relation to regional airports in England and Wales during *(a)* this parliamentary session and *(b)* the last parliamentary session. [108634]

Mr. Mullin: In June 1998 we offered to bilateral partners with whom we did not already have liberal agreements unrestricted third/fourth freedom access to all UK regional airports, as long as UK airlines were also allowed to operate on the same routes. Some 17 countries have accepted the offer and it has been discussed in virtually all air services negotiations held since June 1998.

Whaling

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the proposals to be put forward by *(a)* Japan, *(b)* Norway and *(c)* other states on whales and whaling to the forthcoming meeting of the parties to the Convention on International Trade in Endangered Species, indicating the position of Her Majesty's Government in relation to these proposals. [108492]

Mr. Meacher: Japan and Norway have put forward four proposals to downlist whale populations to Appendix II of the Convention on International Trade in Endangered Species (CITES). These are the North-east Atlantic and North Atlantic Central, the West Pacific and Southern Hemisphere stocks of Minke whale (Balaenoptera acutorostrata) and the Eastern North Pacific stocks of Grey whales (Eshrichtuis robustus.) We have already made clear to both countries our opposition to these proposals on the grounds that they would undermine the moratorium on commercial whaling under the International Convention for the Regulation of Whaling (ICRW). This position was endorsed by the majority of EU member states at a recent informal meeting of EU experts.

The meeting of experts, which acts as a precursor to the formation of a common EU position through the Council of Ministers, also considered three resolutions concerning the relationship between CITES and the International Whaling Commission (IWC). There are two

competing resolutions: one from Japan, that seeks to weaken the primacy of the IWC in the field of managing and conserving whale stocks; and one from the United States, which underscores existing arrangements. In addition there is a simple consolidation of all extant CITES resolutions on whaling proposed by the CITES Secretariat. The majority of member states agreed that the EU should seek the withdrawal of the US and Japanese proposals in favour of the simple consolidation of resolutions which will preserve the existing arrangements between the two Conventions.

School Crossing Patrols

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what the latest available figures are for the number of designated school crossing patrols in *(a)* England and Wales in total and *(b)* each London borough; and how many of these designated school crossing patrols have vacant positions in (i) England and Wales and (ii) each London borough. [108676]

Mr. Hill: The figures requested are not collected.

Major Road Schemes

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how many major road schemes were *(a)* accepted, *(b)* provisionally accepted, *(c)* deferred and *(d)* rejected in each English region in the local transport settlement 2000–01. [108721]

Mr. Hill: The information is given in the following table:

Region	(a) Accepted	(b) Provisionally accepted	(c) Deferred	(d) Rejected	Total
South East	0	1	5	3	9
South West	1	0	2	2	5
West Midlands	2	0	6	3	11
North West	0	1	4	0	5
North East	1	0	2	0	3
Yorks and Humber	0	2	6	1	9
East Midlands	2	1	4	1	8
East of England	2	5	1	1	9

The table refers to the 59 bids which are either being funded as major road schemes or were identified as being wholly roads-based. A further 14 major schemes put forward contain significant road schemes as part of an integrated strategy including public transport and related works.

Housing (Domestic Violence)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue guidance to local authorities on allowing housing in cases where a woman has left the area in which she was living as a result of domestic violence and has moved to a different authority area; and if he will make a statement. [108727]

Mr. Mullin: People who are fleeing domestic violence are regarded as homeless by virtue of sections 175 and 177 of the Housing Act 1996. Authorities should consider whether applicants are vulnerable as a result of having suffered violence or abuse from a person with whom they are associated. If so, they will have a priority need for accommodation. When discharging their duties under the homelessness provisions of the Housing Act 1996, authorities must have regard to how suitable the location of that accommodation is. Threats of violence would clearly be a factor in their decision making.

The Department of the Environment, Transport and the Regions revised draft Code of Guidance on the Allocation of Accommodation and Homelessness, due to be published in the Spring, gives clear messages to local authorities about the approach they might take where women need to leave their home because of domestic violence. It also encourages authorities to refer to the voluntary Inter-Borough Agreement on out-of-area-placements of homeless households in the private rented sector, which has been agreed between member authorities of the Association of London Government. This sets out a framework for co-operation and consultation between member authorities. Although this addresses the particular context of London, the principle and policies advocated apply equally across all areas where there is a need for out-of-area placement.

Health and Safety Laboratory

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions when he will decide the future location of the Health and Safety Laboratory. [108789]

Mr. Meacher: The Health and Safety Laboratory is currently in negotiations with a preferred bidder under PFI to rationalise its estate. This involves locating the Laboratory on a single site at Buxton. If Ministers are satisfied that the final proposals represent value for money, approval will be given. A decision on the project is due in Summer 2000.

Reprocessing (Road Surfaces)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions for the latest 12 months for which figures are available how many miles of resurfaced highway contained reprocessed waste tyres; and if he will make a statement. [108983]

Mr. Hill: Road surfacing products containing waste tyres are currently undergoing trials as part of their development process. No central records are kept concerning the use of these materials. A trial just under one mile long was laid on the A244 Hersham bypass in June 1999 for Surrey County Council, and is being monitored jointly with the Highways Agency.

Rent Acts Judgment

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the need for primary legislation following the judgment of the Court of Appeal in R vs Secretary of State for the Environment, Transport and the Regions ex parte Spath Holme Limited that the Rent Acts (Maximum Fair Rent) Order 1999 (SI 1999 No. 6) was ultra vires. [108787]

Mr. Mullin: We will consider whether any further action is appropriate once the outcome of the petition to another place is known.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on the stock of affordable homes of the judgment of the Court of Appeal in R v. Secretary of State for the Environment, Transport and the Regions ex parte Spath Holme Limited that the Rent Acts (Maximum Fair Rent) Order 1999 (SI 1999 No. 6) was ultra vires. [108783]

Mr. Mullin: The Court of Appeal's judgment does not affect the supply of affordable homes. However, it is likely to affect the ability of some tenants to afford rent increases which would have been capped under the Order.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what action he plans to take following the judgment of the Court of Appeal in R *v.* Secretary of State for the Environment, Transport and the Regions ex parte Spath Holme Limited that the Rent Acts (Maximum Fair Rent) Order 1999 (SI 1999 No. 6) was ultra vires. [108785]

Mr. Mullin: We intend to petition another place seeking permission to appeal the Court's decision.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on rents of the judgment of the Court of Appeal in R *v.* Secretary of State for the Environment, Transport and the Regions ex parte Spath Holme Limited that the Rent Acts (Maximum Fair Rent) Order 1999 (SI 1999 No. 6) was ultra vires. [108784]

Mr. Mullin: The judgment is likely to lead to significant increases in fair rents that would have been capped under the Order. The impact will vary between regions. However, provisional analysis of rents registered by rent officers in England and Wales shows an average difference between the amount capped under the Order and the uncapped amount of £5.61 per week.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions by what means he will prevent disproportionate increases in rent following the judgment of the Court of Appeal in R *vs* Secretary of State for the Environment, Transport and the Regions ex parte Spath Holme Limited that the Rent Acts (Maximum Fair Rent) Order 1999 (SI 1999 No. 6) was ultra vires. [108786]

Mr. Mullin: The Secretary of State has no powers to intervene to prevent disproportionate increases in rent. It is for rent officers and rent assessment committees to decide whether and by how much to increase the rent for tenancies registered under Part IV and Part VI of the Rent Act 1977. They must follow the rules set out in Section 70 of the Act and have regard to leading court judgments on the assessment of a fair rent.

Minicabs

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce legislation to control the use of minicabs in the Greater London area. [108731]

Mr. Hill: I refer my hon. Friend to my reply to the hon. Member for Richmond Park (Dr. Tonge) on 21 December 1999, *Official Report,* column 537W.

Deregulation

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the potential impact on business associated with each of the following planned deregulation proposals (a) the disposal of houses by local authorities in England, (b) amending section 7 of the Building Act 1984 and (c) eligibility to drive a private hire vehicle outside London. [108776]

Ms Beverley Hughes *[holding answer 7 February 2000]:* A consultation exercise was carried out last year on the proposal concerning the disposal of houses by local authorities in England. Following this, an assessment of the potential impact on business has been produced, and is currently under consideration.

The proposals to amend Section 7 of the Building Act 1984 arose from proposals made by the Better Regulation Task Force. A forthcoming consultation will seek to identify the impact of amending Section 7, and this will be fully assessed by means of a Regulatory Impact Assessment prior to making a deregulation order.

The issues surrounding the eligibility to drive a private hire vehicle outside London are being considered in the light of consultation responses from business and other interested parties. If these result in a deregulation order, Cabinet Office guidance on making such an order will be followed. This guidance requires that a Regulatory Impact Assessment be produced.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the economic impact associated with each of the following deregulation orders and contracting out orders on business (a) the Deregulation (Parking Equipment) Order 1996, (b) the Deregulation (Motor Vehicles Tests) Order 1996, (c) the Deregulation (Building) (Initial Notices and Final Certificates) Order 1996, (d) the Deregulation (Exchangeable Driving Licences) Order 1998 and (e) the Deregulation (Taxis and Private Hire Vehicles) Order 1998. [108775]

Ms Beverley Hughes [holding answer 7 February 2000]: The five listed orders were laid prior to the requirement, introduced in August 1998, to produce Regulatory Impact Assessments looking at all economic impacts of proposals. At that time, Compliance Cost Assessments were required, but only for proposals expected to impose costs. Since, under the Deregulation and Contracting Out Act 1994, deregulation orders are not allowed to impose burdens, no such assessments were prepared in these cases.

Raptor Working Group

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the main report of the Raptor Working Group. [109089]

Mr. Mullin: The report of the UK Raptor Working Group was launched at the Raptor Forum meeting hosted by my Department on 3 February. The full report is published as a priced publication entitled "Report of the

UK Raptor Working Group" available from Scottish Natural Heritage at the address below. Copies are also available in the House Libraries.

Fiona MacTaggart
Scottish Natural Heritage
Barrington Bond
1,2 Anderson Place
Edinburgh EH6 5NP
Tel: 0131 4462453
E-mail: Fiona.MacTaggart@snh.gov.uk

Thameslink

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what options for additional capacity on the Thameslink rail route have been proposed since June 1999; and what is the timetable for such options. [109108]

Mr. Hill: The loan of four class 317 units from WAGN and two class 319 units from Connex has resulted in longer trains on Thameslink services, providing 3,900 extra seats per week, and an extra train path from 26 September 1999. The SSRA are currently evaluating proposals for new rolling stock and further additional train paths on the Bedford to London section of the route. They are also investigating other options for additional capacity on this section. The earliest any further additional capacity could be provided by the acquisition of new rolling stock is September 2001.

Public Transport (Accessibility)

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase accessibility to bus and rail services for the (a) elderly and (b) disabled elderly. [109248]

Mr. Hill: The regulations we are introducing under the Disability Discrimination Act 1995 will ensure that in future all land-based public transport vehicles are fully accessible.

Rail Vehicle Accessibility Regulations have been introduced which apply to all new types of passenger rail rolling stock first introduced into service from 1 January 1999. Similar regulations dealing with new buses and coaches used on local and scheduled services will be introduced this year. The regulations cover a wide range of features which will improve access for older people as well as for disabled people: for example, improved handrails which will benefit those with poor dexterity and the use of colour and tonal contrasts to assist those with low vision.

PPG3

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions whether the target in draft PPG3 of 60 per cent. of homes on brownfield sites is a target for (a) each planning authority, (b) each planning region and (c) the country as a whole; and how he intends to ensure that authority and regional targets will achieve the national target. [109013]

Ms Beverley Hughes *[holding answer 8 February 2000]:* The Government's target is that by 2008, 60 per cent. of additional housing in England should be provided on previously developed land or by re-using existing buildings.

Forthcoming guidance on Planning for Housing (PPG3) will advise Regional Planning Bodies to set appropriate regional and sub-regional targets taking account of the national target, the amount of land available for recycling and their assessment of the capacity of their areas to accommodate additional dwellings. Local planning authorities will wish to set targets consistent with the regional targets as confirmed by the Secretary of State in Regional Planning Guidance.

Departmental Secondees

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions how many staff were seconded from the private sector to his Department from (a) May 1997 to April 1998, (b) May 1998 to April 1999 and (c) May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109071]

Ms Beverley Hughes *[holding answer 8 February 2000]:* Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and seconding more of our people out.

From May 1997 to April 1998, there were 19 secondees to the Department. Four of these secondees were from the private sector, and came from the following companies:

CRE Group Ltd.
Bank of Scotland
Unilever
District Audit.

Between May 1998 to April 1999, there were 40 secondees to the Department. 21 of these secondees were from the private sector, and came from the following organisations:

Kvaerner Construction
OVE Arup
Crown House Engineering
British Gas
Bovis Construction
Kvaener Cementation Foundations
Geoffrey Reid Associates
Marks and Spencer
Bellway Urban Renewal
KPMG
Buildings Research Establishment
IPPR
ABROS
Boots the Chemist Ltd.
College of North East London
D. A. Dawson and Associates
National Grid
Hider
Waters Ltd.
OPM
Institute for Fiscal Studies.

From May 1999 to December 1999, there were 20 secondees to the Department. Five of these secondees were from the private sector, and came from the following companies:

Buro—Happold
Christiani and Nielsen
Development Trust Association
Building Research Establishment
Homeless Network.

Biosafety Protocol

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the Montreal conference on the Biosafety Protocol. [109081]

Mr. Meacher: The Montreal conference, at which I represented the United Kingdom Government, was a success. Countries throughout the world agreed by consensus on 29 January to adopt the Biosafety Protocol to the United Nations Convention on Biological Diversity. We achieved our goal of securing a Protocol that is robust in protecting biodiversity, and effective and workable for those who have obligations under it.

The Protocol will ensure that developing and developed countries alike will be able to take informed decisions, on the basis of scientific information including a risk assessment, about whether to import certain living (genetically) modified organisms (LMOs) that may have adverse effects on the conservation and sustainable use of biodiversity. In the absence of scientific certainty, due to insufficient scientific information and knowledge, and consistent with Principle 15 of the Rio Declaration, countries will be able to take such decisions on import on a precautionary basis in order to avoid or minimise any potential adverse effects, and to take into account the impact of LMOs on the value of biodiversity to indigenous and local communities.

Where importing countries lack a domestic regulatory framework for taking decisions on the import of LMOs, they will be able to do so under the Protocol. In the case of LMOs intended for intentional introduction into the environment, this will be on the basis of information provided in advance by the exporter. In the case of LMOs intended for direct use as food or feed, or for processing, importing countries without domestic legislation will be able to take decisions on the basis of information provided through a clearing-house mechanism established under the Protocol.

Further provisions in the Protocol lay down minimum documentation requirements for LMOs moving between countries. These requirements are categorised according to whether the LMO is intended for intentional introduction into the environment, for contained use, for direct use as food or feed, or for processing, or for other purposes. The Protocol also requires work to be undertaken on the options for a regime for liability and redress to be completed within four years of its entry into force.

The effectiveness of the Protocol in achieving its objective of contributing to biosafety is strengthened by specific recognition that trade and environment agreements should be mutually supportive with a view to achieving sustainable development.

The Protocol is a significant step forward in ensuring proper evaluation of any risk to biodiversity from the transboundary movement of LMOs that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health. It will complement national and regional law in many parts of the world and enable other countries to benefit from experience elsewhere, including the United Kingdom and Europe, and to protect their biological diversity.

Suburban Housing Estates

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if draft PPG3 contains a presumption against approval of large suburban housing estates, predominantly of high-priced housing. [109297]

Ms Beverley Hughes: The consultation draft of PPG3 states that any substantial new development should be planned as a community with mixed land uses, including adequate shops and services. It also advises that local planning authorities should adopt policies to secure an appropriate mix of dwelling size, type and affordability in new developments to meet the changing composition of households in their areas. The final version of PPG3 will be issued shortly.

School Grants

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions under what circumstances schools may receive grants for environmental projects from the proceeds of the landfill tax; and if he will make a statement. [108781]

Mr. Timms: I have been asked to reply.

Operators of landfill sites who are registered for landfill tax may claim for tax credits for contributions that they make to support environmental projects. These may include research and education for the purpose of encouraging the use of more sustainable waste management and the provision and maintenance of public amenities in the vicinity of landfill sites. Landfill site operators may choose to support schools as part of such projects.

Further information regarding the scheme can be obtained from the regulatory body, ENTRUST Ltd., at the following address:

ENTRUST
Acre House
2 Town Square
Sale
Cheshire
M33 7WZ.

DEFENCE

Digitisation Systems

Mr. Hancock: To ask the Secretary of State for Defence what is the cost of fitting the British Army units in Kosovo with platform level digitisation systems; and how many units will be refitted. [99414]

Mr. Spellar: We have no immediate plans to fit British Army platforms in Kosovo with digitised systems.

Cluster Bombs

Mr. Cohen: To ask the Secretary of State for Defence what research his Department has carried out into the failure rate of cluster bomb sub-munitions used by Her Majesty's armed forces. [107427]

Mr. Spellar: Information on the failure rate of cluster bomb sub-munitions used by UK armed forces is collected during regular in-service trials and from field data. Recent statistics show a failure rate of approximately 5 per cent. in line with expectations.

Service Men (Telephone Calls)

Mr. Hepburn: To ask the Secretary of State for Defence what are the costs per minute of telephone calls to the United Kingdom by service men based in *(a)* Belize, *(b)* the Falklands and *(c)* Cyprus; and what assessment he has made of the impact of such costs on recruitment and retention in the armed forces. [107862]

Mr. Spellar: We recognise the importance to personnel serving overseas of keeping in touch with family and friends by being able to telephone home. The standard cost of telephone calls per minute to the United Kingdom is:

Belize: £2

Cyprus: Peak 33p Off-peak 28p

Falkland Islands: Peak 99p Off-peak 80p.

Falkland Islands costs can be reduced by 15 per cent. by purchasing telephone cards from Service sources on the island.

The call-back services provided by a number of telecommunications companies can reduce these charges substantially. Typical rates are 41p per minute for Belize, 17p for Cyprus and 59p for Falklands (although the latter is a limited service). The availability of these reduced cost services is widely publicised at each location and personnel are encouraged to use them.

Personnel in these overseas locations are in receipt of Local Overseas Allowance (LOA), which contains an element for telephone calls.

UK/VSC 501 System

Mr. Hancock: To ask the Secretary of State for Defence what is the cost of installing the UK/VSC 501 system on the 18 Land Rovers and the Hagglunds BV206 vehicles currently being delivered to the Royal Marines. [108591]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir Robert Walmsley to Mr. Mike Hancock, dated 9 February 2000.

I am replying to your question to the Secretary of State for Defence about the cost to the Ministry of Defence of installing the UK/VSC 501 satellite system on the 18 Land Rovers and the Hagglunds BV206 vehicles being delivered to the Royal Marines. This matter falls to me for answer within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

This procurement provided for the upgrade of 18 MOD-owned Land Rover-mounted VSC 501 terminals together with the development and production of two new terminals on MOD-owned Hagglunds BV206 vehicles. The total cost of the work was £11M and the vehicles were delivered between March and September 1999.

This cost includes the procurement of spares, training, equipment documentation and supporting infrastructure to provide the users with full terminal functionality and connectivity.

Racism (Armed Forces)

Mr. Hancock: To ask the Secretary of State for Defence what steps his Department has taken to improve racial equality in the armed forces in the last 12 months; and if he will make a statement. [108744]

Mr. Spellar: The Armed Forces continue to work hard to develop an organisational culture that welcomes racial diversity and places the highest priority on tackling racism within the Services. Within the framework of the Partnership Agreement with the Commission for Racial Equality, the cornerstone for Service racial equality policies, the Armed Forces are committed to reflecting more closely the rich ethnic balance of our society, and to be a beacon for others in the promotion of racial equality.

During the last 12 months the Armed Forces Equal Opportunities goal was published on 22 March 1999, *Official Report*, column 10W, and seeks to achieve universal acceptance and application of a working environment free from harassment, intimidation and unlawful discrimination, in which all have equal opportunity, consistent with our legal obligations, to realise their full potential in contributing to the maintenance and enhancement of operational effectiveness. The Armed Forces respect and value every individual's unique contribution, irrespective of their race, ethnic origin, religion or gender and without reference to social background or sexual orientation.

The Service Heads of Chaplaincy are currently working with the Buddhist, Hindu, Jewish, Muslim and Sikh Religious Advisers to the Armed Forces to establish a network of "Chaplains" from minority faiths in order to ensure that the spiritual and moral needs of Service personnel from minority faiths are provided for. Additionally, as part of the Armed Forces' aim to cater for all special religious dietary requirements, Vegetarian, Halal and Kosher Operational Ration Packs have been introduced.

Education and awareness of equality issues is central in the drive to eradicate unacceptable behaviour in the Armed Forces. Comprehensive equal opportunity training is undertaken widely across the Services in addition to the specialist training provided by the Tri-Service Equal Opportunities Training Centre at Shrivenham.

The Armed Forces continue to stress their policy of zero tolerance towards all forms of racial discrimination and harassment.

Shorts Missile Systems Contract

Mr. Hancock: To ask the Secretary of State for Defence (1) what is the value of that part of the contract between his Department and Shorts Missile Systems that will be spent in the United Kingdom; [108749]

(2) how many high-velocity missiles are to be supplied by Shorts Missile Systems under their contract with his Department. [108748]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir Robert Walmsley to Mr. Mike Hancock, dated 9 February 2000:

I am replying to your question to the Secretary of State for Defence about the value of that part of the contract between the Ministry of Defence and Shorts Missile Systems that will be spent in the United Kingdom. You also asked how many high velocity missiles are to be supplied by Shorts Missile Systems under their contract with the Department. These matters falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

I presume both questions refer to the High Velocity Missile contract placed on 6 December 1999. The value of that part of this contract that will be spent in the United Kingdom is 98% of the overall contract cost which as stated in the press release is around £200M. I am afraid that I am unable to let you know how many missiles have been ordered as it is considered that the release of this information would be harmful to our national security interests and would also be in breach of a third party's commercial confidences. I am therefore withholding this information under Exemption 1 (Defence, security and international relations) and Exemption 13 (Third party's commercial confidences) of the Code of Practice on Access to Government Information.

Sarin

Mr. Dalyell: To ask the Secretary of State for Defence what study he is making of the long-term effects of Sarin. [108464]

Mr. Spellar *[holding answer 7 February 2000]:* The Department is at present undertaking no specific study into any possible long-term effects of exposure to the nerve agent Sarin. There is, however, both on-going and completed MOD funded research which will inform, in general terms, our understanding of the effects of nerve agents. The results from two earlier studies on the effects of low levels of exposure to Sarin have been published: the first appeared in the "Journal of Human and Experimental Toxicology" in 1996 (Vol 15, pages 369–375); and the second in the "Journal of Psychopharmacology" in 1999 (Vol 13, pages 128–135).

Fylingdales

Mr. Key: To ask the Secretary of State for Defence what discussions he and his officials have held with the United States Government about the future of Fylingdales in Yorkshire; and if he will make a statement. [108664]

Mr. Hoon *[holding answer 7 February 2000]:* I have discussed with the US Defense Secretary, William Cohen, the possible US requirement for facilities in the UK to support the US National Missile Defence (NMD) programme. We have received no formal request from the US Administration regarding Fylingdales, nor would we expect any until after a US decision on whether or not to proceed towards deployment of the NMD system.

Chinook Accident (Mull of Kintyre)

Mr. Letwin: To ask the Secretary of State for Defence what evidence was used by his investigators to determine the weather conditions affecting the coastline on the Mull of Kintyre in the last 40 seconds before impact of RAF Chinook ZD 576. [109119]

Mr. Spellar *[holding answer 8 February 2000]:* The RAF Board of Inquiry obtained evidence relating to weather conditions from the Meteorological Office, as well as from several witnesses who were in the area at the time of the accident.

Mr. Letwin: To ask the Secretary of State for Defence what reports he has received about whether the Mull of Kintyre was covered or only partly covered in cloud as RAF Chinook ZD 576 made its final approach on 2 June 1994. [109121]

Mr. Spellar *[holding answer 8 February 2000]:* The RAF Board of Inquiry found that the weather was very poor, with cloud and hill fog extending from below the lighthouse level (300 ft) to at least the summit of Beinn na Lice (1,400 ft), the highest point on the southern tip of the Mull.

Thiepval Barracks

Mr. McGrady: To ask the Secretary of State for Defence what feasibility study was undertaken in respect of the land at Thiepval barracks; if he will make a statement on the options contained in the report; which option was chosen; and if he will place a copy of the report in the Library. [109082]

Dr. Moonie: The land at Thiepval barracks was last subject to a major review in 1997. The resulting report contained classified information regarding the layout of the barracks and proposed development. I am therefore withholding information on the content of that report under Exemption 1a of the Code of Practice on Access to Government Information.

Balkans (Army Communications)

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement concerning army communications in the Balkans. [109582]

Mr. Spellar: As part of my Department's on-going efforts to reduce overstretch in the Army, I am pleased to announce that a contract has been let to provide for less manpower-intensive and more modern communications equipment in the Balkans. The contract, with BAe Systems, will provide for wide area communications in support of the UK's contribution to the NATO Multi National Divisions in Bosnia and Kosovo. While maintaining the UK's responsibility to NATO's peacekeeping forces, it will enable us to bring home some 150 Royal Signals personnel by the end of the year. It is also an excellent example of the SMART Procurement Initiative by demonstrating the advantages of working closely together with industry to deliver the equipment our front-line troops need. The contract is specific to the Balkans theatre of operations and does not affect the Army's wider communications requirements. The cost of this equipment will be met from the Contingency Reserve.

HOME DEPARTMENT

Departmental Research Projects

Dr. Harris: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 December 1999, *Official Report*, column 373W, what restrictions were

placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108197]

Mr. Straw: The terms and conditions with regard to publicity about research projects undertaken by contractors on behalf of the Home Office vary depending upon the detailed circumstances of the contract. As a rule, research contracts with the Home Office require contractors not to make public statements concerning the work without the prior consent of the Department. In practice, this usually means that contractors do not discuss findings of research before publication but are free to do so afterwards. I am committed to ensuring that any research commissioned by my Department is published once it has been properly validated (save in subject areas where the protection of national security or the prevention of serious crime require that the research can only be used for internal purposes). I have agreed a protocol with my Director of Research governing the publication of the Home Office research reports. I have placed a copy in the Library.

Body Armour (Female Officers)

Mr. Cohen: To ask the Secretary of State for the Home Department what guidance is given by his Department to police forces on the provision of suitably designed body armour for female officers. [109000]

Mr. Charles Clarke: Suitable body armour for female officers, designed and approved to standards set by the Home Office Police Scientific Development Branch (PSDB) and the Association of Chief Police Officers (ACPO), has been available since May 1999. The new PSDB Stab Resistance Standard for Body Armour 1999 also includes provision for testing female armour.

The results of all body armour tested to PSDB standards are published in the "Manual of Ballistic and Stab Resistant Body Armour", a joint PSDB/ACPO publication. The manual is available to all police forces and contains information on how to select appropriate body armour from among almost 200 commercially available armours. PSDB also gives presentations on female body armour to individual forces.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department how many asylum seekers who are *(a)* single adults, *(b)* families with children and *(c)* unaccompanied children in each London borough were being supplied through (i) the Social Services departments and (ii) other housing departments on 31 January. [108797]

Mrs. Roche: Central Government do not collect information in the form requested. I understand that the Association of London Government collates data on the numbers of single adults, families and unaccompanied minors being supported by London boroughs each week. A breakdown between those persons supported by social services departments or other housing departments is not available.

The latest figures available from the Association of London Government, for the week ending 7 January 2000, are set out in the table.

Table showing the number of asylum seekers being supported by London boroughs[1] at 7 January 2000

Borough	*Total number of asylum seekers*	*Unaccompanied minors[2]*	*Single adults*	*Number of families[3]*	*Number of people in families*
Barking and Dagenham	2,440	140	800	530	1,500
Barnet	1,420	40	270	330	1,100
Bexley	400	80	100	60	220
Brent	1,890	50	570	430	1,270
Bromley	530	40	170	90	310
Camden	1,820	80	510	370	1,230
Corporation of London	170	—	90	20	70
Croydon	940	150	180	180	610
Ealing[4]	1,280	—	390	260	900
Enfield[4]	1,970	60	420	550	1,490
Greenwich	1,850	70	820	330	960
Hackney	2,440	—	920	490	1,520
Hammersmith and Fulham[4]	2,400	180	670	470	1,550
Haringey[4]	4,680	320	1,330	910	3,040
Harrow	750	40	170	150	540
Havering[4]	310	—	220	30	90
Hillingdon	1,880	400	760	230	710
Hounslow[4]	920	30	210	270	690
Islington[4]	2,360	220	1,280	460	860
Kensington and Chelsea	1,790	130	810	260	850
Kingston-upon-Thames[4]	330	10	90	70	230
Lambeth	2,900	150	1,050	580	1,710
Lewisham[4]	2,390	90	1,000	410	1,300
Merton[4]	910	—	260	190	660
Newham	6,120	70	1,240	1,420	4,810
Redbridge	1,860	200	540	340	1,120
Richmond-upon-Thames	1,650	210	710	2107	30
Southwark	2,850	190	1,010	550	1,660
Sutton	550	50	250	90	260
Tower Hamlets	660	10	230	130	420

Table showing the number of asylum seekers being supported by London boroughs[1] at 7 January 2000

Borough	Total number of asylum seekers	Unaccompanied minors[2]	Single adults	Number of families[3]	Number of people in families
Waltham Forest	2,250	—	1,150	490	1,100
Wandsworth	970	10	210	220	750
Westminster	2,260	160	740	410	1,360
Total	57,940	3,170	19,170	11,520	36,600

[1] A significant proportion of the single adults live in other areas of the country but the accommodation is organised by London local authorities.
[2] Unaccompanied children under 17.
[3] Families include cases with only dependant adults.
[4] Updated figures not yet reported, figures taken from previous report.

Mr. Gerrard: To ask the Secretary of State for the Home Department what plans he has taken to ensure that current overstayers will not lose the right to a suspensive appeal against a decision to remove them taken after 1 October. [109544]

Mrs. Roche: Section 9 of the Immigration and Asylum Act 1999 provides for a minimum three month period during which overstayers can apply to regularise their immigration status. If they do so, and the application is refused after the new removal procedures are implemented, the old procedures will apply to their case after 1 October and a suspensive right of appeal will be retained.

The Immigration (Regularisation Period for Overstayers) Regulations 2000 came into force on Tuesday 8 February. The period runs from now until 1 October 2000, which is the day before the Human Rights Act 1998 is expected to come into force, and thus lasts for a minimum of almost eight months.

I shall shortly write to all Members, giving details of the scheme and how an application should be made under it. I shall place copies of the information leaflet we have produced in the Library. We shall be discussing further publicity with relevant interest groups, but as a first step the leaflets are being distributed to local community groups through the Citizens Advice Bureaux and the Joint Council for the Welfare of Immigrants.

The scheme is solely intended to retain a suspensive right of appeal to the Immigration Appellate Authority for those overstayers who make a specific application to us during the period. It is by no means an amnesty: the same considerations apply whether an application under the scheme is made or not. All overstayers should be aware that a decision to remove them from the United Kingdom is, and will, remain the normal response to their unlawful behaviour. Only when the compassionate circumstances outweigh the public interest in maintaining an effective immigration control will we allow them to remain.

Women's Refuges (London)

Mr. Cox: To ask the Secretary of State for the Home Department how many women's refuges there are in each Greater London borough. [108729]

Mr. Boateng: Refuges operate independently of Government, and such data are not collected centrally. The most comprehensive and up-to-date information available is contained in "The Gold Book: the Women's Aid Directory of Domestic Violence Research and Helpline Services 1999", published last year by the Women's Aid Federation (England). Information is also available on the Women's Aid website, http://www.womensaid.org.uk.

Mr. Cox: To ask the Secretary of State for the Home Department what funding has been made available to *(a)* open and *(b)* support women's refuge projects in the Greater London area in each of the last three years. [108723]

Mr. Boateng: Refuges are funded by a range of sources, rather than directly by central Government. In some cases, the Department of the Environment, Transport and the Regions, through the Housing Corporation, provides capital and revenue funding. Other income comes from the rents paid by users (who may be relying on Housing Benefit support), local authorities, charities, trusts, private donations and their own fund-raising activities. Some refuge projects work in partnership with Housing Associations. Because of this the information requested is not available.

The paper "Supporting People" outlined plans to introduce a new policy and funding framework for the provision of supported accommodation for all who need it, including the survivors of domestic violence, from April 2003.

Firearms

Mr. Martyn Jones: To ask the Secretary of State for the Home Department how many days it takes to process the grant and renewal of a shotgun and firearm certificate in each police constabulary area. [108823]

Mr. Charles Clarke: This information is not collected centrally.

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what monitoring and evaluation of the firearms licensing regime has been carried out in respect of the level set for firearm fees. [108822]

Mr. Charles Clarke: As with other aspects of police administration, firearms licensing is subject to monitoring by Her Majesty's Inspectorate of Constabulary (HMIC) as part of their inspection process.

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what representatives of shooting user groups have been invited to participate in Home Office discussions on firearms fees. [108821]

Mr. Charles Clarke: The Firearms Consultative Committee (FCC), the independent statutory authority that advises the Government on firearms matters, considered initial proposals for reviewing firearms

licensing fees last year. The Home Office has since received detailed information from the Association of Chief Police Officers as to the basis on which the fees might be set. Ultimately, it is for the Home Secretary to lay an Order before Parliament setting out any changes, but before doing so we shall wish to consult the British Shooting Sports Council for their views.

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what steps he has taken to improve the efficiency of police firearms licensing departments in respect of the criticisms made in Her Majesty's Inspectorate of Constabulary report in 1993. [108820]

Mr. Charles Clarke: In the years immediately following the publication of their 1993 Report on Firearms Licensing, Her Majesty's Inspectorate of Constabulary (HMIC) paid particular attention to firearms licensing departments during their inspection of individual forces, having regard to the shortcomings identified in the report. In general, HMIC was satisfied that most forces had taken those steps identified by the Inspectorate to improve their efficiency and effectiveness in this area.

Since the publication of the 1993 Inspection Report, there has been considerable change in the field of firearms licensing following the tragic events at Dunblane and the subsequent legislation. There have also been wider changes, for example in the role and effectiveness of computer systems. Her Majesty's Inspectorate of Constabulary is, therefore, drawing up new inspection protocols for firearms licensing departments.

British Summer Time

Mr. Kidney: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 November 1999, *Official Report*, column 124W, what are the respective responsibilities of his Department and the Scottish Executive in relation to British summer time in Scotland. [108818]

Mr. Mike O'Brien: The Scotland Act 1998 reserves powers relating to summer time to Westminster and responsibility, therefore, remains with the Home Office.

Mr. Kidney: To ask the Secretary of State for the Home Department if he will consult road safety groups and others on abandoning British summer time in England and Wales. [108819]

Mr. Mike O'Brien: We have no plans to promote changes to the present summer time arrangements, but we will continue to listen to all sides of the argument.

Human Rights Act 1998

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how much he has spent on counsel's opinion in respect of securing statements of compatibility of public bills with the requirements of the Human Rights Act 1998. [108757]

Mr. Straw: Statements under section 19 express the Minister's view as to whether the provisions of a Bill are compatible with the Convention. Each Department is responsible for seeking its own advice before making a section 19 statement. No money has been spent by the Home Office on counsel's fees for the immediate purpose of making such statements. But in forming a view as to a Bill's compatibility, the Minister will take into account all the legal advice available to the Department, including any advice from outside Counsel, where appropriate. Such advice may be obtained in relation to a specific issue or have been given, for example, in the context of relevant litigation.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will place in the Library copies of the paper setting out the basis for statements of compatibility of Public Bills with the Human Rights Act 1998. [108756]

Mr. Mike O'Brien: Copies of the revised guidance to Departments have been placed in the Library.

Lawrence Inquiry

Mr. Alan Simpson: To ask the Secretary of State for the Home Department if he will place in the Library the document relating to the Lawrence Inquiry, entitled, "Summary of Progress on Key Action Points". [108718]

Mr. Charles Clarke: Yes; but I shall shortly be publishing a much fuller account of the progress made in implementing the action plan published in March 1999 in response to the report of the Stephen Lawrence Inquiry.

Crown Court Appeals

Mr. Lidington: To ask the Secretary of State for the Home Department, pursuant to his answer to my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) of 2 February 2000, *Official Report*, column 599W, on his proposals to restrict the right to elect trial by jury, *(a)* if it is his intention to allow (i) either the prosecution or defence, or both, to petition the Crown court for an oral hearing of an appeal against the determination of mode of trial by magistrates, where an oral hearing is not requested by the judge and (ii) only circuit judges to hear appeals in the Crown court against the determination of mode of trial by magistrates, and *(b)* if the prosecution and defence will be able to adduce additional evidence, over and above that presented to the magistrates, during the course of an appeal to the Crown court against the determination of mode of trial by magistrates, and if they will be able to call witnesses and expert witnesses to give oral testimony. [109208]

Mr. Charles Clarke *[holding answer 8 February 2000]:* The appeal would be a re-hearing by a circuit judge of the magistrates decision. It would be open to either of the parties to seek an oral hearing in the notice of appeal, and it would be for the discretion of the judge whether to allow an oral hearing to take place. It would also be for his discretion whether to allow the parties to adduce further evidence (including, in the unlikely event that it would be necessary, evidence from expert or other witnesses) in support of their representations.

Mr. Lidington: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 February 2000, *Official Report*, column 599W, what parts of criminal proceedings in the Crown Court may at present be heard in chambers by a single judge; what estimate he has made of the number of Crown Court sitting days that would be taken up by the hearing of appeals against the determination of mode of trial by magistrates, what items are included in the cost of (i) a written and (ii) an oral appeals; and on what basis he reached his estimate of the number of defendants who would appeal against magistrates' decisions on mode of trial. [109209]

Mr. Charles Clarke *[holding answer 8 February 2000]:* Business which may be heard in chambers by a single judge (pursuant to Crown Court Rule 27) includes applications for bail and for the extension of time-limits, and appeals against the decision of magistrates on those issues. In estimating the cost of appeals against mode of trial, the generous assumptions have been made that in 25 per cent. of cases the defendant might appeal, and that 17.5 per cent. of cases will require an oral hearing. In total, less than 650 judicial hours would be spent on these appeals per year. The costs have been based on court time, prosecution costs and legal aid standard fee rates. The reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), on 2 February 2000, *Official Report*, column 599W, contained a typographical error: it is estimated the number of defendants who would appeal is 3,000, and not 3,900 as stated.

Organised Crime (Hungary)

Mr. Fabian Hamilton: To ask the Secretary of State for the Home Department what steps he is taking to encourage a further strengthening of co-operation with Hungary to combat organised crime. [109668]

Mr. Straw: I have today signed with the Minister of the Interior of Hungary, Dr. Sandor Pinter, a Memorandum of Understanding on Co-operation in Combating Illicit Drug Trafficking, Organised Crime, International Terrorism and Illegal Immigration. The agreement provides a framework within which law enforcement agencies and prosecuting authorities in our two countries can develop their close working relations in preventing, detecting and investigating all forms of serious and organised national and international crime. It is an important step forward in combating the common threat from criminal activity both within and beyond Europe.

Immigration

Mr. Burgon: To ask the Secretary of State for the Home Department what arrangements he has made to ensure that immigration officers exercising the new powers of search, entry and seizure in Part VII of the Immigration and Asylum Act 1999 will have regard to the codes of practice issued under the Police and Criminal Evidence Act 1984. [109669]

Mrs. Roche: The new powers of entry, search and seizure will come into force on 14 February 2000. In accordance with section 145 of the Immigration and Asylum Act 1999, a Direction has been made which will ensure that immigration officers exercising these powers, and their existing powers of arrest under Schedule 2 of the Immigration Act 1971, must have regard to the relevant provisions of the Police and Criminal Evidence Act 1984 Codes of Practice. A copy of the Direction is being placed in the Library. It is also being sent to members of the Immigration and Nationality Directorate (IND) User Panel and will be made available more widely via the IND website.

The use of the new powers will be restricted initially to a team of immigration officers involved in a joint pilot scheme with the Metropolitan police. This pilot scheme will enable the powers to be tested in the operational arena before more widespread use of the powers is considered.

Immigration and Nationality Directorate

Ms Ward: To ask the Secretary of State for the Home Department if he will make a statement on changes in the membership of the Immigration and Nationality Directorate Complaints Audit Committee. [109671]

Mrs. Roche: Ms Ros Gardner has been appointed as a new Member of the Complaints Audit Committee to replace Janet Whitaker, who resigned on being made a Life Peer. Ms Gardner runs a consultancy specialising in customer care and complaint handling. She was formerly Manager of the Customer Services Department of Marks and Spencer and was a member of the Cabinet Office's Citizens Charter Complaints Task Force.

Police Officer Recruitment

Mr. Burgon: To ask the Secretary of State for the Home Department if he will make a statement on the results of police forces' bids for funding from the Crime Fighting Fund to recruit police officers. [109672]

Mr. Straw: All 43 police forces in England and Wales bid for a share of the Crime Fighting Fund to recruit 5,000 police officers over and above the number they had otherwise planned to recruit over the next three years commencing April 2000.

The total number of officers which forces bid for came to 8,220. As all forces meet the gateway criteria set out in the Bidding Guidelines, I have, in allocating funding for the 5,000 officers between forces, taken into account the information which they provided in support of their bids.

The table shows the number of police recruits each force has bid for, the number they have been allocated in each year of the scheme and in total, and the funding each will receive in year one of the scheme.

The numbers of officers in years two and three are provisional at this stage. They are dependent on forces meeting the continuation criteria for benefiting from the Fund in those years.

Forces tell us that, without the additional resources from the fund, they are planning to recruit a total of 12,478 police officers (new recruits to the service) in the three years commencing in April 2000. Their estimates reflect the decisions they and their police authorities have made about the way in which they will use the resources available to them next year, and the assumptions they have made about funding and budget levels in the two following years which have yet to be settled. The money from the Crime Fighting Fund will be used to recruit 5,000 officers over and above the number forces plan to recruit over the three-year period.

Crime Fighting Fund: Recruits

		Allocation				Year 1 costs (£)		
Forces	*3 Year total bid*	*2000–01 Year 1*	*2001–02 Year 2*	*2002–03 Year 3*	*Total*	*Total to force*	*Training*[1]	*Total Year 1*
Avon and Somerset	165	20	40	41	101	510,000	140,000	650,000
Bedfordshire	102	11	22	22	55	280,500	77,000	357,500
Cambridgeshire	69	16	14	12	42	408,000	112,000	520,000
Cheshire	115	17	34	35	86	433,500	119,000	552,500
City of London	16	8	0	0	8	225,040	56,000	281,040
Cleveland	57	5	23	0	28	127,500	35,000	162,500
Cumbria	60	8	16	16	40	204,000	56,000	260,000
Derbyshire	250	20	40	41	101	510,000	140,000	650,000
Devon and Cornwall	200	28	55	55	138	714,000	196,000	910,000
Dorset	90	9	18	19	46	229,500	63,000	292,500
Durham	60	13	18	20	51	331,500	91,000	422,500
Dyfed Powys	100	10	20	20	50	255,000	70,000	325,000
Essex	124	23	40	40	103	586,500	161,000	747,500
Gloucestershire	70	12	20	20	52	306,000	84,000	390,000
Greater Manchester	1,000	78	145	155	378	1,989,000	546,000	2,535,000
Gwent	65	12	20	11	43	306,000	84,000	390,000
Hampshire	150	27	53	53	133	688,500	189,000	877,500
Hertfordshire	48	13	16	16	45	331,500	91,000	422,500
Humberside	251	15	29	30	74	382,500	105,000	487,500
Kent	180	30	58	58	146	765,000	210,000	975,000
Lancashire	152	25	51	50	126	637,500	175,000	812,500
Leicestershire	150	17	26	40	83	433,500	119,000	552,500
Lincolnshire	50	11	20	10	41	280,500	77,000	357,500
Merseyside	360	40	80	81	201	1,020,000	280,000	1,300,000
Metropolitan Police	1,800	242	424	447	1,113	6,807,460	1,694,000	8,501,460
Norfolk	90	11	30	25	66	280,500	77,000	357,500
North Wales	75	12	25	25	62	306,000	84,000	390,000
North Yorkshire	39	5	20	0	25	127,500	35,000	162,500
Northamptonshire	105	14	25	14	53	357,000	98,000	455,000
Northumbria	172	27	57	52	136	688,500	189,000	877,500
Nottinghamshire	120	17	35	35	87	433,500	119,000	552,500
South Wales	90	14	27	27	68	357,000	98,000	455,000
South Yorkshire	150	20	40	41	101	510,000	140,000	650,000
Staffordshire	102	17	33	33	83	433,500	119,000	552,500
Suffolk	73	11	24	10	45	280,500	77,000	357,500
Surrey	120	18	30	30	78	459,000	126,000	585,000
Sussex	135	22	45	45	112	561,000	154,000	715,000
Thames Valley	379	40	80	80	200	1,020,000	280,000	1,300,000
Warwickshire	68	6	24	0	30	153,000	42,000	195,000
West Mercia	108	18	35	36	89	459,000	126,000	585,000
West Midlands	480	64	120	126	310	1,632,000	448,000	2,080,000
West Yorkshire	180	26	52	53	131	663,000	182,000	845,000
Wiltshire	50	8	16	16	40	204,000	56,000	260,000
Total	8,220	1,060	2,000	1,940	5,000	27,687,500	7,420,000	35,107,500

[1] The £7,000 per recruit to forces other than the Metropolitan Police Service for training will be paid to National Police Training

Police Statistics

Mr. Ivan Henderson: To ask the Secretary of State for the Home Department if he will make a statement on the number of police officers in each police force area in England and Wales, and in total, for the latest available date; and, if he will list the total number of *(a)* police officers and *(b)* civilian support staff in England and Wales for each year from 1990. [109673]

Mr. Straw: The information is set out in the tables. At the end of September 1999, the total number of police officers in England and Wales was 125,464. The number of officers in the 43 forces (excluding officers seconded to the National Crime Squad, the National Criminal Intelligence Service and central service) was 123,050. At the end of September 1999 there were 53,254 civilian support staff in the police service.

I have also accepted the recommendations of a Working Group chaired by Her Majesty's Inspector of Constabulary and including representatives of the Association of Chief Police Officers and the Association of Police Authorities on the re-classification of police service personnel. The Working Group recommended that greater recognition should be given to the important contribution that civilian support staff make to operational policing. Civilian staff now account for 30 per cent. of total police service personnel.

From March 2000, police service staff will be categorised within three bands as (a) operational, (b) operational support, or (c) organisational support. The new information, to be collected annually by Her Majesty's Inspectorate of Constabulary, will provide a more accurate reflection of the deployment of all police service personnel.

We shall continue to publish information on police officer numbers in the usual way.

Police numbers—change between March 1999 and September 1999

Force	Strength as at 30 September 1999	Change since 31 March 1999
Avon and Somerset	2,988.7	-11
Bedfordshire	1,048.4	+7
Cambridgeshire	1,272.2	-2
Cheshire	2,043.6	-27
City of London	744.6	-33
Cleveland	1,372.6	-43
Cumbria	1,092.9	-33
Derbyshire	1,763.6	+5
Devon and Cornwall	2,861.1	-26
Dorset	1,276.1	-3
Durham	1,554.6	-13
Dyfed-Powys	1,048.6	+22
Essex	2,834.7	-56
Gloucestershire	1,098	-6
Greater Manchester	6,810.3	No change
Gwent	1,261.3	+14
Hampshire	3,410.8	-63
Hertfordshire	1,760	+36
Humberside	1,926.2	-48
Kent	3,256.7	+56
Lancashire	3,221.4	-23
Leicestershire	1,997.5	+4
Lincolnshire	1,110.8	-29
Merseyside	4,070.8	-140
Metropolitan police	25,884.5	-188
Norfolk	1,381.5	No change
Northamptonshire	1,130	-7
Northumbria	3,800.1	-40
North Wales	1,399	+8
North Yorkshire	1,293.7	-43
Nottinghamshire	2,227	+2
South Wales	2,983	+2
South Yorkshire	3,165	-3
Staffordshire	2,206	-32
Suffolk	1,160	-30
Surrey	1,721.1	+59
Sussex	2,909.3	+63
Thames Valley	3,749.5	+1
Warwickshire	915.7	+8
West Mercia	1,979.4	-45
West Midlands	7,296.4	-24
West Yorkshire	4,873	-109
Wiltshire	1,150.2	-1
Force total strength	123,050	-791
Seconded police officers	2,414	+159
Total police service strength	125,464	-632

[1] Includes officers seconded to NCS, NCIS and central service such as National Police Training.

Total police service personnel—1990–99

Year	Total police officers	Total civilian support staff
31 March 1990	126,777	44,525
31 March 1991	127,495	46,373
31 March 1992	127,627	47,320
31 March 1993	128,290	49,503
31 March 1994	127,897	50,229
31 March 1995	127,222	51,096
31 March 1996	126,901	52,933
31 March 1997	127,158	53,011
31 March 1998	126,814	52,974
31 March 1999	126,096	53,031
30 September 1999	125,464	53,254

Nuclear Bunker (Soar)

Mr. Steen: To ask the Secretary of State for the Home Department if he will order the sale of the former nuclear bunker at Soar, Devon; and if he will make a statement on outstanding issues in relation to the National Trust. [108994]

Mr. Mike O'Brien: The outstanding issues in relation to the National Trust are on the point of being resolved. The first stage in the process of offering this property for sale will begin on 24 February, with the first of a number of open days, when prospective purchasers will have an opportunity to view the property prior to submitting sealed bids.

Crime (Banbury and Abingdon)

Mr. Woodward: To ask the Secretary of State for the Home Department if he will provide statistics on incidents of crime in Banbury and Abingdon *(a)* in the 12 month period before and *(b)* after the installation of closed circuit television surveillance. [109123]

Mr. Charles Clarke: This information is not available centrally. The British Crime Survey and other centrally collated crime statistics are not sufficiently detailed to provide the comparative before and after information requested.

PRESIDENT OF THE COUNCIL

European Charter on Human Rights

Mr. Mitchell: To ask the President of the Council, pursuant to her answer to the hon. Member for South Ribble (Mr. Borrow), of 8 December 1999, *Official Report*, column 532W, on the EU Charter of Fundamental Rights, what parliamentary procedures preceded the appointment of my hon. Friend the Member for Bridgend (Mr. Griffiths) as the delegate of the House to the Charter drafting body; and what documents set out his instructions as a delegate. [108736]

Mrs. Beckett: I refer my hon. Friend to the reply I gave on 7 February 2000, *Official Report*, column 24W.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Fees

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs which fees his Department, its agencies and associated public bodies collect; how much has been raised and will be raised from each of these fees from 1989–90 to 2004–05; and which of these fees count as negative expenditure. [107977]

Mr. Hain: I refer the hon. Gentleman to the answer I gave to the previous question on 8 February 2000, *Official Report*, column 134W.

Helsinki Council

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of the Secretary of State for Defence of 20 January 2000, *Official Report*, columns 536–37W, on the three new

military committees to be established in the European Council, what Parliamentary proceedings will be initiated by a Minister of the Crown prior to negotiations and decision-making concerning their respective terms of reference. [108735]

Mr. Vaz: Draft Council Decisions establishing the three interim structures (the Interim Political and Security Committee, the Interim Body of Military Representatives, the secondment of Military Experts to the General Secretariat of the Council) are being submitted for Parliamentary Scrutiny. Future Decisions and other instruments concerning these bodies will be similarly submitted for Parliamentary Scrutiny, in line with the Government's 1998 White Paper on the Parliamentary Scrutiny of EU business.

Diplomatic Staff

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 2 February 2000, *Official Report*, column 622W, on diplomatic staff what instructions he has given UK diplomatic staff not to meet particular UK nationals. [108958]

Mr. Hain: No instructions have been issued to members of the Diplomatic Service not to meet particular UK nationals.

Gibraltar

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the appointment of the next Governor of Gibraltar and the timing of the appointment. [109183]

Mr. Vaz: The present Governor, Sir Richard Luce, is due to leave Gibraltar towards the end of March. An announcement on his successor will be made in the near future.

Sharia Law

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs if Sharia law continues to be imposed in parts of *(a)* Chechnya and *(b)* Dagestan; and what representations he has made concerning this. [109092]

Mr. Vaz: Sharia law, as imposed in parts of Chechnya and Dagestan, has included, among other punishments, public executions. These are in contravention of the European Convention on Human Rights and the human rights standards of the OSCE. The Government have made repeated representations to the Russian Government to urge them to seek a political solution to the situation in Chechnya, with the aim of restoring normal European standards throughout the territory of the Russian Federation. We have urged Russia to use the good offices of the OSCE and the Council of Europe in this task.

Burma

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of ethnic cleansing by the SPDC of minority groups in areas of Burma closed to monitors for security reasons. [109095]

Mr. Battle: We continue to receive disturbing reports of human rights violations against ethnic minorities from many parts of Burma. These violations include arbitrary killings, rape, torture, mass arrests, forced labour and forced relocations. We take every opportunity to condemn these violations: for example, the UK co-sponsored the UN General Assembly resolution adopted last November which contains strong condemnation of the appalling catalogue of human rights violations in Burma, including against ethnic minorities. We continue to make regular representations to the regime on this issue.

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to promote the long-term safety of the *(a)* Karen, *(b)* Chin, *(c)* Kavenni and *(d)* other minority tribes in their homelands in Burma. [109096]

Mr. Battle: We take every opportunity to raise with the Burmese authorities our concerns about the violations of human rights of ethnic minorities, including the Karen people. We support the work of the UN agencies, such as the UN High Commissioner for Refugees' work on Burma's Western border and UN Development Programme's projects in ethnic minority areas all over Burma. We also support the international non-governmental organisations working under difficult conditions in many of the ethnic minority areas. In Thailand, we provide humanitarian assistance through the Burma Border Consortium (£270,000 this calendar year). We continue to encourage political dialogue between the Burmese regime and democratic leaders, including ethnic minorities.

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the SPDC calling for it to open up all areas of Burma to human rights monitors and humanitarian aid workers. [109097]

Mr. Battle: The SPDC have persistently refused any visit to Burma by Judge Lallah, the present UN Special Rapporteur on Human Rights. We have co-sponsored resolutions both at the UN Commission on Human Rights and at the UN General Assembly expressing concern at this lack of co-operation. Several UN agencies and international non-governmental organisations, such as the International Committee of the Red Cross, are in Burma doing excellent work, but some parts of Burma are not accessible to them, largely because of civil unrest due to the regime's continued oppression of ethnic minorities. We deplore this oppression and call on the regime to enter into a dialogue with democratic groups, including ethnic minorities, to resolve Burma's political impasse.

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to ensure that the minority tribes in Burma are not subjected to forced labour. [109098]

Mr. Battle: Forced labour is one of the key areas of concern in Burma. We condemn it wherever it occurs. A report by the International Labour Organisation in 1998 highlighted the use of forced labour in Burma and made three recommendations for the regime to implement: to stop forced labour; to penalise those who exact it; and to amend Burmese legislation. So far, these

recommendations have not been adopted. Until they are, we will continue to maintain pressure in the ILO, and will raise this subject again at the March Governing Body.

Indonesia

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures the Government have taken *(a)* alone and *(b)* in collaboration with the United Nations, to ensure that instability within the borders of Indonesia does not spread throughout the region; and if he will make a statement. [109110]

Mr. Battle: We believe that President Wahid's democratic government is committed to finding a fair and lasting solution to the regional troubles in Indonesia. We and the international community stand ready to offer practical help to President Wahid and shall continue to support him in his efforts to create a democratic and united Indonesia, which will be a force for stability in South East Asia.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assurances he has received from the newly elected President of Indonesia that his Government will stop the persecution of Christians within its borders; and if he will make a statement. [109111]

Mr. Battle: My right hon. Friend the Prime Minister, my right hon. Friend the Foreign Secretary and I all discussed the situation in Maluku with President Wahid when he as in London last week. President Wahid reaffirmed his commitment to secure lasting peace between the conflicting Muslim and Christian communities in the province.

Moldova

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent support the Government have given to Moldova; and if he will make a statement. [109038]

Mr. Vaz: We fully support the work of the OSCE Mission to Moldova in their efforts to reach a political settlement in the Moldova/Transdniestria conflict. We will continue to press for complete withdrawal of Russian forces from Moldovan territory by the end of 2002, as agreed at the OSCE Istanbul Summit in November 1999. We have provided funding for several projects in support of reaching a settlement including, for example, part-funding a constitutional workshop, attended by members of the Moldovan and Transdniestrian experts groups, in December 1999; and funding a seminar "Living with Conflict—the Role of Local Authorities" in September 1999. We are also funding training of six Moldovan journalists at the BBC, to enhance their reporting skills and to promote balanced media coverage.

The Department for International Development's programme of assistance to Moldova stands at £1 million for 1999–2000. The main focus of the programme is the rural livelihoods sector, to which DFID have recently extended work. To complement this, DFID have also recently started work to facilitate further the effective development of savings and credit associations.

Guatemala

Mr. Martyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government have taken to persuade the Government of Guatemala *(a)* to prosecute the murderers of street youths, with particular reference to murders in which the police are believed to have been involved, and *(b)* to give better general care and protection to Guatemala's street children. [109039]

Mr. Battle: We regularly raise human rights concerns generally, and those of street children specifically, with the Government of Guatemala. For example, we have lobbied the Guatemalan Government to enact its Child Code legislation, which would offer greater legal protection to children.

Our Embassy in Guatemala has made a number of inquiries about the state of investigations into the murders or abuse of street children. NGOs working in this area suggest that abuse of street children by state agencies has decreased in the past few years. Street children are more frequently incidental victims of the prevalent violent street crime in Guatemala. There is also an increasing incidence of serious violence between the street children themselves, mostly as a result of an increase in drug trafficking and addiction by and among these children.

The European Union is providing 200 million euros in 1997–2000 towards projects supporting the Peace Programme in Guatemala. The UK's contribution amounts to about £24 million. About a third of the EU funding is dedicated to establishing a National Civil Police Force and strengthening the administration of justice. We expect one consequence of the reform of the police and judiciary to be better treatment of street children. We also indirectly promote human rights and challenge impunity through our support for the UN Verification Mission in Guatemala (MINUGUA).

In addition to working with the Guatemalan Government to protect and care for street children, we also provide support directly. In 1999 we gave £13,500 to an NGO, Toybox (known locally as El Castillo), to finance building a hostel for rehabilitating street children outside Guatemala City. In 1998 we gave £75,000 to Toybox for a similar project.

We shall continue to convey to the Guatemalan authorities our concern for the well-being of street children in Guatemala.

Departmental Staff

Ms Christine Russell: To ask the Secretary of State for Foreign and Commonwealth Affairs what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [109189]

Mr. Hain: The Department's site at Hanslope Park has an on-site nursery and creche facility used by 22 parents in 1998–99. The Department also had access to 16 places at a central London nursery, all of which are subsidised. It participated in the Whitehall holiday playscheme to a total of 240 days. The cost to parents of child care provision varied according to the site, the age of the child

and the particular scheme. Allowances for UK-based staff overseas include provision of 390 hours of child care a year for staff with children accompanying them. The value of the provision varies according to the Post. Representational allowances cover the cost of child care overseas incurred as a result of official representational duties. The Wilton Park Executive Agency has no child care facilities.

Ms Christine Russell: To ask the Secretary of State for Foreign and Commonwealth Affairs what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contracts, *(l)* child care allowances, *(m)* careers leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [109190]

Mr. Hain: I shall write to my hon. Friend shortly with the details she has requested

British Council

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to increase his Department's contribution to the British Council budget. [109230]

Mr. Hain: In the current CSR period, starting in 1999–2000, this Government have already provided the British Council with an uplift of some 2 per cent. in real terms over 1998–99, in line with the settlement for the FCO as a whole. We shall seek to ensure that the Council continues to share whatever gain we obtain as a result of the current spending round, covering 2001–02 to 2003–04.

EDUCATION AND EMPLOYMENT

Teachers' Pay

Mr. Hurst: To ask the Secretary of State for Education and Employment what assessment he has made of the responses of teachers to the consultation on those aspects of the Green Paper, "Teachers: meeting the challenge", dealing with performance-related pay; and if he will make a statement. [107262]

Ms Estelle Morris: The consultation on the Teacher's Green Paper ran from December 1998 until March 1999. The results of the consultation exercise on the Green Paper were published on 8 July 1999. A leaflet, "Teachers: taking forward the challenge of change", was delivered to all schools, summarising the outcomes and explaining how the proposal would be taken forward. Copies of more detailed analysis of the consultation responses were placed in the Libraries of the Houses of Parliament.

Although the formal consultation period on the Green Paper has closed, discussions have been on-going with key stakeholders. The proposals to reform teachers' pay were outlined in further detail in the written evidence which the DFEE submitted to the School Teachers' Review Body (STRB) last autumn. The STRB's report, published 1 February 2000, backed the Government's proposals. The Secretary of State will consult on its recommendations and announce arrangements for the new pay structure during spring 2000, for introduction in September 2000.

Sex and Relationships Education

Mr. Waterson: To ask the Secretary of State for Education and Employment what guidance his Department has issued to schools and education authorities about the use of the video, "Beyond a Phase". [108216]

Jacqui Smith: The Department is in the process of consulting on the shape and content of revised sex and relationships education guidance. This will make it clear that it is for the governing body, in consultation with parents, to develop a policy on sex and relationships education, and to determine whether material used in schools is appropriate to the age of the pupils and in accordance with the PSHE framework, and the law which states that materials produced by health authorities often have a specific purpose of treating or preventing the spread of disease and schools need specifically to address the appropriateness of such material within a school context, again consulting with parents on its use.

School Sports

Mr. Reed: To ask the Secretary of State for Education and Employment (1) what research his Department has undertaken into the number of hours per week spent on physical education in schools since 1 May 1997; [108294]

(2) what assessment he has made of the amount of competitive sport played in schools; and if he will make a statement; [108295]

(3) what figures he requires from local education authorities on the amount of sport and PE taking place in schools. [108296]

Jacqui Smith: OFSTED collects information about the percentage of taught time for each subject when inspecting schools. The number of school hours spent on physical education varies from school to school. Evidence from OFSTED inspections during 1998 of the average number of hours per week primary and secondary schools currently spend teaching National Curriculum PE is given below.

	Average hours of PE per week (approximately)
Key Stage 1 (ages 5–7)	1 hour 20 minutes
Key Stage 2 (ages 7–11)	1 hour 35 minutes
Key Stage 3 (ages 11–14)	2 hours
Key Stage 4 (ages 14–16)	1 hour 15 minutes

We have set an aspiration that all schools should provide two hours of curricular or extra curricular activities a week, and my officials are meeting regularly with DCMS and representatives of PE and sports organisations to discuss ways of promoting this aspiration in schools.

External Examiners

Dr. Gibson: To ask the Secretary of State for Education and Employment what guidance is given to (a) universities and (b) university departments on choosing external examiners. [109025]

Mr. Wicks: The Quality Assurance Agency published a section of its Code of Practice that deals with External Examining in January 2000. This contains advice on the appointment of external examiners.

Dr. Gibson: To ask the Secretary of State for Education and Employment what instructions his Department gives to universities in respect of payment of fees to external examiners. [109026]

Mr. Wicks: Payment of fees to external examiners is a matter for individual institutions.

Dr. Gibson: To ask the Secretary of State for Education and Employment what issues are included in the reviews undertaken by the Quality Assurance Agency for Higher Education relating to external examiners. [109024]

Mr. Wicks: The Quality Assurance Agency considers, in relation to assessment and quality management, the use made by an institution of its external examiners and of their reports. It also considers, in relation to the way an institution discharges its responsibilities for the academic standards of all its awards, the selection, appointment and briefing procedures used and the approaches adopted to the follow-up of external examiners' comments.

Departmental Responsibility

Mr. Shaw: To ask the Secretary of State for Education and Employment on what date his Department assumed responsibility for educating children with learning disabilities from the Department of Health and Social Security. [109172]

Jacqui Smith: The Education (Handicapped Children) Act 1970 removed the power of health authorities to provide training for children with learning disabilities and transferred responsibility for the education of these children to Local Education Authorities.

The Government's education policy includes a clear strategy for children with special educational needs. A cornerstone of that strategy is to develop and promote the inclusion of children with special educational needs in mainstream schools, where parents want this and appropriate support is available.

Mr. Shaw: To ask the Secretary of State for Education and Employment when his Department assumed responsibility for pensions of nurses and ancillary staff working in education establishments who had previously been the responsibility of the Department of Health and Social Security. [109173]

Mr. Wicks: Academic staff in the former Colleges of Health, which have transferred to the higher education sector, have been eligible for membership of the Teachers' Pension Scheme since 1992.

INTERNATIONAL DEVELOPMENT

Montserrat

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the Government of Montserrat regarding conditions on the Island of Montserrat and the need for some residents to relocate to the United Kingdom. [108758]

Clare Short: The Parliamentary Under-Secretary of State last met with the Montserrat Chief Minister during the October 1999 Consultative Council meetings in London. Senior officials visit the island regularly.

In October 1997, my Department approved £1.6 million for the Assisted Passage Scheme, which met the cost of flights and onward travel costs of those people who chose to relocate to the UK. DFID also finances an Evacuee Return Air Fare Scheme for those wishing to return to Montserrat.

Globalisation

Mr. McNamara: To ask the Secretary of State for International Development what procedures she is establishing to consult *(a)* NGOs and *(b)* other interested parties before she publishes her proposed White Paper on globalisation. [108979]

Clare Short: We will invite widespread consultations as part of the preparation of the White Paper. This will include establishing a White Paper website on which we will place a brief outline of the paper, and inviting submissions from the public, non-governmental organisations and other interested parties. The consultation process will in particular include developing countries, and international organisations.

Aid Misappropriation

Mr. Streeter: To ask the Secretary of State for International Development what assessment she has made of the percentage of United Kingdom Government aid and development funding which is misappropriated by the recipient country. [109103]

Clare Short: No instances have been identified where UK Development assistance has been misappropriated by the recipient country.

PRIME MINISTER

Arms Exports (Zimbabwe)

Dr. Tonge: To ask the Prime Minister what is the Government's policy on the export of spare parts for British Hawk Jets to Zimbabwe. [107090]

The Prime Minister *[holding answer 27 January 2000]:* Following an interdepartmental review, the Government's policy on export licences for countries intervening in the conflict in the Democratic Republic of the Congo (DRC) has been tightened.

We will not grant export licences for new military or dual-use equipment where there is a clear risk that it would be used in the DRC.

[Mr. McDonnell]

given an assurance that if it continues for a long time, there will be a continuing dialogue between the Governments, and structures to enable the co-operative working relationship that has been established to be maintained. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1

Question proposed, That the clause stand part of the Bill.

Mr. Michael Howard (Folkestone and Hythe): I begin my contribution by returning to a matter that was raised earlier. I deplore the fact that we have had to consider the Bill without having available to us the de Chastelain report. The Secretary of State has come to Parliament to ask us to approve this legislation on an emergency basis. The only reason that he has done so is the de Chastelain report. Astonishingly, when one of my hon. Friends made that point earlier, the Secretary of State rebuked him and told him that he ought to be talking about something more significant than the de Chastelain report. In this context there could hardly be anything more significant than the report.

We in the House are not to be shown the report. That is an outrage. The Government proclaim themselves devoted to open government. One could hardly have a more eloquent example of their failure in that respect and of their arrogant contempt for Parliament than their failure to allow us to see the report.

8.15 pm

Having looked at "Erskine May", I find that the attitude of the Secretary of State and the Government appears to be clearly in breach of the statement on page 387, which says:

"A Minister of the Crown may not read or quote from a despatch or other State paper not before the House, unless he is prepared to lay it upon the Table."

I ask you, Mr. Lord, for a considered ruling on whether the Secretary of State has complied with his obligations.

The Second Deputy Chairman: As far as I am aware, the Secretary of State has neither read nor quoted directly from the report in question, but I understand that the right hon. and learned Gentleman's point is very important and I will undertake to ensure that it is given further consideration.

Mr. Howard: I am most grateful to you, Mr. Lord. I asked for a considered ruling, rather than an immediate one, because you and Madam Speaker will have carefully to read *Hansard* from today and last Thursday to find out to what extent the Secretary of State quoted from the report. My impression is that a careful reading of what he said today and on Thursday will disclose that he quoted from the report.

The Secretary of State did not improve matters with the explanation that he gave when we raised the matter earlier today. He appeared to rely on the fact that the report was made to the Irish Government as well as to the UK Government as a reason for not disclosing it. The clear implication was that pressure from the Irish Government was the reason why the report was not to be made available to the House. I do not know whether the Secretary of State had thought through that justification and its implications, but it seems to me that it has most unfortunate consequences.

There are many areas in which it would be desirable for the UK Government to co-operate closely with the Government of the Irish Republic, and such co-operation would have the enthusiastic support of the House, but if the consequence of that co-operation is that the Irish Government will be able to exercise a veto on the disclosure of information to the House, that will inevitably give hon. Members pause before they support such co-operation in future.

I have no doubt that, when the House was originally told that the de Chastelain report would be submitted jointly to the Irish Government and the UK Government, no one thought that it was a matter of concern. That would have been regarded as an entirely appropriate step, and so far as I am aware, no one in the House registered an objection to that course. Had we known, however, that it meant that the Irish Government would have a veto on whether or not the content of the report could be disclosed to the House, even when the House is being asked to approve emergency legislation on the basis of the report, the attitude of many hon. Members would have been different. That would have been unfortunate.

The explanation that was, in the end, dragged out of the Secretary of State earlier today has unfortunate, far-reaching implications. I hope that he will reflect on those implications when he considers the course that he has taken and the way in which he has kept from the House the contents of that report.

Mr. Hunter: I am grateful to my right hon. and learned Friend. His argument is strengthened if he shares my understanding that the decommissioning commission was established by legislation from this place and is accountable to this place. There was no corresponding legislation in the Parliament of the Republic of Ireland.

Mr. Howard: My hon. Friend makes a valuable point, which reinforces mine. It is a serious argument, on which I hope the Secretary of State will reflect.

I proceed to a more general point on clause 1 stand part. Clause 1 sets out the effects of the suspension of devolution, if and when the Bill comes into force. I support the Bill and share the regret which has been widely expressed that it has become necessary.

When we debated affairs in the Province in July, I posed two questions. If the IRA and other terrorist organisations have indeed given up violence for good—the basic assumption on which the entire peace process rests—why should they need to keep their guns and their bombs? If at some point they will be prepared to give up their guns and their bombs, why not now? I do not believe that there is any answer to those questions, which is why I find it difficult to be optimistic about the process, much though I should like it to succeed.

I shall refer to one aspect of that process, which the Bill directly calls into question. It was touched on earlier, during Second Reading—the release of terrorist prisoners. Many of us found that the most difficult and painful provision in the Belfast agreement. It raises and, indeed, breaches principles that are very dear to us. The provision

impinges directly on my constituents, who would have been victims of the seaside bombing plot in 1984—a plot prevented only by effective action by the police. The release of those responsible for that plot and for terrible deeds of violence which they did commit was a bitter pill to swallow.

We were, however reluctantly, prepared to go along with the provision. In my case at least, the decisive argument was that the prisoners would be the most powerful promoters of the peace. They, we were told, would be the most persuasive advocates within their movements for the abandonment of violence, for the end of terrorism and—an essential part of the process and the agreement—for giving up the guns and the bombs with which such enormous suffering had been inflicted. We were in part persuaded to take that step because the legislation that put the agreement into effect identified with some precision the factors that the Secretary of State must take into account in deciding whether prisoners should be released. Under the existing legislation, one of those factors is the extent to which the organisation to which the prisoners belong is prepared to co-operate in decommissioning.

It is, alas, now clear that our expectations have not been fulfilled, and that calls into question in the most direct way the continuing release of prisoners under the existing legislation.

Dr. Godman: I am grateful to the right hon. and learned Gentleman for showing his characteristic courtesy to me. Can he confirm that more than 200 prisoners were released under 1995 legislation when he was a member of that Administration?

Mr. Howard: The prisoners were released, but the circumstances were entirely different. What happened on that occasion was not some arbitrary shortening of the sentence, as is provided for under the current legislation. I take it that the hon. Gentleman is referring to what happened in Northern Ireland. Is that right?

Dr. Godman *indicated assent.*

Mr. Howard: What happened then was that the provisions that existed at that time in Northern Ireland were brought into line with the provisions that existed in England and Wales. There had been a difference between the provisions for remission in Northern Ireland and those that existed in England and Wales, and on that occasion they were made consistent with each other. That was a set of circumstances far removed from those that exist under the current legislation.

Rev. Martin Smyth: I appreciate the right hon. and learned Gentleman giving way. There are those who will find his argument hard to follow, but is it not summed up by what happened in the courts last week, when two people were convicted of murdering a Roman Catholic and a Protestant, and they showed contempt for the judgment, because they know that they will walk out in July?

Mr. Howard: Yes, the hon. Gentleman is right. I am sorry to hear that he thinks that my argument will be hard to follow. I thought that the argument that I was putting was simple, clear and easy to follow, but we must all be disabused of our pretensions. However, I agree that the example that he cited illustrates my point.

If, as we were told, the prisoners are the most powerful promoters of the peace, an announcement by the Secretary of State under the existing legislation that the release of those who remain in custody will cease until progress is made on decommissioning would put clear pressure on them to do what we were told they would do—to promote the peace. If they cannot or choose not to influence the process, the original justification for their release will not exist.

Either way, prisoner releases should not continue, and I hope that we will have a clear statement from the Minister this evening to that effect.

Dr. Godman: I shall be brief. My contribution to the clause stand part debate centres on my concern for those who are employed in any of the institutions that may face suspension. When my hon. Friend the Minister responds to the debate, can he confirm that the interests of those employees—I have no idea how many people there are in the employment of the Assembly or the Executive, for example—will be protected in accordance with their terms and conditions of employment?

Mr. Hunter: As we know, clause 1 lies at the heart of the Bill and provides for the suspension of devolved government in Northern Ireland. My approach to the Bill is generally supportive, but I have one point of genuine concern, which I hope the Minister can address when he replies.

The House spent tens of hours scrutinising and deliberating on the Northern Ireland Act 1998, and a not inappreciable amount of time considering what became section 30. I do not understand why the Government are introducing the Bill at all. Section 30 of the 1998 Act allows for the exclusion from ministerial office of members of a political party that

"is not committed to non-violence and exclusively peaceful and democratic means".

Many hon. Members opposite understandably said that they wanted the structures and institutions of devolved Government to continue. The 1998 Act provides for that. I do not understand why the Government are introducing the Bill when they can exclude under existing legislation those who are deemed not to be committed to non-violence and exclusively peaceful and democratic methods.

8.30 pm

Mr. Öpik: I reiterate the point that I made in the previous short debate on the amendments. Perhaps it was a bit naughty of me to raise the matter then, because I should have waited until the stand part debate.

Clause 1(4) states:

"No person is to continue to hold office or be elected, nominated or appointed as a Minister or junior Minister, or as a chairman or deputy chairman of a statutory committee."

The provision should read, "statutory or standing committee". Will the Minister clarify whether, technically, the Chairs for the Standing Committees on Standards and Privileges, on Procedure, on Audit, on Public Accounts and the Committee of the Centre can continue to carry out their functions when those Committee cannot meet? If the Bill is used, the Minister must be absolutely clear about whether it affects Standing Committees. If it does not, does he intend to include a provision to correct that as the Bill proceeds?

Mr. Eddie McGrady (South Down): On Second Reading, my hon. Friend the Member for Newry and Armagh (Mr. Mallon) expressed our party's opposition to the Bill and to dismantling a delicate edifice of political institutions, which will be extremely difficult to restore.

I apologise to earlier speakers for my absence, but I have just left what, sadly, may be the last meeting of the Northern Ireland Assembly. I want to stress to the House, and especially to the hon. Member for Basingstoke (Mr. Hunter), that this morning's Order Paper in the Assembly included a motion to exclude Sinn Fein and that it did not receive the necessary number of votes—which is only 30 out of 108—to support it. The Assembly is a cross-party body, and Unionist parties, extreme and moderate, and nationalist parties, extreme and moderate, do not support the exclusion of Sinn Fein at the moment.

That is a lesson to the House about how carefully we handle our delicate political institutions. That is why my party opposes the whole concept of the Bill, the contents of which are mainly embodied in clause 1. We cannot enforce decommissioning by such a measure, which is a slap on the wrists of Northern Ireland politicians. It penalises elected Members of the Northern Ireland Assembly, the vast majority of whom are not culpable through failing to decommission. It is therefore important to put on record that the Assembly, no later than a few hours ago, did not believe it proper to exclude representatives of the IRA from their number. In that case, why should this House do it?

Mr. Peter Robinson: Before we consider clause 1 stand part, I express our sympathy to the hon. Member for South Down (Mr. McGrady). All of us have known him for a long time, and we respect his courage in being here today following the recent tragic murder of his niece. I am sure that he has the sympathy of all hon. Members.

I suppose that I am required to declare an interest when considering clause 1. Several hon. Members who have spoken also have an interest. I am a Member of the Northern Ireland Assembly, and a Minister with responsibility for a Department in that Government. I want to speak against what might be perceived as my interest. I have been a convinced devolutionist for a long time. For the past 21 years in the House, I have frequently argued, from both sides of the House, for devolution in Northern Ireland and for decentralisation of powers. I believe without qualification that no matter how well intentioned Ministers who went from Great Britain to Northern Ireland may have been, in the time that they were there they could not have had the same feel for the needs of people in Northern Ireland. Given their number, it was asking a lot of each Minister, or of any human being, to take charge of what would be four Departments under the present system.

I am not against devolution in principle—I support it—but when I read the Belfast agreement I realised that the price that the people of Northern Ireland were being asked to pay for it was too high. The four principal features of the agreement were the release of terrorist prisoners before their due dates, the destruction of the Royal Ulster Constabulary, the setting up of apparatus that leaned towards a united Ireland—including unaccountable all-Ireland bodies with executive powers—and placing in government those who were still unrepentant and have clear terrorist connections and relationships. To me, that corrupted the democratic process. One might have expected, in a fair and reasonable world, that somebody holding those views might not have been thought unreasonable, but holding them when the Government hold a contrary view can become very unreasonable.

We have been accused of many things over the past months and years, but we made it clear at the beginning that corrupting the democratic process in such a way had sown the seeds of the agreement's destruction. Day by day, it becomes more apparent that having terrorists in a democratic Government is a contradiction in terms. Sooner or later, the leaders of political parties had to recognise that conflict. The right hon. Member for Upper Bann (Mr. Trimble) has attempted over and over and over again to put off the evil day, hoping beyond hope that Sinn Fein-IRA would perhaps be prepared to decommission. There were many to advise him that everything they knew about that organisation's behaviour was such that that would not happen. He has learned the hard way in his party and in his constituency, where he can barely walk the streets. That is the reality of life in Northern Ireland.

If the price of devolution was too high, the Government's suspension of the institutions is hardly the appropriate response, which is the proper exclusion of those who are not committed to

"exclusively peaceful and democratic means".

The hon. Member for South Down responded in some measure to my hon. Friend the Member for Basingstoke (Mr. Hunter). The answer is yes: section 30 of the Northern Ireland Act 1998 contains a power allowing the exclusion of political parties if, for one reason or another, they do not measure up to the standards laid down in the Act, but it can be triggered only by a cross-community vote. Indeed, such a proposal can be put before the Assembly only if 30 people are prepared to stand in their places or sign a motion support it. In the Assembly this morning, 29 people were prepared to support that motion, but in the absence of the 30th it was not even debated. Even if it had been, it is abundantly clear from the comments of members of the Social Democratic and Labour party that it would not have received the cross-community support necessary to exclude Sinn Fein-IRA. In those circumstances, it was a weapon that could not be used.

When the 1998 Act was going through Parliament, many of us on this side of the House argued that it was an ineffective weapon that would not be appropriate when the circumstances required it to be so. It would be far better and more honest if the Government said, "If people are not prepared to play by the rules of democracy, out they go until they are prepared to pay the membership fees of this club." Instead, their answer is to suspend everything and democrats will be punished alongside the terrorists. Indeed, it must be said that the central feature of the failure of the agreement to work has been the issue of decommissioning.

The hon. Member for Newry and Armagh (Mr. Mallon) referred to the silence of the guns. I suspect that if I had pranced across the Floor, put a Smith and Wesson to his ear and asked him to sit down, he would not have been saying to himself "At least the gun is silent. I needn't worry too much about it." I think he would have sat down, and he would have done it very quickly, because the reality is that if one puts a gun to somebody's head it does not matter whether it is silent. It is always silent before it goes off.

The threat is there, and it is that threat which Sinn Fein-IRA rely on to give them their negotiating strength. It is that threat which they rely on to give them a status well beyond that of political parties in Northern Ireland which have greater electoral strength than they have. It is that strength which ultimately Sinn Fein-IRA recognise is their ace card in any negotiations about the future of Northern Ireland.

Many people talk about Sinn Fein and the IRA being inextricably linked. So they are, but it does not quite indicate the nature of their relationship. Sinn Fein is subservient in that relationship; it does what the IRA tells it to do. The IRA does not follow the leadership or instruction of Sinn Fein, which is the junior partner in that relationship.

Mr. Robathan: The hon. Member for South Down (Mr. McGrady) said something that I do not think I have heard said before in the House. He referred to the representatives of Sinn Fein in the Assembly in Northern Ireland as the representatives of the IRA, which we all know is so, but I do not think I have heard it said before.

Mr. Robinson: I often look across the Assembly Chamber at the ranks of Sinn Fein. I see among its membership members of the army council of the IRA—present-day members of the army council of the IRA. With the exception of two Members, every one of them has served in the ranks of the IRA. Most of them have gone through the educational process of the prison system. It is very clear that all of them are supporters of the IRA. All of them come under the whip of the IRA, and when it is cracked they jump. No one should get away with the idea that Sinn Fein can lead the IRA by the nose and require it to do one thing or the other. As my friend the hon. and learned Member for North Down (Mr. McCartney) indicated, the fact that four of the seven members of the IRA army council are also leading Sinn Fein members indicates a close relationship and the fact that there is no division between the views of Sinn Fein and the IRA.

Rev. Martin Smyth: Is not that a significant difference from what happened in the past, when at Sinn Fein conferences a messenger came from the army council? There no longer needs to be a messenger from the army council, because it is at the head of the Sinn Fein movement.

Mr. Robinson: Yes, and I do not need to go into the names. We all know the leading members of Sinn Fein who are members of the IRA army council.

The injustice of the clause is that it does not contain the freezing of certain other elements of the Belfast agreement. The Government's argument is that they have suspended a number of the operations under the clause because they believe that institutions should be frozen because they cannot proceed as a result of the IRA's failure to decommission.

The reality is that if there was ever a linkage in the agreement, the clearest was between prison release and the decommissioning of illegal weaponry. Both were intended to be within a two-year time scale. Neither had an absolute starting date set down, but it was very clear that as soon as the Government proceeded helter-skelter to release prisoners it took the pressure off the IRA to meet its bargain on decommissioning. If the Government simply continue releasing prisoners, it is a win-win situation for the IRA. It will be doing away with Stormont and at the same time continuing to get its prisoners out of jail. It can be disobedient, but be rewarded with the freeing of its prisoners.

8.45 pm

Was it a betrayal to which the Secretary of State referred last week? What kind of situation is this, in which those whom the Government believe to be responsible for a betrayal will be rewarded with the release of prisoners, while the democrats will be punished with the removal of institutions? It strikes me as a topsy-turvy, Alice in Wonderland situation. Moreover, the Government have not indicated so far that they are prepared to suspend any action that they may take to implement the Patten recommendations for the destruction of the Royal Ulster Constabulary. That is another plus for the IRA—another reward for not doing what the community would have it do and decommission its weapons.

The Secretary of State should think long and hard about this. Under the Northern Ireland (Sentences) Act 1998, he has powers to stop the release of prisoners; he should exercise those powers.

Mr. William Ross: Does the hon. Gentleman recall what was said on Thursday during questions to the Secretary of State on his statement? The right hon. Gentleman said:

> "We will not be suspending the Good Friday agreement; therefore, we are not going to put into reverse all those gains and all those changes that have flowed from its implementation."—[*Official Report*, 3 February 2000; Vol. 343, c. 1325.]

In other words, the Secretary of State was telling the IRA, at the very moment that he was announcing the possibility of suspension, that he would continue to reward it.

Mr. Robinson: The hon. Gentleman has drawn attention to an unfortunate message which, no doubt, was picked up by the Provisional IRA.

As the Secretary of State will see, the Northern Ireland (Sentences) Act expressly states that he has the power to stop the release of prisoners if there is not a clear continuation of the commitment of an organisation to exclusively peaceful and democratic means. The Act specifies four areas for the Secretary of State to take into account when judging whether that continuation is taking place, one of which relates to decommissioning. I wonder whether one of the reasons for our not having the report from the decommissioning body is that if the report says that the Provisional IRA has not been complying with the conditions, the 1998 Act requires the Secretary of State to stop any release of terrorist prisoners. It will be interesting to see what happens when the information eventually surfaces—and the Secretary of State will discover that, in Northern Ireland, these things do eventually surface, in one way or another.

I believe that the Secretary of State should have taken the alternative course of excluding those who were not committed to exclusively peaceful and democratic means. I believe that he should also have suspended the implementation of the Patten recommendations and acted differently in regard to prison releases. However,

[Mr. Robinson]

given the limited nature of the Bill, I have no choice but to go for the second-best option that the Government are offering: the suspension of the institutions.

Mr. George Howarth: Along with, I am sure, the rest of the Committee, I join the hon. Member for Belfast, East (Mr. Robinson) in expressing our condolences to the hon. Member for South Down (Mr. McGrady). I have already expressed my condolences privately, but I think it would benefit the hon. Gentleman's family to know that we have expressed ours across the board.

Let me say to the hon. Member for Belfast, East that I suppose my right hon. Friend the Minister of State and I should declare an interest: if the suspension goes ahead, one or other of us will be doing his job next week, although we do not expect to receive any extra pay.

My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) talked about the people who are employed in the institutions. As the Secretary of State and I have said repeatedly, our hope is that the institutions will not need to be suspended, but if they are, as my hon. Friend rightly points out, many of the detailed arrangements will need careful consideration. I assure the Committee that proper regard will be given to the circumstances of people who are employed in any of the bodies. Obviously, we are not at the point where we can give precise details of that, but if suspension goes ahead we will quickly have to turn our attention to my hon. Friend's point.

In an exchange with the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the hon. Member for Basingstoke (Mr. Hunter) raised a question about the status—in terms of agreements between ourselves and the Irish Government—of the decommissioning commission. As he will be aware, the Independent International Commission on Decommissioning was established by an international agreement between the British and Irish Governments. That agreement was followed by parallel legislation in both jurisdictions, so it is from that that the relationship in respect of the commission derives. Therefore, when the Secretary of State refers to the report being the joint property of both Governments, it is because of the parallel legislation in both jurisdictions which led to the establishment of the commission.

The hon. Member for Montgomeryshire (Mr. Öpik) raised a point on which I think I can give some reassurance. Subsection (3) makes it clear that no Committee of the Assembly can meet or conduct any business during a suspension. That includes statutory and all other Committees. All Committees will cease to function for the duration of suspension.

Subsection (4) deals with those individuals who hold statutory office under the Northern Ireland Act 1998, just as clause 3 deals with their reappointment in line with the provisions in that Act. The Bill does not address the various non-statutory appointments, such as chairmen of Standing Committees. Nevertheless, they too will cease to exercise any of their functions during a suspension. Their committee cannot meet or conduct any business. The Secretary of State, who, under the Bill, takes responsibility for salaries and allowances, will ensure that they are treated on a par with the chairmen of statutory committees.

The right hon. and learned Member for Folkestone and Hythe took issue with the Secretary of State's explanation of why he did not feel it was appropriate at this time to publish the General de Chastelain commission's report of a week ago Monday. He went on to discuss precisely what terms the Secretary of State might have used this afternoon. In his observations on the content of General de Chastelain's report, the Secretary of State made it clear that he was summarising what was said.

As regards publication, the right hon. and learned Gentleman has held high office; he was Home Secretary. He knows that, on some occasions, certain issues are highly sensitive and delicately balanced in terms of the relationships between different bodies—in this case, the relationships between ourselves and the Irish Government. I hope that he will accept that it is because of the delicacy of the situation that, at this time, the Secretary of State does not think it appropriate to publish that report. I hope that he will also accept that the Secretary of State has made it clear that, if and when a further report is published, he will undertake to ensure that both are published at the same time.

Mr. Howard: The form of words that the Minister has just used—it was not an explanation; it was simply a form of words—is no more convincing than the very similar form of words used earlier today by the Secretary of State. Will the Minister not recognise that we are here today because of the de Chastelain report? How in those circumstances can he justify not making that report available to the House? When General de Chastelain came forth with a report that contained some relatively good news, the Government were quick to publish it. Surely the Minister should recognise that the Government should be equally quick to publish a report that, most regrettably, contains bad news.

Mr. Howarth: Forgive me, but I think that the right hon. and learned Gentleman is engaging in a little bit of sophistry—he knows the precise situation. My right hon. Friend the Secretary of State has made no secret of the fact that we are considering the Bill today because the progress on decommissioning that everyone rightly expected to be made has not been made—*[Interruption.]* I repeat that insufficient progress has been made.

My right hon. Friend also made it clear that progress is ultimately a matter for General de Chastelain, who will subsequently report on it. However, as I said, at this stage it does no good for us to pore over the entrails of precisely what has happened.

We want decommissioning to occur, so that suspension will never have to be imposed. However, if it is imposed, we want to ensure that we all have confidence—this is about confidence-building—that, at that time, the suspension could be lifted.

Several hon. Members *rose—*

Dr. Godman: Will my hon. Friend give way?

Mr. Howarth: I shall give way to my hon. Friend, and then I must make some progress, as we are running short of time.

Dr. Godman: A moment ago, I sought assurances for those who are employed in the institutions. However, what

will happen to the Bills that were presented to the Assembly at the beginning of last week? One was a fisheries Bill, and another was on social work administration. Presumably those will be taken on board by Ministers?

Mr. Howarth: During a suspension, the Assembly would have no powers to pass any legislation. Progress on legislation during a suspension would have to be made by my right hon. Friend the Minister of State or me. If we decided that passage of the legislation was not appropriate at that time, we would not make progress on it. It is one of the unfortunate consequences of the situation that we are in.

Mr. Nick St. Aubyn (Guildford): Will the Minister give the House an assurance?

Mr. Howarth: I shall give way to the hon. Gentleman, but then really must move towards a conclusion. He must realise that time is limited.

Mr. St. Aubyn: Given that the Secretary of State has told us that he will release both the de Chastelain report and the successor to it, will the Minister assure the House that such release would not at any point depend on the agreement of the Government of southern Ireland, and that they do not effectively hold a veto over the release of such a report—which we are now told will precede re-establishment of the Northern Ireland Assembly?

Mr. Howarth: My right hon. Friend the Secretary of State has made the position as clear as he can. I stand by what he said, and he will stand by what he said.

Mr. St. Aubyn: Will the Minister give way?

Mr. Howarth: I shall not give way. I allowed the hon. Gentleman to intervene—for which he did not have the courtesy to thank me—and he will forgive me if I reply to that intervention in my own way. The situation is precisely as my right hon. Friend the Secretary of State has described it, and the hon. Gentleman should not try playing games to get me to say something different from what my right hon. Friend has said. If he is trying to do that, he will not succeed. We are in a difficult situation. What my right hon. Friend said stands and it is neither useful nor necessary for me to add anything.

9 pm

Clause 1 suspends the operation of the Northern Ireland Assembly for as long as the clause is in force. While it is in force there can be no meetings of the Assembly or any of its committees, nor can any legislation be passed by the Assembly. All Ministers and junior Ministers of the Northern Ireland Executive, including the hon. Member for Belfast, East, will cease to hold office, as will the chairmen and deputy chairmen of statutory committees.

The clause also provides that the powers under section 52 of the Northern Ireland Act 1998 to nominate Ministers to attend the North-South Ministerial Council and the British-Irish Council cannot be exercised during the suspension. Our intention is to suspend those institutions by means of an international agreement with the Irish Government.

Mr. Robathan: I was not going to speak in this debate, but I was moved to do so by the Minister's tortuous and very unconvincing arguments.

The issues covered by the Bill, particularly clause 1, hang on the de Chastelain report. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has made that point particularly well. The Minister failed to explain how it was possible to publish the first de Chastelain report, and why it is not possible to publish the second report if it is possible to publish a subsequent report, should one be produced.

The Minister talks about confidence-building and trust. I agree that we need confidence and trust. He and the Government—and the Government of the Irish Republic if they have anything to do with the publication of the report, although I do not see why they should—ought to take the House into their confidence and trust the British people by publishing the de Chastelain report so that we know all the gruesome details. I fear that the reason for the Government's unwillingness to publish the report is that some of its comments about the attitude of the IRA and Sinn Fein are unpalatable to the Government.

The Secretary of State has the right to stop prisoner releases if parties to the Good Friday agreement are not complying with it. If the de Chastelain report were published, the Minister might have to decide that the IRA—or Sinn Fein; whatever they like to be called—were not complying with the agreement and that prisoner releases should therefore be suspended.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2

ENDING SUSPENSION

Mr. William Ross: I beg to move amendment No. 15, in page 1, line 22, leave out subsection (1).

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 16, in page 2, line 3, leave out subsection (3).

No. 20, in page 2, line 4, at end insert—

'(3A) The Secretary of State shall publish the complete text of a review under the Validation, Implementation and Review section of the Belfast Agreement.

(3B) The Secretary of State shall publish the complete text of any report from the Commission on Decommissioning that may be made in connection with the review conducted under subsection (1).'.

Mr. Ross: I promise not to go on quite as long this evening as I did a week or two ago, because, unfortunately, we have tighter time restrictions.

Amendment No. 15 would delete the lines printed in italics at the bottom of page 1 of the Bill. I do not understand why they are printed in italics, but they say:

"*As soon as is reasonably practicable after section 1 comes into force, the Secretary of State must take steps to initiate a review under the Validation, Implementation and Review section of the Belfast Agreement.*"

Amendment No. 16 would remove from subsection (3) the words:

"Before making a restoration order, the Secretary of State must take into account the result of the review conducted as a result of subsection (1)."

[Mr. Ross]

Several issues cause me concern. At no time during the Secretary of State's statement to the House last week or his answers to the subsequent questions did he refer to a review. The review came out of the blue. It has already been pointed out that the Secretary of State has other powers that he could use, but he has chosen to go for a review.

May we be told why we were not informed last week? Was it because the Bill had to be drawn up at the very last minute? I doubt it. I have been here long enough to know that Governments tend to have all sorts of contingency plans on the shelf, to pull out of a pigeonhole when needed and polished up. If the right hon. Gentleman knew before his statement that he was going to have a review, why did he not tell the House and the people of Northern Ireland? That straightforward question should receive a straightforward answer.

Did the right hon. Gentleman think that the weapons problem could be dealt with some other way—that he could go down another path, which turned out to be blocked? He made it perfectly plain in his answers on 3 February that weapons had to be dealt with or there would not be devolution because the agreement had not been fully implemented. We hear about full implementation when it concerns something of which the terrorist organisations approve but not when it is something of which the law-abiding population might approve. Stopping the release of prisoners and other things to put on pressure are not done.

The Government's one real lever against the IRA was prisoners. They and their families were exerting pressure on the IRA, on the ground. None of those people should have been let out the gate until such time as weapons were given up. That is the view of everyone in Northern Ireland who understands the mentality of those folk. The Government refused to understand. They threw away their strongest card and let out prisoners, so their leverage against the IRA disappeared. I have no doubt, as the release of prisoners is to continue, that it will be played out right up to July, until the very last of those fellows is out through the gate—including the two chaps that my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) mentioned, who were sentenced for a double murder only last week.

There could be no doubt where the Unionist population stand. To them, weapons always have been, and are, the litmus test of whether or not the IRA-Sinn Fein system of terror, murder and intimidation will move to democracy. Weapons are the key. The distance that my hon. Friend has travelled is not a distance that I would have travelled. My experience of those people, given that I live among a fair number of them, is perhaps greater than some of my right hon. and hon. Friends. I know how they think and react. If one wanted to put pressure on those people, it had to be done in a different way than giving in to them.

Mr. Roy Beggs (East Antrim): Does my hon. Friend agree that the hon. Member for Foyle (Mr. Hume) also recognised that point? He said that there should be no guns on the table, under the table or outside the door.

Mr. Ross: Perfectly correct, but that view seems to have vanished into the past. The SDLP, it seems, wants to forget about that. All it wants now is an ounce of Semtex left at the door—token decommissioning. We were told that at the weekend. It is not sufficient for the people of Northern Ireland and certainly not sufficient for the Unionist party. Its position is perfectly clear. After this time, there must be a massive giving up of weapons and explosives—the means of violence and war.

During the speech of the hon. Member for Belfast, East (Mr. Robinson), who has just left his place, I referred to the Secretary of State's words on 3 February, when he was very precise about his intentions. He said that he would not be suspending the agreement—that it would remain intact, as would the consequences of its creation and all its actions.

I am not clear how the Secretary of State intends to proceed with the review. The Belfast agreement contains three conditions under which a review can take place. *[Interruption.]* I understand that the two Ministers on the Front Bench know all about this and do not have to listen. I would like to know which of those three conditions applies in this instance. The agreement states, first:

"Each institution may, at any time, review any problems that may arise in its operation and, where no other institution is affected, take remedial action in consultation as necessary with the relevant Government or Governments. It will be for each institution to determine its own procedures for review."

Under that procedure, the Assembly can take its own decisions and talk only to the Governments as necessary. I assume that the institutions mentioned refer to the two Governments and the Assembly, rather than to the various bodies which flow from the operation of the Assembly.

The second set of circumstances is:

"If there are difficulties in the operation of a particular institution, which have implications for another institution, they may review their operations separately and jointly and agree on remedial action to be taken under their respective authorities."

That would seem to involve a combination of institutions, all having to take separate reviews—followed by a joint review—and then agreeing. That is rather complicated, and I cannot see it meeting with much success if what the Secretary of State said about the frailty of the process and the structure is accurate. A structure that cannot stand another election and still survive has a mighty poor chance of surviving into adulthood.

The third set of circumstances is:

"If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction."

In this case, the two Governments have to take the lead and then consult with the parties in the Assembly. They do not have to get the parties in the Assembly to agree with them—they can go ahead in any case.

Which of those courses of action—or which combination of them—applies in this case? It might be difficult to have a combination, and it may have to be

one. What criteria will the Secretary of State use to make up his mind? When he does make up his mind, will he tell the House which set of criteria he is taking into account and applying? When the review is set up, can we be told what items it will look at? How are the decisions within the review to be reached? Who will make the decisions? What evidence or reasons will be published so people understand what is going on?

Clause 3(2)—which refers to the restoration, as it were—gives the impression that the Secretary of State should not be involved in the review because, if he were, he would have to be not only the investigator and the chairman, but the jury and the judge in regard to whether or not he would restore the Assembly to operation. In those circumstances, we need to know the evidence. We need to know who will chair the review. We need to know the criteria, and the task that the review is being given.

The only reason for this debate is the refusal of the terrorist organisations to hand over their weapons—their firearms and their other means of murdering, blackmailing and intimidating the law-abiding citizens of Northern Ireland, and of this wider nation. If we are to go beyond the weaponry, we must be told why, what steps are to be taken into account and what is to be reviewed in the next few weeks.

9.15 pm

It has already been said that we are here tonight because of the failure of the IRA to decommission and to surrender its weapons to lawful authority in Northern Ireland or in the Irish Republic, and for that reason we should have sight of the de Chastelain reports—both the one that has been completed and any future reports. That is the key. If people could see the report, the debate today would be far more sensible. People would know exactly where they stood and we would not have had all the spin doctoring and the smoke and mirrors of the past week. The lack of precision, the double meaning, the ambiguity, and the nods and winks giving the impression that something is happening when nothing is happening, have been the root cause of the suspicion and anger that we have had in Northern Ireland for so long.

I tell Ministers—not that I expect them to take it on board, but I tell them anyway—that the mere fact that they refuse to publish the de Chastelain report only adds to the anger and suspicion, and makes any settlement far more difficult. It may be that, because Ministers live in the rarefied world of spin doctoring that so many in the House now inhabit, they are incapable of understanding the effect of the refusal to release the report on ordinary men and women in Northern Ireland, but the effect is real and the report should be published.

Mr. Hunter: I tabled amendment No. 20 in the spirit of the words of my hon. Friend the Member for East Londonderry (Mr. Ross) to avoid the ambiguity and obtain the clarification that is lacking. As clause 2 (3) stands, before making a restoration order,

"the Secretary of State must take into account the result of the review conducted".

I submit that a requirement to take into account is wholly inadequate and what is needed is the requirement contained in amendment No. 20. First, the Secretary of State should be required to publish the complete text of the review that has been undertaken and, secondly—and more importantly, in the light of the general thrust of our debate this evening—he should be required to publish the complete text of any report from the commission on decommissioning.

At this stage, with little time left, I shall not rehearse the arguments again, because they have been forcefully presented by many of my right hon. and hon. Friends. The Government have totally failed to convince us as to why the de Chastelain report should not have been made available to the House and amendment No. 20 would ensure that that would never happen again.

Mr. Robathan: I shall not detain the House long, because I merely wish to speak briefly in support of amendment No. 20. I notice Ministers muttering on the Treasury Bench, but perhaps they should consider more fully the implications of what they are doing. The issue of the de Chastelain report is a question of confidence and trust. There can be no trust if we are not allowed to see the report. Perhaps the Minister can tell us whether it refers to the intention of the IRA and Sinn Fein to decommission. We are being asked to legislate without knowing what on earth the report says, but that is leaping hopefully in the dark.

The Secretary of State said on Second Reading that there is no body of opinion in the nationalist community that is opposed to decommissioning. So can the Minister tell us what was in the report? Was there anything to suggest that a body of opinion in the nationalist community—that must include everybody in the nationalist community—is opposed to decommissioning?

If Sinn Fein is inextricably linked to the IRA, we must know about Real Sinn Fein, Continuity Sinn Fein and all the other splinter groups. They were in the IRA about two and a half years ago. Are they really so different? Does the Minister have any information—is there any in the de Chastelain report—about such groups as Real Sinn Fein and their links with the rest of the Provisional IRA? It is as certain as it could be that the leadership of the IRA and of Sinn Fein know who is in Real IRA because they used to have an organisation that included them. That relates also to the prosecution of the Omagh bombers, of whom only one has so far been arrested. Does the report say anything about that? It has been alleged that two Members of this House, Mr. Adams and Mr. McGuinness—not yet hon. Members, because they have not taken the oath—may know who these people are. Have they helped in any way in the prosecution of the Omagh bombers?

We need to see that report so that we can make a judgment on behalf of the people of the United Kingdom. We do not trust Ministers to make it for us.

Mr. St. Aubyn: I, too, do not want to detain the House. However, I was most disappointed at the Minister's earlier suggestion that we were playing some sort of game over this issue, which goes to the heart of the matter. If the report is not published and made known to us, and if we are not given a chance to debate it, how will it be possible to convince Sinn Fein-IRA that this House and our Government are serious about the need for decommissioning? If we are not to have the opportunity to question Ministers on how much movement they require before considering invoking clause 2, how will we know—and how will they know—whether or not the whole process is nothing more than a charade in the eyes of Ministers?

[Mr. St. Aubyn]

Will the Minister clarify again whether the Government have a right to publish the report independent of any permission or agreement from the other Government, who claim that it is their property as well? In the absence of a clear reply, we do not know whether Ministers can activate clause 2 when they believe it appropriate to do so without the prior agreement of the other Government. Neither do we know what change there must be in circumstances, and what criteria the Minister will objectively apply before invoking clause 2.

Mr. Thompson: Clause 2 provides that, after the Assembly is suspended and the Executive members lose their posts, a review has to take place. The review seems to be very limited, as it centres mainly on decommissioning—when it will take place, if it will take place, when weapons will start to be given up and when it will be completed. These matters have been debated on numerous occasions. As a result of understandings reached in the last review, it was assumed that they had been resolved. However, as we have come to see, they have not been resolved. It is unlikely that they will be resolved in any review—certainly not to the satisfaction of the Unionist community in Northern Ireland.

The review should be much wider, taking into account the changes that have taken place in the people of Northern Ireland and their views, especially in the Unionist community. For it is absolutely clear that the majority of people in the Unionist community no longer support the agreement.

We have always been told that any future Government of Northern Ireland and any future Assembly must have the support of the majority of both sides of the community. Support is obviously lacking on the Unionist side of the community. If support were lacking on the nationalist side, we would be told that a wide-ranging review would be needed. However, it seems not to matter when support no longer exists in the Unionist part of the community—it seems that we shall plod on anyway.

I implore Ministers to undertake a wide-ranging review that considers all the issues, rather than just decommissioning. We need a thorough review so that we may achieve proper administration for Northern Ireland that is democratic, accountable and supported by all the people.

Mr. Owen Paterson (North Shropshire): The Secretary of State's explanation of the Government's reasons for not publishing the de Chastelain report are totally unsatisfactory. We have not got to the bottom of the question whether the Irish Government have a veto. We had the bizarre statement that if General de Chastelain produces a third report, it will, even if entirely unpalatable and full of unwelcome news, be published along with the second.

By not publishing the report, the Government have let fly a flurry of speculation. First, there is speculation about what the report contains—and that may be damaging, because rumour builds on rumour, and speculation on speculation. Secondly, there is speculation about why the Government are not publishing it. Their refusal does them no credit, and it does the House no credit given that our whole debate has been triggered by the report and the IRA's refusal to disarm. Hon. Members are grown-ups, and the general public watching our proceedings must find it bizarre that we have not been made party to the critical information that has triggered the debate. I appeal to the Minister to give us a serious and sensible reason why the report has not been published.

Mr. George Howarth: The hon. Member for East Londonderry (Mr. Ross) seeks to remove the requirement for a review. Amendments Nos. 15 and 16 contradict the main purpose of suspension, which will come about only if it becomes clear that the political institutions no longer carry cross-community support and confidence. If that happens, it will be essential to bring the process back on track through discussion and negotiation. In other words, we will need a review.

That fact was recognised during the negotiations that resulted in the Good Friday agreement, which is why the agreement includes a section titled "Validation, implementation and review". If suspension occurred without a subsequent review, we might find ourselves in a dangerous political vacuum, and that could lead to the destruction of everything for which we have worked for so long. Almost certainly, the Good Friday agreement would end, because suspension without a follow-on would end the story.

A desire to see that state of affairs come about may well lie behind the hon. Gentleman's amendments. The Bill is intended not to suspend the agreement, but to save it. Although I know that the hon. Gentleman—he posed a series of questions, but he appears to have left the Chamber—would disagree with me, I hope he would accept that we are being consistent. I am convinced that the twin proposal of suspension followed by review will bring us to a positive outcome. We cannot do that by suspension alone. I cannot in all conscience recommend that we accept amendments Nos. 15 and 16.

9.30 pm

I understand the rationale behind amendment No. 20, tabled by the hon. Member for Basingstoke (Mr. Hunter)—that the review be carried out as openly as possible. The hon. Member for West Tyrone (Mr. Thompson) made a similar point. Given the nature of the discussions that are likely to take place, complete public openness will not always be possible if we are to reach a satisfactory conclusion. Right hon. and hon. Members can envisage circumstances in which some talks would need to take place away from the public gaze. In the past, some talks between parties have taken place in a way that protected the participants and allowed them the space to decide in which direction to move.

However, it is our intention to be as open as possible and to make as much information as possible available to the public, to the House and to anybody else. At present, it is not entirely clear how the review will operate; we do not know who will chair it, or how, when, where or between whom the meetings will take place. Those details will need to be worked out, if and when the institutions are suspended.

The hon. Member for East Londonderry speculated that more detailed arrangements might be in hand, and were ready to be executed. However, in reality, we shall have to cross the bridge, and then my right hon. Friend and others will have to make the arrangements. We cannot give detailed answers at present, because we have not yet crossed that bridge—of deciding on suspension.

Until the shape of the review and its terms of reference are finalised, it is not possible to say whether there will be a report. However, the provision is not one of such import that it should be included in the Bill. It is a marginal issue when compared with provisions elsewhere in the Bill.

The second part of the amendment tabled by the hon. Member for Basingstoke concerns the publication of a decommissioning report during any suspension period. At present, I cannot say whether a further decommissioning commission report will be issued soon. General de Chastelain may have something new to report at any time, but it is within the commission's discretion to decide whether and when to issue such a report. If the general issues another report, I assure the hon. Gentleman that it will be brought to the attention of the House and that its primary findings will be made public. Consequently, I ask the Committee to reject the amendment.

Mr. William Ross: I have been a Member of this place for a fair number of years, Sir Alan. It is rare that a Minister stands at the Dispatch Box and asks hon. Members to accept legislation such that we know not what it will do, nor how, nor why, and we know not who is in charge of it. In the light of the Minister's inadequate response, we must press the matter to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 10, Noes 301.

Division No. 66] **[9.34 pm**

AYES

Beggs, Roy
Flight, Howard
Hunter, Andrew
Maclean, Rt Hon David
Paisley, Rev Ian
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Swayne, Desmond
Thompson, William

Tellers for the Ayes:
Rev. Martin Smyth and
Mr. Andrew Robathan.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug

Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony

Tellers for the Noes:
Mrs. Anne McGuire and Mr. Tony McNulty.

Question accordingly negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour.*

Clauses 2 to 9 ordered to stand part of the Bill.

Schedule agreed to.

Bill reported, without amendment.

Order for Third Reading read.

9.46 pm

Mr. Mandelson: I beg to move, That the Bill be now read the Third time.

Having listened to the debate, I have no doubt how most hon. Members would sum up the views of the House. There are those in the House who reject the entire notion of inclusive government. They would rather not have self-government than share it with those whom they consider beneath contempt.

Those who reject self-government because they cannot bear the idea of sharing it with others do not speak for the majority of people in Northern Ireland, who have demonstrated beyond doubt that they like devolution, they like having their own Executive, and they like having locally elected people who are democratically accountable—local voices taking decisions on local issues, and people with local accents in charge of local affairs.

What unites most of us is not a rejectionist mentality. Most of us, of whatever party or leaning, want the Good Friday agreement to succeed. There are aspects of it that some do not like, but they realise that the agreement stands or falls as a whole. It must be taken as a job lot. It cannot be cherry-picked. It must go forward together or not at all.

Most of us in the House commend the Unionists for letting devolution happen, and we share their disappointment that decommissioning has not followed. I do not believe that any hon. Member would honestly or realistically deny that the original deal following Mitchell was that if the Unionists went first, others would follow, and that following devolution, a start on decommissioning would be made not long afterwards.

What also joins most of us in the House is that we are not obsessed with attaching blame to anyone. We are not interested in spreading recrimination for our current difficulties. We would prefer people to make the agreement work, rather than stand accused of acting in bad faith. Accusing people of bad faith and of letting others down gets us nowhere. I am struck and I feel encouraged by the marked absence of recrimination.

Mr. Thompson *rose—*

Mr. Mandelson: No, I am sorry, I shall make my speech. The hon. Gentleman has had his time.

It is striking that right hon. and hon. Members who contributed to the debate were overwhelmingly positive. They wanted the agreement to succeed. They were not interested in playing some ridiculous, destructive blame game. We can agree thus far. However, we must consider what we should do now that decommissioning has not begun, and what the Ulster Unionists should do in its absence. Most Ulster Unionists are running on empty because of the disappointing lack of progress. Consequently, the Executive is close to collapse, in a matter not of weeks but, tragically, of days. What is the right course of action?

There are no easy options for anyone. Some are marginally less disagreeable than others. Several hon. Members who contributed to today's debate suggested that the Government are motivated simply by a desire to head off a Unionist veto or to deal with Unionist blackmail, and that our actions are determined by a metaphorical Unionist gun, which is pointing at our heads. That is not true. We face a complicated, real-life political predicament, and we must deal with it. People have genuine attitudes and prejudices; they have become genuinely exhausted and despair of the situation. We must face that reality and work out a response to it that preserves our achievements, saves what has been created and ensures the endurance of the possibility that the institutions and the very important Executive will flourish permanently. I am firmly set on that course, not on some short-term manoeuvre or tactics that will simply tide us over the next day or two.

We are not considering any individual. We are not trying to save the skin of the right hon. Member for Upper Bann (Mr. Trimble), although his skin is pretty valuable,

and worth saving if we can. I believe that because he has shown admirable leadership of his party; because we would never have formed the Executive and set up the institutions without him; because he has a great deal of leadership left in him; and because, if he relinquished the leadership of the Ulster Unionist party, I would fear for the consequences for Northern Ireland, given his likely replacement.

We are not considering going back to the bad old days of Stormont, and government by one side of the community. We shall not do that now, later or at any time. Under no circumstances or terms will we entertain for one moment a reversion to that form of government in Northern Ireland.

I appeal to some of my right hon. and hon. Friends, to whatever extent they found the attitudes of some Ulster Unionist Members who contributed to the debate lacking, not to take a similarly one-sided view in their analysis of the situation in Northern Ireland. The new institutions in Northern Ireland cannot function with the support and confidence of one tradition alone. The new Executive needs two legs to walk on. At the moment, one leg is badly disabled and out of action. I do not think that the Unionist leg is out of action permanently, but it is dragging its foot slightly lamely as a result of a collapse in confidence following Unionist disappointment over the lack of decommissioning since the Executive was set up. I regret that and wish things were different. If I were a doctor with a miracle remedy at my disposal, I would apply it to that Unionist leg and hope for an immediate or overnight cure, but I am afraid that one is not available to me.

There is still a chance that we can repair what has gone wrong before the weekend, which I entirely accept is the next watershed that we face. I appeal to the right hon. Member for Upper Bann not to despair and not to turn off, but to remain open to new ideas and new proposals that might yet be canvassed in the coming days and to keep the channels open. We will need all his strength and energy during the review if we are to succeed in resurrecting the Executive and the institutions, should it prove painfully necessary to implement the Bill before the weekend.

I say to my hon. Friends from the Social Democratic and Labour party that I understand only too well why they feel that the option of suspension—putting the Executive and the other institutions on hold—is so very painful. The nationalist people whom they represent in Northern Ireland have been shut out of government for so long through no fault of their own, so it is deeply disappointing—almost too much to bear—to have staked their claim in the ground of the new Executive only to have it so cruelly removed after only eight weeks. I fully understand and deeply sympathise. If I could do anything to avoid that, I would do it. If there is anything that the Government, together with the Irish Government, can do before the end of the week to avoid that, we shall do it.

I understand why the prospect of returning to direct rule is so unattractive and so disagreeable, but, although this may be unfair, perhaps it is all right for the SDLP to indulge itself somewhat by not facing up to the harsh and unpalatable reality of what we have to do. For others, I am afraid that there is no alternative to the heavy lifting that we have to undertake and no alternative to putting the institutions on hold to create a pause to give us time—a breathing space—so that we can work hard with it and with others to resurrect that which we hold so dear.

Mr. Tony Benn: I am grateful to the Secretary of State for that positive statement. May I make a suggestion, which might be helpful? The Bill gives him the right to suspend the Executive and the Assembly. It is an undated cheque. He can suspend them at the end of the week if there is no news—or in a year or two years—without coming back to Parliament, but Parliament has to pass an order for them to be restored. Can he give the assurance, which would be very welcome, that he would come back to the House to make a statement in the light of the contemporary circumstances, which might be quite different, if at any time and for any reason it was necessary to bring the Bill into force, even though there is no legislative provision for that? That would give us an opportunity to consider and endorse his proposals.

Mr. Mandelson: That is a tempting offer by my right hon. Friend, and I fully understand the spirit in which it was made. I am afraid that I may not have that scope; there may not be that flexibility, between now and when I have to act, to come back to the House to make a statement and to give the House a further opportunity to debate the matter. If it were possible, if I had that latitude, I would certainly use it, because I regard it as very important on an issue as important as this, on which there are such strongly held feelings, to give people any and every opportunity to debate it properly in the only place in which democracy—live, open democracy—has been able to operate in relation to Northern Ireland for so long.

I am grateful to everyone who has contributed to this debate. I very much hope that, in the weeks and months ahead, if we have to take this painful decision before the weekend, it will not be too long before I can return to the House with better, more positive and constructive news. I hope that I can show how the parties together, as a result of the review that we intend to make, have been able to chart a new way through these very difficult waters, and how we are able ultimately to get the progress we want, not only in creating proper, democratic, devolved institutions in Northern Ireland, but in having the decommissioning that is an essential part of this peace process, without which the politics in Northern Ireland will not work.

I am confident; I am optimistic. I will certainly use all my energy to make sure that we get out of the dip—the trough—that we have now slipped into. I hope that it will not be too long before I can return to the House and give it better news.

10.2 pm

Mr. Öpik: In view of the Secretary of State's response to his right hon. Friend the Member for Chesterfield (Mr. Benn), I imagine that this is the last time that we shall have a chance to debate this matter before the Bill can be used. That is regrettable because, at the very least, a short debate would have been helpful. I am sorry that he did not feel able to give that guarantee.

Nevertheless, decommissioning has been widely debated tonight, and it is obvious that we are close to a watershed on the whole issue. I have just three short comments to make. First, I re-emphasise how important

[Mr. Öpik]

it is to take seriously the points made by the hon. Member for Newry and Armagh (Mr. Mallon), because he represents a legitimate and considerable body of people in the community in Northern Ireland who will regard the enactment of this Bill—the suspension of the Assembly—as a very negative statement with regard to devolution as a whole. I plead with the Minister to be extremely sensitive to the need to ensure that there are confidence-building measures in place for those communities, a willingness to explain exactly what is going on and an assurance that this is not a one-way walk from the Assembly to a dark place from which we had all sincerely hoped we had moved forward.

Secondly, it is important for us to recognise the potential for division and recrimination, the noise created by this between the communities as all sides blame each other for the potential suspension of the Assembly. The Government must play a part in ensuring that we do not end up with own goals as a result of the implementation of a suspension.

Thirdly, we need to remember that this is an emergency only if we make it so. The Bill is probably right. It is not a matter of principle; it is a matter of political probabilities that we are discussing it at all. However, it is right only so long as we make sure that the political temperature is kept down as it is moved forward. I see the Bill as an attempt to avert an emergency on 22 May, by which time, as we all know, full decommissioning is meant to have taken place. I think that the Government should play it by ear, and listen carefully as the public in Northern Ireland inevitably respond to any suspension.

Let me conclude with an emotional response. I feel very sad about what we have done today. In comparison with where we were, say, five years ago, we have made tremendous and unexpected progress, but it now seems that we are going to take a couple of steps back. In fact, that is not surprising: a characteristic element of the Northern Ireland peace process has been the taking of two steps forward and one step back. I hope that this really is just one step back, and that we shall not allow the process to begin to atrophy or stall just because the difficult decision to suspend the Assembly has been made.

I say to the Government, "Please, please be sensitive to the dangers of the Bill. Please be sensitive to the likely reaction in nationalist and republican communities, who will be very disappointed about the fact that things have gone backwards." I say to the whole House that, given that we have supported the Bill by and large—and we do need to be sombre about what it will do—I sincerely hope that, if implemented, it will be seen as a staging post. Nevertheless, I feel that, having seen sunlight on the Province, we are now walking back into a valley.

10.6 pm

Mr. McDonnell: This has been a sombre debate. I contrast it with the time, nearly two years ago, when we had a sense of hope and a sense of the future. It was then that we realised that the Belfast agreement might give us the opportunity of ensuring that the future of the island of Ireland would be determined not by the gun or the bomb or by British mandate, but by the Irish people themselves.

The agreement gave the Unionists the possibility that their future would be decided neither by some form of brute force nor by a British sell-out. They would be a party to decisions: that is why they would regain the structures of a statelet. For republicans and nationalists, there was the acceptance of the sovereignty of the Irish people as a whole, and the prospect of a mechanism to create a united Ireland. The agreement gave all of us—both traditions—peace and an opportunity to involve ourselves in policy making and governmental structures that would have an impact on the day-to-day lives of the citizens of the Six Counties of Northern Ireland. It offered the chance of a normalisation of politics—of the politics that we have taken for granted on this island: politics that are determined by electoral mandates and policy discussion in a civilised framework.

The agreement gave us the chance of a radical reform programme, the achievement of equality, respect for human rights and, in every area of policy and everyday life, a debate about what the quality of life should be. I am sorry that some quarters have appealed tonight for a retreat from that programme of reform, for it is important that we press on.

For some of us, the agreement provided the hope of a united island of Ireland at some time in the future, on the basis of agreement and mutual respect for different traditions. It provided the hope of an Ireland strengthened by the process of agreement. We accepted that peace was never to be a single act and that there were never to be any armistices. It was a process that would be achieved in stages. There must be incremental steps: lessening violence, removing violence, engaging in dialogue, achieving the appreciation of different perspectives and the understanding of different views, and securing agreement for a way forward.

That is why the Bill is such a step backwards—and it is a major step backwards. It removes the structures of the government of Northern Ireland that would make possible the debate, the process of reform and the dialogue. I am confident that we shall eventually restore those structures and achieve peace, but, as we have heard today, there is a history of structures being abolished or suspended that goes back about a quarter of a century.

I believe that the Bill poses a risk. Some people are trying to use the decommissioning issue to undermine elements in the Good Friday agreement, and some are trying to undermine the agreement overall. Decommissioning has become a weapon in the hands of anti-agreement elements—of rejectionists. It was used first as an excuse to delay the setting up of the Executive; now it is used to put the whole peace process in jeopardy. But what does decommissioning mean? The IRA has not fired weapons or exploded bombs since the restoration of the ceasefire on 20 July 1997. Before that, the ceasefire had lasted from 13 October 1994 to 9 February 1996. With the exception of the tragedy at Canary wharf, the IRA had held a disciplined ceasefire, with weapons out of commission for more than five years.

No one in the 1960s, 1970s or 1980s would have ever been optimistic enough to hope that that could be achieved within that time scale. The weapons are out of commission. We are urged today to suspend the arrangements and structures that have consolidated that ceasefire, that form of decommissioning. Why? Because some want to press some extraordinary process of surrender—and surrender is what it will be viewed as.

Mr. Harry Barnes (North-East Derbyshire): All the hon. Members who have spoken in the debate so far,

including those who voted against Second Reading, have pointed out that they are in favour of decommissioning. Is that a position that my hon. Friend adopts? As he is closer to contacts with Sinn Fein than I will ever be, will he press decommissioning upon them, because it is the friends, or the people who have links with Sinn Fein, who might be able to shift its position?

Mr. McDonnell: Decommissioning has been recognised as a responsibility. That is why the agreement was signed, but decommissioning itself is a process and the achievement for most of us was peace, the lack of bombs and the lack of the use of the gun. That has been achieved. That is an argument of good faith, which has been demonstrated, but the ramifications of pressing the process to its nth degree have already been explained: the risks of splits and jeopardy for all. This week's bomb is a reminder of the problems and of how it is difficult to hold organisations and traditions together.

Mr. Winnick: Most of us were against the IRA campaign of terror, as we were against the so-called loyalists on the other side during those long 30 years. We made our position clear. Will my hon. Friend take into account the article in *The Irish Times* today—which I have already quoted in an intervention—by my friend the hon. Member for Foyle (Mr. Hume), who pleaded with the IRA for some form of decommissioning? We should bear it in mind that it was he who set the peace process in motion in the first place.

Mr. McDonnell: I understand the point that my hon. Friend makes. Of course, we are all pleading with all sides to move forward together on a path to peace and to decommissioning in the end, but let us make it clear that the agreement contains no provision for the suspension of power and did not set a deadline—the deadline has been set as a result of an external intervention by the Unionists. It is the exercise of a Unionist veto on the agreement, a veto that is dangerous.

The Unionist veto was dangerously used in 1975 and 1985. There have been periods when it has undermined the democratic institutions that British Governments have tried to establish in the Six Counties. We are seeing it again now. Why should we allow a timetable to be imposed by one of the parties to the agreement which is not in the agreement?

A lasting peace can be founded only on trust. It is clear that sufficient trust has not been established between the parties to the conflict. The irony of the Bill is that it suspends the operation of the key body that is engendering trust—the Assembly. The Assembly is the key forum, in which representatives from all the constituencies and all the parties are able to meet, mix, discuss and work together on common problems in the interests of their community. That process is a key foundation stone of building trust to secure decommissioning. After only eight weeks' operation, we are asked to suspend that key body of trust and confidence-building.

The Bill's wide-ranging powers are shocking. The Secretary of State is able by order not just on this occasion through the Bill, but on future occasions, to suspend the Assembly and all the mechanisms associated with the agreement without full and adequate debate. Orders are never adequately debated in the Chamber. That wide-ranging power does not even contain a review element; there is no review element on revocation or restoration. It is government by order. There is no power in the legislation for consultation with the Irish Government, although I accept Ministers' assurances on that point.

I oppose the Bill. It will not help the peace process; it is dangerous; it is undemocratic; and it cannot be supported. The Belfast agreement was founded on an agreement to secure by consent peace and a future for the island of Ireland. The Bill rides roughshod over the concept of consent, without even consulting the Northern Ireland Assembly or going back to the people of Ireland.

If we are not careful, the Bill will undermine the peace process. I therefore urge care on the Secretary of State. I urge him not to enact the Bill immediately, but to allow more time for discussion and, if necessary, to bring together again the parties that founded the Belfast agreement. This short-term measure could have long-term ramifications, and I urge other hon. Members to vote against it.

10.15 pm

Mr. William Ross: I have occasionally listened to the hon. Member for Hayes and Harlington (Mr. McDonnell) speak on Northern Ireland and Irish affairs, but I rarely find myself in agreement with him. However, I agree with all those who complain about rushed legislation. In the years that I have been in this place, I have seen that every time a new piece of legislation is rushed through, we have lived to regret it in one form or another.

In this case, I believe that the Bill is the inevitable consequence of the IRA failing to live up to the commitments that it appeared to give. IRA spin doctoring did good service. In Northern Ireland, however, people like clarity, and one cannot get away with trying to conceal reality in ambiguous language. Eventually, reality breaks through.

I regret that we have not managed to examine the rest of the Bill's clauses and amendments, few though they are. Various issues were raised in the amendments that should have been debated. I do not believe that this is a happy day for anyone. To some extent, I also regret it. However, my reasons for regretting it are different from those that have been expressed hitherto.

My regrets stem from the fact that we are in this position today because we did not at the very outset address the hard issues of weaponry and IRA objectives. If those issues had been settled initially—three, four or five years ago—we would not be debating this Bill. We would have come up with a totally different agreement and a totally different Northern Ireland Act 1998.

Although we probably would have had something at a much lower level, it would at least have been workable and provided us with a sound foundation for the future in Northern Ireland—with that part of the United Kingdom remaining firmly within this Kingdom. That, of course, is the crux of the matter. Republicans of all stripes seek to destroy the constitutional position of Northern Ireland within this Kingdom. It is around that political and constitutional issue that all the battles have been fought and all the violence has taken place, and from which all the horrors that we have suffered have flowed.

Unless and until certainty is introduced, and unless and until doubt is removed about the long-term political and constitutional future of Northern Ireland, we can expect

well as during the school holiday periods. Working Families Tax Credit, payable through the tax system for working people with children, is also available.

Pensioners Income

Mr. Cousins: To ask the Secretary of State for Social Security when he will complete his review of savings limits, and the savings tariff income schedule, that govern entitlement to the minimum pensioners income guarantee. [109014]

Mr. Rooker: We made a commitment in the pensions Green Paper, "Partnership in Pensions", to give "greater rewards" to those individuals who have made provision for their retirement. We will bring forward our proposals during this Parliament.

Family Credit

Mr. Cousins: To ask the Secretary of State for Social Security if he will estimate the number of claims of family credit that were agreed to in the two months prior to the introduction of the Working Families Tax Credit. [109015]

Angela Eagle: In the two months prior to the introduction of Working Families Tax Credit in October 1999, there were 248,000 awards of Family Credit.

Notes:

1. Based on claims with a start date between 1 August 1999 and 30 September 1999.
2. Figure has been rounded to the nearest thousand.
3. 5 per cent. sample, therefore subject to sampling error.

Source:

Family Credit 5 per cent. sample.

Departmental Secondees

Mr. Willis: To ask the Secretary of State for Social Security how many staff were seconded from the private sector to his Department in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109293]

Mr. Rooker: Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

For the periods in question, three private sector staff are recorded as having been seconded to the Department. One was from the Guardian Media Group plc between September 1997 and December 1997, one from Sacker and Partners between October 1997 and February 1998, and the third from CSL Managed Services between August 1999 and February 2000. Other inward secondments of three months or more recorded centrally in the above periods were mainly from local government and other parts of the public sector outside the civil service.

State Second Pension

Mr. Cousins: To ask the Secretary of State for Social Security if the state second pension will allow for credits of qualifying contributions for periods of *(a)* contributory jobseeker's allowance, *(b)* income-related jobseeker's allowance and *(c)* low income, including non-state pension income, in the five years before the statutory retirement age. [109016]

Mr. Rooker: The State Second Pension is designed for those who are employed, particularly low earners, and those who are unable to work regularly due to caring responsibilities or long-term disability. Individuals will not be able to accrue entitlement to the State Second Pension by virtue of receiving contributory or income-related Jobseeker's Allowance. As with people in other age groups, those in the five years before the statutory retirement age will be able to build up entitlement to the State Second Pension if they have a low income from employed earnings at or above the Lower Earnings Limit, through qualifying caring responsibilities or long-term disability.

TREASURY

Working Families Tax Credit

Ms Kelly: To ask the Chancellor of the Exchequer what estimate he has made of the additional cost to the Exchequer of providing the working families tax credit to couples with children if couples split their total earnings in half and the credit is calculated on each half. [104867]

Dawn Primarolo: The estimated expenditure on the Working Families Tax Credit for 2000–01, the first full year of the credit, is £4.7 billion. If each partner in a couple received the full amount of credits, and each had an award based on half the couple's earnings, the expenditure would increase to over three times this figure. Lone parents would be unaffected.

Mr. Kidney: To ask the Chancellor of the Exchequer what estimate he has made of the numbers of families who will be *(a)* eligible to receive, *(b)* in receipt of and *(c)* receiving working families tax credit via their pay packet by October 2000. [107260]

Dawn Primarolo: Estimates for 2000–01, the first full year of the Working Families Tax Credit (WFTC), consistent with the Pre-Budget Report, are given:

Number of families in receipt of the Working Families Tax Credit—1.4 million

Number of families receiving the Working Families Tax Credit through the wage packet—840,000

No estimate has been made of the total number of families eligible to receive WFTC through the wage packet.

Dr. Cable: To ask the Chancellor of the Exchequer if he will estimate the impact on the total payments of Working Families Tax Credit of a national minimum wage of *(a)* £3.80 and *(b)* £4.00. [108371]

Dawn Primarolo: The estimated reductions in expenditure on the Working Families Tax Credit in 2000–01, the first full year of the credit, are given in the table.

National minimum wage	Reduction in expenditure (£ million)
£3.80 per hour	15
£4 per hour	30

These estimates do not take account of any consequential labour market behavioural effects and are on the basis of current national minimum wage rates.

Mr. Levitt: To ask the Chancellor of the Exchequer under what circumstances working families tax credit is available to people on full-time but term-time only employment contracts for the periods between terms. [109178]

Dawn Primarolo: Working Families Tax Credit (WFTC) may be available to people during the periods between terms either if they apply during term time and the 26-week period of the award spans the period between terms, or if they apply for the tax credit during the holiday period and they have on-going, "term-time only" contracts. WFTC is not available to people who apply for the tax credit during the period between terms, but whose contracts formally terminated at the end of the previous term.

Mr. Burgon: To ask the Chancellor of the Exchequer what steps the Government are taking to publicise the working families tax credit in Northern Ireland. [107690]

Dawn Primarolo: The WFTC TV and press publicity campaign was launched in early September throughout England, Scotland, Wales and Northern Ireland and ran until the end of November. In Northern Ireland, television advertisements ran on Ulster TV, Channel 4, Channel 5 and a number of 'satellite' channels. Press advertisements ran in the Northern Irish press, the national newspapers and women's magazines.

In addition, I led a conference in Belfast for information providers to explain WFTC and DPTC, and provided a forum for questions and answers.

Local publicity included mailshots to relevant advisory bodies, followed up by presentations to voluntary and community groups.

National Insurance Contributions (Benefits in Kind)

Mr. Pickles: To ask the Chancellor of the Exchequer what plans he has under Part IV of the Child Support, Pension and Social Security Bill to extend national insurance contribution to benefits in kind which include (a) vaccination against influenza, (b) educational scholarships, to children of employees, (c) taxis provided for the security of late working employees, (d) worker children's nurseries, (e) personal safety alarms, (f) private medical insurance, (g) staff Christmas parties where the amount exceeds £75 per head, (h) membership of a sporting facility and (i) membership of the employer's sporting facilities, where these are open to the general public paid for by the employer. [107114]

Dawn Primarolo: A preliminary guidance leaflet, "Class 1A National Insurance Contributions on Benefits in Kind" CWG5, containing a table setting out the tax and proposed national insurance treatment of the majority of benefits in kind has been sent to all employers in the new annual pack. A copy is available in the Library of the House.

Departmental Research Contracts

Dr. Harris: To ask the Chancellor of the Exchequer, pursuant to his answer of 16 December 1999, Official Report, column 300W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists (a) before and (b) after publication. [108194]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave him on 16 December 1999, *Official Report*, column 300W.

Heavily Indebted Poor Countries Initiative

Ms Oona King: To ask the Chancellor of the Exchequer how the Export Credits Guarantee Department's share of the future debt write-offs, announced by him, will be financed; and where the money will come from. [108717]

Miss Melanie Johnson: The costs of providing the extra bilateral relief over and above the amounts due to the UK's participation in the HIPC initiative will be met by the Department for International Development from resources additional to the existing aid budget.

Arms Exports

Dr. Cable: To ask the Chancellor of the Exchequer how much of the debt owed to the United Kingdom by highly indebted poor countries relates to defence-related business expressed in (a) cash terms and (b) as a proportion of total debt. [108767]

Mr. Caborn: I have been asked to reply.

Debt owed by Heavily Indebted Poor Countries (HIPCs) to ECGD under Paris Club rescheduling arrangements amounts to £1.6 billion. In addition non-rescheduled debt in arrears and current exposure is some £300 million. Much of the rescheduled debt relates to contracts entered into during the 1970s and 1980s, when ECGD did not record exposure by the nature of the goods exported. However recent researches indicate that the amount of debt, all rescheduled, currently owed by HIPCs in respect of defence-related business is £12.7 million or 0.67 per cent. of the total owed.

Mr. Streeter: To ask the Chancellor of the Exchequer what criteria were used for selecting the countries that will no longer be supplied with military equipment under the guarantee of the Export Credits Guarantee Department. [109201]

Mr. Caborn: I have been asked to reply.

My right hon. Friend the Chancellor of the Exchequer announced on 11 January 2000 an extension to the UK's unilateral ban on export credits in respect of "unproductive expenditure" to include a further 22 countries. The additional countries are those which are allowed to borrow on highly concessional terms from the World Bank—the so called "IDA only" countries. These

countries, while they do not have an historically large debut burden, can ill afford to take on new burdens of commercial loans for unproductive expenditure.

This built on the earlier initiative announced at the 1997 Commonwealth Finance Ministers' meeting in Mauritius, which applied to the so called Heavily Indebted Poor Countries. The ban now applies to 63 countries: a full list is below.

Applications for ECGD cover of projects in these countries will be measured against whether they meet the following indicative criteria:

assist social and economic development; or

be of maximum benefit to areas most affected by poverty; or

tackle problem areas where private investment is not available; or

wherever possible, earn foreign exchange; or encourage viable self-financing projects.

These principles need not necessarily preclude ECGD support for the sale of defence or dual use equipment, provided that such equipment is, for example, deemed essential for national security, or required to combat the drugs trade, piracy, smuggling etc. Support for projects must be cleared with the Department for International Development, who must be satisfied that the expenditure is consistent with the above.

1. Afghanistan
2. Albania
3. Angola
4. Bangladesh
5. Benin
6. Bhutan
7. Bolivia
8. Burkina Faso
9. Burundi
10. Cambodia
11. Cameroon
12. Cape Verde
13. Central African Republic
14. Chad
15. Comoros
16. Cote d'Ivoire
17. Democratic Republic of Congo
18. Djibouti
19. Equatorial Guinea
20. Eritrea
21. Ethiopia
22. Ghana
23. Guinea
24. Guinea-Bissau
25. Guyana
26. Haiti
27. Honduras
28. Kenya
29. Kiribati
30. Lao People's Democratic Republic
31. Lesotho
32. Liberia
33. Madagascar
34. Malawi
35. Maldives
36. Mali
37. Mauritania
38. Mongolia
39. Mozambique
40. Myanmar
41. Nepal
42. Nicaragua
43. Niger
44. Republic of Congo
45. Republic of Yemen
46. Rwanda
47. Samoa
48. Sao Tome and Principe
49. Senegal
50. Sierra Leone
51. Solomon Islands
52. Somalia
53. Sri Lanka
54. Sudan
55. Tajikistan
56. Tanzania
57. The Gambia
58. Togo
59. Tonga
60. Uganda
61. Vanuatu
62. Vietnam
63. Zambia

EU Appropriation Orders

Mr. Mitchell: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 December 1999, Official Report, column 448W, concerning Transfer of Appropriation Orders approved by or awaiting approval by the Council of Ministers, if he will list for each application from 1 July (a) the reference and original purpose and amount, (b) the reasons for non-implementation of the 1999 Budget line, (c) the purpose for which the application was made and (d) the total sum likely to be transferred by this means for the financial year 1999. [108738]

Miss Melanie Johnson: Details of all transfers of appropriations dated up to 30 September 1999, plus the "Notenboom" ("omnibus") transfer of 11 October 1999, have been deposited and are available in the House of Commons Library. Transfers since that date will be deposited shortly in compliance with the usual procedures, when all the relevant documents have been received.

Gardening Leave

Mr. Maude: To ask the Chancellor of the Exchequer how many officials in (a) Her Majesty's Treasury, (b) Her Majesty's Customs and Excise and (c) the Inland Revenue are currently on gardening leave. [108737]

Miss Melanie Johnson: None.

Cigarettes (Taxation)

Mr. Barron: To ask the Chancellor of the Exchequer what was the proportion of the average retail price taken

in tax for each of the last 10 years for a pack of 20 cigarettes in (a) the United Kingdom, (b) Belgium and (c) Luxembourg. [109099]

Dawn Primarolo: The table shows the proportion of the price taken in tax (excise duty and VAT) for a pack of 20 cigarettes in United Kingdom, Belgium and Luxembourg in the most popular price category. The figures relate to January each year. It is not possible to provide the figures for earlier than January 1993.

Percentage

Year	*United Kingdom*	*Belgium*	*Luxembourg*
1993	75	73	67
1994	76	75	69
1995	78	75	69
1996	78	75	69
1997	79	74	69
1998	79	74	69
1999	79	75	69

Source:
European Commission excise duty tables for data on Belgium and Luxembourg.

Minimum Wage

Judy Mallaber: To ask the Chancellor of the Exchequer how many (a) women and (b) men in Amber Valley are in receipt of the national minimum wage. [109040]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Judy Mallaber, dated 9 February 2000:

As the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question regarding the number of males and females who are in receipt of the national minimum wage in Amber Valley.

Definitive estimates on the number of people that have benefited from the national minimum wage are not yet available. Currently available estimates for assessing the effect take data from both the New Earnings Survey and the Labour Force Survey and adjust them for known limitations in each. However, the latest adjusted estimates are based on data for the spring (March - May) 1999 Labour Force Survey and this period spans the introduction date for the national minimum wage legislation. As a result, the adjusted estimates may be giving a misleading picture of the effect of the minimum wage legislation since employees might legitimately have been earning below the minimum wage rates in March 1999.

The currently available estimates were published in an ONS First Release on 14 October and show that the number of people earning below the minimum wage rates fell significantly between 1998 and 1999. A copy of this first release is available in the House of Commons Library.

Deregulation

Mrs. Curtis-Thomas: To ask the Chancellor of the Exchequer what assessment he has made of the economic impact associated with each of the following deregulation orders and contracting out orders on business (a) the Deregulation (Building Societies) Order 1995 (S.I., 1995, No. 3233), (b) the Deregulation (Friendly Societies Act 1992) Order 1996 (S.I., 1996, No. 1188), (c) the Deregulation (Credit Unions) Order 1996 (S.I.,1996, No. 1189) and (d) the Deregulation (Industrial and Provident Societies) Order 1996 (S.I., 1996, No. 1738). [108779]

Miss Melanie Johnson *[holding answer 7 February 2000]:* None.

Government Spending

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if it is his policy to adhere to the existing planning total for overall Government spending in 2001–02; and if he will make a statement. [108976]

Mr. Andrew Smith *[holding answer 8 February 2000]:* I refer the hon. Member to the answer I gave him on 11 November 1999, *Official Report*, column 781W.

Earnings Statistics

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is his estimate of the number of people earning (a) over £100,000 per annum, (b) over £500,000 per annum and (c) over £1 million per annum, for each year from 1979–80 to 1999–2000; and if he will make a statement. [108978]

Miss Melanie Johnson *[holding answer 8 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Matthew Taylor, dated 9 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question regarding the number of people earning over £100,000 per annum, over £500,000 per annum and over £1 million per annum, for each year from 1979–80 to 1999–2000.

The new Earnings Survey (NES), carried out in April of each year, is a 1 per cent. sample of all employees who are members of pay-as-you-earn (PAYE) schemes. It does not capture information relating to the self-employed. However, I am only able to provide estimates of the percentage of employees whose earnings lie within specified ranges, rather than numbers, because appropriate factors to gross the survey results to accommodate this sample frame are not currently available. Additionally, I am unable to provide data for financial years prior to 1997–98 since estimates of annual earnings are not available. Data for the 1999–2000 financial year will be available when the NES 2000 is published in November of this year.

The available information, from the 1998 and 1999 New Earnings Survey, is presented in the attached table.

Employees on adult rates, who have been in the same job for at least 12 months

	Percentage with annual earnings in excess of		
	£100,000	*£500,000*	*£1 million*
1997–98			
Full-time employees	0.4	0.0	0.0
Part-time employees	0.0	0.0	0.0
All employees	0.3	0.0	0.0
1998–99			
Full-time employees	0.6	0.0	0.0
Part-time employees	0.0	0.0	0.0
All employees	0.4	0.0	0.0

Source:
New Earnings Survey (GB)

Climate Change Levy

Mr. Jack: To ask the Chancellor of the Exchequer if he will publish details of the calculations which determined the present indicated rates for the Climate Change Levy. [108468]

Mr. Timms *[holding answer 8 February 2000]*: The rates of the climate change levy that were published in the 1999 Pre-Budget Report are consistent with a levy raising around £1 billion in 2001–02. They are based on energy use data consistent with the DTI's Digest of United Kingdom Energy Statistics.

All the revenues raised from the levy will be recycled to business through a 0.3 percentage point cut in employer's National Insurance Contributions and increased support for energy efficiency measures.

Correspondence

Mr. Kaufman: To ask the Chancellor of the Exchequer when he intends to reply to the letters to him dated 16 September, 4 November and 9 December 1999 from the right hon. Member for Manchester, Gorton, with regard to Mr. D Sammons. [109250]

Mr. Andrew Smith: I wrote to the right hon. Member on 20 December 1999.

CULTURE, MEDIA AND SPORT

Football Task Force

Ms Walley: To ask the Secretary of State for Culture, Media and Sport if he will publish the Football Task Force report as a Command Paper. [106942]

Kate Hoey: The Football Task Force's final report was published on 22 December. I have sent a copy to every Member and copies are also available on the Department's website or direct from the Football Trust. I have no plans to commit public funds to publish the report as a Command Paper.

Motspur Park (Fulham Football Club)

Mr. MacShane: To ask the Secretary of State for Culture, Media and Sport what representations he has received concerning the availability of Fulham Football Club's Motspur Park training ground to local amateur and school football teams. [108285]

Kate Hoey: My right hon. Friend the Secretary of State and I have received no representations on this subject.

EU Structural Funds

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 31 January 2000, *Official Report*, column 478W, if he will list those seaside resort wards on the Objective 2 European funding map that would not have qualified for inclusion had they not been in seaside resorts. [108635]

Mr. Caborn: I have been asked to reply.

All areas including seaside resorts proposed for new Objective 2 area status met the criteria set out in Article 4 of the Council Regulation (EC) No. 1260–1999 for European Structural Funds. Eligible areas qualified under the industrial, rural, urban or fisheries strand.

Being a seaside resort was not a criterion for selection. The criteria were linked to unemployment, urban deprivation, and structural problems in industry, agriculture or fishing.

The criteria were applied on an objective and consistent basis nationally. We made every effort to include regional priority wards where we could do so within the constraints of the legislation and the population ceiling.

Sports Strategy

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what consultations he has had directly with the professional players' associations in respect of the Government's sports strategy. [107970]

Kate Hoey: *[holding answer 3 February 2000]:* I have not consulted formally with professional players associations in respect of the sports strategy. I have, however, met a wide range of sporting organisations to discuss the issues which surround the development of sport. These discussions have informed the development of the strategy.

Cultural Property

Mr. Faber: To ask the Secretary of State for Culture, Media and Sport if Her Majesty's Government will now ratify *(a)* the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970 and *(b)* the UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects 1995. [108999]

Mr. Chris Smith: Her Majesty's Government has decided not to sign the 1970 UNESCO Convention because significant practical difficulties remain in implementing its provisions into UK law. I would refer the hon. Member to the reply I gave on 7 February 2000, *Official Report*, columns 8–9W, regarding the Government's decision about the 1995 UNIDROIT Convention.

Gardening Leave

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many officials in his Department are currently on gardening leave. [108959]

Mr. Chris Smith: There are no officials in the Department for Culture, Media and Sport currently on gardening leave.

St. Anne's Further Education College

Mr. Jack: To ask the Secretary of State for Culture, Media and Sport when the Lytham St. Anne's Civic Society will receive an answer to their request that part of the St. Anne's Further Education College be declared a grade II listed building. [109241]

Mr. Alan Howarth: English Heritage, our statutory adviser on the historic environment, inspected this building on 8 February, and will submit its advice within

the next few days. My right hon. Friend the secretary of State will then make his decision on whether to add the College to the Statutory List. I will write to the right hon. Member about the decision as soon as possible.

LORD CHANCELLOR'S DEPARTMENT

Court Service (Fee Income)

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the method employed by the Court Service to calculate the estimated reduction of litigation and consequential short-fall of fee income in the financial year 2000–01. [108826]

Jane Kennedy: To calculate the estimated reduction in litigation, the number of claims issued over two period of six months were compared. These were May to October 1998 and May to October 1999. This comparison showed that the total of originating proceedings (excluding family and insolvency) commenced in total declined by 23 per cent. The calculation of the estimated shortfall in fee income was based on a combination of actual income from April to December 1999 and three months of forecast income to March 2000. Income for 2000–01 is expected to be £308 million. The calculated level of new income from the changed fees in a full year has been downgraded by 9 per cent. for 2000–01 to allow for the fact that the higher fees will not apply for the whole of the financial year and a small decline in workload.

Court Closures

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the number of court closures in England and Wales in the past three years. [108860]

Jane Kennedy: Magistrates courts are locally managed by magistrates courts committees under the provisions of the Justices of the Peace Act 1997. Decisions concerning the future of magistrates courts are for the relevant magistrates courts committee to determine.

My Department surveys the number of courthouses and courtrooms in April each year. The number of closures as reported by MCC's is as follows:

	1997	*1998*	*1999*
Courtroom closures	48	46	14
Courthouse closures	22	22	8

Legal Aid

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the expenditure on legal aid for personal injury cases in (a) 1993–94, (b) 1994–95, (c) 1995–96, (d) 1996–97, (e) 1997–98 and (f) 1998–99 and for the same years in relation to legal aid for personal injury cases; (i) what amount of contributions to the Legal Aid Fund was paid or repaid by legally aided litigants, (ii) how much of this expenditure on legal aid for personal injury cases in the above years was value added tax and (iii) what is his Department's estimate of the benefits, recovery and savings by virtue of cases won by litigants in personal injury cases who had the benefit of legal aid for the years requested. [108791]

Mr. Lock: Excluding advice and assistance expenditure on cases completed in each year was as follows:

£ million

	Net	*Gross*	*Contributions from legally aided litigants*
(a) 1993–94	38.0	155.3	1.3
(b) 1994–95	44.4	190.1	1.5
(c) 1995–96	55.2	239.6	1.7
(d) 1996–97	61.8	274.2	1.9
(e) 1997–98	65.6	[1]307.7	[1]2.3
(f) 1998–99	[2]—	335.2	

[1] CIS was installed during 1997–98 in the Board's Nottingham and Chester offices. Because of this the figures for 1997–98 are incomplete and do not include data for five months (Nottingham) and six weeks (Chester)

[2] I am unable, at present, to provide net figures for 1998–99 due to the differences in data collection between the Legal Aid Board's former computer system and its current Corporate Information System (CIS)

I am also unable to provide details of VAT because not all the Board's payment systems record it as a separate item. Some disbursements are registered for VAT and others are unregistered.

It is not possible to estimate the benefits, recovery and savings to litigants by virtue of cases won in personal injury cases. Neither is it possible to estimate the benefit to public funds. Although the Compensation Recovery Unit of the Department of Social Security (CRU) will seek to recover any state benefit from the amount of damages paid, the CRU does not record whether monies recovered were in relation to a case supported by legal aid throughout, partially supported by legal aid or financed in another manner, eg with the support of a trade union.

Public Trust Office

Ms Oona King: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received on the proposed reform of the Public Trust Office; and if he will consider extending the period for consultation. [108828]

Jane Kennedy: I refer my hon. Friend to the written answer I gave her on 8 February 2000, Official Report, column 132W on the consultation period. Representations from a number of organisations and groups have been received on the Quinquennial Review of the Public Trust Office including Members of Parliament, the judiciary, the Law Society and other professional bodies, voluntary organisations and groups representing the interests of PTO clients and staff.

Court Cases (Press Activity)

Ms Oona King: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he proposes to take to implement the recommendations made by the

National Heritage Committee in its report on press activity affecting court cases (HC 292, Session 1996–97). [109573]

Mr. Lock: The Government announced on 27 February 1998 that it accepted in principle the recommendations of the National Heritage Committee. As my noble Friend the Lord Chancellor said in another place on 22 November 1999, *Official Report, House of Lords*, column 169, legislation will be brought forward when Parliamentary time allows. The Lord Chancellor is setting up an interdepartmental working group of officials to review the law relating to the payments to witnesses in criminal proceedings and the publication of information in advance of criminal trials. The review will inform the Government's decisions about the form of legislation required to implement the National Heritage Committee's recommendations. The review will consider how the requirements of the European Convention of Human Rights affect the law of contempt.

CABINET OFFICE

Departmental Contracts

Mr. Don Foster: To ask the Minister for the Cabinet Office if she will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by her Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109269]

Mr. Stringer: The information requested is not held centrally and is available only at disproportionate cost. It is departmental policy to purchase all goods, services and works by means of competition unless there are convincing reasons to the contrary.

Performance-related Pay

Mr. Gill: To ask the Minister for the Cabinet Office what recent assessment she has made of the effect of performance-related payments in Government Departments. [107470]

Mr. Stringer: The Cabinet Office began a review of pay and grading delegation within the Civil Service in September 1998. The interim report was published in April 1999 and the findings contributed to the Report on Performance Management, published on 15 December, in support of Sir Richard Wilson's Report to the Prime Minister on Civil Service Reform. The Civil Service will now implement the reform programme and, in particular, the modernisation of its performance management and pay systems.

Copies of all these reports have been placed in the House of Commons Library.

Civil Servants (Counselling)

Mr. Maclean: To ask the Minister for the Cabinet Office what is her policy with regard to granting civil servants time off work for counselling. [107575]

Mr. Stringer: Individual Departments and agencies have delegated authority to determine the circumstances when staff may have time off work. Within this framework, Departments and agencies have been consistently encouraged to be sympathetic towards requests for special leave in appropriate circumstances. Last year the Cabinet Office published a resource pack "Managing Attendance in the Public Sector: Putting Best Practice to Work" to help public sector bodies manage attendance in a fair, consistent and supportive way. One of the recommendations was that the public sector organisations should provide or arrange access to welfare and counselling services, and that staff should be encouraged to make full and effective use of those services.

Quangos

Mr. Llew Smith: To ask the Minister for the Cabinet Office when she will respond to the Sixth report of the Select Committee on Public Administration on Quangos (Session 1998–99, HC 209). [106729]

Mr. Stringer: The Government will respond shortly to the Sixth Report of the Select Committee on Public Administration on Quangos.

Departmental Staff

Mr. Stephen Twigg: To ask the Minister for the Cabinet Office what percentage of her Department's staff were *(a)* registered disabled, *(b)* women, *(c)* from ethnic minorities and *(d)* from (i) independent, (ii) grammar and (iii) other schools in (1) 1970, (2) 1979, (3) 1989 and (4) 1999. [106759]

Mr. Stringer: The first year for which there are records containing statistical information about ethnic minorities and staff with disabilities is 1989. Prior to this date surveys of the ethnic origin of staff or those with disabilities were not carried out in a comprehensive way. Information about the educational background of staff could be obtained only by searching individual records of staff.

Table for 1970, 1979, 1989 and 1999 are as follows:

Percentage

	Disabled	*Women*[1]	*Ethnic minorities*
1970	[2]—	25	[2]—
1979	[2]—	40	[2]—
1989[3]	0.82	55	6.2
1999[4]	1.26	48.39	9.02

[1] Figures for 1979 are full-time equivalent, other figures are based on head count

[2] Not available

[3] Includes Office of Minister of the Civil Service

[4] Voluntary self-classification based on the definition contained in the Disability Discrimination Act 1995

Recycling

Mr. Dobbin: To ask the Minister for the Cabinet Office what policy she has on the recycling of materials produced by her Department. [108472]

Mr. Stringer: My Department's policy on recycling materials reflects our overall approach for waste management to reduce, reuse, recycle and recover.

We are currently preparing a sustainable development strategy for greening the Cabinet Office's and its Agencies' operations taking account of Government policies and best practice. This strategy will include waste reduction targets taking account of the Government target for all Departments to recover a minimum of 40 per cent. of total office waste, with at least 25 per cent. of that recovery coming from recycling or composting in 2000–01. We are undertaking a waste audit and will use the results of the audit to establish baselines, against which the targets can be set and performance measured. The Cabinet Office agencies are similarly working towards the Green Ministers target. We currently recycle paper, cardboard, bottles and cans.

Written Answers to Questions

Thursday 10 February 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Common Land

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for reviewing the legislation affecting common land and town and village greens. [110027]

Mr. Meacher: I have today published a consultation paper on common land—"Greater Protection and Better Management of Common Land in England and Wales". The paper looks at three key areas: issues concerning the registration of common land and village greens; the consent regime for fencing and other works; and wider management issues. Copies have been placed in the Library of the House. I have invited comments on the paper by 10 April.

Greater London Authority

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions what will be the cost of the new building for the Greater London Authority; and if the rent will be at the market rate for similar buildings. [110064]

Mr. Hill: We have reached agreement with the developer, CIT Group, on a rent of £36.50 per square foot, £393 per square metre. This is frozen until 2007. The fixed rent at practical completion of the contract will be £4.75 million per annum. There are no similar buildings in the area; however, the £36.50 compares favourably with current rents, for top quality space in prime locations, of typically around £50 per square foot in the City and the West End of London. The developer will meet the cost of the base building which is estimated at around £40 million.

Traffic Congestion

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what studies his Department has *(a)* undertaken and *(b)* commissioned which quantify the cost to the economy of traffic congestion. [108329]

Mr. Hill: My Department has not commissioned estimates of the costs of congestion from external sources. A number of external estimates have been made of the value road users might place on the elimination of congestion from the road network. The CBI have put this figure at £15 billion. Some estimates are lower, but agree that the figure runs into billions every year and is rising.

The Department has made estimates of the amount of time lost on English roads as a result of congestion in 1996 and produced forecasts for 2010 under a number of illustrative scenarios. The results of this work are set out in our report "Tackling Congestion and Pollution", published last month. We will be doing more work in this area as part of our follow up to that report.

Neither the external estimates, nor those undertaken by my Department, can be translated directly into assessments of the cost of congestion to the economy. This is because they relate only to the benefits road users might derive from reduced delays and take no account of the costs of achieving these reductions. The true costs of road congestion to the economy are the net benefits we forgo if we fail to tackle it.

Water Companies

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions who determines the areas in respect of which bids can be made by water supply companies based outside the area served by an existing company; and, in the event of a successful bid, which company retains *(a)* ownership of water pipes and *(b)* responsibility for their maintenance. [108741]

Mr. Mullin: A company can be appointed as a water undertaker or sewerage undertaker by the Director General of Water Services under the Water Industry Act 1991. There is no restriction on the areas in respect of which appointments may be sought within England and Wales. A water company may seek to become the supplier for any area within that of another company by means of an 'inset' appointment: where that company consents to the appointment; where the appointment is in respect of parts of that area where none of the premises is served by that company; or where it is in respect of an area occupied by premises, each of which is supplied with, or likely to be supplied with, not less than 250 megalitres of water in any year. Ownership of water pipes and responsibility for their maintenance rests with the company holding the appointment for the area in question.

The Competition Act 1998 comes into effect on 1 March, providing potential opportunities for greater competition. The Office of Fair Trading and Office of Water Services have issued guidance on the application of the 1998 Act to the water and sewerage sectors. If shared use of a water undertaker's network is agreed, ownership and responsibility for maintenance would remain with the undertaker, but with arrangements for sharing the costs between the two companies.

Air Pollution

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage industrial users of *(a)* kerosene and *(b)* gas oil to switch to cleaner fuels. [108712]

Mr. Hill: Under the Marketing of Gas Oil regulations 1994, the sulphur content of gas oil marketed in the UK is limited to 0.2 per cent. The Sulphur Content of Certain Liquid Fuels Directive (1999/32/EC), due to be transposed into member states legislation on 1 July 2000, will prohibit the use of gas oil with a sulphur content higher than 0.2 per cent. from 1 July 2000 and 0.1 per cent. from 1 January 2008.

The combustion of kerosene and gas oil in industrial processes above 20 Megawatts thermal input is regulated under the Environmental Protection Act 1990. Over the past decade the Environment Agency has encouraged

operators of the processes they regulate under the Act to switch to less polluting fuels, initially from heavy fuel oil to gas oil, and then (over the last few years) to gas. For example, most gas turbines now use gas as their main fuel with gas oil or kerosene only as a backup in case of an interruption to the gas supply. The Environment Agency will continue to encourage these changes to cleaner fuels.

Light Rapid Transit Systems

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to fund further tram or light railway systems; and if he will make a statement. [108725]

Mr. Hill: Central Government support is available to local authorities to fund light rapid transit systems in the form of grant under section 56 of the Transport Act 1968. Revenue support is provided through the local government finance system to meet the cost of borrowing undertaken by authorities to finance capital expenditure on major transport schemes and for eligible expenditure on local authority Private Finance Initiative projects.

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has undertaken into the benefits of tram/light railway systems *(a)* in the UK and *(b)* in other European Union countries; and if he will make a statement. [108726]

Mr. Hill: My Department has contributed to studies on the impact of Manchester Metrolink, South Yorkshire Supertram and Croydon Tramlink. Reports on Manchester Metrolink and South Yorkshire Supertram have now been completed. The Department has also funded a report into light rail and complementary measures, which covers European systems. This was published in May 1998. A follow-up study is being undertaken. Copies of the completed reports have been placed in the Library.

Debt Payment

Mr. Cotter: To ask the Secretary of State for the Environment, Transport and the Regions what data he collects from local authorities on the proportions of invoices paid by them within the agreed contract time. [109049]

Ms Beverley Hughes: Under the provisions of the Local Government Act 1999, authorities will be required to report annually their performance against specified national performance indicators. An indicator is included in respect of the percentage of undisputed invoices paid within 30 days, or mutually agreed terms. The Secretary of State has set targets for such payment of invoices of 95 per cent. for 2000–01, 97.5 per cent. for 2001–02 and 100 per cent. for 2002–03.

Housing Transfers

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions what resources are available to his Department to make one-off payments to cover overhanging debt following the transfer of local authority housing stock in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02. [109102]

Mr. Mullin: There are proposals within the Spring Supplementary Estimates to allow for £25 million to assist with the repayment of overhanging debt in the current financial year. The sum required in future years will depend on Ministers' decisions in response to applications for a place on the housing transfer programme from local authorities with overhanging debt. The Government's contribution to extinguishing overhanging debt will be by taking on an agreed amount of a local authority's outstanding debt principal, rather than through the use of programme resources.

Social Housing

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the rules regarding the location of the units of social housing which developers are required by local authorities to include within their developments, with particular reference to the scope for locating those units outside the local authority in question. [109023]

Ms Beverley Hughes: We have no plans to review planning policy on affordable housing. Draft PPG3: "Housing" reaffirms existing policy that local planning authorities may require an element of affordable housing to be provided in suitable residential developments where a local need exists.

Air Traffic Control

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to develop the working relationship between National Air Traffic Services Ltd. and Military Air Traffic Control. [108526]

Mr. Mullin *[holding answer 8 February 2000]:* National Air Traffic Services (NATS) and the Ministry of Defence (MOD) already enjoy a good working relationship and provide a joint and integrated air traffic control service. These working arrangements are being formalised in order to facilitate the public private partnership for NATS. Copies of the heads of terms of what will be the contract between the MOD and NATS have been made available to members of the Standing Committee considering the Transport Bill. I have sent a copy of this document to my hon. Friend today.

Road Congestion

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the cost of road congestion to business. [108529]

Mr. Hill *[holding answer 8 February 2000]:* A number of external estimates have been made of the value road users might place on the elimination of congestion from the on road network. The CBI have put this figure at £15 billion, some estimates are lower, but agree that the figure runs into billions every year and is rising.

The Department has made estimates of the amount of time lost on English roads as a result of congestion in 1996 and produced forecasts for 2010 under a number of illustrative scenarios. The results of this work are set out in our report "Tackling Congestion and Pollution", published last month. We will be doing more work in this area as part of our follow up to that report.

Neither the external estimates, nor those undertaken by my Department, can be translated directly into assessments of the cost of congestion to business or more widely. This is because they relate only to the benefits road users might derive from reduced delays and take no account of the costs of achieving these reductions. The true costs of road congestion are the net economic and other benefits we forgo if we fail to tackle it.

Telecommunications Masts

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the Government's planning guidance issued to local authorities relating to mobile phone masts over the past three years; and if he will make a statement. [109288]

Ms Beverley Hughes: The Department has received a range of representations on planning guidance and procedures for telecommunications over the last three years. We issued proposals to improve the arrangements in "Telecommunications Development Control" published in July 1998. This attracted 269 responses. Changes were implemented, by way of amendments to the Town and Country Planning (General Permitted Development) Order 1995, in July 1999 and explained in Circular 4/99. We also issued for consultation in December 1998 the draft of a joint DETR/DH circular on "Land Use Planning and Electromagnetic Fields". This received 147 responses. The circular will be finalised as soon as practicable after the Independent Expert Group on Mobile Phones has reported in the spring.

Departmental Contracts

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* number and *(b)* value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109302]

Ms Beverley Hughes: The information requested cannot be provided on the ground of disproportionate cost, as it is not held centrally.

My Department would normally engage external consultants and advisers to manage competitive tendering processes only where particular expertise or knowledge is required which is not available in-house.

Minister for Transport

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions what registerable share holdings under the rules laid down for Ministers are held by the Minister for Transport; what board directorships he resigned on his first appointment as a Minister; and what matters pertaining to his Department's work the Minister does not handle in order to avoid potential conflicts of interest. [109386]

Mr. Hill: The arrangements put in place by my right hon. and noble Friend the Minister for Transport for handling his financial interests on his first appointment as a Minister were made clear in a Press Notice issued by the Scottish Office on 3 August 1998. A copy was placed in the Library of the House. Investments which were not disposed of were placed in a blind trust with an instruction to the solicitors administering the trust that the trust should not deal in shares which relate to my right hon. and noble Friend's ministerial portfolio. In line with the requirements of the Ministerial Code, my right hon. and noble Friend is not informed of changes in investments or the state of the portfolio. Consequently, my right hon. and noble Friend does not have any potential conflicts of interests.

Local Government (Payment Culture)

Mr. Cotter: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to improve the payment culture in local government; and if he will make a statement. [109832]

Ms Beverley Hughes: Under the provisions of the Local Government Act 1999, authorities will be required to report annually their performance against specified national performance indicators. An indicator is included in respect of the percentage of undisputed invoices paid within 30 days, or mutually agreed terms. The Secretary of State has set targets for such payment of invoices of 95 per cent. for 2000–01, 97.5 per cent. for 2001–02 and 100 per cent. for 2002–03.

Grants

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109310]

Ms Beverley Hughes: The information requested is given in the table.

£ million

Initiative	*1997–98*	*1998–99*	*1999–2000*
New Deal for Communities	0	12.5	48.5
Rough Sleepers—London	0	0	18.4
Rough Sleepers—Outside London	0	0	13.2
Coalfields Regeneration Trust	0	[1]17.7	10.0
Coalfields Fund	0	0	5.0
Grants to Audit Commission for Best Value Inspections	0	0	5.0
Rural Bus Subsidy Grant	0	32.5	32.5
Rural Bus Challenge	0	5.0	15.0
Rural Transport Partnership	0	4.2	4.2
Rail Passenger Partnership/ Infrastructure Investment Fund	0	0	20.0

[1] Includes Coalfields Fund allocation for 1998–99

Countryside Traffic Measures Group

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions on what dates the Countryside Traffic Measures Group has met; what matters have been discussed; what conclusions have been reached; and if he will make a statement. [109382]

Mr. Hill: The Countryside Traffic Measures Group has met formally on four occasions: 10 July 1997, 4 November 1997, 13 March 1998, and 3 November 1998, and at other times informally or to discuss individual schemes. The inaugural meeting agreed the main objective, which is to develop good practice guidance on rural traffic management designed with

sensitivity to the countryside environment. Meetings subsequently have discussed and agreed the schemes to be included in the monitoring project and, latterly, progress of the schemes. Monitoring of the schemes is due to be completed in March 2001. Until then it would be premature to draw conclusions on the measures installed. My Department will continue to help the Countryside Agency and local authorities develop these measures.

Eurostar

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what obligation is placed on Eurostar (UK) to offer reduced rail fares to senior citizens; and what plans he has to change this. [109381]

Mr. Hill: Eurostar (UK) Ltd. is not obliged to offer rail fares at reduced rates to senior citizens and there are no plans to introduce such an obligation.

Road Noise Reduction

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions what road noise reduction surfaces his Department has recently approved for use. [109378]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the hon. Member.

Letter from Jon Seddon to Mr. Mark Oaten, dated 10 February 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to respond to your question about what road noise reduction surfaces his Department has recently approved for use. In the absence of the Chief Executive I am responding to the question.

In addition to porous asphalt and exposed aggregate concrete which are included in the specification for trunk road construction, to date the Highways Agency has approved, for use on trunk roads in England, fifteen proprietary surfacing products which have been shown to generate significantly lower noise levels than conventional surfaces. Six of these products were approved in the past year. They are already being widely used for surfacing roads that need maintenance.

For the future, a new scheme for approving a range of innovative products has been set up with other highway authorities under which the British Board of Agreement will certify that products meet the specified performance requirements.

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions if he will treat applications in respect of properties on existing roads for double glazing as a method of noise reduction for residents in the same way as such applications in respect of properties on new roads. [109379]

Mr. Hill: The Noise Insulation Regulations apply to properties affected by existing roads which have been physically altered as well as to new roads. I have no plans to extend the scope of these Regulations to properties affected by unaltered roads.

Genetically Modified Crops

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the current progress of genetically modified crop trials in the United Kingdom. [107886]

Mr. Meacher: The farm scale evaluation programme is now starting its second year. The studies are designed to evaluate the impact on farmland wildlife of the management of herbicide tolerant GM crops, with their associated herbicide, as compared with equivalent non-GM crops managed conventionally. The ecological studies are being funded by the UK Government and carried out by independent contractors on fields of GM and conventional crops provided by the industry body SCIMAC. The studies are being overseen by an independent Scientific Steering Committee reporting to the Secretary of State.

The first year of the farm scale evaluations included plantings of oil seed rape and fodder maize in the spring, followed in the autumn by winter oil seed rape. The Scientific Steering Committee reported at the end of the first year that the methodology of the farm scale evaluations was scientifically robust, and gave a firm base from which to proceed to full-scale trials this year. A further announcement about this year's sites will be made shortly.

In November 1999, a renewed agreement between Government and the industry body SCIMAC on the conduct of the farm scale evaluations was reached, to cover the three years through to harvest of crops planted in 2002, including agreement that no general unrestricted cultivation of GM crops will take place in the UK until the farm-scale evaluations are complete. Under the renewed agreement, the farm scale evaluations are likely to be extended in scope this year to cover a further crop, GM beet, dependent on the advice of the Scientific Steering Committee on the scope and validity under UK conditions of similar trials being carried out in Denmark.

The fields grown for this year's trials will also be used to monitor the gene flow between the GM and non-GM crops to determine the depth of cross pollination.

CULTURE, MEDIA AND SPORT

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the wind-up costs of the millennium experience. [108772]

Janet Anderson *[holding answer 7 February 2000]:* The actual financial costs of winding up the New Millennium Experience Company would depend on the commitments and liabilities outstanding at the time when any such decision were taken. Neither the Government, nor the Millennium Commission, nor the Board of NMEC have plans to wind up the New Millennium Experience Company prior to the completion of its remit to run the Millennium Experience to 31 December 2000.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if loans made to the New Millennium Experience Company by the Millennium Commission may be subordinated. [106442]

Janet Anderson *[holding answer 24 January 2000]:* The Millennium Commission has not made any loans to the New Millennium Experience Company (NMEC) or any other organisation. The Commission cannot make loans as it has no statutory powers to do so.

All grant made to NMEC is repayable if any surplus is achieved from its operations or asset disposals after the organisation has met its other contractual liabilities. However, this grant does not constitute a loan as there is no guarantee of repayment or certainty of the amount which might be repaid to the Commission. It is open to the Commission to impose, as a condition of grant, the terms on which it will be repaid.

Millennium Dome

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if he will list the foods sold in the Millennium Dome that *(a)* do and *(b)* do not meet standards required of food produced in the United Kingdom. [108957]

Janet Anderson: There are over 35 catering outlets in and around the Dome at Greenwich selling a wide range of food from snacks to cordon bleu. All are required to meet the same statutory requirements as apply to commercial catering and food outlets in the UK.

Mr. Field: To ask the Secretary of State for Culture, Media and Sport what is the target number of visitors to the Millennium Dome for 2000. [108963]

Janet Anderson: The New Millennium Experience Company's target is 12 million. Visitor numbers in the first month, at just over 366,400 represent just under 4 per cent. of the target. This mirrors the visitor attraction industry norm for January.

Mr. Field: To ask the Secretary of State for Culture, Media and Sport what is the daily capacity of the Millennium Dome. [108962]

Janet Anderson: The licensed capacity of the Dome site, at any one time during the day, is 35,000 plus 2,000 staff.

Millennium River of Fire

Mr. Cohen: To ask the Secretary of State for Culture, Media and Sport what *(a)* public and *(b)* Lottery funds were used in connection with the Millennium River of Fire; and if he will make a statement. [105904]

Janet Anderson: The "Big Time" event on New Year's Eve in central London incorporated a wide range of activities and entertainment throughout the day attended and watched, safely, by about 3 million people. The River of Fire was one part of a spectacular firework display which itself was one part of Big Time. The 17 minute display was enjoyed by people along the Thames embankment and from other vantage points, as well as by a world-wide television audience. No public or lottery funds were involved in paying for the pyrotechnics. The New Millennium Experience Company, who were asked by the Government, the Millennium Commission and other public agencies and organisations involved in the event to co-ordinate and manage it, have, in the absence of major commercial sponsorship for the London-wide event to complement Millennium Commission's grant under their Millennium Festival programme, underwritten these costs.

LORD CHANCELLOR'S DEPARTMENT

Computers

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 31 January 2000, *Official Report*, column 472W, on computers, if any of the hackers accessed computer files containing *(a)* the personal details of jurors or witnesses and *(b)* details of the jury selection procedures. [109388]

Jane Kennedy: There has only been one recorded instance, in 1995, when a member of staff was found to have possible unauthorised access to juror details. The person, a casual employee, had discovered a supervisor's password and had altered system access permissions. Subsequent investigation found no evidence of tampering with data. The staff member was dismissed.

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 31 January 2000, *Official Report*, column 472W, on computers, what action has been taken to prevent internal hacking incidents on Court Service computers, particularly files containing *(a)* the personal details of jurors or witnesses and *(b)* details of the jury selection procedures. [109387]

Jane Kennedy: The Court Service carries out security risk analyses on all its major computer systems to ensure they comply with the security guidelines laid down in HMG's Manual of Protective Security. The countermeasures implemented include unique user names, secure passwords and access to systems and areas of systems on a 'need-to-know' basis. Passwords are changed regularly. All staff are provided with guidance on how to maintain system security. Some juror details are held on systems which are owned and managed by the Department's PFI partners. Security measures have been conveyed to them and are contractual.

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 31 January 2000, *Official Report*, column 472W, on computers, what type of information was accessed by the hackers from computers in the Court Service; and what action was taken *(a)* to identify the hackers and *(b)* to discipline Court Service staff involved in the incidents. [109389]

Jane Kennedy: The type of information potentially available to an internal 'hacker' varies according to the system accessed. Approximately half of the incidents involved stand-alone PCs or networked PCs used in the Headquarters of the Lord Chancellor's Department for administrative purposes; the remainder involved operational systems, such as those used for case management. Most incidents involved misuse of another member of staff's user name and password. The information potentially at risk was either a person's own work in progress, or in a few instances, details of cases. All incidents were investigated and remedial action applied. No evidence of compromise of Protectively Marked (or classified) information nor of a breach of the Data Protection Acts was found.

The staff responsible were identified in half of the incidents and all received verbal warnings, except for one who received a written warning and one who was dismissed.

NORTHERN IRELAND

Mrs. Rosemary Nelson

Mr. McNamara: To ask the Secretary of State for Northern Ireland for what reason the police did not contact the Committee on the Administration of Justice seeking originals of threats for forensic examination until some days after Mrs. Rosemary Nelson was killed [103821]

Mr. Ingram *[holding answer 19 January 2000]:* The investigation into the murder of Mrs. Nelson is being directed by Mr. Colin Port, the Deputy Chief Constable of Norfolk. While his investigation is in progress it is not appropriate to comment in detail on it. I understand from the Chief Constable that once the original threatening note to Mrs. Nelson was obtained it was immediately forwarded for independent forensic examination. That examination has not produced results which have, at this point, assisted the investigation

Surveillance Operation, Monaghan

Mr. McDonnell: To ask the Secretary of State for Northern Ireland what representations he has received from *(a)* the Irish Government and *(b)* Sinn Fein Assembly Members with regard to an alleged incident of RUC officers crossing the border to mount a surveillance operation in Monaghan. [107583]

Mr. Ingram: We have received one request for information from the British Irish Intergovernmental Secretariat concerning an alleged border incursion by the RUC on 12 January. No representations have been received from Sinn Fein.

Police

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many officers currently serve in *(a)* the Special Branch and *(b)* the Criminal Investigation Department of the RUC. [107819]

Mr. Ingram: At 1 February 2000, 684 officers were serving in the Special Branch and 809 in the Criminal Investigation Department of the Royal Ulster Constabulary.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has to make the Chief Constable of the RUC responsible for assessing the security situation; how often he will be required to make this assessment; and in what form his findings will be made public. [107808]

Mr. Ingram: The Chief Constable has been and continues to be the Secretary of State's principal security adviser. The Chief Constable gives his assessment to the Secretary of State on a regular and confidential basis.

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 20 December 1999, *Official Report*, column 410W, what communication he has received from bodies other than the US Congress about US-sponsored training and exchange programmes; and what response the RUC will make to fulfil conditions that will be imposed upon joint training and exchange programmes. [107822]

Mr. Ingram: I have received no communication from other bodies about US sponsored training and exchange programmes. The Royal Ulster Constabulary will make every effort to fulfil any conditions that may be imposed upon US joint training and exchange. It is the RUC's policy that officers are selected solely on the eligibility criteria applicable to any proposed training/exchange programme. In keeping with the Royal Ulster Constabulary equal opportunities policy, officers are selected purely on merit.

Disqualifications Bill

Mr. Simon Hughes: To ask the Secretary of State for Northern Ireland what *(a)* oral and *(b)* written representations he has received from members of the House of Commons and the Northern Ireland Assembly on the subject of the Disqualifications Bill, indicating in each case the date on which representations were received; and if he will place all written representations in the Library. [107638]

Mr. Mandelson *[holding answer 31 January 2000]:* Disqualification issues have been discussed with the Irish Government, the UUP, Sinn Fein and the SDLP. I have a large number of contacts with these and other parties at which disqualification and numerous other issues arise and I am unable to supply an exhaustive list of such.

On 20 December, prior to the introduction of the Disqualification Bill, I wrote to the Northern Ireland parties represented in the Commons and the Home Secretary wrote to the leaders of the Conservative and Liberal parties, notifying them of the Government's intentions with regard to the Disqualification Bill. No response, written or oral, has yet been received.

The only written representation I have received on the subject is a letter, dated 14 December 1999, from the right hon. Member for Upper Bann (Mr. Trimble). As a result of this and subsequent discussions the Bill was amended.

It is a matter for the right hon. Member for Upper Bann whether he wishes to publish this letter in the House Library.

Departmental Expenditure Limit

Dr. Godman: To ask the Secretary of State for Northern Ireland what proposals there are to amend the Northern Ireland Office Departmental Expenditure Limit and running costs limit for 1999–2000. [109974]

Mr. Ingram: As the result of Devolution of the Departmental Expenditure Limit (DEL) for Northern Ireland shown in table 3.1 of Public Expenditure Statistical Analysis 1999–2000 has been split into two, one for the Northern Ireland Office £995,487,000 and the second for Northern Ireland Departments £4,856,247,000.

Subject to parliamentary approval of the necessary Supplementary Estimate for Class XV, Vote 1 the Northern Ireland Office Departmental Expenditure Limit for 1999–2000 will be increased by £29,790,000 from £995,487,000 to £1,025,277,000. The running costs limit will be increased by £7,783,000 from £193,523,000 to

£201,306,000. The increase is the net effect of take-up of end year flexibility of £15,545,000 and an additional £5,868,000 for the Bloody Sunday Inquiry. Other changes to the DEL include £8,144,000 from Northern Ireland Departments and £233,000 from the Home Office.

The increase will be offset by a charge on the DEL Reserve and will not therefore add to the planned total of public expenditure.

TRADE AND INDUSTRY

BNFL

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will place in the Library copies of the material supplied by BNFL to members of the Fukui Regional Assembly regarding the problems with their MOX fuel. [106714]

Mrs. Liddell *[holding answer 3 February 2000]:* I understand that BNFL did not pass any information to the Fukui Regional Assembly.

Export Licences

Mr. Chope: To ask the Secretary of State for Trade and Industry (1) how many licences to export goods to Iran have been *(a)* granted and *(b)* refused, in the last 12 months; [108474]

(2) how many applications for licences to export goods to Iran have been rejected in the past 12 months on the grounds that there was an unacceptable risk that the goods might be diverted to a weapons of mass destruction programme. [108475]

Dr. Howells: The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 January 1999 and 28 January 2000, 91 Standard Individual Export Licences (SIELs) and one Open Individual Export Licence (OIEL) were issued covering the export to consignees or end-users in Iran. During the period 18 applications for a SIEL and no applications for an OIEL were refused. Individual applications and licences may cover a range of goods with various ratings (and OIELs may also cover a range of countries). Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Standard Individual Export Licences issued and applications refused for such licences between 1 January 1999 and 28 January 2000 covering the export to Iran of goods entered in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List

Rating	*Number of SIELs issued covering goods with this rating*	*Number of SIEL applications refused covering goods with this rating*
ML3	0	1
ML13	1	0

Standard Individual Export Licences issued and applications refused between 1 January 1999 and 28 January 2000 covering the export to Iran of other goods

Rating	*Number of SIELs issued covering goods with this rating*	*Number of SIEL applications refused covering goods with this rating*
IC008	1	0
IC110	1	0
IC229	1	0
IC350	5	0
2B350	1	0
3A001	3	0
5A002	2	0
5D002	1	0
6A001	1	0
6A003	1	0
7A103	2	0
8A990	7	4
8D990	0	2
9A990	30	6
9A991	0	1
9E990	4	0
End-use	36	7

The one OIEL issued covered goods with the rating 5A002.

The paper records for the 18 applications for a SIEL that were refused have been examined and seven were refused because of concern that the goods would be diverted to programmes relating to weapons of mass destruction. I am disclosing this information in accordance with the Code of Practice on Access to Government Information. This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

Coal Mining

Mr. Clapham: To ask the Secretary of State for Trade and Industry when he last discussed state aid for the UK deep coal mining industry with DG VII; and if he will make a statement. [109021]

Mrs. Liddell: Officials in the Department are in regular contact with the European Commission on issues concerning the coal industry and the European Coal and Steel Community State aid regime that applies to it.

Natural Gas

Mr. Trickett: To ask the Secretary of State for Trade and Industry what estimate he has made of the life span of British natural gas resources at the current rate of depletion, and taking into account the consents for gas-powered electricity generating stations which have been granted but not implemented. [109115]

Mrs. Liddell *[holding answer 8 February 2000]:* Estimates of the United Kingdom's remaining recoverable reserves of gas are given in the Department of Trade and Industry's "Development of the Oil and Gas Resources of the United Kingdom 1999", a copy of which is in the Library of the House. This shows that discovered reserves could yield 1,795 billion cubic metres (bcm). This is equivalent to 18 years of production at current rates. If the full potential from as yet undrilled structures were to

be realised, this could raise discovered reserves to 3,625 bcm. Estimates of reserves are, however, not constant over time and exploration may add to these estimates.

Whether production from these reserves will fully meet UK demand for any future period depends on a number of variables such as the timing of commencement and cessation of production in particular fields. As the Government indicated in their Energy White Paper in October 1998 (Cm 4071), it is likely that some gas imports would be required by the end of this decade.

Metric and Imperial Measures

Mr. Mitchell: To ask the Secretary of State for Trade and Industry what guidance he has given to enforcement officials in respect of sales of goods sold from loose stock by measured weight in metric and imperial units. [109442]

Dr. Howells: Local authorities have an independent statutory responsibility to enforce weights and measures legislation. As with the earlier stages of metrication, DTI has encouraged the local authorities to provide small traders with information and advice about the change to metric weights for the sale of loose goods, and to recognise the difficulties that some small traders have had in changing to metric weights by 31 December 1999.

DEFENCE

Correspondence

Mr. Canavan: To ask the Secretary of State for Defence when he will reply to the letter from the hon. Member for Falkirk, West, dated 17 December 1999, referring to an unanswered letter from the Trident Ploughshares campaign, dated 31 August 1999. [105908]

Mr. Spellar: I replied to my hon. Friend on 22 January.

Punishment Warrants

Mr. Key: To ask the Secretary of State for Defence what was the total number of summary trials resulting in punishment warrants in the Royal Navy in *(a)* 1995, *(b)* 1996, *(c)* 1997, *(d)* 1998 and *(e)* 1999. [107869]

Mr. Spellar *[holding answer 1 February 2000]:* The information requested is as follows:

Year	*Number*
1995	284
1996	220
1997	218
1998	196
1999	[1]128

[1] Reported to date

Land Mine Clearance

Mrs. Ray Michie: To ask the Secretary of State for Defence what recent research his Department has (a) commissioned and (b) evaluated on the effectiveness of methods currently in use for anti-personnel land mines clearance. [108633]

Dr. Moonie: My Department has not conducted any recent research specifically on the effectiveness of methods currently in use for anti-personnel land mine clearance. However, we have carried out limited trials on commercially produced hand held metal detectors.

Mrs. Ray Michie: To ask the Secretary of State for Defence what recent representations he has received concerning the Dervish anti-personnel land mines clearance project. [108632]

Dr. Moonie: Since 1997, my Department has received a number of representations concerning the Dervish anti-personnel land mines clearance project and the Defence Evaluation and Research Agency (DERA) has been in correspondence with the head of the project team. The Dervish device is intended for area clearance of anti-personnel mines and while it may have a role in humanitarian mine clearance, the system does not currently meet the requirements of the Armed Services.

Project Horizon

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the impact of the UK's decision to pull out of Project Horizon on the future integration of European defence (a) policies and (b) industries. [109036]

Dr. Moonie: In April 1999, the participating nations—UK, France and Italy—decided not to proceed with the tri-national Horizon programme upon completion of its Project Definition phase in October 1999. We are, however, continuing to develop collaboratively the Principal Anti-Air Missile System.

The continuing commitment of European nations to strengthen their military capabilities, and to develop the means for undertaking crisis management, was demonstrated in the conclusions of both the European Council and North Atlantic Council meetings of Defence and Foreign Ministers in December 1999.

The Government remain committed to facilitating European defence industrial restructuring. We have negotiated a Framework Agreement with European partner nations designed to remove unnecessary obstacles to defence restructuring and hope to sign this Agreement shortly.

PRESIDENT OF THE COUNCIL

European Charter on Human Rights

Mr. Mitchell: To ask the President of the Council if, pursuant to her answer of 8 December 1999, *Official Report*, column 532W, concerning the proposed European Charter of Human Rights, she will list the meetings which the hon. Members for Bridgend (Mr. Griffiths) and for Eastleigh (Mr. Chidgey) and the Baroness Howells have *(a)* attended or *(b)* plan to attend; and if a Minister will report to the House on progress in the work of the drafting body prior to its submission to the European Council. [108754]

Mr. Vaz: I have been asked to reply.

There have been two meetings of the Charter of Rights Convention: on 17 December 1999 and 1–2 February 2000. The two parliamentary delegates were present at both. The next Convention session is an informal meeting on 24–25 February. The individual delegates and alternates are best placed to say which future meetings they plan to attend.

The House will have several opportunities to discuss the Charter, for example in the six-monthly debate before the June 2000 European Council.

FOREIGN AND COMMONWEALTH AFFAIRS

Ukraine

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the approximate expenditure to date of the European Union in respect of the Partnership Agreement with the Ukraine; how much is budgeted for 2000; what *(a)* proposals and *(b)* reports concerning such expenditure have been compiled; and whether each of these has been made public. [105083]

Mr. Vaz: There is a wide range of Community and bilateral programmes which support the EU/Ukraine Partnership and Co-operation Agreement. The main Community programme is TACIS, from which over 600 million euro was committed between 1991–98. The TACIS 2000 budget for Ukraine has not yet been decided. Since 1991, Ukraine has also benefited from EU grants towards the closure of Chernobyl (210 million euro), EU macro-financial loans (565 million euro) and humanitarian aid (12 million euro). In addition EU member states have provided bilaterally some 2.5 billion euro in loans and grants between 1991 and 1997. The European Commission's proposals for TACIS spending appear in its Country Strategy Papers, which are not made public. Reports of TACIS expenditure are, however, published annually. An independent evaluation of TACIS in Ukraine was published in 1998.

Middle East

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest developments in the middle east peace process. [109053]

Mr. Hain: We are greatly concerned by the recent escalation of violence in Lebanon and the suspension of Permanent Status Talks between the Israelis and Palestinians.

We urge all parties in Lebanon to exercise restraint and to respect the April 1996 Understandings. These incidents confirm the pressing need for renewed efforts to achieve a comprehensive negotiated peace in the region, including implementation of UNSCR 425.

We have high-level contact with all the parties to the peace process and offer what help we can in the search for agreement.

Nuclear Non-proliferation Treaty

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to attend the 2000 Review Conference of the Nuclear Non-Proliferation Treaty. [109175]

Mr. Hain: I represent my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs at the NPT Review Conference and deliver the UK address to the plenary session. I would welcome any thoughts my hon. Friend might have on the matter.

Indonesia

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy in relation to the sectarian conflict in Maluku; what discussions he has had with the Indonesian President on this issue; and if he will make a statement. [109109]

Mr. Battle: My right hon. Friends the Prime Minister and the Foreign Secretary and I discussed the sectarian conflict in Maluku with President Wahid and his Foreign Minister when they were in London on 1 February. We expressed our concerns to President Wahid about the violence and loss of life. President Wahid reaffirmed his commitment to secure lasting peace between the two communities. We shall support him vigorously in his efforts and stand ready to help him in any way possible.

NATO

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a copy of the Wilton Park Conference report on NATO's role in maintaining European security. [109051]

Mr. Vaz: This report has now been placed in the Libraries of the House. All reports of Wilton Park Conferences are publicly available, including on the Wilton Park website (www.wiltonpark.org.uk.).

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by his Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109263]

Mr. Hain *[holding answer 9 February 2000]:* The information could be provided only at disproportionate cost. FCO procurement policy requires goods and services to be acquired by competitive tender unless there are compelling reasons to the contrary or they are below £500 in value. Sole source and single source procurement is subject to special safeguards.

Mr. Willis: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109449]

Mr. Hain: The information could be provided only at disproportionate cost.

Hong Kong

Mr. Derek Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will publish the next report to Parliament on Hong Kong and the Sino-British Joint Declaration. [109973]

Mr. Battle: The sixth report in this series, covering the period July-December 1999, was published today and copies have been placed in the Libraries of the House. A copy of the report is also available on the Foreign and Commonwealth Office website (www.fco.gov.uk). The report includes a foreword by my right hon. Friend the Foreign Secretary. I commend the report to the House.

Gibraltar

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements will be made in the interval between the departure of the Governor of Gibraltar and his successor taking up his appointment; and if he will make a statement. [109505]

Mr. Vaz: During the interval between the departure of the present Governor of Gibraltar and the arrival of his successor, the Deputy Governor will be Acting Governor.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason there has been a delay in announcing the appointment of the new Governor of Gibraltar; and when he expects the announcement to be made. [109506]

Mr. Vaz: There has been no delay. The announcement of the appointment of the next Governor of Gibraltar will be made in the near future.

SOLICITOR-GENERAL

Crown Prosecution Service

30. **Fiona Mactaggart:** To ask the Solicitor-General if he will make a statement on the background of the Crown Prosecution Service inspectorate. [107913]

The Solicitor-General: The CPS Inspectorate was established in 1997 to improve the efficiency and effectiveness of the CPS. The Glidewell report recommended that the Inspectorate should be retained and that its role should be expanded. There were also recommendations for introducing a more substantial lay element. These recommendations have been accepted, but the Government have gone further and wishes to place the Inspectorate on an independent statutory basis. This House will shortly be asked to consider the CPS Inspectorate Bill.

Mr. Trickett: To ask the Solicitor-General what proportion of the files referred to the Crown Prosecution Service by the Police do not lead to prosecution in *(a)* England and Wales and *(b)* West Yorkshire. [109054]

The Solicitor-General: The Crown Prosecution Service records case outcomes in terms of the number of defendants whose case was handled by the Service, rather than in terms of the number of files dealt with. During the year ending December 1999, a prosecution did not proceed in respect of 250,738 defendants in England and Wales, representing 18.4 per cent. of completed cases. In CPS West Yorkshire, a prosecution did not proceed in respect of 15,635 defendants, representing 18.5 per cent. of completed cases.

Young Offenders

31. **Mr. Ben Chapman:** To ask the Solicitor-General what assessment he has made of the Crown Prosecution Service's performance in Merseyside on speeding up the process towards the trial of young offenders. [107915]

The Solicitor-General: When I visited CPS Merseyside in September last year, I observed at first hand the efforts made by the CPS and other local agencies to reduce the time it took to prosecute persistent young offenders. The Area, in conjunction with other criminal justice agencies in Merseyside, is implementing practices that should make further significant reductions for all young offenders.

Financial Crime

Mr. Kidney: To ask the Solicitor-General what recent discussions he has had with the Financial Services Authority about tackling serious financial crime. [107912]

The Solicitor-General: As my hon. Friend is aware, the Law Officers do not have statutory Ministerial responsibility for the Financial Services Authority. I have visited the Financial Services Authority, although not in the recent past, and was given a general introduction to their work, including enforcement work. The Financial Services Authority share responsibility for tackling serious financial crime with the police, Department of Trade and Industry, Serious Fraud Office, DPP in Northern Ireland and the Crown Office in Scotland. Officials are developing guidelines on the co-ordination of the work of these bodies in relation to suspected financial crime. It is proposed to publish these guidelines when they have been agreed.

EDUCATION AND EMPLOYMENT

Further Education Colleges

Mr. Chaytor: To ask the Secretary of State for Education and Employment what assessment he has made of the potential conflict of interest in the practice of further education colleges *(a)* employing and *(b)* receiving on secondment, staff from companies engaged as the college's auditors; and if he will discuss this matter with the Further Education Funding Council prior to issuing guidance on practice. [107972]

Mr. Wicks: It is for individual colleges to determine whether to use auditors for other services. Audit arrangements in FE have been strengthened by the requirement that auditors cannot be responsible both for internal and external audits. The Further Education Funding Council for England require all colleges to disclose in their accounts remuneration to auditors for their services.

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many further education colleges have employed external consultants to advise on unit farming; and if he will make a statement. [107973]

Mr. Wicks: This information is not held centrally. But in designing the new funding systems that will be employed by the Learning and Skills Council, subject to the passage of legislation, we intend that arrangements should be simpler to understand, administer and audit than current arrangements.

New Deal

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will provide a breakdown of the total expenditure on each of the new deal schemes. [109279]

Mr. Andrew Smith: I have been asked to reply.
The allocation of the Windfall Tax receipts between the New Deal programmes, as currently estimated, is set out in Table 4.1 of the 1999 Pre Budget Report.

HOME DEPARTMENT

Firearms

Mr. Martyn Jones: To ask the Secretary of State for the Home Department how many firearms have been misappropriated over the last five years from *(a)* the police, *(b)* the Ministry of Defence police, *(c)* the Atomic Energy Authority police and *(d)* the armed forces. [108825]

Mr. Charles Clarke: Information on the misappropriation of firearms from the police service is not collected centrally, but inquiries of 41 police forces in England, Wales and Scotland indicate that firearms have been misappropriated from the police in only one incident over the past five years.

On 24 January 1997, an MP5 carbine was misappropriated when the police vehicle in which it was carried was hi-jacked by armed criminals. The vehicle and the weapon were recovered two days later.

No firearms are recorded as having been misappropriated from the Ministry of Defence police or the United Kingdom Atomic Energy Authority Constabulary during the period concerned.

Dangerous Weapons

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what further restrictions he will place on the sale and possession of swords and bayonets. [108755]

Mr. Charles Clarke: It is an offence under section 1 of the Prevention of Crime Act 1953 for any person to have with them an offensive weapon in a public place, including private premises to which the public have access. In addition the Criminal Justice Act 1988 banned the manufacture, sale and importation of 14 bladed, pointed and other offensive weapons in addition to flick knives and gravity knives, the sale of which was already banned under the Restriction of Offensive Weapons Act 1959.

We are currently considering the appropriateness and feasibility of amending this legislation.

Asylum Seekers

Mr. Sanders: To ask the Secretary of State for the Home Department if he will list the total number of asylum seekers registering in each EU country *(a)* in the last 10 years, *(b)* in each of those years and *(c)* in total for each country ranked by number of asylum seekers per 1,000 of population. [109182]

Mrs. Roche: Information on asylum applications received by each European Union country is collated by the United Nations High Commissioner for Refugees. The annual figures for 1990 to 1999 for each European Union country are given in table 1.

Table 2 shows the number of asylum applications per 1,000 of population within each European Union country.

Table 1: Total asylum applications received by European Union countries from 1990 to 1999

Countries	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*Grand total*
Germany[2,3]	193,100	256,100	438,200	322,600	127,200	127,900	116,400	104,400	98,600	95,300	1,879,800
United Kingdom[3]	26,200	44,800	24,600	22,400	32,800	44,000	29,600	32,500	46,000	71,200	374,100
Netherlands	21,200	21,600	20,400	35,400	52,600	29,300	22,200	34,400	45,200	39,300	321,600
France[3]	54,800	47,400	28,900	27,600	26,000	20,200	17,400	21,400	22,400	30,100	296,200
Sweden	29,400	27,400	84,000	37,600	18,600	9,100	5,800	9,700	12,800	11,200	245,600
Belgium[3]	13,000	15,200	17,700	26,900	14,400	11,400	12,400	11,800	22,000	35,800	180,600
Austria	22,800	27,300	16,200	4,800	5,100	5,900	7,000	6,700	13,800	20,100	129,700
Spain	8,700	8,100	11,700	12,600	12,000	5,700	4,700	5,000	6,700	7,100	82,300
Denmark	5,300	4,600	13,900	14,400	6,700	5,100	5,900	5,100	5,700	6,500	73,200
Italy	4,800	26,500	6,000	1,700	1,800	1,700	700	1,900	7,100	n/a	52,200
Greece	6,200	2,700	1,900	800	1,300	1,300	1,600	4,400	3,000	n/a	23,200
Ireland	[4]—	[4]—	[4]—	100	400	400	1,200	3,900	4,600	7,700	18,300
Finland[3]	2,700	2,100	3,600	2,000	800	900	700	1,000	1,300	2,800	17,900
Luxembourg	[4]—	[4]—	[4]—	[4]—	[4]—	400	300	400	1,700	2,900	5,700
Portugal	100	300	700	2,100	800	500	300	300	300	n/a	5,400

Table 2: The number of asylum applications within European Union countries compared to their respective population sizes

Countries	Asylum applications in 1999	Estimated population in 1998	Asylum seekers per 1,000 of population
Luxembourg	2,900	430,000	6.79
Belgium[3]	35,800	10,141,000	3.53
Netherlands	39,300	15,678,000	2.51
Austria	20,100	8,140,000	2.47
Ireland	7,700	3,681,000	2.10
Sweden	11,200	8,875,000	1.27
Denmark	6,500	5,270,000	1.23
UK[4]	71,200	58,649,000	1.21
Germany[2,3]	95,300	82,133,000	1.16
Finland[1]	2,800	5,154,000	0.55
France[3]	30,100	58,683,000	0.51
Italy	13,900	57,369,000	0.24
Spain	7,100	39,628,000	0.24

[1] Includes a government estimate for December 1999.
[2] "New" applications only, that is, excluding applications which are "re-opened".
[3] Applications exclude some or all dependants.
[4] Indicates that value is zero, rounded to zero, or not applicable. Data refer to the number of persons unless otherwise stated.
Notes:
1. Applications rounded to the nearest 100.
2. Estimated population in 1998 rounded to the nearest 1,000, 1999 population not yet available.
3. n/a indicates not available.
4. The figures for Greece, Italy and Portugal are unavailable.
Source:
UNHCR and The Home Office.

Kali Mountford: To ask the Secretary of State for the Home Department what plans he has taken to ensure that current overstayers will not lose the right to a suspensive appeal against a decision to remove them taken after 1 October. [109670]

Mrs. Roche: I refer my hon. Friend, to the reply given to my hon. Friend the Member for Walthamstow (Mr. Gerrard) on 9 February 2000, *Official Report*, column 167W.

Sexual Offences

Rev. Martin Smyth: To ask the Secretary of State for the Home Department when the Sex Offences review will report; when the consultation period will commence; and when consequent legislation will be introduced. [109091]

Mr. Charles Clarke: The Sex Offences Review hopes to report to Ministers in the spring. Its proposals will be published for consultation in the summer. The timing of any subsequent legislation has yet to be decided.

Racial Harassment

Dr. Kumar: To ask the Secretary of State for the Home Department how many cases were reported to the police alleging racial harassment in *(a)* Cleveland, *(b)* Northern Region and *(c)* the United Kingdom in each of the last three years; and how many in each category resulted in a conviction. [109459]

Mr. Charles Clarke: The number of alleged racial harassment cases reported to the police is not available. The number of offences of racially aggravated harassment recorded by the police in the six months ending September 1999 is given in the table. This offence has been recorded separately by the police since 1 April 1999.

	Number
Cleveland	5
North East Government Region	110
England and Wales	5,385

No details of the convictions for this offence are currently available for this time period.

Child Abuse

Dr. Kumar: To ask the Secretary of State for the Home Department how many cases were reported to the police alleging child abuse in (a) Cleveland, (b) Northern Region and (c) the United Kingdom in each of the last three years; and how many in each category resulted in a conviction. [109460]

Mr. Charles Clarke: The number of alleged child abuse cases reported to the police is not available. Recorded crime data do not give information about victims unless this is implicit in the description of the offence. The offences of gross indecency with a child, unlawful sexual intercourse with a girl under 13, and unlawful sexual intercourse with a girl under 16 are the only sexual offences recorded which explicitly involve children as victims. Offences of violence against the person which explicitly involve children as victims include cruelty to and neglect of children, abandoning a child under two years, and child abduction. There are many other violent and sexual offences which could involve children as victims. Cruelty to and neglect of children has been a recorded crime since 1 April 1998. The recorded crime figures for the other five offences given, and cruelty to and neglect of children, are as follows:

Year ending	Cleveland	North East Government Region	England and Wales
March 1997	19	119	3,080
March 1998	23	106	2,999
March 1999[1]	12	129	3,125
Cruelty to and neglect of children			
March 1999[1]	8	89	2,300

[1] Compiled under the revised counting rules in force from 1 April 1998.

Conviction data, taken from the Home Office Court Proceedings Database, are not directly comparable with recorded crime figures, as they relate to individuals found guilty rather than offences. The number of persons convicted for the five offences given above from 1996 to 1998 (calendar years) are as follows:

	1996	1997	1998
Cleveland	5	3	7
North East Government Region	25	28	46
England and Wales	475	451	546

The number of persons convicted for cruelty to or neglect of children from 1996 to 1998 (calendar years) are as follows:

	1996	1997	1998
Cleveland	3	1	4
North East Government Region	19	21	14
England and Wales	293	390	390

Domestic Violence

Dr. Kumar: To ask the Secretary of State for the Home Department how many cases were reported to the police alleging domestic violence in (a) Cleveland, (b) Northern Region and (c) the United Kingdom in each of the last three years; and how many in each category resulted in a conviction. [109461]

Mr. Boateng: "Domestic violence" is not a specific offence, but a means of describing a number of offences when committed in particular circumstances. This means that the available information is derived not from the usual recorded crime statistics but from specific returns submitted by police forces in England and Wales to Her Majesty's Inspector of Constabulary. The figures are set out in the table.

The definition of domestic violence used for these returns was:

"Any form of physical, sexual or emotional abuse which takes place within the context of a close relationship. In most cases, the relationship will be between partners, married, co-habiting or otherwise; or ex-partners".

Unfortunately, this definition was interpreted in differing ways by different police forces, for instance because some forces included child abuse. This prevented proper statistical comparisons or a clear understanding of what the returns indicated. From 1 April 1999, the definition of domestic violence for the purpose of statistical returns to Her Majesty's Inspector of Constabulary has been:

"The term 'domestic violence' shall be understood to mean any violence between current or former partners in an intimate relationship, wherever and whenever the violence occurs. The violence may include physical, sexual, emotional or financial abuse".

	Domestic Violence—Incidents			Domestic Violence—Persons Arrested		
	1996–97	1997–98	1998–99	1996–97	1997–98	1998–99
Avon and Somerset	2,058	2,483	4,791	741	873	1995
Bedfordshire	4,470	n/a	4,923	210	n/a	269
Cambridgeshire	700	995	1,113	213	834	929
Cheshire	7,516	8,997	9,503	1,609	1,593	1,481
City of London	12	33	83	1	n/a	2
Cleveland	4,566	4,580	4,818	1,028	870	843
Cumbria	2,845	2,875	3,268	634	885	921
Derbyshire	10,672	11,574	12,585	1,433	1,751	1,666
Devon and Cornwall	2,796	3,278	3,453	1,143	1,405	1,423
Dorset	1,637	1,716	2,116	319	286	362
Durham	2,190	2,174	1,930	676	687	587
Dyfed-Powys	1,507	1,524	2,106	431	515	662
Essex	7,635	8,780	10,850	1,817	1,957	2,262
Gloucestershire	6,278	1,309	1,421	726	685	990
Greater Manchester	50,792	56,762	56,203	5,830	6,577	6,752
Gwent	7,000	4,458	4,250	514	901	889
Hampshire	5,791	7,424	3,128	690	1,162	1,765
Hertfordshire	4,676	4,258	6,363	604	418	809
Humberside	1,111	1,187	1,148	982	1054	1,009
Kent	7,155	7,966	9,605	1,995	2,762	2,902
Lancashire	6,216	5,760	6,778	1,847	1,615	1,922
Leicestershire	6,015	2,632	7,246	1,027	573	1,591
Lincolnshire	n/a	n/a	1,519	n/a	n/a	331
Merseyside	18,112	16,864	20,612	2,297	2,315	2,497
Metropolitan police	15,650	14,403	41,531	1,743	0	5,310
Norfolk	n/a	4,517	4,973	n/a	n/a	1,041
North Wales	5,802	5,387	4,305	864	996	3,916
North Yorkshire	n/a	399	4,024	n/a	243	551
Northamptonshire	2,638	2,401	2,620	623	582	611
Northumbria	12,749	13,154	14,442	2,361	2,253	2,082
Nottinghamshire	3,248	3,397	3,803	1,471	1,432	1,473
South Wales	6,759	9,791	7,252	1,412	1,989	1,963
South Yorkshire	950	168	12,209	108	154	999
Staffordshire	1,744	n/a	n/a	n/a	n/a	n/a
Suffolk	1,225	1,683	1,962	517	608	640
Surrey	1,217	1,308	1,653	460	400	463
Sussex	5,795	6,910	8,174	1,480	1,491	1,749
Thames Valley	n/a	9,904	10,885	n/a	2,082	2,340
Warwickshire	493	485	2,500	389	388	500
West Mercia	1,867	n/a	n/a	n/a	n/a	n/a
West Midlands	14,011	16,538	20,217	2,280	3,615	5,409
West Yorkshire	18,304	22,191	23,658	4,567	5,986	6,469
Wiltshire	423	5,952	7,563	366	1,244	1,307
Provincial Total	238,975	263,514	310,052	43,665	53,181	66,372
England and Wales Total	254,625	277,917	351,583	45,408	53,181	71,682
NE Region	19,505	19,908	21,290	4,065	3810	3,512

Home Detention Curfew Scheme

Mr. Lidington: To ask the Secretary of State for the Home Department, pursuant to his answer to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) of 2 February 2000, *Official Report*, column 596W, how many curfewees charged with an offence while on home detention curfew were charged with an offence similar in character to that for which they were serving a sentence of imprisonment prior to being released on the curfew. [109509]

Mr. Boateng: According to Prison Service records, of the 174 curfewees referred to in the answer I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 2 February, who have been charged with a further offence while subject to Home Detention Curfew, 69 have been charged with an offence similar to that for which they were serving a sentence of imprisonment prior to being released on curfew. In one case it has not been possible, in the time available, to confirm whether the further offence is similar in nature to the original offence. I will write to the hon. Member when this information is available.

Human Rights Act 1998

Mr. Mackinlay: To ask the Secretary of State for the Home Department what assessment he has made of the advantages and disadvantages of extending the requirement for a certificate of compatibility with the Human Rights Act 1998 to private legislation. [107914]

Mr. Mike O'Brien: The Human Rights Act 1998 applies equally to Public and Private Bills, once they are enacted. Under the Human Rights Act 1998, Acts of Parliament will have to be interpreted compatibly with the Convention rights if possible. Where this is not possible, a higher court will be able to issue a declaration of incompatibility. This applies to all primary legislation as defined by the Human Rights Act, which includes private Acts, 1998.

Parliamentary Questions

Mr. Sanders: To ask the Secretary of State for the Home Department, pursuant to his answer of 21 December 1999, Official Report, column 493W, when the hon. Member for Torbay will receive a reply. [109448]

Mrs. Roche: I wrote to the hon. Member on 9 February. I am sorry for the delay.

Drugs

Miss Widdecombe: To ask the Secretary of State for the Home Department what plans he has to amend his policy on (a) cannabis and (b) class B controlled drugs; and if he will make a statement. [109507]

Mr. Charles Clarke: The Government have no plans to amend their existing policy in relation to cannabis and other Class B controlled drugs.

Racially Aggravated Offences

Mr. Woodward: To ask the Secretary of State for the Home Department (1) if he will publish figures for race hate crimes committed in each year between 1990 and 1999 as a proportion of all reported crime; [109464]

(2) if he will publish figures for successful prosecutions of race hate crimes committed in (a) the Thames Valley police area, (b) the Metropolitan police force area and (c) England in each year between 1990 and 1999; [109463]

(3) what were the annual police figures for reported race hate crimes in (a) England, (b) the Thames Valley police area and (c) the Metropolitan police area in each year between 1990 and 1999. [109462]

Mr. Charles Clarke: Information is available on the new racially aggravated offences which were introduced under the Crime and Disorder Act in October 1998. The latest information indicates that 10,982 offences were recorded by all police forces in England and Wales for the period 1 April 1999–30 September 1999, 218 in Thames Valley and 7,473 in the Metropolitan police.

Additional information is also available on the number of racist incidents that were recorded by the police which is wider in definition than crimes. Information covering 1993–94 to 1998–99 was published in December 1999 in Statistics on Race and the Criminal Justice System, a copy of which is in the Library. Owing to the broader definition of such offences than those covered by the recorded crime statistics it would be misleading to compare the two figures. It is currently not possible to say what proportion of such offences resulted in successful prosecutions.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department (1) how many licence applications involving the administration of tobacco smoke to conscious animals were granted in (a) 1996, (b) 1997 and (c) 1998; how many animals, broken down by species, were involved in the research in each year; into which severity banding the research fell; and how many animals died as a result of the research in each year; [109078]

(2) what account he took of section 5(4) of the Animals (Scientific Procedures) Act 1986 before deciding to grant project licence applications PPL/70 04972 and PPL/70 04956; and if he will make a statement; [109079]

(3) how many animals broken down by species were involved in PPL 170 04972 and PPL170 04956; how the tobacco smoke is administered to the animals; how many convulsive spasms each animal is expected to suffer; into which severity banding his research falls; how many animals have died to date as a result of the research; and if he will make a statement. [109077]

(4) if he will make it his policy to ban live testing for the effects of tobacco smoke; and if he will make a statement; [109080]

(5) if he will withdraw licences authorising companies to conduct live animal testing into the effects of tobacco smoke; and if he will make a statement. [109076]

Mr. Mike O'Brien: The Government stand firmly by their ban on the testing of tobacco products which was announced in November 1997. There will be no approval for any such tests. Two recently approved applications are for programmes that do not test the effects of tobacco smoke, but enable the development of treatments for chronic obstructive pulmonary diseases such as bronchitis and emphysema, which seriously debilitate many people. These health problems derive mainly from smoking,

including passive smoking, as well as occupationally related lung diseases, such as those caused by the inhalation of coal dust. Tobacco smoke is the only test material to model reliably the effects that will enable a better understanding of the disease processes and improved medical treatments. The licensed research programmes are to investigate medical treatments, not the safety approval of tobacco products.

The Inspectorate and the Animal Procedures Committee have advised that the licences are justifiable and that the benefits to man and animals would outweigh the costs to the animals involved. As with all project licence applications, these two licences were issued only after a full and careful assessment, including whether there were alternatives which replace animal use, reduce the number of animals needed or refine the experimental design to minimise suffering.

Strict conditions were made in authorising these two programmes of research. The maximum number and species of animal that may be used per year are 1,100 mice and 1,100 guinea-pigs in one; and 2,000 mice, 1,000 rats and 1,000 guinea-pigs, in the other. Tobacco smoke is to be administered by placing the animals in inhalation chambers for set periods. They are not expected to suffer convulsive spasms. the severity bands for both project licenses are classed as moderate. To date, no animals have died as a result of the research.

Table 5a of the Statistics of Scientific Procedures on Living Animals shows the number of animals used in non-toxicology procedures each year. Figures for the use of tobacco as a pharmacological tool or standard are not separated out, but there were no instances where tobacco smoke was administered to conscious animals in 1996, 1997 and 1998. No licenses were issued for the administration of tobacco smoke to conscious animals and no animals were used for tobacco research in any of these three years.

Table 10a of the annual statistics gives details of the number of animals used in toxicology (safety) testing. In submitting the data for this table, licensees are instructed to include tests on tobacco alternatives with data for protocols that have used tobacco in any form. Again, the tables show that no animals were used for the safety testing of tobacco of tobacco substitutes during 1996, 1997 and 1998.

Evaluating research proposals involving the use of animals is difficult and requires a delicate moral balance to be struck. Scientific developments have saved many human lives and cured many illnesses and have contributed to the health of animals and the protection of the environment. Much knowledge has come from experiments on animals. To have failed to allow that work may have resulted in many humans dying and suffering where instead they have been cured or helped. The Government want to prevent unnecessary experiments involving animals but it would be immoral, in our view, to deny victims of diseases like bronchitis and emphysema the assistance that new scientific knowledge could bring from work such as projects PPL 70/04972 and PPL 70/04956.

Hillsborough Inquiry

Mr. Field: To ask the Secretary of State for the Home Department when copies of the information which formed the background to the Hillsborough inquiry will be moved to Liverpool; and where in the city they will be made available for public access. [109342]

Mr. Charles Clarke: Copies of the evidence considered by Lord Justice Stuart-Smith were placed in the Library following the scrutiny of the Hillsborough disaster. In response to earlier representations by my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), it was confirmed the House is willing to loan the material to a nominated library in Liverpool.

HEALTH

Quality Protects Initiative

Dr. Cable: To ask the Secretary of State for Health what is the time currently taken by each police force to make police checks under the Quality Protects Initiative. [108214]

Mr. Charles Clarke: I have been asked to reply. Separate information in the form requested is not available centrally.

Geriatric Care

Dr. Kumar: To ask the Secretary of State for Health what estimate he has made of the weekly cost of keeping an elderly person *(a)* in an NHS ward and *(b)* in a residential home; and if he will make a statement. [109477]

Mr. Hutton: The cost per week of patients using a bed for the medical speciality of geriatrics was estimated to be £903 in 1998–99.

The weekly cost of keeping an elderly person in a residential home during 1997–98 is estimated to have been £252. Figures for 1998–99 and 1999–2000 are not available.

Prostate Cancer

Mr. Ruane: To ask the Secretary of State for Health how many prostate cancer operations there were in each health authority in each of the past 10 years. [102592]

Yvette Cooper: The information requested has been placed in the Library.

Influenza

Mr. Maclean: To ask the Secretary of State for Health *(a)* how many cases of influenza per 100,000 there have to be for an influenza outbreak to be defined as an epidemic and *(b)* how many cases of influenza per 100,000 there were on 11 January. [105677]

Yvette Cooper: The epidemiologists' definition of an epidemic is an increase in the frequency of occurrence of a disease in a population above its baseline level for a specified period of time. The term epidemic can be used when describing the pattern of either infectious or chronic diseases in the population.

Administrative definitions can be set for diseases in which an arbitrary threshold is selected above which the term "epidemic" is applied. In the case of influenza, the Department introduced in 1996 an administrative

definition of an "epidemic" for a rate of consultation (with a sample of general practices) of 400 per 100,000 population in a week.

Such influenza activity in England is thus monitored through the Royal College of General Practitioners (RCGP) sentinel surveillance scheme. This records the number of first visits to a general practitioner with influenza-illness. Other respiratory illnesses prevalent at this time of year are recorded separately.

This system does not and cannot measure the real incidence of influenza since it is restricted to those people who visit their general practitioner. This year a major campaign was run to encourage people to choose their own remedy, to consult a pharmacist and to use NHS Direct, as alternative sources of advice.

The severity of the disease itself can also vary from year to year. This year the elderly have been particularly affected by the complications of influenza. The level of cases of acute bronchitis, a serious complication of influenza, is the highest the RCGP surveillance system has seen for 15 years. In describing epidemics some other countries formally include measures of severity in the definition of an epidemic. For example, the United States declares an epidemic when the proportion of deaths due to pneumonia and influenza passes a certain threshold.

The latest confirmed figures from the RCGP show an overall rate of consultation of 236 per 100,000 for England for the week ending 16 January 2000.

Priority Health Targets (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on the progress made by Shropshire Health Authority on the Government's priority health targets of cancer, coronary heart disease, mental health and accidents. [105529]

Yvette Cooper: Shropshire Health Authority is making good progress in relation to these four priority areas.
The local trend in premature mortality from all cancers has been declining over the past decade. Data for September 1999[1] show that all referrals for breast cancer are being seen within the standard two weeks at both the Royal Shrewsbury Hospitals National Health Service Trust and the Princess Royal Hospital NHS Trust.

The health authority is well on course to meet its target to reduce the death rate from coronary heart disease and stroke in people under 75 by at least 40 per cent. by 2010. The health authority is hopeful that it will meet the target in 2006.

The mental health target is to reduce the death rate from suicide and undetermined injury by at least 20 per cent. by 2010. Shropshire has one of the lowest rates of suicide in the West Midlands and there is a downward trend in the figures.

Shropshire has identified a need to focus on preventing serious and fatal casualties from road traffic accidents. Particular attention is being placed on the 15–24 years age group and the health authority is planning several actions to take this forward.

Source:

[1] Quarterly Monitoring Cancer Waiting (QMCW) 1999–2000 Q2

BCG Vaccinations

Mr. Pickles: To ask the Secretary of State for Health if he will make a statement on how stocks of BCG vaccine are allocated on the basis of clinical need; who makes the applications; and who determines the allocation. [105193]

Yvette Cooper: BCG vaccine is currently being made available at the request of clinicians who have determined, on the basis of clinical need and in accordance with existing recommendations, that an individual is at higher risk from tuberculosis and that immunisation with BCG vaccine is necessary. The Department is advised on BCG vaccination policy by the Joint Committee on Vaccination and Immunisation. The recommendations are contained in the Health Departments' handbook, "Immunisation against Infectious Disease". Those at higher risk of tuberculosis include health service staff who may have contact with infectious patients or their specimens; veterinary and other staff who handle animal species known to be susceptible to tuberculosis; staff of prisons, old people's homes, refugee hostels and hostels for the homeless; contacts of cases known to be suffering from active pulmonary tuberculosis; and, immigrants from countries with a high prevalence of tuberculosis and their children and infants wherever born.

Vaccine is distributed through Farillon who are the national distribution agent of all vaccines supplied as a part of the routine childhood immunisation programme. While supplies are limited, orders are accepted only for those at high risk; ultimately, the distributor has to trust the integrity of those placing orders.

Mr. Pickles: To ask the Secretary of State for Health when the routine BCG vaccination programme for school children in the parliamentary constituency of Brentwood and Ongar will recommence. [105194]

Yvette Cooper: The schools BCG vaccination programme will recommence in England once we have assurance that uninterrupted vaccine supply can be guaranteed. The problem with the supply of BCG has been due to manufacturing problems with Medeva Pharma who provide the only licensed source of BCG vaccine. The assurances we have received so far do not allow us to give a date for restarting the programme.

Mr. Pickles: To ask the Secretary of State for Health how many school children in the Brentwood and Ongar constituency are waiting to receive BCG vaccination. [105191]

Yvette Cooper: The information requested is not available centrally.

Tuberculosis

Mr. Pickles: To ask the Secretary of State for Health if he will list the categories of children at greatest clinical risk from tuberculosis ranked in order of risk. [105176]

Yvette Cooper: The categories of children at greatest risk from tuberculosis are as listed in Chapter 32 of the 1996 edition of the health departments handbook "Immunisation against Infectious Disease", copies of which are available in the Library.

Vaccines

Dr. Tonge: To ask the Secretary of State for Health if he will make a statement about the availability of vaccines to GP surgeries and community health clinics, with particular reference to triple vaccines and TB vaccines. [105519]

Yvette Cooper: The only childhood vaccine that is currently in short supply to general practitioner surgeries is the pre-school Diphtheria/Tetanus (DT) booster vaccine. A new manufacturer has recently had its DT vaccine licensed for use in the United Kingdom and the first batches are likely to be released and available at the end of February 2000. This should resolve the recent shortages of this vaccine.

TB vaccines are normally used in hospitals, chest clinics and at schools sessions, and are not usually ordered by GPs. Both BCG and Tuberculin PPD vaccines have been in short supply over recent months, but continue to be available for high-risk patients.

Clinical Staff (Temporary Contracts)

Mr. Pollard: To ask the Secretary of State for Health what plans he has to offer temporary contracts in the United Kingdom to Canadian consultants, doctors and other clinical staff. [109114]

Ms Stuart: None. Current arrangements give health authorities and National Health Service trusts flexibility to offer contracts without term (i.e. permanent), fixed term contracts (i.e. short fixed term) and fixed term rolling contracts as appropriate to the circumstances of a particular appointment.

SOCIAL SECURITY

Mrs. J. Duffy

Mr. Steen: To ask the Secretary of State for Social Security if he will pay compensation to Mrs. J. Duffy of Kingsbridge, following the outcome of her appeal against the Benefits Agency on 6 October 1999 and the reinstatement of her benefit. [108995]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Mr. Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Anthony Steen, dated 9 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question if he will pay compensation to Mrs. J. Duffy of Kingsbridge, following the outcome of her appeal against the Benefits Agency on 6 October, 1999 and the reinstatement of her benefit.

Mrs. Duffy's case has been carefully considered and an award of £50.00 consolatory special payment has been made for gross inconvenience. Mrs. Duffy has been invited to submit evidence to allow consideration of further ex-gratia payments for her out of pocket expenses.

Compensation by way of interest on delayed arrears of Disability Living Allowance is not payable in Mrs. Duffy's case as she has not been deprived of benefit as a result of clear and unambiguous official error or exceptional delay. Guidelines for which are laid down in the Department's "Financial Redress for Maladministration" manual.

I hope this is helpful.

Departmental Contracts

Mr. Willis: To ask the Secretary of State for Social Security what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109454]

Mr. Rooker: There have been no contracts let by the Department to external consultants and advisers for the management of competitive tendering processes during the period May 1997 to date.

New Deal (Lone Parents)

Mr. Field: To ask the Secretary of State for Social Security what is the reason for the numbers of ethnic minority interviewees on the New deal for lone parents who are subsequently found to be ineligible for the caseload. [109508]

Angela Eagle: All lone parents on income support are eligible to join the New Deal for Lone Parents (NDLP). The rate at which lone parents from ethnic minorities agree to participate in NDLP following an initial interview is in line with the equivalent figure for all lone parents (currently 90 per cent. and 89 per cent. respectively).

The latest results show that 6.7 per cent. of all leavers from the NDLP caseload left because they became ineligible for the programme. The equivalent figure for ethnic minority lone parents is 5.1 per cent.

Notes:

1. Ethnic group is recorded for only 62 per cent. of clients at present.
2. Lone parents on the NDLP caseload may become ineligible owing to a change in circumstance, for example lone parents who re-partner.

Incomes

Mr. Field: To ask the Secretary of State for Social Security how many people of working age lived in *(a)* households with incomes below (i) 50 per cent., (ii) 60 per cent. and (iii) 70 per cent. of median household income, and *(b)* households with incomes below (x) 40 per cent., (y) 50 per cent. and (z) 60 per cent. of average household income, (1) before and (2) after housing costs in (A) 1997–98 and (B) 1998–99, with median and mean household incomes fixed at their 1996–97 value in real terms. [109346]

Angela Eagle: The information is in the table.

Proportion of working age people, in 1997–98, living in households below various income thresholds defined as percentages of 1996–97 averages in real terms

	Percentage of 1996–97 Median[1]			*Percentage of 1996–97 Mean*[1]		
	50	*60*	*70*	*40*	*50*	*60*
BHC	8	14	21	7	14	22
AHC	14	19	24	13	19	25

[1] Thresholds are calculated as percentages of 1996–97 averages in real terms

Notes:

1. The information comes from the 'Households Below Average Income' (HBAI) series. The estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions. All the estimates in the table relate to adults in families where the adult male is of working age, or the adult single female is of working age.

2. Estimates are derived from the Family Resources Survey for 1997–98, and relate to Great Britain. All estimates are subject to sampling error.
3. Information for 1997–98 is the latest year available.

Mr. Field: To ask the Secretary of State for Social Security how many children lived in *(a)* households with incomes below (i) 50 per cent., (ii) 60 per cent. and (iii) 70 per cent. of median household income and *(b)* in households with incomes below (x) 40 per cent., (y) 50 per cent. and (z) 60 per cent. of mean household income, (1) before and (2) after housing costs in (A) 1997–98 and (B) 1998–99, with median and mean household income fixed at their 1996–97 value in real terms. [109347]

Angela Eagle: The information is in the table.

Proportion of children, in 1997–98, living in households below various income thresholds defined as percentages of the 1996–97 averages in real terms

	Percentage of 1996–97 Median[1]			Percentage of 1996–97 Mean[1]		
	50	60	70	40	50	60
BHC	12	24	35	10	25	37
AHC	22	32	40	20	33	42

[1] Thresholds are calculated as percentages of 1996–97 averages in real terms.

Notes:
1. The information comes from the 'Households Below Average Income' (HBAI) series. The estimates are presented on household income both Before Housing Costs and After Housing Costs in line with HBAI conventions.
2. Children are defined as an individual aged under 16 or an unmarried 16 to 18-year-old on a course up to and including 'A' level standard or 'Highers' in Scotland.
3. Estimates are derived from the Family Resources Survey for 1997–98, and relate to Great Britain. All estimates are subject to sampling error.
4. Information for 1997–98 is the latest year available.

Mr. Field: To ask the Secretary of State for Social Security how many adults aged under 60 years were in families in which they or their partner had been in receipt of *(a)* income support and *(b)* income based jobseeker's allowance for two years or more in (i) May 1998 and (ii) May 1999. [109348]

Mr. Bayley: The information is in the table:

Caseloads of claimants and partners who are aged under 60 and have been in receipt of IS/JSA(IB) for two years or more in May 1998 and May 1999

Thousand

Date	Benefit	Number of claimants	Number of partners
May 1998	Income Support	1,364	210
May 1999	Income Support	1,330	210
May 1998	Income Based JSA	213	50
May 1999	Income Based JSA	181	41

Notes:
1. Figures are rounded to the nearest thousand.
2. Figures are based on cases where either the claimant or their partner or both are aged less than 60 years.
3. Income based JSA figures may include cases which have entitlement to benefit via the contributory route.
4. Based on a 5 per cent. sample, therefore subject to sampling error.

Source:
Income Support Statistical Enquiries, May 1998 and May 1999.
Jobseeker's Allowance Quarterly Statistical Enquiries 1999.

Mr. Field: To ask the Secretary of State for Social Security what was the median income for the bottom quintile of *(a)* single pensioners and *(b)* pensioner couples (i) before housing costs and (ii) after housing costs in (1) 1997–98 and (2) 1998–99, with median household income fixed at the July 1996 value in real terms. [109343]

Mr. Rooker: The information is in the table.

Median net income of the bottom quintile of the net income distribution—1997–98

£ per week[1]

Income distribution	Median income of the bottom quintile
Net income before housing costs	
Pensioner couples	122
Single pensioners	66
Net income after housing costs	
Pensioner couples	102
Single pensioners	52

[1] July 1996 prices

Notes:
1. Estimates are derived from the Family Resources Survey for 1997–98, and relate to Great Britain. All estimates are subject to sampling error.
2. Single pensioners are defined as single (non-cohabiting) people over State pension age (65 for men, 60 for women); pensioner couples are defined as couples (married or cohabiting) where the man is over State pension age.
3. All estimates are expressed in July 1996 prices and are rounded to the nearest £ per week, although they are not necessarily accurate to that degree.
4. The distribution of income has been calculated separately under the before housing costs and after housing costs measures of income. The distribution of income is also calculated separately for each group, i.e. estimates for pensioner couples show the median income for the bottom quintile of the pensioner couples' income distribution.
5. Information for 1997–98 is the latest year available.

Mr. Field: To ask the Secretary of State for Social Security how many pensioners in *(a)* households with incomes below (i) 50 per cent., (ii) 60 per cent. and (iii) 70 per cent. of median household income, and *(b)* households with incomes below (x) 40 per cent. of average household income, (y) 50 per cent. of average household income and (z) 60 per cent. of average household income, (1) before and (2) after housing costs in (A) 1997–98 and (B) 1998–99. [109344]

Angela Eagle: The information is in the table.

Proportion of pensioners living in households below various income thresholds

	BHC	AHC
Percentage of Median		
50	11	12
60	22	27
70	36	38
Percentage of Mean		
40	10	11
50	23	29
60	40	42

Notes:
1. The information comes from the 'Households Below Average Income' (HBAI) series. The estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions.

2. Pensioners are defined as adults in couples where the male is of state pension age or over, or single adults of state pension age or over.
3. Estimates are derived from the Family Resources Survey for 1997–98, and relate to Great Britain. All estimates are subject to sampling error.
4. Information for 1997–98 is the latest year available.

Mr. Field: To ask the Secretary of State for Social Security how many people of working age lived in *(a)* households with incomes below (i) 50 per cent., (ii) 60 per cent. and (iii) 70 per cent. of median household income and *(b)* households with incomes below (x) 40 per cent., (y) 50 per cent. and (z) 60 per cent. of average household income, (1) before and (2) after housing costs in (A) 1997–98 and (B) 1998–99. [109345]

Angela Eagle: The information is in the table.

Proportion of working age people living in households below various income thresholds

	BHC	*AHC*
Percentage of median		
50	8	14
60	15	20
70	21	25
Percentage of Mean		
40	8	14
50	15	20
60	23	26

Notes:
1. The information comes from the 'Households Below Average Income' (HBAI) series. The estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions. All the estimates in the table relate to adults in families where the adult male is of working age, or the adult single female is of working age.
2. Estimates are derived from the Family Resources Survey for 1997–98, and relate to Great Britain. All estimates are subject to sampling error.
3. Information for 1997–98 is the latest year available.

Housing Benefit

Mr. Pike: To ask the Secretary of State for Social Security what steps he is taking to ensure that local authorities collect accurate and verifiable information to meet the reporting requirements of the housing benefit best value performance indicators numbers 176–180 for 2000–01. [109191]

Angela Eagle: Best value performance indicators will from this April be the main yardstick against which local authorities' performance is judged. Authorities are required to set out each year in published best value performance plans details of past performance against the indicators and challenging targets for future improved performance. These plans and the performance information they contain are subject to statutory audit.

Auditors are responsible for ensuring that authorities have adequate systems in place for producing accurate performance data. In addition, the Department has made arrangements for performance data to be reported periodically by authorities as part of the normal provision of housing benefit management information.

Guidance on the Housing Benefit indicators and revised statistical forms were issued by the Department to all authorities in December last year. The Benefit Fraud Inspectorate will also test the robustness of local authority performance data both as part of its on-going cycle of inspections of housing benefit administration and in its role as a best value inspectorate.

Disability Living Allowance

Mr. Burstow: To ask the Secretary of State for Social Security what estimates he has made of the cost of making the disability living allowance mobility component available to children aged two and under. [109385]

Mr. Bayley: The mobility component of Disability Living Allowance is payable at two rates. The higher rate is payable to people who are unable or virtually unable to walk and the lower rate is paid to people who need guidance and supervision out of doors on unfamiliar routes.

Currently both components are payable to children from the age of five years. From April 2001, we are extending the higher rate of the mobility component to severely disabled children aged three and four years old in recognition of the fact that many children are able to walk reasonable distances unaided by the age of three years.
Estimating the cost of extending either component to children aged two and under would not produce a meaningful result. This is because all children of this age have limited walking ability and will require constant guidance and supervision whilst out of doors.

Minimum Pension Guarantee

Mr. Field: To ask the Secretary of State for Social Security when he expects (1) the review of the minimum funding requirement to reach a conclusion; [109349]

(2) the review of the minimum funding requirement for the minimum pension guarantee to reach a conclusion. [108965]

Mr. Rooker: The review of the minimum funding requirement is being carried out by the Faculty and Institute of Actuaries in partnership with the Department of Social Security. It is due to report in spring this year. We will then consider what changes should be made. There will be full consultation with the pensions industry on any changes.

Housing Benefit Fraud

Mr. Field: To ask the Secretary of State for Social Security which local authorities *(a)* did not submit information to his Department about fraudulent Housing Benefit cases for input into the Housing Benefit Management System in 1997–98, *(b)* have not installed the verification framework and *(c)* do not use non-redirection of benefit post powers. [107454]

Angela Eagle *[holding answer 31 January 2000]:* The local authorities (LAs) in the following list did not submit any information regarding fraudulent Housing Benefit cases in Great Britain for the period 1997–98 as outlined in the Housing Benefit and Council Tax Benefit management information system guide.

Amber Valley
Arun
Basildon
Birmingham
Breckland
Brentwood
Bridgnorth
Caradon
Cardiff
Carrick
Craven
Croydon
Dacorum
Dumfries and Galloway
East Dorset
East Lothian
Enfield
Epping Forest
Falkirk
Glasgow
Hertsmere
Highland
Leominster
Mendip
Mid Sussex
Midlothian
Mole Valley
Monmouthshire
Neath Port Talbot
Newport
North Ayrshire
North Cornwall
North Warwickshire
North Wiltshire
Norwich
Peterborough
Powys
Richmondshire
Ryedale
Salisbury
Scottish Borders
Slough
South Norfolk
Tamworth
Torfaen
Trafford
Uttlesford
Waverley
West Dumbartonshire
West Lothian
Westminster
Wigan
Wokingham

We have made it clear to all LAs that an additional £100 million was available to enable them all to implement fully the Verification Framework (VF) by March 2001. At 7 February 2000, 237 authorities have already been funded or accepted the offer of funds to implement fully the VF and we are processing a further seven recent applications for funding. Of the remaining authorities, some have started to implement parts of the VF or are operating their own local versions and others have not yet informed us of their intentions to implement. It would be inaccurate to describe such authorities as not implementing the VF.

The following list names those authorities that have either already been funded or have accepted a recent offer of funds or have submitted an application for funding which is currently being processed.

Aberdeenshire
Adur
Alnwick
Amber Valley
Anglesey
Argyll and Bute
Arun
Ashfield
Ashford
Aylesbury Vale
Babergh
Barking (LB)
Barnet (LB)
Barrow in Furness
Basingstoke
Bassetlaw
Bedford
Birmingham
Blaby
Blaenau Gwent
Bolton
Boston
Bournemouth
Bracknell
Bradford
Braintree
Breckland
Bridgend
Bristol
Broadland
Bromsgrove
Broxbourne
Burnley
Cambridge
Canterbury
Carlisle
Carrick
Castle Point
Cheltenham
Chester
Chester-le-Street
Chesterfield
Chichester
Chiltern
Chorley
Clackmannanshire
Colchester
Congleton
Conwy
Costwold
Crewe and Nantwich
Croydon (LB)
Darlington
Daventry
Derwentside
Dover
Dudley
Dumfries and Galloway
Durham
Ealing L.B.
East Devon
East Dorset
East Dunbartonshire

East Hampshire
East Hertfordshire
East Lothian
East Northampton
East Riding of Yorkshire
East Staffordshire
Eastbourne
Eastleigh
Eden
Ellesmere Port
Enfield (LB)
Epping Forest
Epsom and Ewell
Erewash
Exeter
Falkirk
Fareham
Gateshead
Gedling
Gosport
Gravesham
Great Yarmouth
Greenwich (LB)
Guildford
Gwynedd
Hackney (LB)
Halton
Harborough
Haringey (LB)
Harrow (LB)
Hart
Hartlepool
Herefordshire
High Peak
Horsham
Hounslow (LB)
Huntingdon
Hyndburn
Inverclyde
Ipswich
Isle of Wight
Islington (LB)
Kennet
Kensington and Chelsea
Kerrier
Kettering
King's Lynn and West Norfolk
Kingston Upon Hull
Knowsley
Leeds
Leicester City
Lewisham (LB)
Lichfield
Lincoln
Liverpool
Macclesfield
Maldon
Malvern Hills
Medway Towns
Melton
Mid Devon
Mid Sussex
Milton Keynes
Mole Valley
Monmouthshire
Neath Port Talbot
New Forest
Newcastle-under-Lyme
Newham (LB)
North Cornwall
North Dorset
North East Derbyshire
North East Lincolnshire
North Hertfordshire
North Lanarkshire
North Norfolk
North Shropshire
North Somerset
North Warwickshire
North Wiltshire
Norwich
Nottingham
Nuneaton
Oadby and Wigston
Oldham
Oswestry
Oxford
Penwith
Peterborough
Plymouth
Poole
Portsmouth
Purbeck
Reading
Redbridge (LB)
Redcar and Cleveland
Reigate and Banstead
Renfrewshire
Restormel
Rhondda, Cynon, Taff
Ribble Valley
Richmond upon Thames
Richmondshire DC
Rochdale
Rother
Rugby
Runnymede
Rushcliffe
Ryedale
Salisbury
Scarborough BC
Sedgefield
Sevenoaks
Sheffield
Shepway
Slough
South Ayrshire
South Bucks
South Cambridgeshire
South Gloucestershire
South Kesteven
South Lakeland
South Lanarkshire
South Norfolk
South Northants
South Ribble
South Staffordshire
South Tyneside
Southampton
Southend-on-Sea
Southwark (LB)
Spelthorne
St. Albans

St. Edmundsbury
Stafford
Staffordshire Moorlands
Stevenage
Stockport
Stockton-on-Tees
Stratford-upon-Avon
Stroud
Sunderland
Surrey Heath
Sutton (LB)
Swansea
Swindon
Tameside
Ta inton Deane
Teesdale
Teignbridge
Test Valley
Tewkesbury
Thurrock
Tonbridge and Malling
Torbay
Torridge
Trafford
Tunbridge Wells
Vale of White Horse
Wandsworth (LB)
Waveney
Wear Valley
Wellingborough
Welwyn Hatfield
West Dorset
West Lancashire
West Oxfordshire
West Wiltshire
Weymouth and Portland
Wigan
Winchester
Windsor and Maidenhead
Wirral
Woking
Wokingham
Wolverhampton
Worthing
Wychavon
Wycombe
Wyre

The Royal Mail has advised that as at the end of January the 248 local authorities in the following list have implemented in full the Royal Mail "do not redirect" service. Of the remaining 161 authorities, a number are preparing to implement the service and some are operating their own local arrangements. It would be inaccurate to describe such authorities as not operating "non-redirection" of post. However, information on which authorities fall into these categories could be collected only at disproportionate cost.

Aberdeen City Council
Aberdeenshire Council
Adur District Council
Allerdale
Alnwick
Amber Valley
Angus
Ashfield
Ashford
Aylesbury
Babergh
Barnet
Barnsley
Basildon
Basingstoke and Deane
Bassetlaw
Bath and North East Somerset
Berwick Upon Tweed
Bexley
Birmingham
Blaby
Blackburn with Darwen
Blackpool
Blyth Valley
Bolton
Boston
Bournemouth
Bracknell Forest
Bradford
Braintree
Brent
Brentwood
Bridgnorth
Bristol
Bromsgrove
Broxstowe
Caerphilly
Calderdale
Cambridge
Camden
Canterbury
Cardiff
Carmarthenshire
Castle Morpeth
Cheltenham
Cherwell
Chester
Chichcester
Chiltern
Chorley
Christchurch
City and County of Swansea
City of London
Clackmannanshire
Congleton
Conwy
Corby
Cotswold
Craven
Crawley
Crewe and Nantwich
Croydon

Daventry
Denbighshire
Derby
Derbyshire Dales
Doncaster
Dundee
Durham
East Cambridgeshire
East Hampshire
East Lindsey
East Northamptonshire
East Renfrewshire
East Riding of Yorkshire
Eastbourne
Edinburgh
Epping Forest
Fareham
Fenland
Fife
Forest Heath
Forest of Dean
Fylde
Gedling
Glasgow
Gloucester
Gosport
Greenwich
Guildford
Hackney
Halton
Hambleton
Hammersmith and Fulham
Harlow
Harrogate
Harrow
Hart
Hartlepool
Hastings
Herefordshire
Hertsmere
High Peak
Hillingdon
Hounslow
Ipswich
Kennet
Kerrier
Kingston Upon Hull
Kirklees
Lancaster
Lewes
Lewisham
Lincoln
Liverpool
Luton
Macclesfield
Maldon
Manchester
Melton
Mendip
Merton
Mid Bedfordshire
Mid Suffolk
Mid Sussex
Middlesbrough
Midlothian
Monmouth
Neath Port Talbot
New Forest
Newark and Sherwood
Newcastle-under-Lyme
Newcastle upon Tyne
Newham
North Ayrshire
North Cornwall
North Devon
North Dorset
North East Derbyshire
North Kesteven
North Lanarkshire
North Wiltshire
Northampton
Nuneaton and Bedworth
Oldham
Orkney Islands
Oxford
Poole
Portsmouth
Preston
Purbeck
Reading
Redcar and Cleveland
Redditch
Renfrewshire
Restormel
Rhondda Cynon Taff
Ribble Valley
Richmond upon Thames
Richmondshire
Rochdale
Rochford
Rossendale
Rother
Rotherham
Windsor and Maidenhead
Runnymede
Rushcliffe
Rushmoor
Rutland
Ryedale
Salisbury
Scarborough
Scottish Borders
Sedgefield
Sedgemoor
Selby
Sevenoaks
Shepway
Shetland Islands
Shrewsbury and Atcham
Slough
Solihull
South Buckinghamshire
South Cambridgeshire
South Holland
South Lanarkshire
South Norfolk
South Oxfordshire
South Ribble
South Somerset
South Staffs
South Tyneside
Southampton
Southend-on-Sea
Spelthorne
St. Albans

St. Helens
Stafford
Stevenage
Stirling
Stockport
Stoke-on-Trent
Stratford-upon-Avon
Stroud
Sunderland
Surrey Heath
Tameside
Tandridge
Taunton Deane
Teesdale
Telford and Wrekin
Tendring
Test Valley
Tewkesbury
Thanet
Three Rivers
Thurrock
Tonbridge and Malling
Torbay
Torridge
Trafford
Tynedale
Vale of Glamorgan
Vale of the White Horse
Vale Royal
Wakefield
Warrington
Warwick
Waveney
Waverley
Wealden
West Berkshire
West Lancashire
West Oxfordshire
West Wiltshire
Western Isles
Wigan
Winchester
Wirral
Woking
Wokingham
Wrexham
Wychavon
Wyre
York

PRIME MINISTER

Iran

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 24 January 2000, *Official Report*, column 4W, what discussions he has had with the Government of Iran concerning the supply of heroin from Afghanistan to the United Kingdom via Iran. [108234]

The Prime Minister *[holding answer 7 February 2000]:* I did not discuss this issue with Dr. Kharrazi during his recent visit, but the subject was covered by my right hon. Friend the Foreign Secretary. Co-operation between the United Kingdom and Iran to stem the flow of drugs from Afghanistan forms an important part of the developing UK/Iran relationship. We have provided nearly £1.5 million over the past year for anti-drugs projects in Iran, and with our EU Partners will continue to support Iranian efforts to counter this mutual problem.

Nuclear Non-proliferation

Dr. Lynne Jones: To ask the Prime Minister who will represent the United Kingdom at the conference on nuclear non-proliferation and disarmament in April and May 2000. [109107]

The Prime Minister: My hon. Friend the Minister of State, Foreign and Commonwealth Office will deliver the UK address to the Plenary Session of the Non Proliferation Treaty Review Conference.

Benefit Payment Methods

Mr. Willetts: To ask the Prime Minister, pursuant to his oral statement of 2 February 2000, *Official Report*, column 1036, what arrangements will be made to ensure that those who wish it may continue to collect their benefits in cash. [109504]

The Prime Minister: We are moving to automated credit transfer from 2003 as a modern, more secure and efficient method of paying benefits. As I made clear in my reply of 2 February, I expect that by then the Post Office will have developed more agency arrangements with banks to provide banking services—it already has arrangements with Alliance and Leicester, Lloyds TSB and the Co-operative Bank. This will enable benefit recipients to withdraw the full amount of their entitlement in cash at the Post Office if they want.

In addition, the Post Office is planning to install 3,000 cash machines in local Post Offices.

Council of Europe

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answer of 3 February 2000, *Official Report*, columns 673–74W, on the Council of Europe, if he will list each case relating to an Independent Commonwealth State heard by the Judicial Committee of the Privy Council in the past five years, and the sums received in reimbursement of the United Kingdom's costs of hosting the appeals, including the costs of the judges. [109242]

The Prime Minister: The table shows the numbers of appeals and petitions for leave to appeal to the Judicial Committee of the Privy Council from independent Commonwealth countries in each of the last five years. No direct contribution to the costs of running the Judicial Committee of the Privy Council is made by the countries concerned as such, save that certain countries, especially New Zealand, provide (at their own expense) serving judges to sit as members of the Judicial Committee from time to time. However, court fees are payable by the parties to proceedings, which in some cases are the governments or other public authorities of the countries concerned. The table also shows the total fee income of the Judicial Committee in each of the last five years, the greater part of which will have been paid in respect of petitions and appeals from independent Commonwealth countries.

Year	Appeals heard	Petitions heard	Total fee income (£)
1995	42	55	35,439.59
1996	51	62	67,914.10
1997	46	60	70,715.36
1998	42	74	71,421.45
1999	44	77	31,228.90

SCOTLAND

Research Contracts

Dr. Harris: To ask the Secretary of State for Scotland, pursuant to his answer of 20 December 1999, *Official Report*, columns 385–86W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108199]

Dr. Reid: The various Departments within the Scottish Executive have their own devolved research programmes and strategies. While there are some differences in the precise detail of contracts relating to each programme, generally researchers are actively encouraged to publish their work.

The Scottish Executive's standard Conditions of Contract do however specify that consultants cannot disclose the results of research they are working on without the prior approval of the commissioning body. This is consistent with HM Treasury guidance on procurement and the use of confidentiality clauses (CUP Guidance 59D).

Departmental Expenditure Limit

Mr. Doran: To ask the Secretary of State for Scotland what proposals he has to amend the Scotland Office departmental expenditure limit and running costs limit for 1999–2000. [108700]

Dr. Reid: Subject to Parliamentary approval of the necessary Supplementary Estimate for Class XIII, Vote I Scotland and Transfers to the Scottish Consolidated Fund, the Departmental Expenditure Limit for 1999–2000 will be increased by £74,385,000 from £14,123,448,000 to £14,197,833,000.

The change consists of: increases of £21,500,000 for the 2000 Hill Livestock Compensatory Allowances Scheme; £4,852,000 for local authority funding of Kosovan evacuees; £26,440,000 for the cost of the Lockerbie trial (which are to be met from the Reserve); £32,583,000 from a draw forward of ERDF funds; £13,857,000 for clinical negligence costs (announced in the Chancellor's pre-budget report); £3,980,000 transferred from the Home Office (Class IV Vote I) for the costs of grants to Asylum Seekers; £1,500,000 from the Department of Education for Northern Ireland for tuition fees for students domiciled in Northern Ireland undertaking courses of higher education in Scotland; and £3,600,000 from the DEL reserve for additional support to the Forestry Commission; a decrease of £35,000,000 for a transfer to the Department of the Environment, Transport and the Regions (Class III, Vote 6) for the bus fuel duty rebate scheme; and other minor transfers giving rise to a net increase of £1,073,000.

These increases will be offset by transfers to and from other Departmental Expenditure Limits or be treated as a charge on the DEL reserve and will not therefore add to the planned total of public expenditure.

Departmental Contracts

Mr. Willis: To ask the Secretary of State for Scotland what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109453]

Dr. Reid: My Department's competitive tendering processes are overseen by officials. Specialist external support is commonly obtained in connection with such exercises, for example, to provide professional advice on construction projects or specialist technical advice on IT projects. Information on contracts placed for external advice in connection with competitive tendering exercises is not held centrally and could be obtained only at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Scotland if he will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by his Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109267]

Dr. Reid *[holding answer 9 February 2000]:* It is Government policy that all goods and services, including consultancy, should be acquired on the basis of value for money and therefore on a commercial basis, following competition, unless there are convincing reasons to the contrary. Information regarding the breakdown between contracts which were, and which were not, awarded following competition is not held centrally and could be provided only at disproportionate cost.

Departmental Secondees

Mr. Willis: To ask the Secretary of State for Scotland how many staff were seconded from the private sector to his Department in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109294]

Dr. Reid *[holding answer 9 February 2000]:* Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. The Private sector inward secondments to The Scottish Office for the periods requested are as follows:

Private sector secondments

	May 1997 to April 1998	*May 1998 to April 1999*	*May 1999 to June 1999*
Balfouf and Manson (Solicitors)	2	2	1
Bank of Scotland	1	1	—
BP	1	—	—
Fife Careers Ltd.	1	1	—
Project Management International PLC	1	1	—
Shepherd and Wedderburn (Solicitors)	—	1	—

There have been no inward secondments in my Department since 1 July 1999.

TREASURY

Pensions Mis-selling

Mr. Terry Davis: To ask the Chancellor of the Exchequer what is the average time taken for the Government Actuaries Department to complete the headroom check where a pensions mis-selling case involves excess contributions; and if he will make a statement. [109220]

Mr. Andrew Smith *[holding answer 8 February 2000]:* The information requested cannot be obtained without disproportionate cost. The Government Actuary's Department (GAD) has no general responsibility for work on compensating victims of pensions mis-selling, but it does provide actuarial services to a number of public service pension schemes whose members were mis-sold personal pensions in the past. In most of the main public service pension schemes the number of cases involving excess contributions is relatively small, and the normal procedures for carrying out headroom checks have been applied without causing delay. In the Teachers' Pension Scheme there has been a large number of such cases and new procedures are being implemented to allow the scheme administrators (Capita Teachers' Pensions) to carry out most of the calculations using tables supplied by GAD. This should allow speedier processing.

Tobacco Tax

Mr. Barron: To ask the Chancellor of the Exchequer how much revenue was raised from each of the taxes payable on each category of tobacco products in the last year for which figures are available. [109100]

Dawn Primarolo: Excise duty receipts for each category of tobacco products are shown in HM Customs and Excise Annual Report 1998–99, table E2. The VAT received on cigarettes is estimated at £1,655 million in 1998–99, and the VAT on all other tobacco products is estimated at £115 million. VAT has been estimated from Office for National Statistics figures for household consumption on cigarettes and other tobacco products. No separate figures are available for VAT on cigars, hand-rolling and other smoking and chewing tobacco.

Child Benefit

Mr. Webb: To ask the Chancellor of the Exchequer, pursuant to his answer of 1 February 2000, *Official Report*, column 579W, if he will estimate the yield from tapering away child benefit in the hands of the highest earner in a couple according to the thresholds and tapering mechanism envisaged for children's tax credits, whereby benefit would be tapered away from couples containing a higher rate tax payer. [108616]

Dawn Primarolo: The Government will introduce a new Children's Tax Credit from April 2001. To ensure that support for the family is increased in the fairest way, it will be tapered away from families where there is a higher rate taxpayer. The long-term goal is to bring together the different strands of support for children in Working Families Tax Credit, Income Support and the Children's Tax Credit to create an integrated and seamless system of financial support, building upon the foundation of universal Child Benefit.

However, if Child Benefit were to be tapered away from families where there is a higher rate taxpayer along the lines envisaged in the hon. Member's proposal, the estimated yield would currently be £600 million in a full year.

Working Families Tax Credit

Ms Kelly: To ask the Chancellor of the Exchequer (1) what are the *(a)* gross earnings, *(b)* earnings after income tax and national insurance contributions and *(c)* entitlements to the working families tax credit of a dual-earner couple with two children under the age of 11 years, both earning the minimum wage and where one works full-time and the other 16 hours a week; [107801]

(2) what are the *(a)* gross earnings, *(b)* earnings after income tax and national insurance contributions and *(c)* entitlements to the working families tax credit of a single parent with two children under the age of 11 years, earning the minimum wage and working (i) full-time and (ii) 16 hours a week. [107739]

Dawn Primarolo: The figures requested are given in the table.

£/week

	Couple, one working full-time, one working 16 hours a week	*Lone parent working full-time*	*Lone parent working 16 hours a week*
Gross earnings	183.60	126.00	57.60
Earnings net of income tax and National Insurance Contributions	175.33	117.73	57.60
Amount of Working Families Tax Credit	56.12	87.80	92.00

Childcare Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer if he will place in the Library the responses he has so far received to his consultation on an integrated child credit set out in the Treasury Paper, "Supporting Children Through the Tax and Benefit System". [108753]

Dawn Primarolo: The Treasury receives Budget representations and letters on a range of topics, including the Integrated Child Credit. As is usual practice, it is not our intention to publish them.

Ms Kelly: To ask the Chancellor of the Exchequer what estimate he has made of the steady-state cost of providing the childcare tax credit to all households with a child below the age of one year on the current tapers, irrespective of whether anyone is in work, assuming that households with a mother in the first *(a)* 18 and *(b)* six weeks of maternity leave are not included. [107651]

Dawn Primarolo: The childcare tax credit is available to families in receipt of the Working Families' Tax Credit or Disabled Persons's Tax Credit who meet the work requirements and have eligible child care costs. There are no plans to make it available to families where no-one is in work.

If a separate weekly credit of £70 were to be given to all families with a child under one, subject to a taper of 55 per cent. for net income over £90 per week, the estimated cost for 2000–01 would be about £800 million. If households with a mother in receipt of statutory maternity pay are not included, the cost would reduce by about £30 million for the first 18 weeks of maternity pay and by about £10 million for the first six weeks of maternity pay.

It has been assumed that the start of maternity pay coincides with the birth of the child, and that those mothers on Income Support would still receive the £70 credit, since statutory maternity pay is taken into account when calculating Income Support.

Children (Merseyside)

Mr. Field: To ask the Chancellor of the Exchequer how many children aged 15 years or under live in *(a)* the Birkenhead constituency and *(b)* at Merseyside constituencies in total. [109350]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger, on behalf of Dr. Holt, to Mr. Frank Field, dated 10 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question asking for the number of children aged 15 years or under who live in a) the Birkenhead constituency and b) Merseyside constituencies in total. I am replying in Dr Holt's absence.

Mid-year population estimates are not compiled for areas such as parliamentary constituencies. The lowest level at which these are available is the local authority level. Each local authority in Merseyside Metropolitan County is made up of at least two parliamentary constituencies. Data is therefore unavailable for the parliamentary constituencies within the county, one of which is Birkenhead. The table provided shows the numbers of children aged 15 years or under resident in each local authority in Merseyside as well as Merseyside as a whole. Also shown is how the local authorities are made up of parliamentary constituencies. These estimates are the mid-1998 population estimates which are the most recent available.

Mid-1998 population estimates for the number of children aged 15 or under in Merseyside and its constituent local authorities

County/local authority	*Number of children aged 15 and under*	*Parliamentary constituencies contained in each local authority*
Merseyside	294,400	
Knowsley	37,000	Knowsley, North and Sefton, East[1] Knowsley, South
Liverpool	98,600	Liverpool, Garston Liverpool, Riverside Liverpool, Walton Liverpool, Wavertree Liverpool, West Derby
St. Helens	35,700	St. Helens, North St. Helens, South
Sefton	56,400	Bootle Crosby Knowsley, North and Sefton, East[2] Southport
Wirral	66,800	Birkenhead Wallasey Wirral, South Wirral, West

[1] Part in Knowsley and part in Sefton
[2] Part in Sefton and part in Knowsley
Note:
Figures may not add exactly in this table because they have been rounded to the nearest hundred
Source:
ONS, Population Estimates Unit

Birth Statistics

Mr. Woodward: To ask the Chancellor of the Exchequer what were the annual figures from 1970 until the present for the overall number of births outside of marriage by teenagers as a percentage of the overall number of births by teenagers in the United Kingdom. [109466]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger, on behalf of Dr. Holt, to Mr. Shaun Woodward dated 10 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question on the annual figures from 1970 until the present for the overall number of births outside of marriage by teenagers as a percentage of the overall number of births by teenagers in the United Kingdom. I am replying in Dr Holt's absence.

The attached table shows the percentage of live births for teenagers (aged under 20) outside marriage from 1970 to present in the UK.

Year	*Percentage of births outside marriage*
1970	25.2
1971	25.6
1972	26.9
1973	27.6
1974	29.6
1975	31.4

Year	Percentage of births outside marriage
1976	33.3
1977	35.8
1978	37.5
1979	39.5
1980	41.5
1981	45.5
1982	50.6
1983	55.1
1984	59.7
1985	63.9
1986	68.4
1987	72.4
1988	75.6
1989	78.2
1990	80.2
1991	83.0
1992	83.9
1993	85.2
1994	85.9
1995	87.2
1996	88.6
1997	89.3
1998	89.7

Mr. Woodward: To ask the Chancellor of the Exchequer what were the annual figures from 1970 until the present for the overall number of births outside of marriage (1) for teenagers of ethnic minority groups as a percentage of the overall number of ethnic minority teenage births in the UK; [109465]

(2) for ethnic minority groups as a percentage of the overall number of ethnic minority births in the UK. [109467]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger, on behalf of Dr. Holt, to Mr. Shaun Woodward, dated 10 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary questions on the percentage of births outside marriage by ethnic minority. I am replying in Dr. Holt's absence.

The current form of birth registration does not include ethnicity. Figures on live births by country of birth of mother are available in Birth Statistics 1998, FM1 which is available in the House of Commons Library. However, it should be noted that birthplace does not necessarily indicate ethnic origin or race. More information on these statistics can be found in an article in Population Trends 52, 1988.

WALES

Nurses' Pay

Mr. Barry Jones: To ask the Secretary of State for Wales what talks he has had concerning nurses' pay with *(a)* other departments and *(b)* the First Secretary; and if he will make a statement. [108827]

Mr. Paul Murphy: I recently met my right hon. Friend the Secretary of State for Health to discuss health issues generally and health issues in Wales in particular. I also meet regularly with the First Secretary to discuss health issues in Wales.

On 17 January, the Department of Health and the National Assembly for Wales accepted the Review Body recommendations for nurses pay.

Departmental Expenditure Limit

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what proposals there are to amend the Wales Office departmental expenditure limit for 1999–2000. [108699]

Mr. Paul Murphy: Subject to Parliamentary approval of the necessary Supplementary Estimate for Class XIV, Vote 1 (The Welsh Office, the Wales Office and payments to the National Assembly for Wales) the Welsh Departmental Expenditure Limit for 1999–2000 will be increased by £8,285,000 from £7,217,489,000 to £7,225,774,000. The increase is a result of net transfers to other Government Departments of £74,000 and additional funding of £7,939,000 and £420,000 for Health and Agriculture respectively.

There is an increase in the provision of Welfare to Work of £548,000 as a result of end-year flexibility entitlement of £300,000 and additional funding of £248,000 announced in the Pre-Budget Report.

Transfers are from Class 1 Vote 1 (£200,000), Class 2 Vote 1 (£11,000), Class 3 Vote 2 (£113,000), Class 3 Vote 3 (£150,000), Class 18 Vote 1 (£300,000) and to Class 2 Vote 1 (£177,000), Class 10 Vote 2 (£260,000) and Class 4 Vote 1 (£411,000). The balance will be met by a charge on the Departmental Expenditure Limit Reserve for the increases announced in the Pre-Budget Report and the Aid Package for farmers and will not therefore add to the planned total of public expenditure.

AGRICULTURE, FISHERIES AND FOOD

Sheep Premium

11. **Mr. Llwyd:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the farming industry to discuss the levels of sheep annual premium; and if he will make a statement. [107890]

Ms Quin: We regularly meet representatives of the farming industry who raise many topics including the sheep annual premium.

Pig Industry

12. **Mr. Brake:** To ask the Minister of Agriculture, Fisheries and Food if he will introduce further measures to support exports of pigmeat. [107892]

Mr. Nick Brown: I have made representations to the Agriculture Commissioner in Brussels to increase export refunds as a way of proving additional support to the pig sector.

18. **Mr. Leigh:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on state aid to the pig sector. [107899]

Ms Quin: We are well aware of the representations that continue to be made for some form of aid to be introduced as compensation for what the industry sees as the imposition of unfair additional costs as a result of BSE. This matter has been discussed many times with the pig

industry. The points they are making are well understood, but this is not an easy issue. The cost would be considerable and it would have to conform with strict EU rules. Communications with the European Commission have shown how difficult this would be. This is an issue which Ministers have looked at very closely and will continue to do so. As the Prime Minister said on 1 February any investment by Government must be linked to long-term change in the structure of the industry. It must also be part of an agrees overall strategy; to this end, my officials are in touch with the National Pig Association and others.

19. **Mr. Jack:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions has he had with *(a)* producers and *(b)* others on the problems facing the United Kingdom pig industry. [107900]

Ms Quin: Ministers are in frequent contact with a number of organisations representing producers and others to discuss the state of the UK pig industry. We have also discussed this matter with the European Agriculture Commissioner.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress made towards an EU-wide ban on the stall and tether system for raising pigs. [108601]

Mr. Morley: The EU Commission's proposals for a new Directive on pig welfare are well overdue. Its Scientific Veterinary Committee's report, on which these proposals must be based, was published in 1997, and we lose no opportunity to remind the Commission of the need for progress in this area.

Horticulture

13. **Mr. Pickthall:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with representatives of the horticulture industry. [107893]

Ms Quin: My right hon. Friend the Minister met a wide cross-section of the horticultural industry when he opened Hortex 2000 at Telford on 18 January.

Common Agricultural Policy

15. **Mr. Gareth R. Thomas:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to promote the institutional reform of the common agricultural policy. [107896]

Mr. Nick Brown: We will pursue opportunities created by anticipated market pressures, the reviews contained within the Agenda 2000 agreement and the existing commitment to review the sugar regime by 2001 to push for the reform process started at Berlin to be completed.

Mobile Abattoirs

16. **Mr. Luff:** To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to encourage the introduction of mobile abattoirs. [107897]

Ms Quin: Mobile abattoir facilities can have attractions for a range of interests and may provide welfare benefits. MAFF have recently awarded a grant to the Humane Slaughter Association to support the development of a mobile slaughtering service in central southern England. MAFF Veterinary Meat Hygiene Advisers are available to advise those interested in developing mobile abattoirs.

Organic Farming

17. **Mr. Chaytor:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to review the level of financial support for organic farming. [107898]

Mr. Morley: A review of aid for conversion to organic farming is in progress. The results of the review will provide the basis for a revised organic aid scheme under the England Rural Development Programme, for which I have announced an allocation of £140 million over the life of the programme.

Mr. Kidney: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the environmental benefits of organic farming. [107902]

Mr. Morley: Evaluation of the environmental impact of organic farming is one of the three main objectives of the Ministry's organic R&D programme, for which £2.1 million has been allocated for 1999–2000. Field studies on biodiversity and soil fertility on organic farms, following earlier desk studies and a study of nutrient cycling are in progress. Work on nitrates and ammonia emissions has recently been completed.

Meat Inspection

20. **Mr. Corbett:** To ask the Minister of Agriculture, Fisheries and Food if he will report progress on implementing a new system of meat inspection. [107901]

Ms Quin: The Meat Industry Red Tape Working Group recommended in its report published on 13 December 1999 that the current meat inspection rules be replaced by a risk-based system of checks applying Hazard Analysis Critical Control Points (HACCP) principles. We have accepted this recommendation, but a new meat inspection system to replace existing controls will entail changes to EU legislation. We strongly support the Commission's initiatives to review and modernise meat hygiene controls and will be pressing for early progress.

Food Chain Group Report

21. **Mr. Heppell:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received following the publication of the report of the Food Chain Group. [107903]

Ms Quin: The Food Chain Group report has been welcomed by many interests across the supply chain as a significant contribution to the drive to improve agri-food competitiveness. Over 1,000 copies have been sent to interested parties. We intend to review progress in the summer.

Labelling

22. **Mrs. Curtis-Thomas:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to promote compulsory country of origin labelling within the European Union. [107904]

Ms Quin: Following consultation with industry and enforcement authorities we published revised guidance on origin labelling on 1 February making it clear that origin labels on food must be clear and unambiguous. This is an important step forward in our drive for better labelling and more informed choice. We will encourage the European Commission to take similar steps at EU level and raise the issue for wider international discussion at the forthcoming meeting of the Codex Committee for Food Labelling in Ottawa in May.

Regional Development Agencies

23. **Dr. George Turner:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the English regional development agencies on strengthening the regional aspects of policies and programmes for supporting agriculture. [107905]

Mr. Morley: I met Vincent Watts, Chairman of the East of England Development Agency, and Rural Board Members and officials from the other RDAs on 27 January. We had a useful discussion about the England Rural Development Plan 2000–06 among other issues. The ERDP contains proposals for supporting the rural economy of each region, tailored to meet specific regional needs, which were drawn up in full collaboration with the RDAs and other regional partners.

Farming (Government Support)

24. **Mr. Flight:** To ask the Minister of Agriculture, Fisheries and Food what was the total amount of financial support provided to farmers by the Government in the most recent year for which figures are available; and if he will make a statement. [107906]

Ms Quin: The total value of EU and UK Exchequer funded subsidies for farming paid in the UK in 1997–98 was £3,582.8 million. This includes market support measures which are not paid directly to farmers, but which benefit them indirectly.

Fur Farming (Prohibition) Bill

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of animal welfare organisations to discuss progress on the Fur Farming (Prohibition) Bill. [107895]

Mr. Morley: I am in regular contact with representatives of animal welfare organisations on a wide range of issues. It is of course true that their concerns on fur farming would be met by the proposed ban, although the basis of the ban is that fur farming is wrong in itself, apart from any considerations of animal welfare.

Organophosphates

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the Minister of State's letter of 16 December, reference 133662, when he expects to receive advice from the Veterinary Products Committee in relation to organophosphorous sheep dips; and if he will make a statement. [104398]

Ms Quin *[holding answer 17 January 2000]:* The Veterinary Products Committee (VPC)'s report was published on 20 December 1999, *Official Report*, column 446W. Following consideration of reports from the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) and the Institute of Occupational Medicine (IOM), the VPC advised the temporary withdrawal from the market of all organophosphorous sheep dips pending the introduction of improved containers for concentrated dip. That advice was accepted and action has been taken on implementation. Copies of the VPC's and COT's reports are in the Library of the House.

Genetically Modified Organisms

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what pesticide approvals for glufosinate ammonium have been given in respect of trials of genetically modified crops carried out under Part B of Council Directive 90/220 on the deliberate release into the environment of genetically modified organisms. [109221]

Ms Quin *[holding answer 8 February 2000]:* To date we have granted four experimental approvals under the Plant Protection Products Regulations 1995 (as amended) for the use of glufosinate ammonium on genetically modified crops. These would permit uses in trials of genetically modified crops carried out under Part B of Council Directive 90/220.

Details of experimental approvals have not been published for reasons of commercial confidentiality. We have initiated a review of the current arrangements to see if there is scope for greater openness and transparency.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will list the antibiotic marker genes, and the antibiotics to which they convey resistance, that have been used in the genetic modification of crops from which genetically modified foods available in the United Kingdom have been produced in the last five years. [108624]

Ms Quin: The only foods available in the UK which have been produced from GM crops containing antibiotic marker genes are highly processed products in which all the genetic material, including antibiotic marker genes, has been rendered inactive through extensive degradation. The two marker genes, in either a complete or disrupted form, that have been used in these crops are kanamycin and ampicillin resistance genes. The intact genes convey resistance to aminoglycoside antibiotics including kanamycin, neomycin and geneticin; and narrow spectrum . lactam antibiotics such as ampicillin and amoxycillin respectively.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what recent research has been undertaken into the possible effects of antibiotic resistance gene markers retained in foods produced by the genetic modification of crops on *(a)* humans and *(b)* animals; and if he will make a statement. [108620]

Ms Quin: MAFF is funding the following research into the possible effects of antibiotic resistance gene markers retained in foods produced by the genetic modification of crops, all of which are due to be completed in 2001.

Project code	Title	Contractor
FSO225	Evaluating the risk of the transfer or DNA between micro organisms in the gut and between micro organisms and gut cells	Newcastle University
FSO227	Assessment of the risks of transferring antibiotic resistance determinants from transgenic plants to micro-organisms	Leeds University
FSO228	Dissemination of DNA and antibiotic resistance genes via rumen micro-organisms	Rowett Research Institute
FS0229	Risk of gene transfer from genetically modified crop plants to gut bacteria	Institute of Food Research

Over-30-months Scheme

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement setting out the criteria employed by the Intervention Board in determining the selection of slaughterhouses to carry out the requirements of the over 30-months-scheme; [105292]

(2) if he will make a statement setting out the reasons why the Interventions Board terminated its contract with the Nottingham processing company for the over-30-months scheme. [105299]

Ms Quin [*holding answer 19 January 2000*]: OTMS slaughter contracts, effective from 4 January 2000, have been awarded to 20 abattoirs. Decisions were reached following a competitive tender under which bids were evaluated against previously published objective criteria, including quality of service, price, ability to offer a dedicated service, ease of supervision, throughput and location.

All the bids for a particular area of the country were scored against each of the criteria and aggregate scores were compared. Nottingham Processing Company scored well, but their aggregate score was less than the scores of the five successful companies in the Midlands region.

Beef Sales

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what plans he has to promote the sale of beef to non-EU countries. [107562]

Ms Quin: I am currently leading efforts to persuade the Governments of those countries that the trade have identified as key potential markets, to lift restrictions on the import of British beef. The programme includes direct approaches to these administrations by our local Posts, and continuing liaison between veterinary authorities; Ministers on visits abroad are briefed to raise the issue as appropriate and similar opportunities are identified when Ministers for relevant countries are in the UK. I am also in touch with their relevant overseas representatives in London.

Furthermore, promotion of British meat generally at home and abroad is the responsibility of the Meat and Livestock Commission. The Department routinely works with them and other interested organisations to try to open up new (and expand existing) markets and to promote exports via trade fairs and other events world wide. A number of such events are planned.

Food Surpluses

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food if he will list the sales of food surpluses from the European Union to countries outside the union during the last 12 months. [108013]

Ms Quin: Details of UK intervention stocks sold outside the European Union during the 12 months of 1999 are:

Commodity	Tonnes
Beef	0
Barley	687,916
Wheat	25,346
Butter	0
Skimmed milk powder	'0

[1] Although no skimmed milk powder was "sold" outside the European Union in 1999, 15,000 tonnes was supplied to Russia under a Community food aid scheme.

Figures for similar sales from other member states are not yet available.

Oath of Allegiance

Mr. Field: To ask the Minister of Agriculture, Fisheries and Food how many letters he has received since 1 May 1997 on (a) constituency matters and (b) other matters of Government policy from each of those Members of the House who have not taken the Oath of Allegiance. [108404]

Mr. Nick Brown [holding answer 3 February 2000]: I am unable to provide this information. Details of correspondence between Members of the House and my Department—including the number received—must be treated in confidence.

Correspondence

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food when he will reply to the letter from the right hon. Member for Berwick-upon-Tweed dated 16 November 1999, concerning the transfer of responsibility for the private water supply at Harwood Village. [108626]

Mr. Nick Brown: I replied to the letter from the right hon. Member on 7 February 2000.

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food when he will reply to the letter from the right hon. Member for Berwick-upon-Tweed dated 27 October concerning the Government's policy on organic farming. [108627]

Mr. Nick Brown: I replied to the letter from the right hon. Member for Berwick-upon-Tweed on 31 January 2000.

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food when the Minister of State will reply to the letter from the hon. Member for Mid-Worcestershire of 16 November 1999 about leaf minors. [109008]

Mr. Nick Brown: A letter to the hon. Member for Mid-Worcestershire was sent on 4 February 2000 by my noble Friend Baroness Hayman.

Badger Culling

Mr. Reed: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the progress of the Randomised Badger Culling trial; [108571]

(2) how many of the badger culling trials are fully operational. [108572]

Ms Quin: Six triplets have so far been enrolled into the badger culling trial. Culling has taken place in three of these, and surveying has started in the others. Work is currently suspended in one triplet. We expect to announce the remaining triplets this year.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what was the cost of TB compensation paid to farmers (a) within the Krebs Trial areas and (b) outside the trial areas during 1998–99; and what is his provision for compensation payments in (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [108377]

Ms Quin *[holding answer 3 February 2000]:* The cost of TB compensation paid within the Krebs trial areas is not separately recorded.

The TB compensation paid to farmers in England in 1998–99 amounted to £3.775 million. The estimated outturn for 1999–2000 is £5.0 million, and the provisional allocation for 2000–01 is £5.99 million. The provision for 2001–02 has yet to be determined.

Beef Special Premium Scheme

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food what are the most common reasons for rejecting claims made under the Beef Special Premium Scheme. [108483]

Ms Quin: The most common reasons for rejecting claims as a percentage of the total rejections are as follows:

1. Beef cattle stocked more intensively than two livestock units per hectare (58 per cent.).
2. Significant claimant errors which cannot be disregarded under EU regulations (10 per cent.).
3. Discrepancies discovered during inspection (5 per cent.).

Departmental Secondees

Mr. Willis: To ask the Minister of Agriculture, Fisheries and Food how many staff were seconded from the private sector to his Department in (a) May 1997 to April 1998, (b) May 1998 to April 1999 and (c) May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109290]

Mr. Morley *[holding answer 9 February 2000]:* The information requested is as follows:

(a) May 1997-April 1998: One, duration three months, Royal Bank of Scotland;

(b) May 1998-April 1999: One, duration three weeks, Manor Bakeries;

(c) May 1999-January 2000: None.

Cattle

Mr. Chaytor: To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the last two years for which records are available (a) the total number of cattle slaughtered for food in the UK and (b) their gender. [109338]

Mr. Morley: The requested figures are shown in the table. The gender of slaughtered calves is not collected.

(a) UK cattle slaughtered for human consumption[1]

(Th. head)

	1998	*1999*[2]
Adult cattle	2,297	2,217
Male	1,445	1,338
Female	853	879
Calves	32	75

[1] Excludes cattle slaughtered under the over thirty months scheme and the Selective Cull and calves slaughtered under the Calf Processing Aid Scheme

[2] Provisional

Animal Slaughter

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food (1) if he will meet his French counterpart to discuss the Eid el Kebir festival and the steps being taken by the French Government to enforce the law relating to animal slaughter; and if he will make a statement; [108651]

(2) if he will prevent the export of sheep destined for the festival of Eid el Kebir; and if he will make a statement. [108650]

Mr. Morley *[holding answer 7 February 2000]:* The Government have no legal power to ban the export of livestock to another member state (in this case France) because of the way they may be treated there. The French authorities are responsible for enforcement of EU welfare rules in France, and we have drawn their attention to the very serious breaches of welfare rules that have occurred during this festival in recent years.

As the European Commission have responsibility for ensuring that member states implement and enforce the rules my right hon. Friend the Minister has written to the Commissioner for Health and Consumer Protection pressing very hard for suitable action to be taken.

Redundant Agricultural Buildings

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food what grants his Department makes available to farmers to help them convert redundant agricultural buildings; and if he will make a statement. [108710]

Mr. Morley: The England Rural Development Plan sets out my Department's proposal to run a new Rural Enterprise Scheme, under Article 33 of the Rural Development Regulation, to aid farm diversification and other activities. These grants would cover the conversion of redundant agricultural buildings, subject to planning permission being granted. The Plan proposes expenditure of £152 million between 2000 and 2006, subject to the Spending Review 2000 and approval from the European Commission.

Flooding

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how many leaflets that describe flood risks to a specified area of the UK have been produced by the Environment Agency; and how many members of the public have (a) contacted the Environment Agency's Flood Line and (b) been sent such leaflets. [109003]

Mr. Morley: The Environment Agency is responsible only for England and Wales. As part of its national flood awareness campaign launched last October, the Agency published 160 local flood warning information leaflets detailing local flood warning arrangements and contact numbers. In addition, approximately 311,000 flood kits, comprising a waterproof reusable bag and the relevant local flood information leaflet, were mailed to homes and businesses in England and Wales. The campaign marked the launch of Flood Line which, as at 28 January, had received a total of 57,211 calls. Of these, some 30,000 were received over the Christmas period when severe weather affected the south and south west of England.

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food if he will estimate how many houses are at risk from flooding in the UK; and what estimate he has made of how many houses will be at risk from flooding in (a) five, (b) 10, (c) 15, (d) 20, (e) 25, (f) 50 and (g) 100 years; and what assumptions he has made in determining whether a house is at risk from coastal and river flooding. [109005]

Mr. Morley: UK figures are not available as flood and coastal defence is a devolved responsibility. The Environment Agency is continuing its work to estimate the number of properties within the natural flood plains of England and Wales. Based on the best available scientific and forecasting knowledge, this figure was last year estimated to be 1.6 million.

There are no forecasts for future years as it is not possible to predict where development will take place, nor what decisions will be made about future defences. The Government will be issuing revised guidance in support of its policy of discouraging inappropriate development in areas at risk of flooding. In addition, the Agency is working with local planning authorities to ensure that its "Policy and Practice for the Protection of Floodplains" guidance is implemented to reduce the likelihood of new houses being built in flood risk areas in the future.

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how many times the Environment Agency and his Department have given advice to (a) individuals, (b) local councils, (c) building societies and (d) any others to desist from building new houses in floodplains and other areas at risk from flooding; whether the Environment Agency and his Department have discussed with insurance companies, their trade associations and similar corporate entities the risks of insuring such properties in such areas at risk from flooding; and whether exchange of data, estimates, calculations and assessments with regard to flood risks in the UK has taken place between his Department and the Environment Agency and such bodies since May 1997. [108996]

Mr. Morley: Government policy is to discourage inappropriate development in areas at risk of flooding. Advice to English local planning authorities is contained in DoE Circular 30/92 entitled "Development and Flood Risk". This guidance is currently being revised and a consultation document is expected to be issued shortly.

Neither MAFF nor DETR have been directly involved in specific advice to desist from building new houses in floodplains. However, in 1998–99 the Environment Agency received 77,502 requests for information for England and Wales, but this total is not broken down into individual categories. An individual can receive information on flood risk by visiting the Agency's offices or through correspondence. The Agency also dealt with 23,896 searches from solicitors, which would include information on flood risk if relevant.

The Agency commented on 110,764 planning applications, which include information on flood risk. In line with new Government targets, the Agency will, from June 2000, be reporting on their response to planning applications, identifying cases where:

1. the Agency sustained objections on flood risk grounds; and
2. final decisions, either by the LPA or on appeal, were in line with, or contrary to Agency advice.

My Department, the DETR and the Environment Agency have fairly regular contact with the insurance industry about flood risks. This includes sharing the results of a number of R&D projects undertaken by the insurance industry, and attendance at seminars about managing flood risk. The information in the Agency's flood risk maps is being made publicly available and so may be used by the insurance industry.

The insurance industry generally continues to offer flood risk cover, in all areas, as part of ordinary household policies.

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how many uninsured properties have been flooded since 1990 in the United Kingdom; what records he keeps of individual incidents; and if he will open those records to public scrutiny. [109002]

Mr. Morley: No records are available on uninsured properties that have been flooded since 1990. The industry estimate that some 65–70 per cent. of domestic properties have household and building insurance which generally includes flood cover.

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food what was the average cost of building and maintaining one kilometre of flood defences in the UK for (a) coastal areas and (b) river basin areas in the last 12 months; what percentage of these costs will be borne by (i) central Government and (ii) local government; and what (1) were the total costs in the United Kingdom of building and maintaining flood defences for coastal and river basin areas for each year since 1990 and (2) are the projected costs for 2000 and 2001. [108997]

Mr. Morley: Full UK figures are not available, as flood and coastal defence is a devolved responsibility. Also, figures are not readily available for local authorities or Internal Drainage Boards. This reply covers England and Wales figures as provided for the Environment Agency only.

The average cost of building and maintenance of one kilometre of flood defences for coastal areas is £2.5 million and £0.65 million for river basin areas. The costs will vary according to the location of the defence, with higher costs for exposed coastal regions and heavily urbanised areas in river basins.

In 1998–99, the income raised for flood defence totalled £252 million, with the Government providing direct grants of £34 million; £203 million was provided through the levy from local government and the remainder from Internal Drainage Boards and other sources. Local Authorities are reimbursed in the following year through the Revenue Support Grant mechanism.

The total flood defence expenditure from 1989–90–1998–99 and planned expenditure for 1999–00–2001–02 is as follows:

£ million

	Capital	*Revenue*	*Total*
1989–90[1]	74.6	92.9	167.5
1990–91[1]	93.1	103.0	196.1
1991–92[1]	116.8	114.1	230.9
1992–93[1]	110.8	120.2	231.0
1993–94[1]	105.7	124.0	229.7
1994–95[1]	113.9	126.8	240.7
1995–96[1]	131.1	119.0	250.1
1996–97[1]	131.4	125.1	256.5
1997–98[1]	136.5	137.1	273.6
1998–99[1]	117.7	144.1	261.8
1999–2000[2]	124.5	147.8	272.3
2000–01[2]	133.8	152.9	286.7
2001–02[2]	131.4	154.1	285.5

[1] Actual
[2] Planned

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food if he will publish maps produced by the Environment Agency of the Floodline programme of flood risks that threaten houses at (a) regional and (b) other levels. [109006]

Mr. Morley: The Environment Agency's 24-hour Floodline telephone information service was launched on 18 October 1999 as part of an integrated public awareness campaign to raise awareness of flood risk and flood warning. The service covers England and Wales and enables the public to find out what flood warnings are in force, to report flooding and to request an information pack about how to prepare for floods.

As a separate exercise, the Agency has released Flood Plain Maps to local authorities in England and Wales for development control and emergency planning purposes. The Agency is developing proposals to place the maps on its web site to make them freely accessible to the public. Paper copies can also be supplied upon request.

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food if he will list the guidance given by (i) his Department and (ii) the Environment Agency to maritime district councils and county councils to deal with sea level rise and flooding from climate change; and if he will specify the funds directed to (a) coastal defences, (b) the UK climate change impact programme and (c) public awareness campaigns aiming at reducing greenhouse gas emissions in the years 1995 to 2000; how much will be made available over the next three years; and what plans he has to increase the amounts spent on such items. [108998]

Mr. Morley: Since 1990 my Department has issued allowances for sea level rise to be taken into account by flood and coastal defence operating authorities in planning future defence options. These allowances, which take account both of the predicted impact of climate change coupled with the effect of long term geological "tilt", are as follows:

Environment agency region	*Allowance (mm per year)*
North East (South of Flamborough Head), Anglian, Thames, Southern	6
South West, Wales	5
North West, North East (North of Flamborough Head)	4

These allowances are intended to be applied to defences with a design life up to 2030. Defences with an expected life beyond this period should be adaptable to allow for any future change in predictions.

These allowances have been published by the Ministry in a number of documents, including our Project Appraisal Guidance Notes for flood and coastal defence operating authorities and in the Ministry's Strategy flood and coastal defence. They also appear in DoE Circular 30/92 entitled "Development and Flood Risk" which was aimed at local planning authorities.

These predictions have been reviewed against the climate change scenarios for the UK, published in October 1998 by the UK Climate Impacts Programme (DETR). Preliminary indications are that, if extreme events follow the predicted pattern of global sea level rise, these allowances should be adequate to the middle of the next century.

MAFF has provided grants to operating authorities in England for new and improved sea and tidal flood defences and coast protection defences as follows:

Year	*£ million*
1995–96	71
1996–97	75
1997–98	61
1998–99	51

Figures are not yet available on this basis for the current and next three years, but the total provision available for Ministry funding (both grant and Supplementary Credit Approvals) of all flood (including inland) and coastal defence is as follows:

Year	*£ million*
1990–2000	71
2000–01	77
2001–02	79

These plans reflect the increased provision announced following the 1998 Comprehensive Spending Review. The provision available beyond 2002 will depend on the outcome of this year's Spending Review.

The UK Climate Impacts Programme was established in April 1997. DETR have allocated £930,764 to the Programme Office until 1 April 2000. They have also funded the production of climate change and socio-economic scenarios for the UK to underpin the work of the Programme. For the next two years the Programme's total budget is set at £918,852. Decisions on support for the Programme beyond this will be made in the light of on-going reviews of its work.

DETR's main environmental public awareness initiatives have been "Wasting Energy Costs and the Earth" and, more recently, "Are you doing your bit?". One of the key aims of the latter campaign is to encourage people to make simple lifestyle changes to fight global warming by using energy efficiently and by changing their travel habits. The budget figures for these campaigns are:

	£ million
Wasting Energy Costs the Earth	
1995–96	[1]3.6
1996–97	[1]2.0
Are you doing your bit?	
1997–98	[1]1.3
1998–99	[1]1.7
1999–2000	[2]6.5
2000–01	[2]7.7
2001–02	[2]7.7

[1] UK figures.
[2] England only, post devolution.

The future campaign budget beyond 2002 will depend on the outcome of the Spending Review 2000.

The DETR also provides grant funding to the Energy Saving Trust (EST) which runs a number of programmes designed to promote the efficient use of energy including information on energy efficiency matters for the public. EST spend on public awareness campaigns funded by DETR is:

Year	*£ million*
1996–97	5.5
1997–98	3.1
1998–99	4.3
1999–2000	4.4

The figures include England, Wales, Scotland and Northern Ireland up until devolution. Post-devolution DETR have retained responsibility for all budgets except Scotland. Expenditure on public awareness campaigns by the EST funded by the Scottish Executive is £0.4 million for 1990–2000. EST Budgets for 2000–01 and 2001–02 have yet to be set.

EU Structural Funds

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if farmers in Objective 1 areas are eligible to apply for rural development regulation money; and if he will make a statement. [108747]

Mr. Morley: Farmers in Objective 1 areas will be eligible to apply for the Rural Development Regulation measures which the Government proposes to use. Those proposals are set out in the England Rural Development Plan and the Single Programming Document for Cornwall and the Scilly Isles. Both documents are subject to approval from the European Commission. Funding arrangements are subject to the Spending Review 2000.

Departmental Staff

Caroline Flint: To ask the Minister of Agriculture, Fisheries and Food what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [108834]

Mr. Morley: Departmental and agency staff had access to 130 nursery places at six sites during 1998–99 and the subsidised cost to parents was £56 to £85 per week depending upon location. Due to shared use of some places by part-time staff, at some sites the number of users was higher than the number of places available.

During the same period, holiday playscheme places were available to departmental and agency staff working at 10 sites and the subsidised cost to parents was £3.50 to £9 per day depending upon location. The number of users varied at each site and for each school holiday period.

It is not possible to give separate figures for departmental and agency staff: facilities are used by both, and uptake fluctuates.

Energy Crops

Mr. Neil Turner: To ask the Minister of Agriculture, Fisheries and Food what evaluation he has made of the environmental benefits of energy crops. [107885]

Ms Quin: When used instead of fossil fuels energy crops can bring about significant reductions in emissions of carbon dioxide, one of the main greenhouse gases. Studies have also indicated a range of other positive effects including benefits to biodiversity.

Italian Abattoirs

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what reports he has received on compliance with EU directives regarding abattoirs in Italy; and if he will make a statement. [R] [107474]

Ms Quin: It is for the European Commission to monitor individual member States' compliance with EU Directives. The Commission's Food and Veterinary Office (FVO) carries out regular programmes of inspection visits to all member states, including visits to abattoirs and other meat plants. The last mission to Italy to check on controls in fresh meat establishments took place from 4 to 8 May 1998.

We do not receive copies of FVO reports, on inspection visits, other than those to the UK, but have access to them on the European Commission's website on the Internet in the same way as anyone else. The index for the Commission's inspection mission reports is:

http://europa.eu.int/comm/dg24/health/vi/reports/index en.html.

We publicise the availability of such reports in our monthly Meat Hygiene Enforcement Report.

Specified Risk Material

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food which European Commission measures relate to sheep in respect of the regulations that require the removal of specified risk material. [107239]

Mr. Nick Brown *[holding answer 27 January 2000]:* No such measures are in force. A Commission Decision has been adopted (97/534 of 30 July 1997, on the prohibition of the use of material presenting risks as regards transmissible spongiform encephalopathies), which defines certain sheep tissues as specified risk material. Its date of application has however been repeatedly postponed and it is not currently due to enter into force until 30 June 2000.

Written Answers to Questions

Friday 11 February 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if all food served at his Department's official functions meets the standards of production required of domestic producers. [109786]

Ms Beverley Hughes: My Department's caterers are required to comply with all legal requirements and relevant regulations governing the procurement and preparation of food and related activities.

Rough Sleepers

Ms Christine Russell: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in reducing rough sleeping in London since he last published an estimate of numbers. [110298]

Ms Armstrong: The most recent evidence on the number of people sleeping rough in London comes from single night street counts carried out in 11 boroughs on the night of 20 January 2000 (27 January in Lambeth).

We have previously estimated that as at June 1999 there were 635 people sleeping rough in Greater London. Using the January 2000 counts to update that figure where possible, our best estimate is that there were 420 people sleeping rough in Greater London as at January 2000.

Vehicle Emissions

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to complete his evaluation of the pilot programme under the Road Traffic (Vehicle Emission) (Fixed Penalties) Regulations, which was completed in February 1999. [107351]

Mr. Hill: The Motorists' Forum, representing a range of interested parties including motor manufacturers and motoring organisations, has been invited to consider the experience of the pilot programme of roadside vehicle emission checks, and the work undertaken to date by the Cleaner Vehicle Task Force. A further announcement will be made in due course.

Road Accidents (Yeovil)

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the accident blackspots on roads within the Yeovil constituency for each year since 1995, with the date and details of each accident that has occurred on them; and if he will list the date and location of road accident fatalities in the area since 1995. [108745]

Mr. Hill: The assessment of local accident blackspots is a matter for the relevant highway authorities in an area. However, data on road accident fatalities are available and the dates and locations of those in the Yeovil local authority area from 1995–1998 are listed in the table.

Date	*Road number*	*Junction with*	*Number of fatalities*
3 August 1995	A30	A357	1
25 June 1995	A30	Unclassified	1
16 September 1995	A30		1
20 April 1996	A30	Unclassified	1
13 May 1996	A30	Unclassified	1
22 January 1996	A30		1
29 March 1996	A30		1
6 June 1996	A30		1
2 May 1998	A30		2
27 January 1998	A30		1
19 December 1998	A30		1
31 March 1995	A303		1
31 March 1995	A303	Unclassified	3
18 September 1995	A303		1
27 October 1995	A303		1
8 March 1995	A303	Unclassified	1
25 February 1996	A303	Unclassified	1
12 April 1996	A303		1
28 January 1998	A303	Unclassified	1
2 December 1998	A303		1
23 December 1998	A303		1
21 August 1998	A303		5
12 April 1995	A356		1
1 November 1997	A356		1
14 October 1996	A358	Unclassified	1
5 June 1996	A358		1
9 June 1997	A358		1
17 August 1997	A358		1
22 September 1997	A358		1
7 November 1997	A358		1
10 October 1996	A359		1
7 June 1997	A359	Unclassified	1
23 April 1998	A359	A303	1
10 August 1996	A372		2
23 August 1996	A378	Unclassified	2
22 March 1996	B3153		1
20 June 1996	B3165		1
13 April 1998	B3165		1
16 October 1995	Unclassified		1
28 April 1995	Unclassified	Unclassified	1
18 August 1995	Unclassified		1
14 December 1995	Unclassified	Unclassified	1
15 June 1995	Unclassified		1
22 November 1996	Unclassified		1
12 January 1996	Unclassified		1
19 September 1996	Unclassified	Unclassified	1
7 December 1996	Unclassified	Unclassified	1
18 January 96	Unclassified		1
1 September 1996	Unclassified		1
22 November 1996	Unclassified		1
12 April 1997	Unclassified	Unclassified	1
27 November 1997	Unclassified	Unclassified	1
31 January 1998	Unclassified		1
28 January 1998	Unclassified	Unclassified	1
23 November 1998	Unclassified		1

Tram System

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what is the cost of the Croydon tram system; and how much was provided by the Government. [108728]

Mr. Hill: The Government contributed £125 million grant towards the estimated capital costs of £200 million for the construction of Tramlink in recognition of the system's non-user benefits. Tramtrack Croydon Ltd., the consortium

of private sector companies responsible for designing, building and operating Tramlink, have raised the remainder of the cost and will run the system without public subsidy.

Air Traffic Control

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions to what extent repairs and maintenance to equipment used by National Air Traffic Control Ltd. will be determined by (a) need and (b) cost; and if he will make a statement. [108528]

Mr. Mullin *[holding answer 8 February 2000]:* All equipment operated by NATS is subject to safety case analysis and approval by the Safety Regulation Group. Repairs and maintenance are, therefore, undertaken primarily on the basis of need. NATS does, however, have an obligation to ensure that it obtains the best price at all times for such services.

INTERNATIONAL DEVELOPMENT

Ministerial Meetings

Mr. Streeter: To ask the Secretary of State for International Development how many meetings she has had with the Secretary of State for Foreign and Commonwealth Affairs since 1 January. [109193]

Clare Short: I have had no formal meetings, apart from the Cabinet Committee, but many informal meetings with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs since 1 January.

Overseas Employees

Mr. Streeter: To ask the Secretary of State for International Development how many were employed by her Department in offices overseas on *(a)* 1 May 1997 and *(b)* 1 February 2000. [109194]

Clare Short: Eighty-nine UK-appointed staff were working in the Overseas Offices of the Overseas Development Administration as at 1 January 1997 (the closest date to 1 May 1997 for which figures are available). The figure for 1 January 2000 (the latest date available) is 132 staff.

Figures for staff appointed in-country were not collected centrally in 1997. The figure for staff appointed locally by the Department's Overseas Offices on 1 January 2000 was 314.

Pakistan

Mr. Streeter: To ask the Secretary of State for International Development what recent discussions her Department has had with the Foreign and Commonwealth Office concerning the resumption of direct development aid to Pakistan. [109195]

Clare Short: We frequently discuss our policy on Pakistan with the Foreign and Commonwealth Office colleagues, which is aimed at helping secure firm commitment to action by the Pakistani administration on poverty reduction—requiring early transition to democracy, better economic management and measures to tackle corruption. We have made it clear to the administration that, given satisfactory assurances, we should be ready to consider supporting them in pursuing fundamental reform. Meanwhile, our assistance to the poor continues through non-governmental channels.

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for International Development if all food served at his Department's official functions meets the standards of production required of domestic producers. [109777]

Clare Short: All food served at departmental official functions is obtained from our caterer's list of approved suppliers, all of whom meet the standards of production required of UK domestic producers.

Aid Recipients

Mr. Streeter: To ask the Secretary of State for International Development if she will list the countries which receive British bilateral aid whose Governments are not elected by way of universal suffrage. [109203]

Clare Short: Information on universal suffrage is not held centrally and could be obtained only at disproportionate cost.

Countries receiving UK bilateral assistance and not explicitly described as having universal adult suffrage (from The International Directory of Government 1999)

Afghanistan
Albania
Angola
Azerbaijan
Bhutan
Bosnia and Herzegovina
British Virgin Islands
Brunei
Burma
Cayman Islands
Chile
China
Comoros
Congo
Congo (Democratic Republic)
Cuba
Ecuador
Eritrea
Ethiopia
Gambia
Georgia
Gibraltar
Hong Kong
Indonesia
Iraq
Kazakhstan
Korea ROK (South)
Moldova
Nepal
Nigeria
Oman
Pakistan
Rwanda
Serbia and Montenegro (including Kosovo)

Seychelles
Sierra Leone
Somalia
Sri Lanka
St. Helena and Dependencies
States of ex-Yugoslavia
Sudan
Swaziland
Tajikistan
Thailand
Togo
Tunisia
Turkmenistan
Turkey
Turks and Caicos Islands
Uganda
Uzbekistan
West Bank and Gaza
Windward Islands
Zambia
Zimbabwe.

Arms Sales

Mr. Streeter: To ask the Secretary of State for International Development (1) what representations her Department made to the Chancellor of the Exchequer concerning the decision to ban Export Credits Guarantee Department cover for arms sales to the world's 62 poorest countries; [109196]

(2) what recent discussions she had with the Foreign and Commonwealth Office regarding the decision to ban 62 of the world's poorest countries from receiving Export Credits Guarantee Department cover for arms sales. [109197]

Clare Short: As part of the on-going Review of the Export Credits Guarantee Department's Mission and Status, the scope of the productive expenditure initiative is being considered, and my Department is contributing actively to that work. A copy of our Department's position paper on the role of ECGD, which was submitted to the Review in December 1999, has been placed in the Library of the House, with a copy of the supporting consultancy study.

Birth Control Projects

Mr. Streeter: To ask the Secretary of State for International Development if she will list *(a)* the number and *(b)* aggregate costs of each birth control project funded by her Department. [109202]

Clare Short: In line with the principles agreed at the 1994 Cairo International Conference on Population and Development, we support programmes to improve the full breadth of reproductive health for people. This includes enabling people to choose whether and when to have children through voluntary family planning. The following table lists currently active projects and programmes which, wholly or in part, provide for family planning services or commodities.

£000

Country/project title	*Start date*	*Total commitment*	*Expenditure in 1999/2000*
Bangladesh			
Marie Stopes Clinic Society Reproductive Health Care	September 1995	4,063	577
Fourth Population and Health: NGO Support Project	February 1997	7,300	24
Bangladesh Rural Advisory Committee (BRAC) Reproductive Health and Disease Control Project	March 1997	4,200	854
Support for Health and population for the Less Advanced (SHAPLA)	March 1999	25,000	2,500
Social Marketing of Contraceptives	September 1998	1,970	2
Bolivia			
Esperanza: adolescent pregnancy prevention project	July 1996	108	15
Adolescent Reproductive health project	September 1996	303	49
Pilot Plan Vida—municipal level reproductive health services	October 1997	1,023	146
Burkina Faso			
Improving Reproductive Health in Rural Areas	May 1998	231	25
Cambodia			
Social Marketing of Contraceptives	January 1995	2,050	4
Social Marketing of Contraceptives II	November 1999	60	1
Colombia			
Adolescent Reproductive Health	May 1998	168	26
Ethiopia			
Sexual and Reproductive Health and Skills Training For Youth	April 1996	201	45
Gambia, The			
Health Education Family Spacing project	April 1995	54	8
Ghana			
Sexual and Reproductive Health Promotion Services For Youth	April 1997	171	27
Health Sector Investment[1]	August 1997	28,627	3,432
Adolescent Reproductive Health Project	July 1999	130	20
Guatemala			
Strengthening of Family Planning Services in Mayan Communities	April 1995	479	75

£000

Country/project title	*Start date*	*Total commitment*	*Expenditure in 1999/2000*
India			
Orissa Health and Family Welfare Project Phase II	March 1991	24,150	1
Reproductive Health Education Training Centre	October 1994	357	36
Promotion of Family Planning Through Peoples Participation	April 1995	436	76
Improving Sexual Health Among Lorry Drivers	April 1995	567	40
West Bengal Sexual Health	December 1995	3,962	314
Women's Empowerment and Reproductive Health Initiative	April 1996	125	27
Community Based Social Marketing	May 1996	439	2
West Bengal Reproductive Health	November 1996	1,748	161
Reproductive Health Orissa	January 1997	4,998	404
Orissa: Social marketing Population Services International (PSI)	March 1997	1,690	104
Kenya			
Kenya Family Health Project	January 1993	11,645	793
Kibwezi Rural Health Scheme Women's Productive and Reproductive Health	April 1995	348	47
Income Generating Activities as an Entry Point for Women's Health	April 1995	191	20
Expanding Family Planning Service Delivery Through Market Day Midwives	September 1996	399	73
Family Planning Interim Support	November 1996	3,503	26
Social Marketing of condoms—Population Services International	May 1998	1,367	8
Malawi			
Contraceptive Supply Reproductive Health	May 1993	709	1
Reproductive Health Project	September 1994	11,012	2,331
Sexual and Reproductive Health Programme (SERPS) (FA)	November 1999	31,373	0
SERPS Technical Assistance	February 1999	3,000	92
Mozambique			
Maternal and Child Health And Reproductive Health	April 1997	495	85
Reproductive Health	April 1999	405	79
Social Marketing of condoms—Population Services International	November 1999	1,380	1
Myanmar			
Mandalay Community Health and Community Based Rehabilitation Project	April 1996	55	6
Nepal			
Nepal Reproductive Health Programme	August 1997	2,383	630
Nepal Health and Population Programme	August 1999	500	103
Niger			
Zinder Reproductive Health	April 1997	500	96
Nigeria			
Population and Reproduction Health Work Programme 1995–98	April 1995	1,187	87
Promoting Reproductive Health	October 1995	316	9
Integrated Modern Reproductive Health and Family Planning Services	April 1997	245	26
Community Groups Working in Sexual Health	May 1998	338	58
Social Marketing of Contraceptives	October 1998	14,000	2,572
Pakistan			
World Bank Family Health Project	August 1993	14	130
Family Planning community based Information Education and Communication	April 1994	433	31
Community Based Family Planning Project	August 1994	1,380	265
Family Planning Association and Pakistan Audio Visual Vans	October 1994	210	2
Family Planning and Mother and Reproductive Health Project—Phase 2	April 1995	324	33
Family Planning Association of Pakistan Doorsteps Project	September 1995	517	44
Private Sector Population Project	November 1995	7,040	1,341
World Bank 2nd Family Health Project (Punjab/Baluchistan)	February 1997	8,500	1,468
Social Marketing of Condoms	July 1999	2,386	1,658
Peru			
Multi-Sectoral Population Programme	April 1996	2,016	637
CARE: Consolidation of Multi-sectoral Population Programme	April 1997	160	22
Philippines			
Static And Mobile Outreach services	April 1995	530	57
Russian Federation			
Samara Reproductive Health Service Delivery	September 1997	186	72

£000

Country/project title	*Start date*	*Total commitment*	*Expenditure in 1999/2000*
South Africa			
Condom Social Marketing For HIV/AIDS Prevention	June 1995	3,770	690
Johannesburg Reproductive Health	August 1995	830	148
Community Based RH services for young people	February 1996	279	39
Southern Africa			
Labour Support	March 1999	58	36
Sri Lanka			
Maternal and Child Health and Reproductive Health	October 1995	1,129	236
Sudan			
Reproductive health/family planning	May 1998	500	85
Tanzania			
Family Planning Services and Supply	August 1996	3,692	89
Family Planning Services and Supply 2	August 1996	421	89
Ininga Youth Centre Project	April 1997	178	16
Health Sector Development[1]	July 1999	45,000	1,100
Uganda			
Uganda Family Health Project	October 1994	3,369	610
Family Planning Supply	December 1994	1,953	178
Kumi District Health Project	January 1996	1,474	429
Kumi District Health Project	February 1997	2,484	315
Family Health Project	February 1997	6,546	1,204
Reproductive Health Project	April 1997	475	94
Empowering Girls and Young Women Family Life Education Awareness	April 1997	132	24
Kawempe Primary Health Care Project	August 1997	587	74
Condom supply project	February 1998	234	3
Family Health Project	December 1998	45	19
Expansion Of Family Planning Reproductive Health Care	April 1999	474	82
Zambia			
Zambia—Health and Population Sector Aid Package (ZHPSA)[1]	April 1994	20,419	1,607
Zambia Health SWAP[1]	January 1998	100	1
Anti Aids Project	October 1998	26	12
Zimbabwe			
Family Planning Project	April 1995	230	31
Social Marketing of Contraceptives	October 1996	1,811	291
Meeting Healthcare Needs of Undeserved Populations	October 1998	302	35
Adolescent Reproductive Health	June 1999	500	371
Non-country specific			
Promotion of Safe Motherhood—Population Services International	December 1997	2,500	1,000
Evaluation of community participation approaches	August 1999	40	40
UNFPA Core Grant 1999	—	Annual	15,000
IPPF Core Grant 1999	—	Annual	5,500
Total		323,215	51,346

[1] Health sector-wide support programmes. These may include support for family planning

Departmental Staff

Caroline Flint: To ask the Secretary of State for International Development in the last five years, what proportion of women employees in (i) her Department, and (ii) executive agencies under the control of her Department, (a) returned to work after childbirth, (b) returned to work after childbirth before the end of maternity leave, indicating the (i) time-range and (ii) mean time, (c) returned to work after childbirth on reduced working hours, indicating the average hours worked and (d) returned to work after childbirth full-time and subsequently reduced their hours. [109235]

Clare Short: I am unable to provide an answer to this question as the information is not held in an easily extractable form and could be obtained only at disproportionate cost to the Department.

TREASURY

Remploy

Mr. Caton: To ask the Chancellor of the Exchequer what Remploy products his Department has purchased in the last three years. [109938]

Miss Melanie Johnson: We have no record of any contract or payment to Remploy during the last three years.

National Minimum Wage

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list for each constituency the number and percentage of adults in full-time work who received a wage increase in April 1999 as a consequence of the introduction of the national minimum wage. [109686]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Kidgell to Mr. Gordon Prentice, dated 1 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question regarding the number of full-time adults who received a wage increase in April 1999 as a consequence of the introduction of the national minimum wage. I am replying in Dr. Holt's absence.

Estimates on the number of adults who received a wage increase as a consequence of the national minimum wage are not available since the ONS does not capture information on why or when pay increases are awarded.

TRADE AND INDUSTRY

Land Mines

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry (1) what assistance his Department is giving to the development of new technology for the clearance of anti-personnel land mines; [108592]

(2) what recent research his Department has *(a)* commissioned and *(b)* evaluated on the effectiveness of methods currently in use for anti-personnel land mines clearance; [108596]

(3) what research and development work has been funded by his Department since May 1997 into anti-personnel land mines clearance devices. [108593]

Dr. Howells: I refer the hon. Member to the answer given by my hon. Friend the Under-Secretary of State for Defence on 10 February 2000, *Official Report,* column 244W, and the answer given by my right hon. Friend the Secretary of State for International Development on 8 February 2000, *Official Report,* column 91W.

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry when he next plans to meet representatives from Edinburgh University to discuss the funding of the Dervish anti-personnel land mines clearance project. [108595]

Dr. Howells: I have no such plans. I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for International Development on 8 February 2000, *Official Report,* column 91W.

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry what recent representations he has received concerning the Dervish anti-personnel land mines clearance project. [108594]

Dr. Howells: Any such representations received in this Department would be passed to the Ministry of Defence or the Department for International Development.

Telecommunications Masts

Mr. Norman: To ask the Secretary of State for Trade and Industry what measures his Department has taken to enforce the conditions of telecommunications licences that operators provide details of the expected locations of all telecommunications apparatus before giving notice of the installation of any apparatus in a particular planning authority area; what penalties are applicable when this condition is breached; and if he will list the instances in which this condition has been broken in each of the last five years, by each operator. [108501]

Ms Hewitt: Enforcement in relation to these conditions is a matter for local planning authorities. Failure to pre-notify expected locations of apparatus to the local planning authority would deprive the operator of permitted development rights under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 and would subject him to normal planning law. The local planning authority would then be responsible for taking action under normal planning enforcement procedures. Remedies could include a requirement to remove the apparatus concerned. As this is a matter for planning authorities, DTI does not receive details of breaches.

Mr. Norman: To ask the Secretary of State for Trade and Industry who is responsible for monitoring the level of power densities produced by telecommunications masts; what proportion of masts were checked in 1999; and if he will list by operator the masts found to produce power densities in excess of the limits set by the NRPB in each of the last three years. [108496]

Ms Hewitt: The responsibility for monitoring the level of power densities produced by telecommunications masts rests with the operators of the masts in accordance with their duties under the Health and Safety at Work, etc. Act 1974. The Health and Safety Executive requires operators to prevent access by members of the public to areas, usually within a couple of metres of the antennae, where power densities may exceed NRPB guidelines.

The Radiocommunications Agency will investigate complaints about emissions from telecommunications masts, though the cost of any report on a particular site must be borne by the complainant. To my knowledge, no mast has been found where members of the public are exposed above NRPB guideline limits. No information is held on the proportion of masts checked in 1999.

E-commerce

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what plans he has to assess the energy and environmental implications of the development of e-commerce and greater use of teleworking and video conferencing. [108686]

Ms Hewitt: As I announced last week, my Department, with the DETR, is supporting a year long inquiry into the environmental and social impacts of the development of e-commerce. This project, called "Digital Futures", will

be managed by Forum for the Future and has the support of business as well as Government. It will report in early 2001.

The Government continue to develop and keep under review their information about the nature of energy consumption and projections of future energy demand, taking into account a range of social and economic trends, including e-commerce, teleworking and video conferencing.

Regeneration Partnership Programme

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will list those local authorities or partnership schemes which have recently been awarded support under the RECITE-II regeneration partnership programme, giving the size of each award and the main focus of the scheme supported. [108687]

Mr. Caborn: RECITE II is a Community Initiative run by the European Commission. The programme is aimed at encouraging and promoting co-operation between regional and local authorities.

A table showing the projects which have been awarded support and the size of each project grant is being placed in the House of Commons Library.

Departmental Secondments

Mr. Willis: To ask the Secretary of State for Trade and Industry how many staff were seconded from the private sector to his Department from *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109070]

Dr. Howells *[holding answer 8 February 2000]:* From the information that is held centrally within the Department, the details we have on inward secondments are as follows:

1 May 1997–30 April 1998

Number of secondments—63

Company names

The Export Association
North Cape (Scotland) Ltd.
Bank of Ireland
Rover Group Ltd.
Reyrolle Projects Ltd.
Grant Thornton
Drinks Marketing Consortium
European Gas Turbines—GEC Alstrom
Ericsson Ltd.
Prince Associates
British Telecom plc (x2)
Littlejohn Frazer
The Institute of Export (x2)
Arthur Andersen (x2)
Deloitte and Touche
NHS Supplies
British Nuclear Fuel plc
Herbert Smith
Mobil
Hyder plc
EPSRC
PricewaterhouseCoopers (x2)
ERTL Europe Ltd.
BT International Business
Nuclear Electric plc
Frank Roberts and Sons Ltd.
Barclays Bank plc
Silver Altman
Guinness Brewing Worldwide Ltd.
Pricewaterhouse Coopers
Anglian Water International UK
Hambros Bank Ltd.
General Accident/CGU Insurance
Beaumont Colson Ltd.
AWE plc
Epinet Communications plc
Matra Marconi Space
Barclays Bank plc
Reuters Ltd.
Lee and Allen Consulting plc
CERN
HSBC Holdings plc
University of Greenwich
Toyoboshi UK Ltd.
Westcountry Development Corporation
Hydro Technologies Ltd.
Crown Agents Overseas Government and Administration
ICI Chemicals and Polymers Ltd.
Cable and Wireless plc
GEC Marconi Avionics Ltd.
Cookstown Enterprise Centre Ltd.
Sonic Communications
Unipart International
Natural Animal Feeds Ltd.
Russo-British Chamber of Commerce
Eschmann Brothers and Walsh Ltd.
The Hosiery Manufacturing Company Ltd.
Delamore Associates Ltd.
Lockstair Ltd.

1 May 1998–30 April 1999

Number of secondments—55

Company names

The British Petroleum Company plc (x2)
British-Israel Chamber of Commerce
Matheson and Company Ltd.
Lloyds TSB Group plc
The Hosiery Manufacturing Company Ltd.
ICL (x2)
East European Trade Council
British Aerospace plc
British Telecom plc (x2)
British Marine Equipment Council Ltd.
E. A. Technology Ltd.
Slaughter and May
Glaxo Wellcome Research and Development
Knight Piesold Ltd. (x2)
AEA Technology plc (x3)
EPSRC
PWR (Electrical Supplies) Ltd.
British Nuclear Fuels plc
Hewlett-Packard Ltd.
East Europe Trade Council
Enterprise Ayrshire
Herbert Smith
British Consulate General Osaka
Polish Social and Cultural Association Ltd.

Moody Cashmere Ltd.
Abercairn of Scotland Ltd.
Grant Thornton
Financial Service Authority
GK Communications Group Ltd.
British American Tobacco Company
Aspen Waite Chartered Accountants
ICI Group
Masters International (UK) Ltd.
GKN Westland Helicopters
Gardenex
British Aerospace Aviation
Trade Development Ltd.
ACO Technologies plc
Independent Power Corporation plc
Freeman Rich Chartered Accountants
SMMT Ltd.
Ernst and Young Services Ltd.
Reuters Ltd.
Elizabeth Emanuel Enterprises Ltd.
East European Trade Council
Simmons and Simmons
Oracle Corporation UK Ltd.
Brown and Root AOC
LGC Ltd.

1 May 1999–8 February 2000

Number of secondments—47

Company names

Rover Group Ltd.
Moy Park Ltd.
Robson Rhodes
The Building Centre Ltd.
Newbrook Engineering Company Ltd.
Medical Research Council
Mott MacDonald Group Ltd.
Darwin Instruments Ltd.
MacAlister Elliott and Partners Ltd.
The Beaver Housing Society Ltd.
GKN plc
William Santus and Company Ltd.
The Wellcome Trust
Knight Peisold Ltd.
PricewaterhouseCoopers
The Export Association
Proactive Associates Ltd.
British Telecom plc (x2)
Reuters Ltd.
West India Committee
David Stanley Associates Ltd.
Mivan Ltd.
Natwest Group
Shaw Trust Ltd.
AstraZeneca (x2)
British Nuclear Fuels plc
Black Isle Consultants Ltd.
Unipath Ltd.
The Symphony Group plc
Binnie Black and Veatch Ltd.
John Laing International Ltd.
Simmons and Simmons
Shell UK Exploration and Production
Grant Thornton
ONE North East
BHP Petroleum Ltd.
Phoenix Timber Group plc
Biwater International Ltd.
Gardenex
Linklaters and Alliance
Middle East Association
Science Systems (Space) Ltd.
Trades Union Congress
KCA Drilling Ltd.
Imperial Chemical Industries plc.

Stakeholder Pensions

Mr. Pollard: To ask the Secretary of State for Trade and Industry if all regulatory proposals relating to the introduction of stakeholder pension schemes will be scrutinised by the Chief Executive of the Small Business Service to ensure that they are *(a)* easy to understand, *(b)* easy to comply with and *(c)* difficult to evade. [107921]

Ms Hewitt: The Government's approach is to regulate only where it is necessary to achieve the desired effect. An important aim is to minimise the burden that would be placed on small firms. Therefore, the Chief Executive of the Small Business Service will be consulted by Government Departments on all regulatory proposals that affect small firms. The process of making regulations easy to understand, easy to comply with and difficult to avoid will, of course, include the proposals relating to the introduction of stakeholder pension schemes.

Waste Tyres

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how many waste tyres were produced in the United Kingdom in the last year; and by what means they were disposed of. [109685]

Ms Hewitt: The Used Tyre Working Group, a joint Government/Industry initiative established to consider used tyre disposal issues, estimated that around 465,000 tonnes of tyres were disposed of in 1998. Of this total, it is estimated that value was recovered from approximately 330,000 tonnes. The table provides a breakdown:

	Tonnes
Exports of used casings	35,000
Re-used as part-worn tyres	29,000
Other reuse (silage clamps, dock fenders, etc.)	20,000
Retreaded tyres	86,000
Materials recovery	49,000
Energy recovery	84,500
Landfill engineering	25,500

It is estimated that a significant proportion of the outstanding balance of some 135,000 tonnes was disposed of in landfill, either in whole or shredded form or as automotive shredder residue.

The Used Tyre Working Group is currently in the process of collecting used tyre disposal statistics for 1999.

The EU Landfill Directive will ban the disposal of almost all tyres to landfill during 2006, requiring the development of further tyre recovery facilities to handle those tyres that would otherwise have gone to landfill. The Government will continue to work closely with industry on this issue.

HOME DEPARTMENT

Fire Service

Ms Bridget Prentice: To ask the Secretary of State for the Home Department what targets he is setting for the employment of women in the operational fire service. [110283]

Mr. Mike O'Brien: I am today announcing targets for the recruitment, retention and career progression of women in the fire service. By 2009, the Government expect 15 per cent. of the operational fire service (whole-time and retained firefighters and their officers) in England and Wales to be women and for them to remain in the service and be promoted at the same rate as their male colleagues.

At present, the number of women in the whole-time operational fire service is only 1 per cent. A recent report from Her Majesty's Chief Inspector of Fire Services has conformed that there is no possible justification for such low numbers. The target is deliberately challenging and will require brigades to take steps to encourage a more open inclusive culture and to revise procedures and practices which the Chief Inspector's thematic review found to be potentially discriminatory.

Parole Board

Ms Bridget Prentice: To ask the Secretary of State for the Home Department if he intends to review the work of the Parole Board. [110302]

Mr. Boateng: The Parole Board is an executive Non-Departmental Public Body, established on 1 July 1996. The Government are committed to regular review of Non-Departmental Public Bodies, and have decided to conduct a review of the Board during the current year. The review will incorporate the requirements of the 'Quinquennial Review' process. The review will also look at the scope for improvements in the efficiency and effectiveness of the Parole Board and the wider parole process (for both determinate and life sentenced prisoners).

The review has the following terms of reference:

Within the context of a required Quinquennial Review of Parole Board functions, and the requirements of Better Quality Services and the Civil Service modernisation programme:

to identify the key issues facing the parole and lifer review processes and the Parole Board over the next five years; and

as part of the Quinquennial Review programme, to consider whether the functions of the Parole Board continue to be required, and, if so, whether a Non Departmental Public Body is the best option for delivery.

to recommend changes to the parole and lifer processes which ensure that:

existing procedures are made as efficient and effective as possible;

new casework is dealt with efficiently and effectively and that demanding performance targets and measures are established with clear plans for delivery stated;

wider developments, including advancements in information technology, are integrated successfully into the parole and lifer review processes.

to recommend necessary changes to the Parole Board's status, organisation, structure and funding.

Either-way Offences

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the current either-way criminal offences; and if he will make a statement. [109879]

Mr. Charles Clarke: There is no readily available list of triable either-way offences. Appendix 4 of the annual Command Paper "Criminal Statistics England and Wales" lists just over 370 triable either-way offence codes which are used for statistical purposes. Each code may cover more than one offence and these codes cover approximately 700 offences. Other triable either-way offences are grouped together under one 'ad hoc' code. Copies of the Command Paper are available in the Library.

Fines

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many fines for criminal offences were issued in each of the last 10 years for which figures are available; what was the average fine *(a)* for each category of offence and *(b)* overall; and if he will make a statement. [109880]

Mr. Charles Clarke: The information is given in the following table.

Number of offenders fined[1] and average fine given at all courts by type of offence, England and Wales, 1988–98

Year	Indictable		Summary non-motoring		Summary motoring		Total all offences	
	Number fined	Average fine (£)	Number fined	Average fine (£)	Number fined	Average fine (£)	Number fined	Average fine (£)
1888[2]	151,716	110	406,042	62	690,575	85	1,248,333	81
1989[2]	135,403	123	406,857	68	685,560	102	1,227,820	93
1990[2]	134,662	150	397,720	72	660,332	113	1,192,714	103
1991[2]	118,672	129	382,119	74	665,773	111	1,166,564	101
1992[2]	109,074	133	400,323	78	674,445	110	1,183,842	101
1993	102,926	134	382,256	102	606,302	149	1,091,484	131
1994[2]	98,195	148	380,826	98	576,223	160	1,055,244	137
1995[2]	89,424	157	328,652	103	578,639	166	996,715	145
1996[2]	84,617	184	402,697	103	585,710	161	1,073,024	141
1997	88,035	192	327,312	104	583,325	163	998,672	146
1998	94,592	185	367,901	105	598,250	162	1,060,743	144

[1] Based on the number of offenders fined for their principal offence where the main or only disposal was a fine.
[2] Known shortfall in the number of proceedings in magistrates courts for these years.

Public Service Agreements

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the public service agreement commitments made by his department since May 1997; and if he will make a statement. [109882]

Mr. Charles Clarke: The Home Office Public Sector Agreement, together with those for the Criminal Justice System and Action against Illegal Drugs which also include targets for the Home Office and the services for which it is responsible, were published in the White Paper "Public Services for the Future: Modernisation, Reform, Accountability" in January 1999.

Performance Targets

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many performance targets have been set by his Department, agencies and non departmental public bodies since May 1997 on *(a)* prisons policy, *(b)* police policy, *(c)* fire and emergency planning policy, *(d)* probation policy, *(e)* immigration, asylum and nationality policy, *(f)* constitutional policy, *(g)* reducing crime, *(h)* the prevention of terrorism and the reduction of organised and international crime, *(i)* sentencing, *(j)* youth justice policy, *(k)* crime prevention policy, *(l)* policy relating to victims and witnesses and *(m)* community and voluntary sector policy; how many of those targets have been (i) amended, (ii) revoked and (iii) achieved since May 1997; and if he will make a statement. [109881]

Mr. Straw: Following the Comprehensive Spending Review, key performance targets were published in the White Paper "Modernisation, Reform, Accountability" in January 1999. Those to be delivered by the Home Office and the services for which it is responsible were detailed within the Home Office, Public Service Agreement (PSA) as well as the Public Service Agreements for the Criminal Justice System and Action against Illegal Drugs. These targets, together with other key targets and milestones for the Home Office, were brought together within the 1999–2000 Business Plan for the Home Office, a copy of which I have placed in the Library.

These targets and milestones are based on outcomes required rather than functional inputs. The Business Plan, therefore, groups them according to the published Aims of the Home Office. These are as follows:

Aim 1: Reduction in crime, particularly youth crime, and in the fear of crime; and the maintenance of public safety and good order—38 targets or milestones.

Aim 2: Delivery of justice through effective and efficient investigation, prosecution, trial and sentencing, and through support for victims—42 targets or milestones.

Aim 3: Prevention of terrorism, reduction in other organised and international crime, and protection against threats to national security—22 targets or milestones.

Aim 4: Effective execution of the sentences of the courts so as to reduce re-offending and protect the public—30 targets or milestones.

Aim 5: Helping to build, under a modernised constitution, a fair and prosperous society, in which every one has a stake, and in which the rights and responsibilities of individuals, families and communities are properly balanced—33 targets or milestones.

Aim 6: Regulation of entry to and settlement in the United Kingdom in the interests of social stability and economic growth, and facilitation of travel by United Kingdom citizens—32 targets or milestones.

Aim 7: Reduction in the incidence of fire and related death, injury and damage, and ensuring the safety of the public through civil protection—23 targets or milestones.

In addition, 64 targets or milestones were separately identified within the Business Plan for the support directorates of the Home Office.

Performance against each of the Business Plan targets will be reported in the Home Office Annual Report which will be published in April 2000.

Criminal Injuries Compensation

Mr. Dismore: To ask the Secretary of State for the Home Department under what authority applicants for criminal injuries compensation on the pre-statutory scheme are being required by the Criminal Injuries Compensation Board to pay the compensation to a trust, with any balance repayable on the applicant's death; at what levels of compensation cases are affected by this policy decision; how many cases have been caught by this policy decision; what is the total amount of compensation involved; and if he will make a statement. [109370]

Mr. Charles Clarke: The 1990 criminal injuries compensation scheme gives the Board discretion to make special arrangements for the administration of a compensation award, including the establishment of a trust. The exercise of that discretion in individual cases is a matter for the Board, not Ministers. I understand from the Board that it operates no rigid policy in this area, but exercises its discretion on the facts of each case. I understand also that the Board does not keep statistics in the form requested.

Crime Prevention (Oxfordshire)

Mr. Woodward: To ask the Secretary of State for the Home Department what initiatives are in place in Oxfordshire for *(a)* support for victims and *(b)* prevention of racial harassment and violence. [109124]

Mr. Mike O'Brien *[holding answer 9 February 2000]:* Comprehensive information on these subjects is not readily available. However, the National Association of Victim Support Schemes (NAVSS) is represented in Oxfordshire by a county scheme, providing voluntary support for victims of crime. The scheme is administered at local level within the county with branch offices at Banbury, Oxford and Didcot/Wallingford. Home Office funding has recently been approved for Victim Support to develop a witness support service at magistrates courts in the country.

Local police initiatives in Oxford with the lesbian and gay community have raised reporting levels of homophobic and 'hate-crimes' with the establishment of informal community support networks for victims.

As regards tackling racial harassment and violence, all police areas in the county now have dedicated Community and Race Relations officer to work closely with external bodies and communities. The Oxford Multi-Agency Approach to Racial Harassment has existed in Oxford for over 10 years at a senior officer and caseworker level, acting as a third-party and referral agency for victims of

racial harassment and violence. Through local private support and Single Regeneration Budget funding, this group has been expanded to become Agencies Acting Together, Tackling Racial Harassment in Oxfordshire.

Later this month, Oxfordshire Race Equality Council will be organising a conference entitled 'Stephen Lawrence—One Year On' which will bring together leaders from Police, Education, Health, Courts, the Crown Prosecution Service and voluntary organisations, and will draw up a set of specific actions to be achieved within the next 12 months. The focus will be on the 70 recommendations of the Stephen Lawrence inquiry, and will culminate in the public signing of a joint declaration to fight racism in Oxfordshire.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will list for the financial year 1998–99 the number and total value of contracts let by his Department with external consultants and advisers that have *(a)* been put out to competitive tender, *(b)* not been put out to competitive tender and *(c)* been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109063]

Mr. Straw *[holding answer 8 February 2000]:* The information requested is not immediately available in the form requested. I am arranging for the information to be collated and will write to the hon. Member when it is available.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department how much in total it has cost London authorities to support asylum seekers from the time when benefit was withdrawn to 31 January. [108796]

Mrs. Roche: The Home Office assumed responsibility for the budget for supporting asylum seekers in April 1999. This includes reimbursing costs, within unit cost and overall cash limits, incurred by local authorities for supporting asylum seekers under the National Assistance Act 1948 and the Children Acts. Responsibility for reimbursing local authorities by grant in respect of supporting asylum seekers previously rested with the Department of Health.

Information on the total cost of supporting asylum seekers through local authorities for the period in question is currently not available. But the Department of Health made grant payments to London boroughs of £66 million in 1997–98 and £161 million in 1998–99 in respect of costs incurred in supporting asylum seekers. The figure for 1996–97 is not available in the form requested and the figure for the period 1 April 1999 to 31 January 2000 is not yet known.

Mr. Coleman: To ask the Secretary of State for the Home Department what is the estimated total expenditure by London authorities on asylum seekers in 2000; and how much of this expenditure will not be covered by Government grants. [108795]

Mrs. Roche: The Home Office assumed responsibility for the budget for the costs of supporting asylum seekers in April 1999 and has a provisional allocation of £300 million for support for the financial year 2000–01. Estimates for the costs expected to be incurred in 2000–01 are currently under review.

Those costs are sensitive to a range of factors, including the number of asylum applications, the speed of processing and take up rates. For the London authorities, in respect of which an estimate of total expenditure on asylum seekers in 2000 is not available, a further factor will be the extent to which asylum seekers are dispersed to other locations.

NORTHERN IRELAND

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Northern Ireland if all food served at his Department's official functions meets the standards of production required of domestic producers. [109770]

Mr. Ingram: All catering contracts the NIO awards include a clause to ensure they conform to current legislative standards.

Police

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many officers currently serving in the RUC Criminal Investigation Department have served on the force *(a)* less than five years, *(b)* more than five and less than 10 years, *(c)* more than 10 years and less than 15 years and *(d)* more than 15 years. [107820]

Mr. Ingram: At 1 February 2000, there were two officers attached to the Criminal Investigation Department with less than five years' service in the Royal Ulster Constabulary: 43 officers with more than five years' but less than 10 years' service; 119 officers with more than 10 years' but less than 15 years' service; and 645 officers with more than 15 years' service.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many officers currently serving in the RUC Special Branch have served on the force *(a)* less than five years, *(b)* more than five and less than 10 years, *(c)* more than 10 and less than 15 years, *(d)* more than 15 years. [107821]

Mr. Ingram: As at 1 February 2000, there were no officers attached to Special Branch with less than 5 years' service in the Royal Ulster Constabulary; 18 officers with more than 5 years' but less than 10 years' service; 74 officers with more than 10 years' but less than 15 years' service; and 592 officers with more than 15 years' service.

SOCIAL SECURITY

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Social Security if he will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by his Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were

let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109266]

Mr. Rooker *[holding answer 9 February 2000]:* The information could be provided only at disproportionate cost.

Outsourcing (Company Credit Ratings)

Mr. Pickles: To ask the Secretary of State for Social Security if the credit rating of companies seeking to tender for services provided by his Department is checked before the contract is awarded. [107743]

Mr. Rooker: For DSS contracts the financial viability of prospective suppliers is always checked. This is usually conducted at a pre-qualification stage and before companies are formally invited to submit an offer. On most occasions companies are required to provide three years accounts. This information is professionally appraised in consideration of the expected value and relative risk of the contract.

Mr. Pickles: To ask the Secretary of State for Social Security how often the credit rating of companies supplying services to his Department is checked. [107747]

Mr. Rooker: Once a contract has been let, it is not usual practice to conduct detailed reappraisals of financial information on suppliers unless there is reason to believe that the financial standing of a supplier has changed significantly since the contract was let.

Child Support

Mr. Levitt: To ask the Secretary of State for Social Security if he will give *(a)* the target time between receipt of an application for support from the Child Support Agency and the serving of papers on the absent parent and *(b)* the actual average time for this process in the most recent year for which the information is available. [109181]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Tom Levitt, dated 10 February 2000:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency.

You ask about the target time for the serving of papers on a non-resident parent following an application for child maintenance. The serving of papers has been taken to mean either the initial contact with a non-resident parent or the taking of enforcement action. In view of this I have covered both of these aspects in my reply.

When a parent with care makes an application for child support, a maintenance enquiry form is issued to the non-resident parent named on the application form. This is to establish the non-resident parent's financial and domestic circumstances. There is no target time for this procedure as much depends on the information provided by the parent with care and whether tracing the non-resident parent is necessary.

Although there is no target for the issue of a maintenance enquiry form the Secretary of State has set the Agency a target time for clearing 65% of maintenance applications within 20 weeks. This is a challenging target to which the Agency only achieved 50% (December 1999), however this can be viewed against a 25% increase of applications made during the last three months of 1999.

We continually strive to meet all targets set by the Secretary of State.

Once an assessment is made and payment is received it is passed to the parent with care within 10 working days of receipt in 98.6% of cases.

The Agency's policy is that, if necessary, it should use the powers given by Parliament to enforce payment of child maintenance. Where normal collection arrangements fail and arrears accrue, the Agency will take firm and prompt enforcement action if the non-resident parent does not make an acceptable offer to pay. There is no target time for this action to be taken as each case is considered on its merits and the Agency will take account of the likely effect of enforcement action on the welfare of any children involved. The benefit to the child of payment being made may also be a deciding factor.

Under provision of the Child Support Act 1995 the Agency has been able to arrange for liability orders granted by magistrates' courts to be entered in the County Court Register of Judgements. This register is used extensively by credit reference agencies when establishing an individual's creditworthiness. Entries in the register may result in credit being refused, a particular deterrent for self employed Non-Resident Parents. In the last reporting year, April 1998 to March 1999, the Agency applied for 3,968 liability orders.

I hope this is helpful.

Child Benefit

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security (1) how many parents in *(a)* the United Kingdom and *(b)* Scotland who are in receipt of lone parent premium receive payment of child benefit by way of order book; and of those how many are in receipt of income support; [109112]

(2) how many people in *(a)* the United Kingdom and *(b)* Scotland receive payment of child benefit by way of order book; and of those how many are in receipt of (i) job seeker's allowance, (ii) invalidity benefit and (iii) income support. [109113]

Angela Eagle: The administration of child benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alasdair Morgan, dated 10 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Questions about how many parents in (a) the United Kingdom and (b) Scotland who are in receipt of lone parent premium receive payment of child benefit by way of order book; and of those how many are in receipt of income support, and how many people in (a) the United Kingdom and (b) Scotland receive payment of child benefit by way of order book; and of those how many are in receipt of (a) jobseeker's allowance, (b) invalidity benefit and (c) income support.

Due to the differing formats for storing data it is not possible to supply all the information as requested.

I am able to advise that the number of people in Great Britain (England, Scotland and Wales) who are in receipt of Child Benefit (Lone Parent) by way of order book totals 747,000 of which 81,000 live in Scotland.

The number of people receiving Child Benefit (Lone Parent) who also receive Income Support is unknown. However, the number of people in receipt of Income Support as lone parents and are also in receipt of Child Benefit total 926,000 in Great Britain of which 87,000 live in Scotland.

The number of people in Great Britain (England, Scotland and Wales) who receive payment of Child Benefit by way of order book totals 4,489,000, of which 410,000 live in Scotland. Details of the number of those who are also in receipt of Jobseeker's Allowance or Invalidity Benefit or Income Support are not available.

Information on Incapacity Benefit assessments which include an increase for a child is not available by receipt of Child Benefit.

However, the total number of Income Support recipients with Child Benefit in Great Britain, totals 1,217,000, of which 117,000 live in Scotland.

The total number of Jobseeker's Allowance recipients with Child Benefit in Great Britain totals 138,000, of which 10,000 live in Scotland.

I hope this is helpful.

Automated Credit Transfer

Mr. Ashdown: To ask the Secretary of State for Social Security, pursuant to his answer of 17 January, *Official Report*, column 333W, on automated credit transfer, if he will break down his estimate of the £400 million per year anticipated savings from paying benefits and pensions directly into bank accounts rather than through post offices to show the proportion of these savings which result from *(a)* reduced payments to post offices, *(b)* reduced paper and printing costs and *(c)* other sources; and if he will make a statement. [109481]

Mr. Rooker: It is not appropriate to give a full breakdown of how the overall savings figure is calculated as part of the costs are commercially confidential between the Benefits Agency and its suppliers.

Fraud

Mr. Ashdown: To ask the Secretary of State for Social Security how many cases of benefit fraud were identified by post offices and sub-post offices each year since 1990; in how many of these cases a compensation payment has been made to post offices as a reward for reducing fraud; and if he will make a statement. [109480]

Mr. Rooker: The Benefits Agency does not maintain records on the number of cases of benefit fraud identified by post offices and sub-post offices since 1990. However, aggregated statistics on applications, payments and rejections since the introduction of the Post Office Rewards Scheme are detailed in the table. These figures do not include instances of fraud prevention by post office staff in compliance with their normal contractual obligations.

Post Office staff are required to make contractually agreed security checks before the encashment of order books and girocheques. One of the initiatives to combat fraud at the point of encashment is the Post Office Reward Scheme, which offers financial incentives to Post Office staff who impound instruments of payment beyond their contractual requirement. This scheme was introduced nationally in October 1995. Post Office staff can be paid a reward of £10.00 (£25.00 in exceptional cases).

PO rewards scheme claims

	October 1995 to 31 March 1996	*1 April 1996 to 30 March 1997*	*31 March 1997 to 29 March 1998*	*30 March 1998 to 28 March 1999*	*29 March 1999 to 26 December 1999*
Number of claims accepted	23,397	53,156	54,021	49,396	39,378
Value of IoPs (OBs and giros) impounded on accepted claims	£11,463,664.27	£28,034,410.40	£29,694,440.67	£27,894,642.61	£24,163,044.65
Rejected	3,671	6,078	6,095	7,994	6,795
Value of IoPs (OBs and giros) impounded on rejected claims	£1,725,840.33	£2,697,306.93	£2,877,367.61	£4,113,746.71	£3,631,145.92
Total value of IoPs (OBs and giros) impounded	£13,189,504.60	£30,731,717.33	£32,571,808.28	£32,008,389.32	£27,794,190.57

Pensions

Mr. Mudie: To ask the Secretary of State for Social Security how much pensioners would have received this year if the award had been related to earnings rather than inflation; and what weekly increase they would have received this year. [109590]

Mr. Rooker: The information is in the table.

Amount of basic retirement pension payable to pensioners if increased by earnings for April 2000

£

	Amount of basic retirement pension	*Weekly increase*
Single pensioner	69.75	3.00
Married couple	111.50	4.80

Notes:
1. Average earnings index whole economy (non seasonally adjusted) as published by the Office of National Statistics.
2. The rate has been calculated assuming 100 per cent. entitlement to basic retirement pension.

Basic State Pension

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security if he intends to increase the 25 pence age addition on the basic state pension awarded to those aged 80 years; and if he will make a statement. [109599]

Mr. Rooker: We have no plans to increase the 25 pence age addition on the basic state pension to those over aged 80 or over. Our priority has been to help the poorest pensioners and to help all pensioner households with the fuel bills that are most difficult to pay.

We have recently announced that in addition to raising the state pension we are increasing the Minimum Income Guarantee for pensioners in line with earnings. With Winter Fuel Payments, changes to VAT on fuel, the Minimum Income Guarantee and introducing free TV licences, the oldest, poorest pensioners will gain over £500 a year.

HEALTH

Pseudomonas

Mr. Hancock: To ask the Secretary of State for Health (1) how many cases of pseudomonas have reported to his Department in each of the last five years in each health authority in England and Wales; [105882]

(2) how many hospitals have notified his Department of problems relating to pseudomonas in each of the last five years; [105883]

(3) how many people have died as a result of pseudomonas contracted *(a)* in NHS hospitals and *(b)* elsewhere in each of the last five years; [105884]

(4) what guidance he gives hospitals on pseudomonas; and if he will make a statement; [105885]

(5) what guidance he has issued to health authorities and hospital trusts on combating pseudomonas on NHS premises. [105886]

Yvette Cooper: Pseudomonas species can cause infections of the urinary tract, chest and blood stream. The most relevant data available centrally about cases of pseudomonas are those for bactaermia (blood infections) caused by pseudomonas species as reported by National Health Service laboratories to the Public Health Laboratory Service. Information for the years 1995–99 by NHS regions is given in the following table. Information on NHS hopital inpatient activity is available from Hospital Episode Statistics (HES). This data includes admissions to hospital with pseudomonas but not those cases contracted within hospitals.

Pseudomonas do not have a distinct code within the International Classification of Diseases used for encoding death registration data at the Office for National Statistics. There are therefore no centrally-held statistics on deaths from this cause.

All NHS trusts should have an infection control team which has primary responsibility for, and reports to the chief executive on, all aspects of surveillance, prevention and control of infection, including pseudomonas. A range of initiatives are underway to strengthen hospital infection control arrangements, including issue of comprehensive new standards to the NHS on 22 November 1999 as part of the National Controls Assurance launch. Acute NHS trusts must assess themselves against these standards by March 2000. Compliance will be monitored by the Commission for Health Improvement and the Audit Commission.

Laboratory reports of bacteraemias caused by Psuedomonas—1995 to 1999

Health region	*Organism*	*1995*	*1996*	*1997*	*1998*	*1999*	*Grand total*
Eastern	Pseudomonas Aeruginosa	74	96	92	97	97	456
	Pseudomonas SP	15	15	37	31	51	149
Total		89	111	129	128	148	605
London	Pseudomonas Aeruginosa	197	216	204	189	201	1,007
	Pseudomonas SP	24	32	26	48	48	178
Total		221	248	230	237	249	1,185
North West	Pseudomonas Aeruginosa	151	139	173	174	162	799
	Pseudomonas SP	13	25	41	57	45	181
Total		164	164	214	231	207	980
Northern and Yorkshire	Pseudomonas Aeruginosa	159	165	112	165	192	793
	Pseudomonas SP	38	38	29	27	41	173
Total		197	203	141	192	233	966
South East	Pseudomonas Aeruginosa	234	232	217	214	198	1,095
	Pseudomonas SP	23	24	22	28	24	121
Total		257	256	239	242	222	1,216
South West	Pseudomonas Aeruginosa	116	133	173	130	128	680
	Pseudomonas SP	13	12	16	20	21	82
Total		129	145	189	150	149	762
Trent	Pseudomonas Aeruginosa	90	119	164	137	202	712
	Pseudomonas SP	25	30	24	22	38	139
Total		115	149	188	159	240	851
Wales	Pseudomonas Aeruginosa	42	93	88	95	96	414
	Pseudomonas SP	7	22	23	20	33	105
Total		49	115	111	115	129	519
West Midlands	Pseudomonas Aeruginosa	105	108	161	175	167	716
	Pseudomonas SP	17	31	50	95	62	255
Total		122	139	211	270	229	971
Grand total		1,343	1,530	1,652	1,724	1,806	8,055

Meningitis

Mr. Ian Stewart: To ask the Secretary of State for Health when the second stage of the meningitis C vaccination programme for one to five-year-olds will commence. [105892]

Yvette Cooper: Roll-out of the meningococcal Group immunisation programme is dependent on satisfactory vaccine supply. Those children at highest risk of meningococcal disease are being offered immunisation first. The "catch-up" programme to immunise all children under the age of two years began this month and is planned to be completed by the end of March.

Immunisation of other children under five years will commence as quickly as vaccine supplies become available. Parents will be told when their children are to be called for immunisation. All children and young people under 18 should have been offered vaccine by the end of 2000.

Kosovo

Mrs. Mahon: To ask the Secretary of State for Health what advice the UK National Radiological Protection Board has given to travellers to Kosovo. [106928]

Yvette Cooper: The National Radiological Protection Board has given the following advice to travellers to Kosovo in an information sheet issued in July 1999 on Depleted Uranium:

> "People visiting or working in Kosovo, for example press and relief agencies, should seek advice from appropriate authorities on the disposition of damaged vehicles or areas of DU contamination and avoid disturbing these areas. If access to potentially contaminated areas is deemed essential, then advice should be sought from the Ministry of Defence or the Foreign Office on any protective measures required."

This information may be found on the NRPB's website.

Breast Cancer Screening

Caroline Flint: To ask the Secretary of State for Health (1) what percentage of women in the age brackets *(a)* 18 to 30, *(b)* 30 to 40, *(c)* 40 to 50, *(d)* 50 to 65 and *(e)* 65 years and over were routinely offered screening for breast cancer on a call and recall basis in each of the last five years; [106997]

(2) what is the survival rate for women whose breast cancer is discovered *(a)* through breast screening on a call and recall basis and *(b)* by other means; [106998]

(3) how many women aged *(a)* 18 to 30, *(b)* 30 to 40, *(c)* 40 to 50, *(d)* 50 to 65 and *(e)* 65 years and over (i) died from breast cancer in each of the last five years and (ii) were screened for breast cancer on a call and recall basis in each of the last five years. [106996]

Yvette Cooper: The number of women who died from breast cancer in the last five years is shown in the table:

Deaths from cancer of the female breast [1], years of occurrence, England and Wales

	Age group					
	20–29 [2]	*30–39*	*40–49*	*50–64*	*65+*	*Total*
1993	33	321	1,229	3,273	8,172	13,028
1994	29	372	1,227	3,204	7,998	12,830
1995	30	332	1,199	3,153	7,829	12,543
1996	24	340	1,153	2,946	7,716	12,179
1997	25	359	1,032	2,985	7,579	11,980
1998	26	320	1,020	3,021	7,372	11,759

[1] International Classification of Diseases, Ninth Revision, code 174.
[2] There were no deaths from female breast cancer at ages 18 and 19 in the years in question.

Information about women screened is available for the target age group for the National Heath Service breast screening programme, which is 50 to 64. Some women over the age of 65 continue to be called for screening under the programme, for example to follow up questions raised by a previous mammogram. Information about those women screened on a call and recall basis in each of the last five years is shown in the table.

Thousand

	Number of women screened	
	Age 50–64	*65 and over*
1993–94	929.7	[1]—
1994–95	952.8	12.9
1995–96	949.7	14.4
1996–97	982.0	16.8
1997–98	1,030.7	23.2

[1] Not available
Source:
KC62, Statistics Division SD2B

Similarly, information about women invited for screening is available for the target age group and those recalled after the age of 65. Information about those women invited for screening on a call and recall basis in each of the last five years is shown in the table. The screening programme operates on a three-year cycle, and these figures represent one third of the eligible population in each year.

Thousand

	Number of women invited for screening on a call and recall basis	
	Age 50–64	*65 and over*
1993–94	[1]—	[1]—
1994–95	1,231.7	17.7
1995–96	1,245.8	20.1
1996–97	1,300.6	23.4
1997–98	1,366.9	31.9

[1] Not available
Source:
KC62, Statistics Division SD2B

An audit of screen detected breast cancers for the year of screening April 1997 to March 1998, published jointly by the NHS breast screening programme and the British Association of Surgical Oncology in April 1999, reported that the five-year breast cancer survival rate for women screened in England, Wales and Northern Ireland in 1992–93 was 92.5 per cent. Comparable data are not available for women whose cancers are detected in other ways.

DTP Boosters

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will make a statement on the production and availability of DTP boosters. [107510]

Yvette Cooper: Diphtheria, tetanus (DT) vaccine rather than diphtheria, tetanus, pertussis vaccine is used as a booster in the United Kingdom immunisation programme. DT has been in short supply due to the inability of Medeva, one of the two UK licensed sources, to supply contracted vaccine. A third manufacturer, Behring, has now obtained a product licence for its DT vaccine to be used in the UK and the first batches are due for release at the end of February 2000. This should give the UK enough stock to allow GPs and clinics to catch up on any deferred appointments for immunisation.

Fluoride

Sir Richard Body: To ask the Secretary of State for Health what assessment he has made of the advice given by the World Health Organisation on the addition of fluoride to the water supply. [107728]

Yvette Cooper: Recommendation 7 on page 35 of the World Health Organisation Technical Report Series 846 "Fluorides and Oral Health: Report of a WHO Expert Committee on Oral Health Status and Fluoride Use" (1994) is that:

> "Community water fluoridation is safe and cost-effective and should be introduced and maintained wherever it is socially acceptable and feasible. The optimum water fluoride concentration will normally be within the range 0.5–1.0 mg/l."

We will have regard to the World Health Organisation's views in developing policy in this area following the results of the review of fluoridation being undertaken by the University of York.

Sir Richard Body: To ask the Secretary of State for Health what assessment he has made of the proportion of ingested fluoride that is retained in the body of a healthy adult. [107612]

Yvette Cooper: The Department has not undertaken any such assessment. One recent review (United States National Research Council "Health effects of ingested fluoride" 1993) noted that

> "Approximately 75–90 per cent. of the fluoride ingested each day is absorbed from the alimentary tract. Of the fluoride absorbed by the young or middle-aged adult each day, approximately 50 per cent. will be associated with calcified tissues within 24 hours and the remainder will be excreted in urine".

Sir Richard Body: To ask the Secretary of State for Health what evidence he has received on the relationship between incidence of Down's syndrome and the fluoridation of water. [107611]

Yvette Cooper: The independent expert advisory Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment considered fluoride in 1987, 1990 and 1995 and advised that

> "there is sufficient evidence from the available data to conclude that the consumption of fluoridated water would not constitute a mutagenic hazard to man through the induction of heritable abnormalities in the germ cells."

This implies that there is no biological basis for suspecting any relationship between fluoridation and the incidence of Down's syndrome. Epidemiological studies by Rapaport in the 1950s claimed to have shown an association, but were flawed and not supported by later epidemiological studies by others. An evaluation of the epidemiological studies will form part of the expert scientific review of fluoride and health in progress at the National Health Service Centre for Reviews and Dissemination at the University of York.

Selenium

Mr. Hammond: To ask the Secretary of State for Health what plans his Department has for publicising the value of selenium in the diet in reducing incidence of cancer. [107662]

Yvette Cooper: Selenium is an essential trace element which is particularly important in protecting the body against oxidative damage of the cells. Such damage is linked to diseases such as cancer and heart disease. It is therefore hypothesised that increasing selenium in the diet may decrease the risk of cancer.

The influence of diet and nutrition on the incidence of cancer was considered by the Committee on Medical Aspects of Food and Nutrition Policy in its 1998 report entitled "Nutritional Aspects of the Development of Cancer"[1] which stated that there was not enough evidence to reach conclusions for any specific links between selenium in the diet and cancer. We are funding research into the role of antioxidants, including selenium, in health and disease.

We have made reduction in death rates from cancer one of our four headline targets in our health strategy "Saving Lives: Our Healthier Nation". Action towards this target includes promoting a healthy and balanced diet, that is one which is varied and rich in cereals, fruit and vegetables.

[1] Department of Health. "Nutritional Aspects of the Development of Cancer". London: The Station Office, 1998. (Report on Health and Social Subjects, No. 48).

Primary Care Trusts

Mr. Austin: To ask the Secretary of State for Health what obligation he has placed on primary care trusts which wish to change their governance arrangements in a manner that departs from the guidance recently issued by his Department to consult with *(a)* users and *(b)* staff likely to be employed by the such trusts and their representatives. [107668]

Mr. Denham *[holding answer 31 January 2000]:* The membership structure of each primary care trust is set out in its establishment order and must be in accordance with the Primary Care Trust (Membership, Procedure and Administration Arrangements) Regulations 2000. The Primary Care Trusts (Consultation on Establishment, Dissolution and Transfer of Staff) Regulations 1999 provide that before an establishment order is amended so as to alter the membership of the trust then the health authority must consult the trust concerned. There is however no obligation under the regulations to consult users or staff. This mirrors the existing situation for NHS trusts.

None the less, the Primary Care Trusts (Consultation on Establishment, Dissolution and Transfer of Staff) Regulations 1999 set out the consultation requirements which must be complied with before an order establishing a PCT is made. The regulations state that the health authority within whose area the primary care trust is to be established must consult, among others, the local community health council, bodies that represent health care professionals, any voluntary organisations that represent patients or their private carers, and any other persons considered appropriate. Also Health Service Circular 1999/167, "PCTs: the Application Process", stated that those to be consulted on proposals for PCTs should include, among others, trade unions, and other staff or professional representative groups.

Hospital Admissions (Children)

Mr. Field: To ask the Secretary of State for Health how many children under the age of 16 years were admitted to hospital as a result of severe unintentional injury resulting in a stay longer than three days for *(a)* 1997–98 and *(b)* 1998–99, (i) in absolute terms and (ii) expressed as a rate per thousand people. [108347]

Yvette Cooper: The Hospital Episode Statistics database indicates that, in 1997–98, 10,457 children under the age of 16 were admitted to hospital as a result of an

unintentional injury that resulted in a stay longer than three days. This translates into a rate per thousand people of 1.04. Figures for 1998–99 are not yet available.

Fiscal Measures (Foods)

Mrs. Spelman: To ask the Secretary of State for Health if he will investigate the advantages and disadvantages of fiscal measures to encourage or discourage the purchase of certain foods, with particular reference to those containing a high proportion of saturated fatty acids. [109101]

Yvette Cooper: The White Paper "Our Healthier Nation" recognised that unhealthy diets are a risk factor for coronary heart disease, stroke and for some cancers. Therefore, everyone can reduce the risk by reducing their intakes of fat and saturated fatty acids, increasing carbohydrate intakes and increasing consumption of fruit and vegetables.

The theory that selected fiscal measures would have a significant effect on saturated fatty acid intakes of particular population groups is still unproven. It depends on basic assumptions about the strength of relationships between prices and purchases which would require much further testing before their validity could be accepted and further investigations justified.

Prostate Cancer

Mr. Letwin: To ask the Secretary of State for Health if he will investigate the advantages of general screening of men over a certain age for prostate cancer; and if he will make a statement. [109120]

Yvette Cooper *[holding answer 8 February 2000]:* The National Screening Committee, which advises the United Kingdom Health Departments about changes to screening policy, advised Ministers in 1997 that screening for prostate cancer, with current techniques for diagnosis and treatment, showed no evidence of benefit and could cause considerable harm. A report from the International Network of Agencies for Health Technology Assessment, published in January 1999, stated that mass screening for prostate cancer does not fulfil the ethical requirements and principles to avoid harm and do good. We have asked the Programme Director for the National Screening Committee, the National Cancer Director and the Director of Research and Development to keep this under active review.

NHS Staff

Mr. Matthew Taylor: To ask the Secretary of State for Health what plans he has to establish a pay review body for ancillary staff in the NHS; and if he will make a statement. [108901]

Mr. Denham *[holding answer 8 February 2000]:* "Agenda for Change" set out proposals for modernising National Health Service pay which included placing staff on one of three pay spines: one for doctors and dentists covered by the Doctors and Dentists Review Body, one for staff covered by the Nursing and Professions Allied to Medicine Pay Review Body and one for other staff. Confidential talks are continuing with NHS Unions about which staff groups may join an expanded NPRB without changing its fundamentally professional nature. The "Joint Framework of Principles and Agreed Statement on the Way Forward" proposes that a single pay negotiation council be established to negotiate pay uplifts for groups not covered by the Pay Review Bodies.

MRSA

Mr. Cousins: To ask the Secretary of State for Health how many outbreaks of MRSA have been reported to the Public Health Laboratory Service in each *(a)* month and *(b)* year of the last three years; what information is collected by the PHLS of the number of patients affected; and if he will establish central records of each patient affected by MRSA. [109017]

Yvette Cooper *[holding answer 9 February 2000]:* MRSA is the antibiotic resistant form of 'Staphylococcus aureus', a bacterium which is carried harmlessly on the skin by at least a third of the population. About 80 per cent. of people who acquire MRSA similarly carry it harmlessly on the skin and do not suffer from any infection. Neither the number of hospitals recording MRSA outbreaks nor the total number of patients in National Health Service hospitals who have MRSA are recorded centrally. The Public Health Laboratory Service (PHLS) compiles aggregate data on numbers of incidents of MRSA which are voluntarily reported by NHS trusts. The available data on the incidents of MRSA are given in the table. We are working with PHLS on improving surveillance systems so as to provide more complete data on MRSA. This includes reviewing the Nosocomial Infection National Surveillance Scheme in order to increase the numbers of hospitals which participate.

Incidents of[1] MRSA in England and Wales 1994–1998

Year	*Total*
1997	[2]2,364
1998	[3]1,597
1999	1,310

[1] An incident is three or more patients infected or colonised by the same strain of MRSA in the same month from the same hospital.
[2] The figures for 1997 and 1998 reflect the new NHS.
[3] The criteria for submission of isolates for specialist tests were revised in December 1997.

NHS Doctors

Mr. Harvey: To ask the Secretary of State for Health if he will estimate the number of doctors who will qualify and join the NHS in each of the next five years. [109258]

Mr. Denham *[holding answer 10 February 2000]:* The forecast output from medical schools in any one year cannot be accurately predicted.

Although most undergraduate medical courses are five years in length, some last for six years and many students on five-year courses delay their year of qualification by studying for an intercalated Honours degree. In addition, from 1999, some graduates will be admitted to shorter four-year medical degrees.

The latest figures from the Higher Education Funding Council for England, show that in July 1999 3,097 doctors qualified from English medical schools. The medical school intake figures from the last five years suggest that by July 2004 the output from medical schools will have increased by some 10 to 15 per cent. above the 1999 position.

NHS Professional Staff

Mr. Harvey: To ask the Secretary of State for Health (1) if he will estimate the numbers of doctors who will leave the NHS in each of the next five years before reaching the age of retirement; [109259]

(2) if he will estimate the number of *(a)* nursing, midwifery and health visiting staff and *(b)* NHS staff who are members of professions allied to medicine who will leave the NHS over the next five years before reaching the age of retirement. [109261]

Mr. Denham *[holding answer 10 February 2000]:* Information on the numbers of doctors, nurses, midwives and health visitors and the professions allied to medicine likely to leave the National Health Service before reaching the age of retirement is not available centrally and is a matter for National Health Service trusts.

Private Practice

Mr. Austin: To ask the Secretary of State for Health if the Chief Medical Officer's proposals for appraising doctors, set out in "Supporting Doctors, Protecting Patients", will *(a)* involve examination of the amount of private practice carried out by doctors and *(b)* make NHS employers responsible for monitoring the amount of private work carried out by consultants. [109884]

Ms Stuart: The aim of appraisal is a positive one; to help a doctor develop and progress as a health professional. In the National Health Service the appraisal process will include consideration of the achievement of the doctor's contractual obligations.

It is for employers and employees to agree the balance between consultants' private and NHS work. Consultants' responsibilities for the clinical care of their NHS patients must come first.

Mr. Austin: To ask the Secretary of State for Health what responsibility NHS employers have for monitoring consultants' private practice. [109883]

Ms Stuart: The vast majority of our consultants work hard for the National Health Service and more than fulfil their contractual duties.

NHS terms and conditions of service requires hospital consultants and the general manager responsible for the management of their contract to agree a job plan for the performance of duties under their contract of employment.

A whole time consultant is permitted to have private practice earnings of up to 10 per cent. of their gross NHS salary. If asked by their employer, they must provide fully audited accounts showing their gross income from private practice. If their private practice income exceeds 10 per cent. of their NHS salary in two consecutive years, they have the option of a maximum part-time contract, which means that the consultant foregoes one eleventh of whole time salary, in return for the removal of the restrictions on private practice earnings. However whether on a whole time or maximum part time contract there is a clear contractual obligation to devote substantially the whole of their professional time to their NHS duties.

AGRICULTURE, FISHERIES AND FOOD

Correspondence

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food when he will reply to the letter from the Right hon. Member for Berwick-upon-Tweed dated 23 September, relating to the non-availability of the meningitis vaccination in Berwick-upon-Tweed in September. [107288]

Yvette Cooper: I have been asked to reply.

My right hon. Friend the Secretary of State for Health replied to the right hon. Member on 2 February 2000.

CULTURE, MEDIA AND SPORT

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if all food served at his Department's official functions meets the standards of production required of domestic producers. [109779]

Mr. Chris Smith: All food served at my Department's official functions is provided by contractors who meet the standards of production required of domestic producers.

Millennium Dome

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 14 December 1999, *Official Report*, column 131W, concerning contracts with Dome sponsors, if all documentation has now been signed; what outstanding matters remain to be resolved; and if he will make a statement. [104601]

Janet Anderson *[holding answer 13 January 2000]:* Seven contracts were outstanding at 14 December and reported to the House in my reply to the hon. Member of that date. Four of these contracts have now been signed and three remain to be signed at 10 February—Boots, Mars Confectionary and BSkyB. While NMEC had hoped that they would all have been completed at this stage, one or two matters of detail remain subject to discussion between the respective parties. The company has every confidence that the contracts will be signed.

FOREIGN AND COMMONWEALTH AFFAIRS

Pakistan

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken since 12 October 1999 to restrain or restrict the export to Pakistan of military or dual-use goods for which a valid licence is in force. [106648]

Mr. Hain *[holding answer 24 January 2000]:* In view of the changed circumstances in Pakistan following the coup, case by case consideration of new licence applications for military or dual-use goods has taken time to process under our own strict criteria and the EU Code of Conduct. No new licences have been approved since 12 October. However, some exporters with valid licences agreed before then may have completed deliveries under these licences.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received concerning the sale of British arms to Pakistan. [108879]

Mr. Hain *[holding answer 8 February 2000]:* We receive representations from a number of individuals and organisations about arms sales to many countries, including Pakistan. I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on 20 January 2000, *Official Report*, column 578W.

Angola

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Angola. [109340]

Mr. Hain: Although Angolan government forces appear to be in the ascendency Savimbi undoubtedly retains the capacity to wage a prolonged guerrilla war. We do not believe military action will bring a satisfactory resolution to the conflict. Only a political solution will bring a lasting peace. But Savimbi's word cannot be trusted. We urge UNITA to replace Savimbi as leader. With a different leadership UNITA can be part of a negotiated settlement and be as much part of the solution as it has been part of the problem.

We strongly support UN sanctions against UNITA and the work of the UN Angola Sanctions Committee. We are encouraging UN member states to ensure tighter implementation of all sanctions. We are also keen to make humanitarian assistance available to all Angolans.

We are concerned at allegations that oil revenues may be being diverted for corrupt purposes. I raised this with President dos Santos when I met him in New York on 24 January. It is in Angola's long term interest to spend her oil revenue on building up her skills base, rehabilitation and infrastructure.

Departmental Secondees

Mr. Willis: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff were seconded from the private sector to his Department in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109289]

Mr. Hain *[holding answer 9 February 2000]:* My department has an active Interchange Programme with the private sector. The Modernising Government White Paper has committed us to increasing this activity.
Details of staff seconded from the Private Sector to the FCO including British Trade International are as follows:

(a) May 1997 to April 1998

Number of secondees: 23

Organisations: AMEC; Bank of England (2); BP Amoco (2); China British Trade Group; Civil Aviation Authority; European Investment Bank; HSBC; Halcrow, Independent Consultants (2); Keele University (2); Rolls-Royce; Levit Bernstein Associates, Midland Bank, National Westminster Bank; PriceWaterhouseCoopers; Quantel; Standard Chartered Bank (2).

(b) May 1998 to April 1999

Number of secondees: 20

Organisations: BBC; BNFL, Bank of England; BP Amoco (2); Brown and Root; China British Trade Group; Civil Aviation Authority; Coopers and Lybrand; European Investment Bank; Gifford and Partners; Greater London Enterprise; Hyder; Independent Consultant; MTL Instruments Group; Mouchel; Moscow Narodny Bank; PricewaterhouseCoopers; Standard Chartered Bank; Taylor Woodrow;

(c) May 1999 to date

Number of secondees: 26

Organisations: AEA; Argo Interactive; BNFL (2); BP Amoco (2); Baker Hughes International; Barrow International; Barclys; CBI (2); China British Trade Group; Civil Aviation Authority; Electric Switch; European Investment Bank; Independent Consultants (4); Linklaters & Alliance, MTL Instruments Group; Ove Arup; PriceWaterhouseCoopers; Rolls-Royce; Standard Chartered Bank; Wirea Sussex.

EDUCATION AND EMPLOYMENT

Jobseekers

Mr. Alasdair Morgan: To ask the Secretary of State for Education and Employment what plans he has to review the procedures undertaken when a jobseeker fails to attend the fortnightly review of their jobsearch at their local jobcentre; and if he will make a statement. [107857]

Ms Jowell: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Alasdair Morgan, dated February 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply direct to your question about what plans he has to review the procedures undertaken when a jobseeker fails to attend the fortnightly review of their job search at their local Jobcentre. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobseekers are required to attend their local Jobcentre each fortnight in order to show that they are continuing to satisfy the conditions for receipt of Jobseeker's Allowance. If a jobseeker fails to attend an interview they have five days to show what is termed "good cause" for not attending. If they fail to show good cause within the five day limit their claim is terminated. If a jobseeker fails to attend their interview but subsequently attends within five days, they are asked to provide their reasons for the failure to attend in writing. Their reasons are then sent to an Employment Services Decision Maker who, after obtaining any further information they may require, makes a decision as to whether the jobseeker had good cause for their failure to attend the interview.

These procedures were amended slightly in October 1999 to give staff in our Jobcentres the facility to treat some circumstances as straightforward and not to have to refer the case to a Decision Maker. This new procedure will be evaluated later in the year, but there are no other plans in place to review the overall procedures.

I hope this is helpful.

Departmental Expenditure Limit

Ms Buck: To ask the Secretary of State for Education and Employment if there are proposals to amend the Departmental Expenditure Limit and gross running costs limit for 1999–2000. [110299]

Mr. Wills: Subject to Parliamentary approval of the necessary Supplementary Estimates for Class I, Vote 1 (Department for Education and Employment: programmes and central services and Vote 3 (the Employment Service), the Departmental Expenditure Limit (DEL) for 1999–2000 (excluding Welfare to Work) will be increased by £268,380,000 from £15,792,190,000 to £16,060,570,000.

This overall increase is made up of DEL increases on Votes 1 and 5 (Sure Start) of £330,887,000 and £1,000 respectively, decreases to DEL on Votes 3 and 4 (Office of Her Majesty's Chief Inspector of Schools in England) of £21,758,000 and £5,000,000 respectively and a decrease of £35,750,000 in non-Voted expenditure. As a result, the Voted element of the Departmental Expenditure Limit (excluding Welfare to Work) will be increased by £304,130,000 from £14,547,638,000 to £14,851,768,000 and the non-Voted element will be reduced by £35,750,000 from £1,244,552,000 to £1,208,802,000.

The changes in Vote 1 are the result of the take up of £282,114,000 of the end-year flexibility entitlement announced by the Chief Secretary to the Treasury on 27 July 1999, *Official Report*, column 393W; a net switch from non-Voted credit approvals of £15,750,000; transfers of £5,000,000 from Class I, Vote 4 (OFSTED) towards teaching materials for Thinking Skills, Early Years Learning and Education Action Zones, of £1,000,000 to Class IV, Vote 1 (Home Office) as a contribution to the Youth Inclusion Programme, of £653,000 from the Northern Ireland Departments for changes in the funding of Oxbridge colleges, of £2,000,000 to Class XI, Vote 1 (Department for Culture, Media and Sport) for the Dance and Drama Interim Funding Scheme, of £442,000 to Class XII, Vote 1 (Department of Social Security—central Government administered social security benefits and other payments) in respect of severe hardship payments to those young people who would normally be receiving Bridging Allowance, of £95,000 to Class VI, Vote 1 (Ministry of Defence—operational and support costs, logistic services and systems procurement and research) in respect of MOD Modern Apprentices, of £180,000 to the Scottish Executive in connection with educational qualifications, of £32,000 from Class XVII, Vote 1 (Property Advisers to the Civil Estate) in respect of Qualifications and Curriculum Authority premises, of £60,000 to Class II, Vote 2 (Department of Health administration, miscellaneous health and personal social services, England) as a contribution to the staffing costs of the Teenage Pregnancy Implementation Unit, of £200,000 to the National Assembly for Wales for fees charged by external bodies, of £12,260,000 from Class I, Vote 3 (the Employment Service) for Employment Zones, external reprographic services, and ONE marketing and policy; of £945,000 to Class 1, Vote 3 for salary costs of surplus staff and travel costs incurred by a member of the ES; and the draw down of £20,000,000 from the Department's non-Voted Departmental Unallocated provision (DUP).

The Employment Service provision has decreased by the net transfer of £11,315,000 to Class 1, Vote 1 (Department for Education and Employment: programmes and central services) to cover work on Employment Zones now undertaken by DfEE and the marketing of ONE, and the net transfer of £10,443,000 to Class XII, Vote 3 (Department of Social Security: administration) for costs associated with ONE JSA related activities and to cover work on Employment Zones now undertaken by DSS.

The Departmental running costs limit (excluding Welfare to Work) will be decreased by £10,294,000 from £1,060,748,000 to £1,050,454,000 as a result of the transfer of £9,062,000 to the DSS, of £60,000 to the Department of Health, the net movement of £1,497,000 out of running costs into programme provision and an increase of £325,000 on the EU PHARE twinning project offset by matching receipts. The Supplementary estimates also include a net transfer of £740,000 of running costs from Vote 1 to Vote 3 which does not affect the running costs limit.

The Department's Welfare to Work provision is being increased by £1,454,000 from £1,388,373,000 to £1,389,827,000. The increase is made up of changes on Votes 1 and 3 of £276,000 and £1,178,000 respectively. The change on Vote 1 is as the result of the take up of £241,000 of end-year flexibility, and a transfer of £35,000 of running costs from Vote 3. The change on Vote 3 is as a result of the take up of £1,000,000 end-year flexibility for New Deal Partners; the transfer of £213,000 from Class XII, Vote 3 (Department of Social Security: administration) for New Deal for Lone Parents and New Deal for 50 plus; and the transfer of £35,000 to Vote 1 for New Deal for Disabled People pilots.

The Departmental Welfare to Work running costs limit will be increased by £1,575,000 from £162,321,000 to £163,896,000 as a result of the take up of £1,030,000 of end-year flexibility, the movement of £340,000 from programme money into running costs and a net transfer of £205,000 form Vote 3 to the Department of Social Security.

The increases are the result of transfers or will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

New Deal (Personal Advisers)

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will provide a breakdown of the number of persons who have been taken on by the Employment Service as personal advisers on the new deal from each of the new deal schemes; and at what cost. [109284]

Ms Jowell: From April 1998 to February 2000, the Employment Service has not recruited anyone into the organisation to work as a New Deal personal adviser through the New Deal schemes. Employment Service New Deal employees are recruited to work in the administrative grades (Pay Bands 8 and 9). Personal advisers in the Employment Service are employed at a higher level which reflects the complexities and nature of their role.

Leeds LEA

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment how much funding was allocated to Leeds Local Education Authority in the

financial years 1996–97 to 1999–2000 for *(a)* reduction in infant class sizes, for revenue and capital costs, *(b)* national grid for learning, *(c)* literacy, *(d)* numeracy, *(e)* books for schools, *(f)* truancy and behaviour measures, *(g)* school security, *(h)* improving school effectiveness, *(i)* excellence in cities, *(j)* New Deal for Schools, *(k)* voluntary aided schools capital grant, *(l)* energy efficiency, *(m)* education standard spending assessment and *(n)* music. [109047]

Ms Estelle Morris: The information requested is as follows:

£

	1996–97	*1997–98*	*1998–99*	*1999–100*
Infant class size—capital	n/a	n/a	235,000	725,000
Infant class size—revenue	n/a	n/a	500,000	1,369,000
National grid for learning[1]	n/a	n/a	1,700,000	1,350,000
Literacy[1,3]	n/a	[2]10,000	767,842	789,389
Numeracy [1,4]	n/a	n/a	16,600	750,990
Other literacy and numeracy[1,5]	n/a	n/a	307,906	712,356
Books for schools[1]	n/a	301,144	332,983	665,965
Truancy and Behaviour[1]	106,000	506,200	604,500	946,025
School security[1]	n/a	300,500	300,783	305,986
School effectiveness[1,6]	1,978,500	1,932,000	2,158,116	3,282,818
Excellence in cities[7]	n/a	n/a	n/a	2,036,852
New deal for schools[8]	n/a	1,402,000	1,909,000	4,112,000
Voluntary aided capital	163,000	376,000	315,000	1,089,000
Energy efficiency	n/a	n/a	220,000	n/a
Education SSA[9]	252,509,000	263,321,000	278,662,000	292,441,000
Music[1]	n/a	n/a	n/a	245,000

[1] GEST/Standard fund includes both central and local government contributions. 1990–2000 allocations not yet final.
[2] Allocated through a programme account, not GEST.
[3] Literacy includes the summer school and key stage 3 intervention programmes.
[4] Numeracy includes the summer school programme.
[5] Other literacy and numeracy includes year 6 booster classes and playing for success. Expenditure on each subject is for local decision and therefore it can not be disaggregated.
[6] School effectiveness grant became school improvement grant from 1999–2000.
[7] Excellence in cities funding is broken down into £47,630 start up costs, £1,363,727 learning mentors and learning support units and £625,495 for gifted and talented children (excludes other national programmes such as beacon and specialist schools).
[8] The new deal capital figures represent the LEA's total allocation announced in each year—in some cases, these may be spent over several years.
[9] To aid comparability, the education SSA figure for 1997–98 has had nursery voucher funding added. The SSA figure excluding nursery voucher funding was £254 million

Employment Statistics

Mr. Bercow: To ask the Secretary of State for Education and Employment how many people have left the New Deal for long-term unemployed people aged 25 and over for jobs lasting less than 13 weeks but have been included in the number leaving for sustained employment as a result of not having returned to jobseeker's allowance. [105700]

Ms Jowell [holding answer 18 January 2000]: We define sustained jobs as those where the employee does not return to claim jobseeker's allowance (JSA) within 13 weeks. If they do return to JSA we drop them from the sustained jobs figure. Using this definition, under the New Deal for long term unemployed people aged 25 or over, 25,240 have found sustained employment. We are not at present able to measure how many, if any, will have left these jobs within 13 weeks and chosen not to claim JSA.

DEFENCE

Tornado Aircraft

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list the changes made to the Tornado GR/1 midlife upgrade programme initiated by MLU93. [107463]

Dr. Moonie *[holding answer 1 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from John Howe to Mr. Menzies Campbell, dated 11 February 2000:

I am replying to your question to the Secretary of State for Defence in which you asked what changes have been made to the Tornado GR/1 midlife upgrade programme initiated by MLU93. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The MLU93 programme includes the following changes to the Tornado GR/1 aircraft:

Upgraded avionics & weapons control software
Night Vision Goggles (NVG)
Forward Looking Infra Red (FLIR)
Mil Std 1760 Weapons Databus
Mil Std 1553 Avionics Databus
Global Positioning System (GPS)
Covert Radar Altimeter (CRA)
A new wide angle Head up Display (HUD)
A new Front Cockpit Digital Map
TIALD integration
Laser-guided munitions
Defensive Aids Sub System

In addition, the wiring changes (databuses) and software enabled later integration of a wide range of advanced weapons. Indeed, the MLU programme now comprises further advanced systems, including Hands on Throttle and Stick (HOTAS), Havequick II

(electronically protected radios), Identification Friend or Foe Mk 12 and the fleet-wide fit of the Thermal Imaging Airborne Laser Designator (TIALD).

The number of aircraft to be upgraded was however reduced from 161 to 142 and the Terrain Referenced Navigation system was removed from the original programme.

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many Tornado GR/1s have been successfully upgraded to GR/4; how many are in upgrade servicing; how many are awaiting upgrade; and what is the estimated completion date of the upgrade programme. [107465]

Dr. Moonie *[holding answer 1 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from John Howe to Mr. Menzies Campbell, dated 11 February 2000:

I am replying to your question to the Secretary of State for Defence in which you asked how many Tornado GR1s have been successfully upgraded to GR4; how many are in upgrade servicing; how many are awaiting upgrade; and what is the estimated completion date of the upgrade. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Fifty Tornado GR1s have been successfully upgraded to GR4 standard, twenty-one are currently in upgrade servicing and a further seventy-one aircraft are awaiting upgrade. The Tornado MLU programme is due to be completed in February 2003.

Incremental acquisition is a key component of the Tornado MLU programme. For instance, the first 24 aircraft delivered to the RAF were equipped to an initial standard, but have also been fitted to receive further planned upgrades. From aircraft 25 Identification Friend or Foe Mark 12 system and electronically protected radios are being fitted and from aircraft number 61 the full clearance for the Paveway III Laser Guided Bomb, a new Laser Initial Navigation System, Global Positioning System and a Ground Proximity Warning system are added.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is the total estimated cost per unit of the Tornado GR/1 midlife upgrade programme, including development and production. [107464]

Dr. Moonie *[holding answer 1 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from John Howe to Mr. Menzies Campbell, dated 11 February 2000:

I am replying to your question to the Secretary of State for Defence in which you asked what the total estimated cost per unit of the Tornado GR1 midlife upgrade programme is, including development and production. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The estimated unit cost of the Tornado GR1 midlife update programme, including development and production, at current prices, is £6.8m.

TIALD System

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is the *(a)* total estimated cost and *(b)* unit cost of the TIALD system included in the Tornado MLU programme specifying in each case the proportion of costs incurred by (i) development and (ii) production; and if he will make a statement. [107547]

Dr. Moonie *[holding answer 2 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from John Howe to Mr. Menzies Campbell, dated 11 February 2000:

I am replying to your question to the Secretary of State for Defence in which you asked for details of the total estimated cost and unit cost of the TIALD system included in the Tornado MLU programme specifying in each case the proportion of cost incurred by development and production. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Integration of the TIALD system onto Tornado GR4 is but one element of the MLU93 firm price contract placed with PANAVIA (industrial consortium comprising BAE, DASA and Alenia) via the Tornado tri-national project office in 1994. Within the total contract value we are not able to identify the costs specifically associated with TIALD integration, a task which is essentially software integration and involving minimal production cost. The TIALD pods used on Tornado are common to a number of different aircraft types including Harrier GR7, Harrier T10, Tornado GR1 and Tornado GR4; and were procured as part of a separate equipment programme. A total of 23 pods have been procured at a total development cost of £23m and a production cost per pod of £1.7m (both at 1999 prices).

Fuel Allocations

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many flying hours per year were provided for in RAF fuel allocations for *(a)* Tornado GR1/4, *(b)* Tornado F3, *(c)* Harrier, *(d)* Jaguar, *(e)* Nimrod, *(f)* Sentry, *(g)* Tristar, *(h)* Puma, *(i)* Sea King and *(j)* Chinook in each of the last five years; and if he will make a statement. [107550]

Mr. Spellar *[holding answer 2 February 2000]:* The requested information is in the following table which shows projected flying hours made at the beginning of each year by the squadrons concerned. The fuel allocation is then based on these projections, not the other way round.

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Tornado GR1/4	33,303	33,623	33,716	33,615	28,756
Tornado F3	32,183	30,440	31,049	30,343	25,694
Harrier	16,157	16,688	17,588	17,870	15,895
Jaguar	14,037	13,839	13,911	13,735	13,413
Nimrod	14,298	13,759	15,339	13,313	12,936
Sentry	4,446	4,446	4,446	4,446	4,446
Tristar	9,456	9,456	9,456	9,560	9,560
Puma	12,987	14,103	15,128	16,523	15,450
Sea King	11,013	12,051	12,622	12,093	10,859
Chinook	9,970	11,881	12,199	14,323	12,617
Totals	157,850	160,286	165,454	165,821	149,626

The reduction in projected hours in the fast jet categories in 1999–2000 reflects the net reduction of 36 aircraft as a result of SDR.

Land Mine Clearance

Mrs. Ray Michie: To ask the Secretary of State for Defence (1) what technology his Department is developing to assist in the clearance of anti-personnel land mines; [108630]

(2) what research and development work has been funded by his Department since May 1997 into anti-personnel land mines clearance devices. [108631]

Dr. Moonie: Since May 1997 my Department has conducted research into the following mine detection technologies for military purposes:

Ground penetrating radar
Polarised thermal imaging
Metal detection
Quadruple resonance
Ultra-wide band radar
Ultra-wide bank synthetic aperture radar

Research is also being conducted on the following technologies for the neutralisation of mines for military purposes:

Projectile attack
Shaped charge attack
Lasers
Pyrotechnic torch
Disruptors
Mechanical extraction.

We are also conducting research toward a vehicle-based route clearance system; the removal of anti-personnel land mines might be an aspiration for a later enhancement of this system.

The Defence Evaluation and Research Agency have recently developed a pyrotechnic torch, commercially known as the Fireant, to destroy anti-personnel and anti-vehicle mines once they have been located. This is currently being trialled on operations.

Military Exercises

Mr. Colvin: To ask the Secretary of State for Defence if he will list the military exercises that have been cancelled in the last 12 months, stating in each case the reason for cancellation and whether it was a national or international exercise. [109187]

Mr. Spellar: The information requested is set out in the tables. The lists do not include international exercises where UK forces were to have participated but which were cancelled by other nations.

RN exercises—cancelled or nil participation

Serial	*Name*	*Reason*	*Dates*	*National/ International*
1	Open Spirit	Ship re-deployed to NATO Standing Force (Mine Countermeasure Force North) to ensure that the ship originally allocated to MCM Force did not breach harmony guidelines following additional tasking	August 1999	International
2	Sandy Coast 99[1]	Ship allocated was involved in ordnance clearance operations in Adriatic under NATO auspices. The operation was extended which precluded her participation in Sandy Coast	September 1999	International
3	Falcon Nut[1]	Ship re-deployed with Amphibious Task Group to Mediterranean in order to achieve a more cohesive force package	October 1999	International
4	Flotex	In year Budget Management Measure	November 1999	International
5	Cadence Brake	In year Budget Management Measure	November 1999	National
6	Squadex 45/99	The opportunity arose to operate with French carrier which was considered to provide greater training benefits	November 1999	International
7	Aswex 2000	In year Budget Management Measure	January 2000	National
8	RM Winter Deployment	In year Budget Management Measure	January 2000	National

[1] UK units allocated to NATO participated but there was no direct UK involvement

HQ land command exercises—cancelled or nil participation

Serial	*Name*	*Reason*	*Dates*	*National/ International*
1	Med Man 2/99	No suitable unit available[1]	June-July 1999	National
2	Lion Sun 4/99	Kosovo Ops	April-May 1999	National
3	Lion Sun 7/99	Kosovo Ops	May-June 1999	National
4	Lion Sun 8/99	Kosovo Ops	June-July 1999	National
5	Lion Sun 10/99	Kosovo Ops	July-August 1999	National
6	Lion Sun 14/99	Kosovo Ops	October-November 1999	National
7	Lion Sun 15/99	Kosovo Ops	November-December 1999	National
8	Stoney Run/Mill Race	Kosovo Ops	May-October 1999	International
9	Glow-Worm/Rattlesnake	Kosovo Ops	June 1999	International
10	Larksong/Foxtrot	Kosovo Ops	May-October 1999	International
11	Courageous Bat	Kosovo Ops	June 1999	International
12	Devils Hat	Kosovo Ops	May 1999	National
13	Cygnet Vine	Lack of Air Transport Fleet support (involved in Kosovo Ops)	May 1999	National
14	Cygnet Spear	Lack of Air Transport Fleet support (involved in Kosovo Ops)	April 1999	National
15	Ardent Ground	Kosovo Ops	May 1999	International
16	Arrcade Guard	Kosovo Ops	March 1999	International
17	Arrcade Fusion	Kosovo Ops	October-November 1999	International
18	Comd Ops Recce	Kosovo Ops	June 1999	National
19	Log Study Period	Kosovo Ops	June 1999	National
20	Adventure Exchange	Kosovo Ops	September-October 1999	International

[1] The exercise was cancelled in the planning stages because a suitable unit could not be identified that had undertaken pre BATUS (British Army Training Unit Suffield) training on Challenger II.

RAF exercises—cancelled or nil participation

Serial	*Name*	*Reason*	*Dates*	*National/ International*
1	Brilliant Foil	Kosovo Ops	April 1999	International
2	Distant Thunder	Kosovo Ops	May 1999	International
3	Tridente	Kosovo Ops	May-June 1999	International
4	Maple Flag	Kosovo Ops	May-June 1999	International
5	JMC 99/2	Kosovo Ops	June 1999	International
6	Roving Sands	Kosovo Ops	June 1999	International
7	Central Enterprise	Kosovo Ops	June 1999	International
8	Crown Eagle	Kosovo Ops	June 1999	International
9	TLP 99/4	Kosovo Ops	June-July 1999	International
10	Nam	Kosovo Ops	September 1999	International
11	Ample Train	Kosovo Ops	September 1999	International
12	Western Vortex	Kosovo Ops	April-October 1999	National

Departmental Contracts

Mr. Willis: To ask the Secretary of State for Defence what is the (a) number and (b) value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109306]

Dr. Moonie: The information requested is not held centrally and could be provided only at disproportionate cost.

Integrated Project Teams

Mr. Keetch: To ask the Secretary of State for Defence how many people from industry are currently (a) leading and (b) are members of integrated project teams; and if he will make a statement. [109694]

Dr. Moonie: The principle of involving industry within Integrated Project Teams has become a reality. Two candidates from industry successfully competed for and are now leading Integrated Project Teams. Industry membership of IPTs takes a variety of forms depending on individual project circumstances and the stage of each project in the acquisition cycle. Industrial membership is growing as new IPTs are progressively established, and industry is already represented as an integral part of many high profile IPTs. A key feature of the standard IPT transition process is the 'industry day', used to initiate closer participation with industry. The level of industry representation in IPTs will be assessed following completion of the current transition phase.

Mr. Keetch: To ask the Secretary of State for Defence how many integrated project teams cover single projects; and if he will make a statement. [109695]

Dr. Moonie: Of the 135 Integrated Project Teams, 41 are regarded as managing single projects.

Mr. Keetch: To ask the Secretary of State for Defence how many integrated teams have been created to date; how many it is intended to create; and if he will make a statement. [109698]

Dr. Moonie: On 14 February 2000, the final 18 Integrated Project Teams will commence their roll out, bringing the total number of IPTs to 135. This constitutes the final phase of the Smart Procurement programme to move to an IPT-based structure. In the future, I anticipate new IPTs will be formed as a result of further restructuring in the Defence Logistics Organisation and through the normal process of project conception.

Mr. Keetch: To ask the Secretary of State for Defence how many procurement projects are to be covered by integrated teams; and if he will make a statement. [109697]

Dr. Moonie: The intent is that all Defence equipment projects, covering platforms, systems and sub-systems will be managed throughout their lives by Integrated Project Teams. 135 such teams are currently identified to manage a population of over 1,000 individual projects, from those currently in the initial procurement phase, as well as those already in-service.

Mr. Keetch: To ask the Secretary of State for Defence how many integrated teams cover clusters of more than one project; and if he will make a statement. [109696]

Dr. Moonie: Of the 135 Integrated Project Teams, 94 have responsibilities for more than one project.

Smart Procurement

Mr. Keetch: To ask the Secretary of State for Defence what is the target for cost reduction on the year-by-year defence equipment procurement budget to be achieved as a result of the Smart Procurement Initiative; and if he will make a statement. [109699]

Dr. Moonie: We are on track to deliver the £2 billion of reductions in spending on defence equipment procurement that we aimed to achieve on the merit of the Smart Procurement Initiative. These savings are not set out as a target for year by year reduction, as expenditure profiles may vary on individual projects, but are assessed as the sum of reductions made in successive planning rounds, for the 10 years from 1998–99 to 2007–08.

Mr. Keetch: To ask the Secretary of State for Defence what estimate he has made of the time needed for the Smart Procurement initiative to be understood, and implemented within his Department; and if he will make a statement. [109692]

Dr. Moonie: The implementation phase of the Smart Procurement Initiative concludes on 1 April 2000, when the main structural changes will be complete. A recent survey across much of the Department and defence industry has shown that the case for Smart Procurement has been made, and that it is understood and accepted. There can be no reversion to the old ways of doing business. We will continue to reinforce the message to sustain the momentum of the initiative as the tangible benefits come to fruition.

Mr. Keetch: To ask the Secretary of State for Defence what arrangements are in place to ensure that the proprietary information and expertise of competitors in defence procurement projects are protected under the Smart Procurement initiative; and if he will make a statement. [109691]

Dr. Moonie: In order that the maximum value can be obtained from Smart Procurement, we are looking to industry to be full participants in open discussion with the Department. The maintenance of confidentiality in respect of commercially sensitive and proprietary information has always been fundamental to the defence procurement relationship. The introduction of Smart Procurement has not changed this principle, and we continue to restrict the disclosure of such information, except where a contractor has specifically approved release.

Practical working arrangements are necessary to allow contractors to conduct dialogue within the acquisition teams in a framework which encourages the generation of ideas without disclosing commercially sensitive or proprietary information to competitors. The measures taken to protect such information vary according to circumstances, but can include formal Confidentiality Agreements or limiting the number of individuals having access to sensitive information, drawing from existing codes of practice as appropriate.

Mr. Keetch: To ask the Secretary of State for Defence how co-operation with industry after contract signature under Smart Procurement differs from post-signature supplier co-operation under the previous procurement system; and if he will make a statement. [109693]

Dr. Moonie: Prior to the Smart Procurement Initiative our relationships with suppliers did not always maximise opportunities for joint approaches to problem solving, and arms-length interaction could hamper fully effective communications. One of the key elements of Smart Procurement is an improved relationship with industry, under which we seek to derive maximum benefit from better working practices and shared objectives. We are promoting a culture of greater openness and trust: a "no surprise" culture where co-operation, consultation and the sharing of data will facilitate success. Following contract signature therefore, and in the context of this more open approach, the MOD and industry will remain jointly focused on the delivery of the defence equipment capability to agreed performance parameters, within cost and on time.

There is no conflict between robust contracting and mutually beneficial team working.

Correspondence

Mr. Webb: To ask the Secretary of State for Defence when he will reply to the letter from the hon. Member for Northavon dated 26 February 1999, acknowledged on 5 March 1999 (Ref. 00964/1999), relating to nursery provision at his Department's establishment at Abbey Wood. [109532]

Dr. Moonie: I have replied today.

Nancekuke

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to the letter of 8 February from the Chief Executive of DERA to the hon. Member for Linlithgow, whether records of personnel who worked at Nancekuke in the 1960s and 1970s are held at Llangennech. [109595]

Dr. Moonie: I refer my hon. Friend to the answer I gave on 31 January 2000, *Official Report*, columns 412–13W.

Food Sourcing

Mr. Gill: To ask the Secretary of State for Defence what recent representations he has received from the Ministry of Agriculture, Fisheries and Food regarding the sourcing from within the United Kingdom of meat for the armed forces. [R] [109813]

Dr. Moonie: Over the past two years, officials in my Department have had regular discussions with their counterparts at the Ministry of Agriculture, Fisheries and Food in order to ensure that all opportunities to source British meat for the Armed Forces at competitive prices are explored. One outcome of these discussions has been that MOD secured access to stocks of British intervention beef, with the result that 100 per cent. of beef for the Armed Forces in the UK is currently of British origin.

Courts-Martial (Royal Navy)

Mr. Key: To ask the Secretary of State for Defence what was the number of courts-martial for Royal Navy ratings in (a) 1996, (b) 1997, (c) 1998 and (d) 1999. [107868]

Mr. Spellar [holding answer 1 February 2000]: The information requested is as follows:

1996: 44
1997: 56
1998: 52
1999: 49.

Aircraft Maintenance

Mr. Menzies Campbell: To ask the Secretary of State for Defence what was the average number of maintenance man-hours per flying hour for (a) Tornado GR1/4, (b) Tornado F3, (c) Harrier, (d) Jaguar, (e) Nimrod, (f) Sentry, (g) Tristar, (h) Puma, (i) Sea King and (j) Chinook in each of the last five years; and if he will make a statement. [107549]

Mr. Spellar *[holding answer 2 February 2000]:* This information is not held centrally and could be provided only at disproportionate cost.

RAF Pilots

Mr. Viggers: To ask the Secretary of State for Defence what is the cost of training an RAF pilot to operational standard. [108101]

Mr. Spellar *[holding answer 2 February 2000]:* The cost of training RAF pilots varies according to the aircraft to be flown and the individual. However, in recent years

it has cost approximately £2.8 million to train a fast jet pilot, £2.4 million to train the pilot of a transport or other multi-engined aircraft and £1.1 million to train a helicopter pilot.

Imphal Barracks

Miss McIntosh: To ask the Secretary of State for Defence what the manning figures were for Building 107 of Imphal Barracks, York, in (a) April 1981 and (b) April 1994; and what are the projected figures for April 2001. [109445]

Mr. Spellar: Records are not held of manning figures for Building 107 of Imphal Barracks for April 1981 and April 1994. A total of 332 staff are expected to occupy the building by April 2001.

Written Answers to Questions

Monday 14 February 2000

CABINET OFFICE

Corporate IT Strategy

Valerie Davey: To ask the Minister for the Cabinet Office what progress has been made towards achieving the target of publishing a Corporate IT Strategy by March. [110300]

Mr. Ian McCartney: As part of our Modernising Governing commitment to publish a Corporate IT Strategy in March, we have published a draft of the strategy for comment on the Information Age Government website at www.iagchampions.gov.uk and have placed copies in the Libraries of the House.

NORTHERN IRELAND

Parades Commission

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if he will list the names of the individuals involved in undertaking the review of the Parades Commission. [110049]

Mr. Ingram: No. This was an internal review carried out by officials of the Northern Ireland Office.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if he will publish a list of individuals and organisations who *(a)* have been invited to make submissions, *(b)* have made written submissions and *(c)* have made oral submissions to the review of the Parades Commission. [110048]

Mr. Ingram: We invited, through a press release, comments from anyone who felt they had a contribution to make. It is not Government practice to publish lists of contributors.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland for what reasons he is to conduct a second review of the Parades Commission. [110042]

Mr. Ingram: There are no plans to conduct any review of the Parades Commission other than that announced by my right hon. Friend the Member for Redcar (Marjorie Mowlam) on 8 October last year.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland when he will publish the report of the review of the Parades Commission; and if he will make a statement. [110047]

Mr. Ingram: In accordance with the undertaking given by my right hon. Friend the Member for Redcar (Marjorie Mowlam), the Secretary of State will make an announcement on the outcome of the review. There are no plans to publish the report.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if the current review of the Parades Commission will be completed prior to the appointment of new members and a new Chairman to the Commission. [110046]

Mr. Ingram: My right hon. Friend the Secretary of State will simultaneously announce the outcome of both the review and the competitions to appoint new members and a new Chairman to the Commission later in the week.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Local Transport Plans

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the costs incurred by each local authority in England in preparing provisional local transport plans. [109700]

Mr. Hill *[holding answer 11 February 2000]:* The move to a five-year planning cycle will produce administrative savings for local authorities (by offering greater certainty of future funding and removing the need to prepare plans annually). The wider public participation, more effective partnership working and better monitoring associated with local transport plans will lead to some additional costs, but we have no information on which to base an estimate of their scale.

Driving Licences

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 January 2000, *Official Report*, column 278W, on driving licences, if he will state *(a)* what details, confirmed by the Immigration and Nationality Department are accepted as identification for driving licence application purposes and *(b)* in what form such confirmation would be acceptable. [108007]

Mr. Hill: My officials have recently reached agreement with the Immigration and Nationality Directorate (IND) on a scheme under which original documents (passports or birth certificates) held by them will be returned for a limited period on request to those awaiting processing to allow them to make an application to the Driver and Vehicle Licensing Agency for a driving licence.

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if when an application for a driving licence is made by someone whose papers are awaiting processing by the Immigration Service, DVLA will consider accepting as proof of identity the standard acknowledgement letter issued by the Immigration Service. [108431]

Mr. Hill: DVLA was advised by the Immigration and Nationality Directorate (IND) in August last year that Standard Acknowledgement Letters are not evidence of identity and should not be accepted in support of an application for a driving licence.

DVLA and IND have recently reached agreement on a scheme under which original identity documents held by the Immigration Service will be returned for a limited period to those awaiting processing so that an application for a driving licence can be made to DVLA.

Workplace Car Parking Charges (West Midlands)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to *(a)* encourage less frequent use of cars and *(b)* allow local authorities to levy workplace car parking charges, in the west midlands. [109565]

Mr. Hill: Our integrated transport White Paper, "A New Deal for Transport: Better for Everyone", set out a new approach to meeting local transport needs and reducing dependency on the car by improving alternative modes of transport and providing greater transport choice.

The Transport Bill currently before Parliament will enable local authorities to levy a charge on workplace parking to tackle traffic congestion as part of a Local Transport Plan. Local authorities in the West Midlands, with the exception of Coventry and Solihull, have joined our Charging Development Partnership and are actively considering a workplace parking levy scheme.

Greenhouse Gas Emissions

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with other EU Ministers about exchanging information on good practice regarding the reduction of greenhouse gas emissions; and if he will make a statement. [110005]

Mr. Meacher: EU Environment Ministers regularly discuss the importance of introducing effective national, co-ordinated and Community level policies and measures to reduce greenhouse gas emissions. In October 1999, the Council agreed that it was essential for further common and co-ordinated policies and measures to be implemented rapidly and asked the Commission to put forward a priority list as early as possible in 2000. Discussion on any new measures proposed will be informed by best practice in Member States.

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions what discussions have taken place within the Council of Ministers regarding meeting the legally-binding targets for greenhouse gas emissions by 2010; and if he will make a statement. [110006]

Mr. Meacher: The Council regularly discusses climate change issues and restates its determination to delivering the reductions in greenhouse gas emissions to which the European Community and its Member States are committed under the Kyoto Protocol.

The revised Council Decision on monitoring emissions of greenhouse gases requires the Commission to prepare annual assessments of the progress of the Community and its Member States towards delivering the Kyoto targets and to report to the Council and the European Parliament. The Commission is due to produce its first report in October, providing an opportunity for further Council discussion.

Road Haulage Forum

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the names of the members of the Road Haulage Forum with the names of the organisations and regions they represent; and if he will make a statement. [110112]

Mr. Hill: The Road Haulage Forum was established in March 1999. Its current membership is:

Members	
Minister for Transport	The right hon. Lord Macdonald of Tradeston CBE
Parliamentary Under-Secretary of State, DETR	Lord Whitty
Minister of State, DTI	Patricia Hewitt MP
Financial Secretary to the Treasury	Stephen Timms MP
Freight Transport Association	Lawrence Christensen CBE (President) David Green (Director General)
Road Haulage Association	John Bridge OBE (Chairman)
Transport and General Workers' Union	Danny Bryan, Ron Webb (National Secretaries)
Society of Motor Manufacturers and Traders	Christopher Macgowan (Chief Executive)
Independent Members	Stuart Archbold (of Archbold Freightage, Leeds) John Harvey CBE (of Tibbett and Britten, Enfield)

The Director General of the Road Haulage Association is also a member of the Forum, but this post is currently vacant.

Euratom

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the consultation document on the regulatory changes required to implement the Basic Safety Standards Directive 96/29/ on Euratom. [110303]

Mr. Meacher: After consultation with interested parties last year, I have today published the proposals on the regulatory changes required to implement aspects of the Basic Safety Standards Directive 96/29/Euratom concerned with the control of radioactive waste. The proposals involve the minimum of change to the existing regulatory framework under the Radioactive Substances Act 1993 (RSA 93) and fulfil the Government's commitment that implementation of the Directive would not lead to a weakening of existing controls. Copies of the document, entitled "The Proposals for the Radioactive Substances (Basic Safety Standards) (England and Wales) Regulations 2000 and the Radioactive Substances (Basic Safety Standards) (England and Wales) Direction 2000" can now be found in the Library.

The proposed Regulations made under Section 2(2) of the European Communities Act 1972 will provide controls on the disposal of certain types of old clocks and watches using radioactive luminising material, which are currently

exempt from regulation. The proposed Direction to the Environment Agency made under Section 40 of the Environment Act 1995 will put a number of their existing administrative practices, in discharging their duties under RSA 93, into legally binding obligations.

Parallel measures are to be taken in Scotland and Northern Ireland, which will be the subject of separate consultations in due course.

Council Tax (Derbyshire)

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the council tax payable in the area of Derbyshire Dales District Council for bands A-H for the last five years. [110078]

Ms Beverley Hughes: The table shows the gross council tax liability on properties in the bands A-H over the last five years.

Council Tax Band	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Band A	437.95	457.72	489.43	541.91	585.04
Band B	510.94	534.01	571.00	632.22	682.55
Band C	583.93	610.29	652.57	722.54	780.05
Band D	656.92	686.58	734.14	812.86	877.56
Band E	802.90	839.15	897.28	993.50	1,072.57
Band F	948.88	991.73	1,060.42	1,174.13	1,267.59
Band G	1,094.87	1,144.30	1,223.57	1,354.77	1,462.60
Band H	1,313.84	1,373.16	1,468.28	1,625.72	1,755.12

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the council tax payable in Amber Valley for bands A-H for the last five years. [110077]

Ms Beverley Hughes: The table shows the gross council tax liability on properties in the bands A-H over the last five years.

Council Tax Band	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Band A	437.03	453.27	487.78	539.31	581.71
Band B	509.86	528.81	569.08	629.20	678.67
Band C	582.70	604.36	650.37	719.08	775.62
Band D	655.54	679.90	731.67	808.97	872.57
Band E	801.22	830.99	894.26	988.74	1,066.47
Band F	946.89	982.08	1,056.86	1,168.51	1,260.38
Band G	1,092.57	1,133.17	1,219.45	1,348.28	1,454.28
Band H	1,311.08	1,359.80	1,463.34	1,617.94	1,745.14

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110187]

Ms Beverley Hughes: The FSC label is accepted by buyers as demonstrating that timber and timber products have come from sustainably managed sources. However, it is not practicable to require that all paper and timber products purchased by the Department are independently certified by the Forest Stewardship Council because this might discriminate against any equally valid schemes and therefore be against public procurement rules. It might also result in us failing to meet our full requirements as currently only a tiny percentage of timber products are FSC certified. This is why DETR's Greening Operations policy statement suggests that evidence of sustainability might take the form of a certificate issued under a credible, preferably independent, verification scheme; or other documents which demonstrate the operation of an environmental management system incorporating forest management criteria that conform with internationally recognised principles such as the Helsinki Guidelines.

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110186]

Ms Beverley Hughes: Among the key aims of DETR's Greening Operations policy statement are: to conserve resources and minimise waste by reducing our reliance on virgin materials and ensuring that any products derived from wildlife—such as paper and timber—are from sustainable sources and comply with EU and international trading rules such as the Convention on International Trade in Endangered Species. The Department's policy statement also requires the purchase of 100 per cent. recycled paper for non-specialist use comprising at least 80 per cent. genuine post consumer waste with any virgin pulp coming from sustainably managed woodlands. It also promotes the purchase of sustainably produced timber and timber products by, for example, requiring buyers to specify in orders and contracts that:

> "suppliers provide documentary evidence (which has been, or if necessary can be, independently verified) that the timber has been lawfully obtained from forests and plantations which are managed to sustain their biodiversity, productivity and vitality, and to prevent harm to other ecosystems and any indigenous or forest-dependent people".

More guidance is given to buyers on these and other options in DETR's Green Guide for Buyers which is readily available on the Internet. The Department

monitors its performance on these and other aspects of its operations and publishes an annual report showing progress made. It has also set up an inter-departmental buyers' timber group to raise awareness and promote best practice across Government.

Correspondence

Mrs. Roe: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the letters from the hon. Member for Broxbourne of 19 July, 1 September, 6 October, 3 November, 30 November, 4 January and 8 February relating to Mrs. Antonia Skielhorn, a constituent. [109960]

Mr. Hill: My noble Friend the Parliamentary Under-Secretary of State replied to the hon. Member for Broxbourne's letters on 10 February, expressing his apologies for the delay in so doing.

Fishing Vessel Accidents

Mr. Salmond: To ask the Secretary of State for the Environment, Transport and the Regions when he will issue the Government's response to the consultation paper entitled "Fishing Vessel Accidents and the Recovery of those Lost at Sea", published on 23 July 1998; and if he will make a statement. [109567]

Mr. Hill: The analysis of the responses to the consultation paper was published on 9 February 1999. The Government's response to the paper has been delayed because we are awaiting the results of Roger Clarke's investigation into why no search was made for the fishing trawler Gaul, following her disappearance in 1974. Mr. Clarke's investigation examines a number of issues raised in the consultation paper and we wish to take his findings into account before we issue the response.

Marine Freight Facilities Grant

Mr. Salmond: To ask the Secretary of State for the Environment, Transport and the Regions if he will list (a) the allocations made under the marine freight facilities grant over the last five years, (b) their amount and (c) to whom the awards were made. [109566]

Mr. Hill: Inland Waterway Freight Facilities Grants awarded under section 36 of the Transport Act 1981 and section 140 of the Railways Act 1993 over the past five years are:

Year	*Grants awarded*	*£*
1995	—	—
1996	Medway Shipping Ltd.	71,563
1997	J. J. Prior (Transport) Ltd.	105,210
1998	RMC (London) Ltd.	118,500
	Aram Resources plc	1,057,900
	Bayford & Co.	223,790
1999	K. D. Marine (UK) Ltd.	126,000
	J. R. Rix & Sons Ltd.	884,917
	Baldwins Industrial Services Ltd.	1,500,000
	Pioneer Willment/	38,828
	Medway Bulk Powders	46,693
	Waterflow Transport Systems	9,785
	RMC (London) Ltd.	1,105,811
	Barking Stone Ltd.	3,636,316
	Waste Oil Services Ltd./	20,752
	T. & S. Rix Ltd.	100,746

Interest in grant for inland waterway schemes has historically been low. However, recent publicity drives by my Department have resulted in an increased interest in moving freight by inland waterway.

We intend to consult on the details of a scheme to extend to freight grants regime to coastal and short sea shipping.

Highways Agency

Mr. Fabian Hamilton: To ask the Secretary of State for the Environment, Transport and the Regions when the Highways Agency will publish its annual report and accounts for 1998–99. [110403]

Mr. Hill: The Highways Agency annual report and accounts 1998–99 will be published tomorrow by the Stationery Office and copies placed in the Libraries of both Houses. Copies will also be available from the Vote Office for Members.

Energy-efficient Lighting

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what action he intends to take to ensure that those non-profit organisations which currently benefit from the Energy Saving Trust's successful lightswitch scheme will be assisted by the proposed climate change levy energy efficiency fund in order that they can install energy efficient lighting. [108720]

Mr. Meacher: We have invited comments on the scope of the proposed energy efficiency fund through our document "Consultation on Energy Efficiency Measures Under the Climate Change Levy Package". The consultation period closed on 4 February.

Following evaluation of the responses, it is anticipated that the Chancellor will make further announcements in the 2000 Budget.

Air Pollution

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions how many tonnes of carbon equivalent were released into the environment as a result of the use by the UK industry of (a) kerosene and (b) gas oil in the last year for which figures are available. [108713]

Mr. Hill: The last available figures are in the 1997 National Atmospheric Emissions Inventory. In 1997 the combustion of kerosene in UK industry generated 2,473 kilotonnes of carbon equivalent, while the combustion of gas oil in UK industry generated 10,472 kilotonnes of carbon equivalent. The UK total emission was 684,510 kilotonnes of carbon equivalent.

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the contribution to UK emissions of pollutants covered by the air quality strategy by the industrial use of (a) kerosene and (b) gas oil. [108714]

Mr. Hill: The contribution to UK emissions of pollutants covered by the Air Quality Strategy for England, Scotland, Wales and Northern Ireland from the industrial use of (a) kerosene and (b) gas oil is set out in the table.

Pollutant	*Kerosene*	*Gas oil*	*UK total*
Carbon monoxide (thousand tonnes per year)	0.13	18.33	5,090
Nitrogen oxides (thousand tonnes per year)	2.22	50.77	1,835
Lead (tonnes per year)	0.05	0.64	1,308
Particulate matter less than 10 micron diameter (thousand tonnes per year)	0.01	1.79	184
Sulphur dioxide (thousand tonnes per year)	0.47	8.95	1,660
Volatile organic compounds[1] (thousand tonnes per year)	0.07	6.54	2,130
Benzene (thousand tonnes per year)	0.00	0.13	38

[1] Volatile organic compounds are not an Air Quality Strategy pollutant, but are precursors of ozone

No figures are available for emissions of 1,3 butadiene from these sources, but they are expected to be small relative to other sources and in absolute terms.

The figures are from the 1997 National Atmospheric Emissions Inventory. It can be viewed on the internet at http://www.aeat.co.uk/netcen/airqual

DVLA

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions when he will write to the hon. Member for Doncaster, Central about the results of his investigation into the supplying by the Driver and Vehicle Licensing Agency of drivers' names and addresses to wheel clamping companies. [107304]

Mr. Hill *[holding answer 7 February 2000]:* The Agency has conducted a review of the circumstances in which vehicle keeper details can be released from the register. This has identified a number of areas where a tighter interpretation might be applied to the regulations providing for the release of information, including certain aspects of car parking enforcement. In view of the sensitivities of the issues further legal advice has been sought. Once this has been considered, I will write to my hon. Friend.

HFC Emissions

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he will take into account the HFC emissions forecasts contained in the 1998 United Nations Environment Programme report in his own forecasts for United Kingdom emissions of HFCs to be included in the Government's revised Climate Change Strategy. [109330]

Mr. Meacher: In 1998 the United Nations Environment Programme published a report relevant to HFC use globally and this has been taken into account in developing the UK projections of HFC emissions.

Tax Discs

Mr. Flight: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage the DVLA to prosecute drivers who are found to have no tax disc on their cars; and if he will make a statement. [109368]

Mr. Hill: Where vehicles are used or kept unlicensed on the public road, the detection is carried out by police and traffic wardens, who pass offence reports to the Driver and Vehicle Licensing Agency (DVLA) for enforcement action.

Last year, DVLA took successful action against 475,000 evaders, bringing in £57.9 million in fines and penalties from out of court settlements or prosecution. A further 125,000 evaders or potential evaders relicensed their vehicles as a direct result of this enforcement activity, bringing in a further £15 million which would not otherwise have been paid. There are indications that for the first time the level of VED evasion is starting to fall.

We have significantly increased the number of joint DVLA/police campaigns against VED evaders. In addition the scheme to wheelclamp and impound unlicensed vehicles is now operating nationwide. A new pilot scheme to use automated number plate readers to detect and deter VED evaders will start this summer.

Regional Development Agencies

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what restrictions there are on sitting councillors serving on regional development agencies. [109436]

Ms Armstrong: Although RDA boards are business led, they also need the effective involvement of local government. To that end, appointments to four of the twelve board positions are made from local councillors in the region. In order to maintain this balance, where the four positions reserved for councillors are already filled, sitting councillors will not normally be appointed to posts reserved for the business sector and other groups active in the region. There are no other restrictions.

Repetitive Strain Injury

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will (a) list the publicly funded studies into repetitive strain injury published in the last 10 years and (b) place such reports in the Library. [109299]

Mr. Meacher: The following studies of upper limb disorders (the preferred term for the group of conditions that includes "repetitive strain injury"), funded by the Health and Safety Executive, have been published in the last 10 years:

Title/subject	*Publication details*
Work related upper limb pain syndromes: origins and management. Contractor: Birmingham University	Report (Harrington et al, 1996) has not been formally published, however copies have been available in HSE Information Centres since 1997.

Title/subject	*Publication details*
Decision aids for the medical assessment of WRULDs. Contractor: Aberdeen University	Conference paper published: Sinclair D. T., Graves R. J., Watt M., Ratcliffe B., Doherty S. Feasibility of developing a decision aid for initial medical assessment of ULDs. In S. A. Robertson ed., Contemporary Ergonomics 1997, (Taylor and Francis, London).
Development and evaluation of aids for initial medical assessment of upper limb disorders. Contractor: Aberdeen University	Conference paper published: Sinclair D. T., Jamieson D. W., Graves R. J., et al. Evaluation of a decision support aid for upper limb disorders in general practice. In M. A. Hanson, E. J. Lovesy and S. A. Robertson, ed., Contemporary Ergonomics 1999, (Taylor and Francis, London).
Surveillance case definitions for upper limb pain syndromes. Contractor: Birmingham University	Paper published: Harrington J. M., Carter J. T., Birrell L., Gompertz D. Surveillance case definitions for work related upper limb pain syndromes. In Occupational and Environmental Medicine. 55(4) 264–271. April 1998.
Epidemiological and ergonomic study of occupational factors associated with symptoms of upper limb disorders in keyboard operators. Contractor: Institute of Occupational Medicine	Report published by the Institute of Occupational Medicine, October 1999.

I am placing copies in the Library.

In addition, a number of studies were published during the period on musculoskeletal disorders generally, and on display screen equipment work. Those relevant to upper limb disorders include:

Title/subject	*Publication details*
Musculoskeletal disorders in supermarket cashiers. Contractor: HSE/Health and Safety Laboratory	Report published by HSE Books, 1998.
Display screen equipment health problems. Contractor: Systems Concepts	Published as HSE Contract Research Report No. 198/1998.
Musculoskeletal disorders among users of floor cleaning machines. Contractor: Surrey University	Published as HSE Contract Research Report No. 215/1999.
R55.053 Evaluating exposure to risk of musculoskeletal disorders: A practical tool. Contractor: Surrey University	Published as HSE Contract Research Report No. 251/1999.

M4 Corridor Study

Fiona Mactaggart: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on the M4 corridor study; and when he will make an announcement on the outcome of the study. [109688]

Mr. Hill: Consultants will be appointed in February 2000, with an announcement on the outcome due in late 2001.

Council Rents (Wakefield)

Mr. Trickett: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the impact on council house rental levels in Wakefield of the negative housing subsidy regime. [109768]

Mr. Mullin: Wakefield Metropolitan District Council is not affected by negative housing subsidy.

PRIME MINISTER

Post Offices

Mr. Gale: To ask the Prime Minister further to his statement on 4 February 2000, that the Government intend to promote the installation of cash machines at rural post offices, how franchises for these will be awarded; and what estimate he has made of the cost per transaction for the use of such machines. [109377]

The Prime Minister *[holding answer 10 February 2000]:* Decisions on the installation of cash machines at post offices are an operational and commercial matter for the Post Office. They are currently in the process of assessing all existing post office outlets for the suitability of a cash machine. Cost estimates are a commercial issue for the Post Office in conjunction with its partners and are currently being developed.

EU Defence

Mr. Ottaway: To ask the Prime Minister, pursuant to his answer of 7 February 2000, *Official Report*, column 5W, for what reason he is not prepared to place a synopsis of Mr. Liddle's speech in the Library. [109511]

The Prime Minister: I have nothing further to add to my previous answers.

SCOTLAND

Departmental Smoking Policy

Mr. Crausby: To ask the Secretary of State for Scotland what action he is taking to reduce smoking in his Department. [105795]

Dr. Reid: In my Department, smoking is permitted in designated areas. Advice and guidance is available to any staff who wish to give up smoking.

TRADE AND INDUSTRY

North-east Regional Investment Fund

Mr. Beith: To ask the Secretary of State for Trade and Industry if the regional investment fund for the north-east has been temporarily closed for applications; and if he will make a statement. [108506]

Mr. Caborn *[holding answer 7 February 2000]:* The Regional Investment Fund for the north-east has not yet been opened. Preparations are underway for the launch of the fund in March 2000.

Mr. Beith: To ask the Secretary of State for Trade and Industry if enterprises in *(a)* the town of Berwick-upon-Tweed, *(b)* Tweedmouth, and *(c)* Spittal will be eligible to apply to the regional investment fund for the north-east. [108504]

Ms Hewitt *[holding answer 7 February 2000]:* The north-east regional investment fund has been supported by European funding as part of the region's Objective 2 Programme for 1997–99. As the Berwick-upon-Tweed area did not have Objective 2 status under this programme, enterprises in that part of the region can not qualify for assistance. However, the area will enjoy Objective 2 status under the Programme for 2000–06. It will be for the north-east regional partnership to determine whether a similar project should be included in the new Programme.

British Nuclear Fuels Ltd.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what *(a)* international and *(b)* national quality assurance standards British Nuclear Fuels Ltd. have received from independent accreditation agencies; when each of these standards was awarded; which plants or processes were awarded these standards; which accreditation agencies awarded the standards; which accreditations have now lapsed; when and at which plants; and under which standards corrective action is currently being implemented. [109334]

Mrs. Liddell: These are matters for BNFL. I have asked the Company Secretary of BNFL to write to my hon. Friend with the information he requires and will arrange for a copy of his reply to be placed in the Library of the House.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he has received a copy of the report by Lloyd's Register Quality Assurance Ltd. on British Nuclear Fuels Ltd.'s MOX demonstration facility; and if he will place a copy of that report in the Library. [109337]

Mrs. Liddell: I have not received a copy of the report. This is a matter between BNFL and Lloyd's Register Quality Assurance.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what modifications BNFL is planning to make to the MOX Demonstration Facility as a result of recommendations made by Lloyd's Register Quality Assurance Ltd.; what will be the cost of those modifications; and if any of these modifications will also be required in the Sellafield MOX Plant. [109335]

Mrs. Liddell: I understand that BNFL are implementing a programme of remedial action which will be verified by Lloyd's Register Quality Assurance in further visits. The details are a matter between BNFL and Lloyd's Register Quality Assurance.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what reports he has received regarding the falsification and manipulation of fuel quality control data in respect of BNFL MOX fuel supplied to Switzerland; and if he will make a statement. [106711]

Mrs. Liddell *[holding answer 1 February 2000]:* I understand from BNFL that, since the falsification of quality control data relating to Japanese fuel was discovered, BNFL have investigated all quality data for MOX fuel supplied to Switzerland. A data anomaly affecting one lot of fuel pellets supplied in February 1997 was identified but a further investigation by BNFL and its customers concluded that the fuel met the required specification.

National Minimum Wage

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the national minimum wage in *(a)* Coventry, South, *(b)* the west midlands and *(c)* the United Kingdom. [109553]

Mr. Alan Johnson: We asked the independent Low Pay Commission to report on the impact of the introduction of the minimum wage and the Commission's report, with the Government's response, will be published shortly. Definitive estimates of the number of people who had benefited from the national minimum wage are not yet available. But the latest Office for National Statistics figures indicate that at least 700,000 employees in the United Kingdom, 70,000 of them in the west midlands, had already had their pay raised above the national minimum wage rates in spring last year. However, these data were gathered before the full effect of the new law had been felt (March-May 1999).

Mr. Dobbin: To ask the Secretary of State for Trade and Industry what plans he has to review the level of the minimum wage; and if he will make a statement. [109576]

Mr. Alan Johnson: I have made no decision on future changes to the level of the national minimum wage. The Government have always made it clear that there would be no automatic uprating mechanism for the national minimum wage. Any future changes to the national minimum wage rates will be made sensibly, taking account of the prevailing economic circumstances and feedback on the effects of the new law since April 1999. The Low Pay Commission's second report, which the Government will publish shortly, considers its impact in great detail.

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how many representations he has received in the last 12 months asking him to uprate the minimum wage annually in April. [109687]

Mr. Alan Johnson: We have received 11 representations in the past year requesting that the national minimum wage be uprated annually in April.

Gas Industry

Mr. Dobbin: To ask the Secretary of State for Trade and Industry what plans he has to encourage the regulator to examine the gas industry in the north-west. [109577]

Mrs. Liddell: I have no plans to do so but, under the terms of the Gas Act 1996, the Director General for Gas Supply may investigate any matter that is drawn to his attention by those with interests in the matter.

Vibration White Finger

Ms Walley: To ask the Secretary of State for Trade and Industry when a medical test centre for Vibration White Finger will be established to meet the needs of ex-miners in north Staffordshire. [109922]

Mrs. Liddell: A Vibration White Finger test centre will be established in Hanley on 1 March 2000.

Gas-powered Generating Stations

Mr. Jack: To ask the Secretary of State for Trade and Industry what estimate he has made, in mega watts and kilowatt hours, of the amount of gas-powered electricity generating capacity which has not been proceeded with as a result of the introduction of the moratorium on the approval of licences for new gas-powered generating stations. [109359]

Mrs. Liddell: 15 proposals amounting to some 6 GW of new gas-fired capacity have been refused clearance under the stricter consents policy. It is not possible to say for certain how many of these proposals would have proceeded to construction had consent been granted, nor how much electricity would have been generated by them.

If all the proposals had proceeded to development and expected to reach 80 per cent. load factor, then they would have produced some 42,000 million kilowatt hours per year once they reached full operation. This is about the maximum output these proposals could have produced.

Pakistan

Mr. Key: To ask the Secretary of State for Trade and Industry what guidelines have been given to officials regarding the issuing of export licences for defence equipment to Pakistan. [109731]

Dr. Howells: I refer the hon. Member to the answer given by the Minister of State for Foreign and Commonwealth Affairs my hon. Friend the Member for Neath (Mr. Hain) on 20 January 2000, *Official Report, column* 578W.

Polish Coal

Mr. Clapham: To ask the Secretary of State for Trade and Industry what action he has taken to stop the dumping of Polish coal on the UK market; and if he will make a statement. [109020]

Mrs. Liddell: The UK coal industry have made representations to the Government about the imports of Polish coal at prices that appear to be below the cost of production.

Trade relations with third countries such as Poland fall within the competence of the European Communities. The Government have written to the Commission highlighting the difficulties being experienced by the UK coal industry due to Polish coal imports and urging them to address this problem.

In this regard the Government are exploring with the European Commission as a matter of urgency whether there is any possibility of resolving this issue through the EU-Poland Europe Agreement.

In addition to this, Ministers and officials have emphasised to the Polish Administration the importance that we place on having a fair and competitive market for coal in the UK.

It is the European Commission's responsibility to investigate allegations of unfair dumping or subsidy. The Government are urging the European Commission to investigate any complaints from the UK industry as rapidly as possible.

Coalfields Enterprise Fund

Mr. Ennis: To ask the Secretary of State for Trade and Industry if he will make a statement on the establishment of the Coalfields Enterprise Fund. [108730]

Ms Beverley Hughes: I have been asked to reply.
The Coalfields Task Force Report "Making the Difference" set out a programme of actions to combat the deprivation now faced by the coalfield communities. One of the recommendations was the creation of a fund to provide loans and equity investment to Small and Medium Enterprises (SMEs), with high growth potential in the coalfields.

On 1 December 1998, at a Coalfields Conference in Peterlee, County Durham, the Deputy Prime Minister agreed to this recommendation and set aside £15 million to invest in the Coalfields Enterprise Fund.
The development of the Fund, by English Partnerships on behalf of the Department of the Environment, Transport and the Regions is well advanced and the target is for the Fund to be operational in the spring.

Wireless Telegraphy Deregulation

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what assessment he has made of the economic impact on business associated with *(a)* the Deregulation (Wireless Telegraphy) Order 1996 (S.I., 1996, No. 1864) and *(b)* the Contracting Out (Functions in Relation to the Management of Crown Lands) Order 1998 (S.I., 1998, No. 215). [108807]

Mr. Chris Smith *[holding answer 7 February 2000]:* I have been asked to reply in view of my Department's responsibility for the two statutory instruments in question. As I said in reply to my hon. Friend on 27 January 2000, *Official Report*, columns 301–02W, the 1996 Order was estimated to have saved TV dealers £10,000 a year each. The impact on business in general of the 1998 Order has not been estimated, but will have been negligible; the benefits to Exchequer funding by grant-in-aid is however estimated to be a saving of £7 million per year.

SOLICITOR-GENERAL

Crown Prosecution Service

Mr. Dismore: To ask the Solicitor-General if the CPS will advertise all temporary acting-up posts of more than four weeks duration. [109374]

The Solicitor-General: On 31 January 2000 the Employment Tribunal promulgated its decision on the remedy in the case of Bamieh *v.* Crown Prosecution Service (Case number 2202655/98). The Tribunal recommended that with effect from one month after the promulgation of its decision and for a period of 12 months, all temporary acting-up posts as Prosecution Team Leader of more than four weeks' duration (i.e. not simply covering on holidays) should be advertised by the CPS by notice or circular letter to all staff who might be qualified as candidates. The CPS is considering how this recommendation should be met.

In the meantime, absences of more than three months will be covered by temporary promotion arrangements in which expressions of interest will be sought from staff in response to details circulated by management. A panel will be convened to decide who should be appointed.

Mr. Dismore: To ask the Solicitor-General if he will make a statement on the decision in the case of Bamieh *v.* Crown Prosecution Service (Case No. 2202655/98) in the Employment Tribunal, on 31 January. [109375]

The Solicitor-General: The Tribunal decided that Ms Bamieh was entitled to compensation totalling £38,358.22 for the loss of opportunity for promotion, injury to feelings (including an element of aggravated damages) and interest. Arrangements are in hand for the payment to be made.

The Tribunal also recommended that with effect from one month after promulgation of this decision and for a period of 12 months, all temporary acting-up posts as Prosecution Team Leader of more than four weeks' duration (i.e. not simply covering on holidays) should be advertised by the CPS by notice or circular letter to all staff who might be qualified as candidates.

A revised CPS temporary promotion procedure came into effect on 31 January 2000. The CPS is considering how the Tribunal's recommendation can be met and whether further changes to that procedure should be made.

DEFENCE

Territorial Army

Mr. Keetch: To ask the Secretary of State for Defence (1) what will be the total cost to his Department of redundancy and associated entitlement moneys paid to servicemen from the Non-Regular Permanent Staff of the Territorial Army made redundant under the terms of the Strategic Defence Review; and if he will make a statement; [101921]

(2) how many members of the Non-Regular Permanent Staff of the Territorial Army are due to be made redundant under the terms of the Strategic Defence Review; and if he will make a statement. [101922]

Mr. Spellar *[holding answer 13 December 1999]:* A total of 449 Non-Regular Permanent Staff (NRPS) posts have been removed from the Territorial Army as a result of the Strategic Defence Review. Some incumbents of these posts will be found other jobs but the sizeable remainder will regrettably be made redundant. As at 1 February, 321 NRPS have been made redundant at a total cost of approximately £8.8 million. The total redundancy bill will only be known when all those affected have left because payments are calculated on an individual basis, depending on length of service and rate of pay on discharge.

Aircraft

Mr. Robathan: To ask the Secretary of State for Defence (1) how many Nimrod aircraft are *(a)* serviceable and *(b)* unserviceable; [107047]

(2) how many Tornado aircraft are *(a)* serviceable and *(b)* unserviceable. [107048]

Mr. Spellar: The information requested is set out in the table. This represents a snapshot in time at 8 a.m. on 26 January.

	Tornado	*Tornado F3*	*Nimrod MR2*
Number of aircraft allocated to front-line[1]	119	86	23
Serviceable[2]	94	79	16
Undergoing servicing at 2nd line	25	7	3
Undergoing servicing at 3rd/4th line	6	11	4
Undergoing upgrade	48	16	5
Aircraft on trials	1	1	0
Fleet size	174	114	28

[1] The allocation to front-line units is made up of all aircraft which are serviceable or are at 1st or 2nd line maintenance (and 3rd and 4th line maintenance for the Nimrod) as this servicing work is undertaken at the station. RAF fleet size is made up by totalling all aircraft.

[2] Includes aircraft that are undergoing 1st line servicing.

The operational serviceability of front-line aircraft fluctuates each day according to the maintenance that is required. 1st line servicing tasks are those which can generally be rectified in a matter of hours. 2nd line servicing tends to be scheduled servicing and can take a number of weeks. In many cases aircraft can be recovered earlier if required for operations. Some of the aircraft in 3rd/4th line maintenance and undergoing upgrade to improve their overall capability could be made available operationally in the event of a major crisis requiring the deployment of large numbers of aircraft.

TIALD System

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many Tornado GR/4's have a fully operational TIALD system; what percentage of the GR/4 fleet this represents; what assessment he has made of the effectiveness of the TIALD system; and if he will make a statement. [107546]

Dr. Moonie [holding answer 2 February 2000]: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from John Howe to Mr. Menzies Campbell, dated 11 February 2000:

I am replying to your question to the Secretary of State for Defence in which you asked how many Tornado GR4s have a fully operational TIALD system; what percentage of the GR4 fleet this represents; and what assessment has been made of the effectiveness of the TIALD system. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

TIALD is a fully operational and very effective system fitted to a proportion of the Tornado GR1 fleet. Technical problems have delayed completion of the integration of TIALD onto GR4 aircraft but full operational clearance is expected to be achieved in late 2000.

Imphal Barracks

Miss McIntosh: To ask the Secretary of State for Defence what assessment his Department has made of the cost of the works for making safe The Keep, Imphal Barracks. [109443]

Mr. Spellar: The Keep is currently unoccupied, although some basement rooms are used for storage. It is safe for the light foot traffic that the building is restricted to, and therefore needs no additional work other than routine maintenance. As for the cost of maintaining the building, I refer the hon. Member to the answer I gave the hon. Member for Salisbury (Mr. Key) on 7 February 2000, *Official Report,* column 29W.

Thiepval Barracks, Lisburn

Mr. Donaldson: To ask the Secretary of State for Defence if he will publish the feasibility study carried out on behalf of his Department for the provision of married quarters at Thiepval Barracks in Lisburn. [110043]

Dr. Moonie: I refer the hon. Member to the answer I gave on 9 February 2000, *Official Report,* column 164W, to the hon. Member for South Down (Mr. McGrady) .

Mr. Donaldson: To ask the Secretary of State for Defence if he will publish details of the contract awarded to Waldwin Ltd. under the PFI scheme for the provision of married quarters at Thiepval Barracks in Lisburn. [110044]

Dr. Moonie: The contract for the provision of married quarters at Lisburn has not yet been signed.

Mr. Donaldson: To ask the Secretary of State for Defence what plans he has to sell off land within Thiepval Barracks in Lisburn for (a) public and (b) private housing development. [110045]

Dr. Moonie: There are no plans to sell off land within Thiepval Barracks for public or private housing development.

Altcar Rifle Range

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence if the Territorial Army Voluntary Reserve rifle range at Altcar is Crown property. [106450]

Dr. Moonie: The West Lancashire Territorial Association purchased Altcar Ranges in July 1912. The Reserve Forces are considered an integral part of MOD, therefore the land owned and occupied by TAVRA and used for military purposes is regarded as Crown land.

Anti-ballistic Missile Treaty

Mr. David Atkinson: To ask the Secretary of State for Defence which member states, associate member states, associate partner states and observer states of the Western European Union are parties to the Anti-Ballistic Missile Treaty. [109760]

Mr. Hoon: None.

Computers

Mr. Burstow: To ask the Secretary of State for Defence, pursuant to his answer of 2 February 2000, *Official Report,* column 590W, on computers, what type of classified information was accessed by his Department's staff in each hacking incident; and what grades or type of staff would normally have access to this information. [109458]

Mr. Spellar *[holding answer 10 February 2000]:* Internal hacking incidents are categorised into eight different types of misuse and the classification of the information involved may not be relevant to the type of incident. During the past two years, none of the internal hacking incidents involved the theft or disclosure of classified information. Access to classified information is determined by the post held by the staff member and also on a need to know basis. The grade of the staff member is not relevant.

Mr. Burstow: To ask the Secretary of State for Defence, pursuant to his answer of 2 February 2000, *Official Report,* column 590W, on computers, what action has been taken to reduce the number of internal incursions into computer files containing classified information. [109457]

Mr. Spellar *[holding answer 10 February 2000]:* My Department is continuously reviewing, and seeking ways to improve, both the procedural and electronic security of its systems. Electronic measures include the identification and authentication of users and audit of user activities. Before any IT system is allowed to operate it must obtain a security approval known as accreditation. All MOD staff are required to read and agree to comply with the Security Operating System for the system that they will use.

Mr. Burstow: To ask the Secretary of State for Defence, pursuant to his answer of 2 February 2000, *Official Report,* column 590W, on computers, how many of his Department's staff have been disciplined for hacking incidents; and what disciplinary action was taken in each case. [109456]

Mr. Spellar *[holding answer 10 February 2000]:* The incident recording system in use for the past five years does not carry details of disciplinary action taken. The recording system has however recently been modified to record when disciplinary action has been initiated but not the precise details of that action.

Accommodation (Royal Navy)

Mr. Chidgey: To ask the Secretary of State for Defence what assessment he has made of cost-efficiency comparisons between conventional build and PFI contracts for the planned junior ratings accommodation in HMS Nelson [109475]

Mr. Spellar *[holding answer 10 February 2000]:* I have not yet received advice on any rebuild of junior ratings single living accommodation in HMS Nelson.

Mr. Chidgey: To ask the Secretary of State for Defence what assessment he has made of the impact of the standard of accommodation provided for junior ratings and other ranks in Her Majesty's Royal Naval Shore Establishments in the retention of these personnel in the Royal Navy. [109473]

Mr. Spellar *[holding answer 10 February 2000]:* We are conscious that dissatisfaction with living accommodation may have an effect on retention and so we have in place a programme of improvements to single living accommodation for all service personnel, including naval ratings.

Mr. Chidgey: To ask the Secretary of State for Defence what assessment he has made of the condition and fitness for purpose of accommodation provided for junior ratings in each of Her Majesty's Royal Naval Shore Establishments. [109500]

Mr. Spellar *[holding answer 10 February 2000]:* The Strategic Defence Review recognised that the Armed Forces' single living accommodation estate should be improved. As a result, all junior naval ratings single living accommodation has been assessed against a common standard in order to determine what improvements are needed and in what order of priority the improvements should be addressed.

Mr. Chidgey: To ask the Secretary of State for Defence when a new accommodation project for junior ratings at HMS Nelson was first approved; and when contracts for construction, operation and maintenance will be let. [109476]

Mr. Spellar *[holding answer 10 February 2000]:* The junior ratings single living accommodation forms part of the establishment of HMS Nelson, which incorporates a number of wider functions as a Fleet Accommodation Centre. My Department is currently undertaking a study into the means of delivery of a number of functions in HMS Nelson, including the junior ratings accommodation. The further prospect of a wider PFI within the Naval Base as a whole is also a consideration. I have yet to receive advice on this work and no decisions have been taken.

South Atlantic

Mr. Gill: To ask the Secretary of State for Defence which warships are currently deployed in the South Atlantic; and what plans he has to replace them at the end of their tour of duty. [109865]

Mr. Spellar: The Type 23 Frigate HMS Somerset is currently returning from the South Atlantic via the West African coast. Her replacement as the Falkland Islands Guardship is the Type 42 Destroyer HMS Southampton, which will arrive in Falkland Islands waters shortly.

The ice patrol ship HMS Endurance and the Offshore Patrol Vessel HMS Dumbarton Castle are currently deployed in the South Atlantic. HMS Endurance will return to the UK at the end of the austral summer, as is normal practice, and will redeploy to the South Atlantic in austral summer 2000–01. HMS Dumbarton Castle is scheduled to remain in the South Atlantic until 2001 when she will be relieved by her sister ship HMS Leeds Castle.

Naval Manpower (South Atlantic)

Mr. Gill: To ask the Secretary of State for Defence what proportion of naval manpower is deployed in the South Atlantic. [109863]

Mr. Spellar: The proportion of naval manpower currently deployed in the South Atlantic represents less than 1 per cent. of the Naval Service Trained Strength.

Falkland Islands

Mr. Gill: To ask the Secretary of State for Defence what the total annual cost is of maintaining and manning the Falkland Islands military base. [109862]

Mr. Spellar: The cost to the Ministry of Defence of the Falkland Islands Garrison in financial year 1999–2000 is expected to be approximately £73 million.

This figure relates to the costs incurred by the Commander British Forces Falkland Islands only. It does not include the costs of the RAF airbridge to the Falkland Islands, nor the cost of naval deployments to the South Atlantic. These costs fall to other budgets and are not separately identified.

Lloyd's Register

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the impact the new Lloyd's Register rules will have on the readiness and functioning of Royal Navy ships; and if he will make a statement. [109674]

Mr. Spellar: The Ministry of Defence has operated Royal Fleet Auxiliary Ships in an appropriate Lloyd's Register Class for many years with no significant impact on the required readiness and functioning of these ships. The new Lloyd's Naval Ship Rules, developed in full consultation with the Ministry of Defence, provide planned and monitored standards for Royal Navy warships that will ensure availability, functionality and sustained readiness. Care has been taken to ensure that Lloyd's Rules are at least as effective as current MOD Naval Standards.

Nepal

Mr. Hancock: To ask the Secretary of State for Defence what the cost was to his Department of participating in the multinational peacekeeping exercise in January 2000 in Nepal; which units took part and for how long; and if he will make a statement. [109800]

Mr. Spellar: My Department did not participate directly in Exercise Shanti Prayas, the South Asian multinational peacekeeping exercise held in Nepal from 16 to 30 January 2000.

However, at the invitation of the Nepalese Army, the Ministry of Defence sent two observers to part of the exercise at an additional cost of around £500.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Defence how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109874]

Mr. Hoon: Since 1995 the following senior-level bilateral meetings were held between representatives of the Ministry of Defence and its Austrian counterpart:

Year	*Number of meetings*
1995	2
1996	0
1997	5
1998	3
1999	0

In addition, a number of low-level or informal meetings will have been held but details of such meetings are not held centrally. Discussions will have covered a wide range of issues of defence co-operation.

Departmental Contracts

Mr. Keetch: To ask the Secretary of State for Defence what level of profit his Department permits contractors to make on non-competitive contracts; and if he will make a statement. [109967]

Dr. Moonie: The level of profit included in prices negotiated for non-competitive government contracts is calculated in accordance with the Government Profit Formula. Copies of the Reports on the Annual Reviews and triennial General Reviews of the Government Profit Formula for Non-Competitive Contracts, produced by the Review Board for Government Contracts (a non-departmental public body), are available in the Library of the House. These advise on the appropriate calculation of profit on non-competitive contracts for the year in which the contract is priced.

Mr. Keetch: To ask the Secretary of State for Defence how many non-competitive contracts, to what aggregate value, were let during the last year for which records are available; and if he will make a statement. [109966]

Dr. Moonie: The total number of contracts placed by the Ministry of Defence during Financial Year 1998–99 was 55,496, of which 8,616 were non-competitive. The total value of the contracts was £7.09 billion, of which the non-competitive element was worth £2.3 billion. These figures exclude Local Purchase Orders, the average value of which is less than £500.

Making the best use of competition at prime and sub-contract level, is the MOD's preferred means of supplier selection, for achieving value for money in the delivery of defence capability. Where competition is not practicable, or is dispensed with on value for money grounds, contract placement is normally accompanied by price agreement at the outset.

Procurement (Capability Working Groups)

Mr. Keetch: To ask the Secretary of State for Defence if he will make a statement on the role of capability working groups in the defence procurement system. [109968]

Dr. Moonie: Capability working groups are being established as part of our Smart Procurement reforms. Such groups bring together key stakeholders to develop the broad strategy for the capability area concerned, and to assess options to meet capability gaps. The groups thus inform and support the work of the Defence Procurement Agency teams responsible for managing equipment projects.

Service Discipline

Mr. Key: To ask the Secretary of State for Defence if he will list for each country where HM forces are deployed (a) the nature of the deployment, (b) the numbers deployed, by service, and (c) the numbers of civil servants, their dependants and the civilian dependants of service personnel who may be tried under the service discipline Acts. [110009]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Declaration of Principles

Mr. Key: To ask the Secretary of State for Defence if he will place in the Library a copy of the Declaration of Principles he signed with the US Secretary for Defense on 5 February. [109732]

Mr. Hoon: A copy of the UK/US Declaration of Principles has been placed in the Library of the House.

Challenger 2

Mr. Key: To ask the Secretary of State for Defence how much money, and over what time scale, he intends to save by purchasing a new track for Challenger 2; and if he will make a statement. [109734]

Dr. Moonie: The whole-life costs of all weapons systems are being examined as part of the Department's Smart Procurement initiative. Challenger 2, which only entered service in June 1998, is no exception. It is too early to say with absolute accuracy what savings will be achieved from on-going studies into the running costs of the vehicle.

TRACER

Mr. Key: To ask the Secretary of State for Defence what effect the recent changes to the US Army budget plan will have on the TRACER/Future Scout and Cavalry System; and if he will make a statement. [109733]

Dr. Moonie: The UK and USA have entered into a joint Project Definition phase for TRACER/FSCS under the terms of a Memorandum of Understanding. This commits both nations to an equal share of the cost of this stage of the project. There is no commitment, by either nation, to proceed beyond the Project Definition phase and, therefore, no agreement to fund any further development beyond this stage. The UK contribution to the cost of the collaborative Project Definition contracts for TRACER is some £90 million. My officials are in close touch with their US counterparts over the TRACER/FSCS programme.

Armed Forces Legal Branches

Mr. Key: To ask the Secretary of State for Defence what are the official establishments of each of the armed forces legal branches. [110007]

Mr. Spellar: The Royal Navy does not have a legal branch but there are 21 established legal posts. The establishments of the Army and Royal Air Force legal branches are 100 and 37 respectively.

Royal Military Police

Mr. Key: To ask the Secretary of State for Defence what are (a) the official establishment figures for the Royal Military Police, (b) the current manpower and (c) forecast manpower levels for the next three years. [110008]

Mr. Spellar: As at 1 February 2000, the RMP currently has 1,961 serving personnel and has a manpower planning target of 2,007. The current manpower planning target is not expected to change significantly in the next three years. That target includes the small number of posts that will be needed to meet the provisions of the Armed Forces Discipline Bill.

Smart Procurement

Mr. Keetch: To ask the Secretary of State for Defence at what stage in the Smart Procurement process the defence industry will become involved; what impact such involvement will have on the policy of competitive procurement; and if he will make a statement. [109690]

Dr. Moonie *[holding answer 11 February 2000]:* Under Smart Procurement, the industry is involved in procurement projects from the outset. However, the nature and level of its involvement will vary according to the stage of the project, from initial studies, procurement, through-life support and disposal. This does not affect MOD policy on competition. Making the best use of competition at prime and sub-contract level remains the MOD's preferred means of supplier selection for defence requirements and achieving value for money. Industry understands this principle.

HOUSE OF COMMONS

Parliamentary Questions

Mr. McLoughlin: To ask the President of the Council how many parliamentary questions have been tabled by right hon. and hon. Members, pursuing delays on the part of Government departments in replying to correspondence since May 1997; and if she will indicate how many were tabled by *(a)* Conservative, *(b)* Labour and *(c)* other hon. Members. [110079]

Mrs. Beckett: The information requested is not held centrally and could be provided only at disproportionate cost.

Responsibility for replying to parliamentary questions and correspondence from hon. Members lies with the relevant Minister.

HEALTH

Departmental Press Releases

Mr. Harvey: To ask the Secretary of State for Health how many press releases were issued by his Department in each year since 1995. [105915]

Yvette Cooper: The information requested is in the table, which represents all press releases issued by the Department's press office for the period 1995 to 1999. The Department's press office issues press releases on behalf of the Medical Devices Agency, Medicines Control Agency, National Health Service Pensions Agency, National Health Service Estates and some non-departmental public bodies.

Year	*Total*
1995	588
1996	366
1997	406
1998	556
1999	742

BCG Vaccination

Mr. Pickles: To ask the Secretary of State for Health, pursuant to his answer of 11 January 2000, *Official Report*, column 143W, how much of the new money for support of health authorities dealing with meningococcal Group C was a transfer of money from under-used resources in the BCG vaccination programme. [105902]

Yvette Cooper: The £9 million being made available to health authorities to support the meningococcal Group C immunisation programme referred to in my Answer of 11 January is new money and has not come from the BCG programme. Funding for the meningococcal Group C immunisation programme has come from a separate source to that used to fund the BCG immunisation programme.

Mr. Pickles: To ask the Secretary of State for Health, pursuant to his answer of 11 January 2000, Official Report, column 143W, how the resources allocated to the BCG vaccination programme are being used. [105903]

Yvette Cooper: Funding for the central purchase of BCG vaccine remains available for when vaccine supplies are reinstated. The redeployment of the health workers, especially school nurses, involved in delivering BCG vaccine, is a matter for individual health authorities and trusts but we are aware that some of these staff are currently involved in the meningococcal Group C immunisation programme in schools.

Death Rates

Mr. Dobbin: To ask the Secretary of State for Health what plans he has to reduce the death rate from (a) cancer and (b) coronary heart disease among people aged under 75 years by 2010. [106159]

Yvette Cooper: The "Saving Lives-Our Healthier Nation" White Paper was published in July last year and set targets to reduce death rates from cancer by at least a fifth and from coronary heart disease (CHD) and stroke and related diseases by at least two fifths in those under

75 by 2010. This requires policies on primary prevention, early detection and treatment and the White Paper recommends a partnership between Government, local players and individuals. Since then the National Priorities Guidance to the National Health Service has identified cancer and heart disease as key priorities, a National Cancer Director has been appointed and the National Service Framework on CHD will be published shortly.

Sickle Cell and Thalassaemia

Ms Oona King: To ask the Secretary of State for Health how much public money was allocated to research to find a cure for sickle cell and thalassaemia in each of the last 10 years. [106195]

Yvette Cooper: Government expenditure on directly commissioned research projects on sickle cell disease and thalassaemia since 1994–95 is as follows:

1994–95: £550,000
1995–96: £964,000
1996–97: £988,000
1997–98: £930,000
1998–99: £884,000

Figures for the total spend in previous years is not available.

Most of this support has been provided through the Medical Research Council (MRC), which is the main agency through which the Government support research into the causes and treatment of disease. The MRC receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry.

Project funding from the Department and the Department for International Development is also included in the figures.

In addition to directly commissioned projects, the Department of Health supports research in the NHS funded by research councils and charities. It is not possible to estimate exactly how much is spent on sickle cell research, but three London Hospitals alone estimate that they are spending £450,000 per annum of Department funding on research related to sickle cell and thalassaemia. A detailed breakdown for the last 10 years is not available as research spending is devolved for much of the period. Details of projects can be found on the National Research Register which is available in most medical libraries on CD Rom and on the internet: http:/www.doh.gov.uk/nrr.htm. The NRR contains a number of projects relating to sickle cell and thalassaemia.

We also make considerable investment in genetics and gene therapy research which will inform sickle cell and thalassaemia.

The MRC has been actively seeking opportunities to strengthen sickle cell research in the United Kingdom.

MRSA

Dr. Cable: To ask the Secretary of State for Health what plans he has to instruct NHS trusts to notify the Public Health Laboratory of cases of MRSA. [106755]

Yvette Cooper: The Report on Resistance to Antibiotics by the Lords Select Committee on Science and Technology drew attention, among other things, to proposals that National Health Service laboratories should be asked to report causative organisms such as MRSA to the Public Health Laboratory Service. In response, the Government accepted the need to increase the effectiveness of laboratory reporting. This could include the reporting of organisms such as MRSA. An overall Communicable Disease Strategy is now being developed by a working group chaired by the Chief Medical Officer.

Notifiable Diseases

Dr. Cable: To ask the Secretary of State for Health what criteria are employed by his Department in designating diseases as notifiable diseases. [106754]

Yvette Cooper: The precise term "notifiable disease" is defined in section 10 of the Public Health (Control of Disease) Act 1984 as being one of five specific diseases. Regulation 3 and Schedule 1 of the Public Health (Control of Disease) Regulations 1988 list further diseases "which are required to be notified". The first criterion which determines that a disease is required to be notified is that it is subject to the International Health Regulations. If not in those Regulations, the criteria would depend on expert assessment of the impact of the disease.

This statutory notification applies to registered medical practitioners and not to diagnostic laboratories, and to diseases rather than to causative organisms.

Radiation (Sellafield)

Mr. Livsey: To ask the Secretary of State for Health (1) what figures were used to represent concentrations of uranium in air in the calculations of radiation doses from plutonium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which were supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106816]

(2) what figures were used to represent concentrations of plutonium in air in the calculation of radiation doses from plutonium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106811]

(3) what (a) theoretical modelling of plutonium concentrations and (b) post mortem measurements of plutonium were used in the calculation of radiation doses from plutonium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106815]

(4) what (a) theoretical modelling of uranium concentrations and (b) post mortem measurements of uranium were used in the calculation of radiation doses from uranium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106810]

(5) what figure was used to represent the mass of the tissue considered to be the target organ in the calculation of radiation doses from plutonium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106814]

(6) what air intake particles were used as the basis for the calculation of radiation doses from plutonium to the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment; [106812]

(7) what figures were used to represent the radioactivity of (a) plutonium, (b) uranium and (c) other man-made isotopes, incorporated within the tracheo-bronchial lymph nodes of people aged up to 25 years resident in the village of Seascale in Cumbria, in the calculation of doses from plutonium to the tracheo-bronchial lymph nodes of those people which was supplied by the National Radiological Protection Board to the Committee on Medical Aspects of Radiation in the Environment. [106813]

Yvette Cooper: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Drugs and Alcohol (Women)

Laura Moffatt: To ask the Secretary of State for Health what specialist services are available for (a) women with children and (b) other women who are drug and alcohol misusers. [107126]

Yvette Cooper: The information requested is not collected centrally. However, lists of agencies offering a range of specialist services for women with children and other women who are drug and alcohol misusers are available in directories published by the Standing Conference On Drug Abuse and Alcohol Concern.

Haemorrhoid Treatment

Mr. Maclean: To ask the Secretary of State for Health how many people were treated for haemorrhoids in the NHS in 1970, 1980, 1990 and 1998. [107489]

Mr. Denham: The information available is set out in the table. It shows the number of cases treated in hospital, either as ordinary admission or day cases. Figures for each year were collected on a slightly different basis and are not therefore directly comparable.

Year		*Number*
1970	England and Wales	24,609
1980	England	20,100
1990–91	England	28,727
1997–98[1]	England	38,133

[1] Figures for 1997–98 are provisional and no adjustments have been made for shortfalls in data

Sources:

1970 and 1980 Hospital Inpatient Enquiry

1990–91 and 1997–98 Hospital Episode Statistics

Cancer Operations

Mr. Maclean: To ask the Secretary of State for Health how many NHS cancer operations have been cancelled since 1 November 1999. [107491]

Yvette Cooper: We do not collect data on cancelled operations by specialty. Quarterly reports of figures for all cancelled operations in England, which arise on the day a patient was due to come into hospital, or after they have been admitted, are available in the Library.

Irish Community

Mr. McDonnell: To ask the Secretary of State for Health what action he is taking to (a) identify and (b) address the specific health needs of the Irish community in Britain. [107585]

Yvette Cooper: The 1999 Health Survey for England focused on the health of ethnic minorities (including Irish people) and its report will be published later this year. The 2001 Census includes questions on health and will for the first time ask for and separately classify those people who describe themselves as of Irish ethnic origin. The "Saving lives—Our Healthier Nation" White Paper, published last year has inequalities in health as one of its main themes and will address the needs of all the population including Irish people.

Credit Ratings

Mr. Pickles: To ask the Secretary of State for Health how often the credit rating of companies supplying services to his Department is checked. [107746]

Yvette Cooper: Where companies supplying services to the Department are awarded contracts as a result of a formal tender exercise, Departmental guidelines require all such companies to be assessed as to their financial viability prior to the award. In some instances this will include a credit rating check. The Department does not, as a matter of routine, carry out financial assessments or credit rating checks either on small value contracts or on its existing suppliers except as part of another tender exercise.

Mr. Pickles: To ask the Secretary of State for Health if the credit rating of companies seeking to tender for services provided by his Department is checked before the contract is awarded. [107744]

Yvette Cooper: Departmental guidelines require short-listed companies, seeking to tender for services provided by the Department, to be assessed for financial viability prior to the award of any contract. In some cases this will include a credit rating check.

Mouth Cancer

Mr. Gordon Prentice: To ask the Secretary of State for Health what estimate he has made of the cost to the NHS of treating mouth cancers in each of the past five years; and if he will make a statement. [107619]

Yvette Cooper: This information is currently unavailable. Work is, however, under way to develop a system for collecting treatment cost data for oncology services, including mouth cancers. It is hoped that these data will become available next year.

Nurse Vacancies

Mr. Brake: To ask the Secretary of State for Health how many vacancies for nurses there are (a) in the NHS, (b) St. Helier Hospital and (c) for each national health trust in the country. [107927]

Mr. Denham: The Department's "Recruitment, Retention and vacancies Survey" showed that in National Health Service trusts in England there were 16,190 whole time equivalent (wte) nursing and midwifery posts vacant on 31 March 1999. The St. Helier Trust reported a total of 70 wte vacancies. As St. Helier Hospital is part of this trust, separate figures are not available. Total vacancy figures for all trusts in England have been placed in the Library.

Cervical Smears

Mr. Mitchell: To ask the Secretary of State for Health further to his answer of 10 January 2000, *Official Report*, column 54W, on cervical smears (1) if he will take into account the information on the effectiveness of the Neopath/Tripath Autopap system in the USA and Europe in making his decision on introducing it in this country; [108150]

(2) if, for the testing and introduction of the Neopath/Tripath Autopap machine for cervical screening tests, he will prioritise areas which have particular shortages of trained staff or long delays in their cervical screening programme. [108149]

Yvette Cooper: We welcome any new technology that would improve the effectiveness and efficiency of the cervical screening programme. However, before any technology is introduced, we must be sure that it is safe and effective, and that quality standards can be maintained.

The Advisory Committee on Cervical Screening (ACCS) held preliminary discussions on the Tripath Autopap system (previously Neopath Autopap system) as part of a wider discussion on automated screening procedures at their meeting in June 1999. The ACCS advised that further evaluation was necessary. An evaluation is underway, partly funded by the National Health Service cervical screening programme, and a report is expected later in the year. Information on the effectiveness of the system in the United States of America and Europe will be taken into account.
Decisions on the introduction of this new technology will be taken if and when it is proved to be effective.

Harold Shipman

Mr. Gardiner: To ask the Secretary of State for Health what was the number of patients of Dr. Harold Shipman whose deaths were considered suspicious by the internal investigation conducted by Manchester Health Authority; and how many of these were women. [108298]

Mr. Denham: The investigation of alleged crimes is a matter for the police.

The internal inquiry conducted by West Pennine Health Authority focused on existing monitoring arrangements available to a health authority, and not on the specific circumstances of individual cases.

I understand that, at the time that West Pennine undertook its review of monitoring arrangements, the police were investigating the deaths of some 129 people who had been patients of Dr. Shipman, some of which were suspicious. Charges of murder were brought in respect of 15 of these patients, all of whom were women.

Research Contracts

Dr. Harris: To ask the Secretary of State for Health, pursuant to his answer of 8 December 1999, *Official Report*, column 565W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists (a) before and (b) after publication. [108196]

Yvette Cooper: Copies of model contracts for the Department's policy research programme and the National Health Service research and development programme are in the Library.

The Department actively encourages contractors to publish the findings of research which it has funded.

In common with most research funders, the Department actively discourages the discussion of research findings with journalists prior to adequate peer review: in many areas publication in a scientific journal is a key part of the peer review process.

No restrictions are placed on researchers after publication. Again in common with most other funders, the Department asks researchers to work closely with its press office.

Influenza

Mr. Matthew Taylor: To ask the Secretary of State for Health what proportion of intensive care beds have been taken up with influenza and influenza-related illnesses each month for the last 10 years. [108165]

Yvette Cooper: The information requested is not available centrally.

Tuberculosis

Mr. Waterson: To ask the Secretary of State for Health how many new cases of tuberculosis have been recorded in the United Kingdom in the last year. [108332]

Yvette Cooper: The total number of newly notified cases of tuberculosis in the United Kingdom in 1999 is 6,757. This figure is provisional and uncorrected. Correction usually results in a reduction in the provisional figure.

Sources:

1. Public Health Laboratory Service, Communicable Disease Surveillance Centre (CDSC) for England and Wales

2. CDSC(NI) for Northern Ireland

3. Scottish Centre for Infection and Environmental Health for Scotland).

Mr. Waterson: To ask the Secretary of State for Health what steps he is taking to prevent an increase of tuberculosis in the United Kingdom. [108331]

Yvette Cooper: I refer the hon. Member to the reply given to my hon. Friend the Member for Pendle (Mr. Prentice) on 19 October 1999, *Official Report*, columns 468–69W.

Recycling

Mr. Dobbin: To ask the Secretary of State for Health what is his policy on the recycling of material produced by his Department. [108473]

Yvette Cooper: The Department fully supports the Green Ministers' target for Government Departments of recovering a minimum of 40 per cent. of total office waste, with at least 25 per cent. coming from recycling or composting, in 2000–01. This target has recently been incorporated into the Department's environmental strategy and a waste audit has recently been commissioned to review our recycling schemes to ensure the target is met.

Our associate bodies are being asked to support the Department's environmental strategy and adopt the Green Ministers' target.

In-patient Statistics

Mr. Matthew Taylor: To ask the Secretary of State for Health what proportion of in-patients are aged over (a) 65, (b) 70, (c) 75 and (d) 80 years. [108161]

Mr. Denham: The table shows numbers of admissions by age and are expressed as a proportion of all admissions in NHS hospitals in England for the financial year 1997–98.

Number of admissions shown by age and expressed as a proportion of all admissions in NHS hospitals, England, 1997–98.

Age group (years)	*Admissions*	*Proportion of all admissions*
Over 65	3,061,773	29.3
Over 70	2,393,274	22.9
Over 75	1,679,226	16.0
Over 80	1,003,300	9.6
All ages	10,463,971	100.0

The information is extracted from the Hospital Episode Statistics (HES) system. HES contains details of patients admitted to, and treated in, NHS hospitals in England.

The HES data shown are the number of admissions to hospital. It is not yet possible to count each individual patient once and once only.

Figures for 1997–98 are provisional as no adjustments have yet been made for missing records or invalid/unknown diagnoses.

Patient Records

Dr. Iddon: To ask the Secretary of State for Health in (1) what circumstances health authorities may gain access to patient records held by general practitioners without compromising confidentiality; [108611]

(2) if he will examine ways of preventing doctors retrospectively changing the computer records of patients. [108612]

Mr. Denham: Under their terms of service, general practitioners are currently required to

"keep adequate records of the illnesses and treatment of his patients on forms supplied to him for the purpose by the HA"

and to

"forward such records to the HA on request as soon as possible".

It is generally accepted that patients who disclose information to a doctor do so on the understanding that information may be used by the National Health Service to monitor and improve the standards of care through research, clinical audit and the maintaining of registers. We have said that we intend to press ahead with the proposals for mandatory clinical audit in the Chief Medical Officer's consultation paper "Supporting Doctors, Protecting Patients", and that clinical governance will apply to all doctors. This will introduce accountability, promote high care standards, and ensure that an individual doctor's pattern of practice is not hidden.

Medical records are also routinely referred to by designated health authority staff for Post Payment Verification purposes, using a process agreed with Local Medical Committees so as not to contravene patient confidentiality.

It is essential that computer-based records must have a robust audit trail so that any changes to, or deletions from, the medical record are fully recorded so that it is always possible to re-create the record in the form in which it would originally have appeared.

The Department has published minimum standards to which general practice computer systems should conform and these include a detailed requirement for such an audit trail. These requirements are periodically reviewed to keep pace with changing technology and the latest version was published in October 1999.

Hepatitis B

Dr. Iddon: To ask the Secretary of State for Health if he will introduce a national immunisation programme for hepatitis B, with particular reference to intravenous drug users. [108610]

Yvette Cooper: The Department has had a policy of immunisation against hepatitis B since 1988 for those who are at increased risk of infection. We have made available additional funds for key objectives in its anti-drugs strategy, one of which is to enable health authorities to increase hepatitis B immunisation of drug misusers.

Waiting Times

Ms Oona King: To ask the Secretary of State for Health what were the average waiting times for out-patient appointments for East London and the City Health Authority in (a) 1997–98 and (b) 1998–99. [108441]

Mr. Denham: The average waiting times for outpatients' appointments in East London and the City Health Authority for the years requested are shown in the table:

Year	*Average Outpatient Wait (weeks)*
1997–98	8.95
1998–99	8.72

Miscarriages

Audrey Wise: To ask the Secretary of State for Health how many (a) miscarriages occurred in pregnancies of at least 13 and less than 24 completed weeks of gestation in England and (b) women (i) who were admitted to hospital and (ii) cared for by a general practitioner without admission to hospital following such miscarriages in each of the last 10 years. [108680]

Yvette Cooper: There are no reliable data held by the Department about the number of miscarriages where care was provided by a general practitioner. Information about the number of women requiring hospital treatment for miscarriages is available from the Hospital Episode Statistics but not by period of gestation. The latest information for the number of women diagnosed as receiving hospital care for miscarriage from 1989–90 to 1997–98 are in the table.

Year	*Number of miscarriages*
1989–90	48,500
1990–91	50,600
1991–92	53,100
1992–93	52,400
1993–94	51,300
1994–95	48,700
1995–96	43,900
1996–97	44,500
1997–98	[1]41,800

[1] Provisional
Source:
Hospital Episode Statistics

The information in the table is obtained from the Hospital Episodes Statistics system. The data are ungrossed and therefore have not been adjusted to allow for missing, incomplete or inaccurate records.

Data extracted were those with the diagnosis code O03 (ICD-10) Spontaneous Abortion.

Births

Audrey Wise: To ask the Secretary of State for Health (1) what was the number of births in hospitals in England which were (a) spontaneous, (b) by Caesarean section, (c) by forceps, (d) by vacuum extraction and (e) otherwise, broken down by social class of the babies' fathers for births which were (i) within marriage and (ii) outside marriage and registered jointly by both parents and (iii) outside marriage registered by the mother alone; [108679]

(2) what was the number of births in hospitals in England which were (a) spontaneous, (b) by Caesarean section, (c) by forceps, (d) by vacuum extraction and (e) otherwise, broken down by social class of the babies' mothers, in the most recent year for which the information is available. [108678]

Yvette Cooper: The information requested is not available in the form requested. The numbers of births by type of delivery are collected by the Department on the Hospital Episode Statistics system. The numbers of births by social class of father and mother, and inside/outside marriage including sole registration are collected by the Office for National Statistics through the birth registration system. These two systems are not linked and the information requested cannot be provided.

The latest statistics on births by social class of father and type of registration (inside/outside marriage) for England and Wales for 1998, published by the Office for National Statistics, is contained in the Series FM1 volumes Birth statistics. Copies are in the Library.

The latest information on the number of maternities by method of delivery are preliminary estimates for 1997–98 and are in the table.

Method of delivery	*Percentage*	*Number (thousand)*
Spontaneous	71	412
Caesarean	17	99
Forceps	4	23
Vacuum extraction	6	35
Other (including breach)	2	12
Total maternities	100	580

Source:
Hospital Episode Statistics (Maternity) and the Office for National Statistics

Audrey Wise: To ask the Secretary of State for Health what was the number of births of babies born to residents of England weighing (a) under 1,000g, (b) 1,000–1,499g, (c) 1,500–2,499g and (d) 2,500g and over, who have been diagnosed as having cerebral palsy by the age of (i) two years and (ii) five years in each of the last 10 years for which figures are available. [108677]

Yvette Cooper: There are no centrally collected data on the numbers of children in England with cerebral palsy. We are aware however that the risk of cerebral palsy among babies born weighing less than 1,500 grammes is 70 times higher than among babies weighing 2,500 grammes or more at birth.

New Variant CJD

Mrs. Mahon: To ask the Secretary of State for Health what help he is giving to those caring for the victims of New Variant CJD; and if he will make a statement. [108751]

Yvette Cooper: I refer my hon. Friend to the statements made by my hon. Friend the Member for Southampton, Itchen (Mr. Denham), the Minister of State in the adjournment debate on the care of variant CJD (vCJD) patients which took place in Westminster Hall on 1 December 1999, *Official Report*, columns 109–16WH, in which he set out the measures in place or planned to improve the care provided for new variant Creutzfeldt-Jakob Disease patients.

Fluoridation

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to her answer of 20 January 2000, *Official Report,* column 584W, when he expects the expert scientific review of fluoride and health to be completed. [108988]

Yvette Cooper: The review is expected to be complete in the spring.

Diabetics

Mr. Robertson: To ask the Secretary of State for Health what plans he has to provide needles for use by diabetics free of charge; and if he will make a statement. [108715]

Mr. Denham: I refer the hon. Member to the reply I gave my hon. Friend the Member for Harrow, West (Mr. Thomas) on 9 February 2000, *Official Report,* column 199W.

Infectious Diseases (Immunisation)

Mr. Ian Stewart: To ask the Secretary of State for Health when his Department will reprint the booklet, "Immunisation against Infectious Disease"; and if he will ensure that the booklet is made available at clinics to parents who request it. [109030]

Yvette Cooper: "Immunisation against Infectious Disease" is published by Her Majesty's Stationery Office (ISBN 011321815X), priced at £6.95. Parents can ask to see a copy of the book at their doctor's surgery. Copies of the current edition are still available to any member of the public wishing to buy one. A new edition is expected within the next year.

Child Labour

Mr. Corbyn: To ask the Secretary of State for Health when he plans to propose changes in child labour legislation; and if he will make a statement. [109492]

Mr. Hutton: The report on the review of child employment legislation, completed last year, is being considered with ministerial colleagues in all interested Departments. We expect to agree a way forward in the near future.

Care Leavers

Mr. Field: To ask the Secretary of State for Health what proportion of children left local authority care at 16 years of age or older with at least one GCSE or GNVQ qualification in (i) 1997, (ii) 1998 and (iii) 1999. [110080]

Mr. Hutton: The information requested is not available for the specified years. Figures on the educational qualifications of children aged 16 or over who left local authority care during the year ending 31 March 2000 will be published for the first time in autumn 2000.

Wheelchairs

Mr. Oaten: To ask the Secretary of State for Health how many (a) manual and (b) powered wheelchairs were purchased by the NHS in each of the last four years. [109962]

Mr. Hutton: The information requested is not collected. However, estimates based on the numbers of wheelchairs issued by the National Health Service wheelchair service in the years 1995–96, 1996–97 and 1998–99 have been made, as follows:

Year	*Manual wheelchair*	*Powered wheelchair*
1995–96	83,632	5,000
1996–97	81,607	5,068
1997–98	75,090	6,268

No information is available for 1997–98.

The figures for 1995–96 and 1996–97 were obtained from information compiled by the Government Statistical Service giving the total number of wheelchairs issued. The figures for 1998–99 were obtained from a NHS Supplies exercise requesting data from trusts regarding wheelchair purchases and issues.

Nurses

Mr. Oaten: To ask the Secretary of State for Health what guidance his Department has issued on the purchasing of equipment to nurses employed in the NHS whose salary is paid for by a commercial organisation. [109961]

Mr. Denham: The Department expects all staff, when purchasing on behalf of the National Health Service, to adhere to existing guidelines published in January 1993—Standards of business conduct for NHS staff (Health Service Guidance (93)5), copies of which are available in the Library.

Consultation has recently taken place on updated guidance which we expect to be available shortly.

Asset Sales

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to his answer of 27 January 2000, *Official Report,* column 332W, on asset sales, if he will list those capital assets valued at more than £1 million that his Department, its agencies and associated public bodies plan to sell in the current financial year. [110004]

Yvette Cooper: Information on individual sales of assets disposed of by the Department, its agencies and associated public bodies is not held centrally.

For the Department's civil estate, the only disposal valued at more than £1 million expected to realise in 1999–2000 is the administrative transfer to the Home Office of the former youth treatment centre at St. Charles, Brentwood.

EDUCATION AND EMPLOYMENT

School Leavers (Cambridgeshire and Peterborough)

Mrs. Brinton: To ask the Secretary of State for Education and Employment what percentage of school leavers went into *(a)* further education and *(b)* vocational training, and what percentage of each group went on to

higher education in (i) Cambridge, (ii) Peterborough and (iii) Cambridgeshire in each of the last 10 years for which figures are available. [109537]

Mr. Wicks: We are committed to a step change in participation and attainment rates for all 16 and 17-year-olds. The Learning and Skills Bill sets out reforms in post-16 education and training which we believe will make a significant impact. We have recently announced details of our new coherent and comprehensive advice, guidance, information and support service for all 13 to 19-year-olds, whatever their needs and circumstances—the Connexions Service.

The table shows for those years for which data are available the proportion of 16-year-olds entering FE in Cambridgeshire LEA, and entering FE and Government Supported vocational training in Greater Peterborough TEC. Data on school leavers destinations for Cambridge and Peterborough, or on the proportion leaving FE or Government Supported vocational training for HE, are not available.

Participation of 16-year-olds in Further Education and Training in Cambridgeshire LEA and Greater Peterborough TEC

Percentage of age group

Education	*Full-time FE*	*Part-time education*[1]
Cambridgeshire LEA		
1988–89	27	16
1989–90	29	14
1990–91	32	11
1991–92	37	7
1992–93	40	6
1993–94	41	5
1994–95[2] *(a)*	39	6
1994–95[2] *(b)*	38	8
1995–96	39	5
1996–97	41	6
1997–98	38	7

Education and Training	*Full-time FE*	*Government supported training*	*Part-time education*[1]
Greater Peterborough			
1994–95	25	10	5
1995–96	23	9	3
1996–97	24	8	4
1997–98	30	9	5

[1] Part-time education is almost entirely in colleges of further education.

[2] Column (a) includes FESR data for November 1994 and column (b) ISR data. 1995–96 onwards includes ISR data.

Source:

Statistical Bulletins: Participation in education and training by young people aged 16 and 17 in each local area and region, England, 1988–89 to 1997–98.

Sure Start

Judy Mallaber: To ask the Secretary of State for Education and Employment when invitations will be issued to submit bids for the next round of Sure Start programmes. [109796]

Yvette Cooper: I have been asked to reply.

Ministers are hoping to announce the next round of Sure Start in early summer. It is expected that the updated version of the Index of Local Deprivation will be a key tool in informing the selection of areas, and this is due for publication in late spring.

Student Incomes

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what estimate he has made of the average income of full-time students in higher education in England in (a) cash terms and (b) real terms for each year since 1979. [109352]

Mr. Wicks: The available data from the Student Income and Expenditure Surveys for 1988–89, 1992–93 and 1995–96 are as follows. Income covers both public and private sources and includes grants, loans, parental contributions, earnings and other sources. Survey results for 1998–99 are currently being analysed and will be available later in the year.

Estimated average income (including loans) for students aged under 26

£

Year	*Cash terms*	*1988–89 prices*[1]
1988–89	3,031	3,031
1992–93	3,464	2,747
1995–96	4,575	3,347

[1] Adjusted using RPI excluding mortgage interest

Source:

C. Callendar and E. Kempson, 'Student Finances', PSI, 1996

Medical School Places

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Employment if he will list the number of medical school places for doctors in England and Wales for the last five years and the projected numbers for the next five years. [108801]

Mr. Wicks: The available information is as follows:

Medical school places in England and Wales

	Number
Actual	
1994–95	3,778
1995–96	3,778
1996–97	3,686
1997–98	3,784
1998–99	3,804
Projected	
1999–2000	4,115
2000–01	4,425
2001–02	4,741
2002–03	4,759
2003–04	4,787

The increase in the number of places reflects the recommendation of the Medical Workforce Standing Advisory Committee.

Dental School Places

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Employment if he will list the number

of dental school places in England and Wales for each of the last five years and the projected number for the next five years. [108800]

Mr. Wicks: There have been 660 dental school places in England and Wales since 1994–95. There are no plans to change this number. Information is listed in the following table.

Dental school places in England and Wales

	Number
Actual	
1994–95	660
1995–96	660
1996–97	660
1997–98	660
1998–99	660
Projected	
1999–2000	660
2000–01	660
2001–02	660
2002–03	660
2003–04	660

University Tuition Fees

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what is his estimate of the cost of abolishing university tuition fees in England and Wales, for each of the next 10 years; and if he will make a statement. [108865]

Mr. Wicks: We estimate that the cash cost of abolishing fees would be £110 million in 2001–02. The full economic cost, taking account of lower loan repayments in future years (on a resource accounting and budgeting basis), would be £270 million as the assessed contribution towards students' tuition fees would instead be taken into account in determining the level of student loan a student could apply for. Both costs are in current day prices. Figures beyond the end of the current CSR period would depend on student numbers on which decisions have not yet been made.

Class Sizes (Witney)

Mr. Woodward: To ask the Secretary of State for Education and Employment what the average class sizes were for (a) 11, (b) 10, (c) 9, (d) 8, (e) 7, (f) 12, (g) 13, (h) 14, (i) 15, (j) 16, and (k) 17 year olds in each school in the Witney constituency over the past three years; and what were the national averages in the same period. [109093]

Ms Estelle Morris: Information on class sizes for individual schools is not normally published. Where individual school information is published, as in the School Performance tables, the information is first checked with the schools concerned.

The available information on class sizes in the parliamentary constituency of Witney, and in England, is shown in the table. In Witney parliamentary constituency, the large majority of classes in maintained primary schools involve mixed year groups so these have also been shown for completeness.

Average size of classes taught by one teacher by age band in maintained secondary schools[1] in the parliamentary constituency of Witney, and England, 1996–99 (position as at January)

	Witney Ages[2]				*England Ages[2]*			
	Mainly under 14s	*Mainly 14 and 15*	*16 or older*	*Total*	*Mainly under 14s*	*Mainly 14 and 15*	*16 or older*	*Total*
1999								
Average class size	25.5	20.7	10.2	21.3	25.1	21.7	10.5	21.7
Number of classes	130	106	43	279	61,085	46,891	18,615	126,591
Number of pupils	3,320	2,190	440	5,950	1,532,646	1,016,561	195,247	2,744,454
1998								
Average class size	25.0	21.2	9.9	21.1	24.9	21.6	10.7	21.6
Number of classes	131	103	46	280	59,836	46,936	18,433	125,205
Number of pupils	3,273	2,185	457	5,915	1,488,715	1,013,579	197,077	2,699,371
1997								
Average class size	24.5	21.9	10.3	21.1	24.7	21.6	10.8	21.5
Number of classes	135	103	50	288	59,160	46,784	18,093	124,037
Number of pupils	3,305	2,253	517	6,075	1,460,685	1,011,036	194,560	2,666,281

[1] Excludes middle schools
[2] Ages as at the start of the academic year (August 31)

New Deal

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what assessment he has made of the (a) New Deal for Lone Parents programme and (b) New Deal for Disabled People programme. [108514]

Ms Hodge *[holding answer 7 February 2000]:* The New Deal for Lone Parents programme is working well. Since October 1998, 112,570 lone parents have attended an initial interview with a personal adviser and 89 per cent. of those parents have agreed to participate further. At the end of November 1999, 32,710 had found jobs.

The New Deal for Disabled People is still in the pilot stage and continues to make encouraging progress. Since the pilots began in autumn 1998, 13,539 people on incapacity benefits have attended initial interview or applied for innovative schemes, around two out of three participated further, and as a result 1,911 have found jobs.

An interim evaluation report was published in December 1999, a copy of which is in the House of Commons Library. We are actively considering the way forward.

Educational Qualifications

Mr. Trickett: To ask the Secretary of State for Education and Employment what proportion of the residents of (a) Wakefield District and (b) Hemsworth constituency have degree-level educational qualifications. [109055]

Mr. Wicks: The available published data from the 1991 Census of Population show that the proportion of people aged 18 and over with higher education qualifications was 13.3 per cent. in Wakefield, and 10.3 per cent. in Hemsworth. A higher education qualification is defined as any academic, professional or vocational qualification above A-level standard. The published census data do not separately identify persons who have degree-level qualifications. Similar data will be available when the results of the 2001 Census are published.

University Staff

Dr. Gibson: To ask the Secretary of State for Education and Employment what assessment he has made of the numbers of academic staff leaving British universities for posts abroad in each of the last 10 years; and if he will make a statement. [109022]

Mr. Wicks: The available data are given in the table. There has always been some academic recruitment across national boundaries and the numbers for the most recent years represent only around 5 per cent. of all staff who leave the higher education sector.

Full-time, wholly institutionally financed academic staff leaving higher education institutions to take up posts abroad

	Staff leaving to take up employment abroad[1]
Former UFC[2] funded universities in GB	
Calendar year:	
1989	[3]183
1990	[3]192
1991	[3]184
1992	[3]200
1993	[3]183
All HE institutions in the UK	
Academic year:	
1994–95	[4]170
1995–96	[4]268
1996–97	[4]303
1997–98	[4]290
1998–99	[4]294

[1] Includes employment in HE institutions, research institutes, and other overseas employment.
[2] Universities Funding Council.
[3] Including staff who left for study abroad.
[4] Excluding staff who did not give details of their destination.

Mature Students

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what estimate he has made of the number of mature students (a) entering and (b) graduating from higher education in each of the last five years. [108516]

Mr. Wicks *[holding answer 7 February 2000]:* The latest available data are given in the tables. Mature students are defined as postgraduates aged 25 and over and undergraduates aged 21 and over. 1997 entrant numbers may have been inflated because entrants were influenced by the knowledge that fees would be introduced with effect from 1998. Comparable data for entrants and graduates in 1999–2000 will be published by the Higher Education Statistics Agency in April 2000 and February 2001 respectively.

Information published by the Universities and Colleges Admissions Service (UCAS), covering full-time and sandwich undergraduate courses only, shows that the number of applicants (young and mature combined) accepted for entry increased by 1.5 per cent. between autumn 1998 and autumn 1999.

Entrants[1] to higher education institutions in the United Kingdom by age[2]

Thousand

	Aged under 25	25 and over	Total
Postgraduates			
1994–95	54.6	118.2	172.8
1995–96	57.6	123.3	180.9
1996–97	56.7	115.9	172.7
1997–98	56.6	124.3	180.9
1998–99	59.5	129.9	189.4
Undergraduates			
1994–95	247.4	256.7	504.1
1995–96	255.7	283.0	538.7
1996–97	259.8	282.1	541.9
1997–98	277.3	276.4	553.7
1998–99	276.8	272.7	549.5

[1] Full-time and part-time
[2] Ages as at 31 August in each academic year

Graduates[1] from higher education institutions in the United Kingdom by age[2]

Thousand

	Aged under 25	25 and over	Total
Postgraduates			
1994–95	26.7	63.6	90.3
1995–96	29.9	75.5	105.5
1996–97	30.7	78.7	109.3
1997–98	32.4	81.9	114.3
1998–99	32.9	82.7	115.6
Undergraduates			
1994–95	73.3	223.7	297.0
1995–96	75.0	235.8	310.8
1996–97	76.5	240.9	317.5
1997–98	77.6	245.0	322.6
1998–99	82.8	248.5	331.3

[1] Full-time and part-time
[2] Ages as at August in each academic year

University Degrees

Dr. Gibson: To ask the Secretary of State for Education and Employment how he monitors the variability in criteria used in awarding degrees in UK universities; and if he will make a statement. [109029]

Mr. Wicks: Each institution with degree awarding powers is responsible for the quality and standards of the degrees it awards. The Quality Assurance Agency

assesses the quality of provision in its subject reviews and the rigour of the quality mechanisms in the institutions in its institutional reviews.

The Quality Assurance Agency has published, for consultation, draft subject benchmark statements setting out expectations of student attainment at honours degree level in 22 subject areas. A further 20 such statements will be published by 2001. The Agency is developing the qualifications framework proposed in the Dearing Report, and will publish proposals shortly. These reference points will be used by the Agency in the reviews it carries out.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list for the financial year 1998–99 the number and total value of contracts let by his Department with external consultants and advisors that have (a) been put out to competitive tender, (b) not been put out to competitive tender and (c) been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109068]

Mr. Wicks *[holding answer 8 February 2000]:* This information could be provided only at disproportionate cost.

Further Education Colleges

Mr. Chaytor: To ask the Secretary of State for Education and Employment what assessment he has made of the role of further education colleges in supporting new curriculum developments in vocational education for 14 to 16-year-olds; and if he will make a statement. [107971]

Mr. Wicks *[holding answer 9 February 2000]:* The Schools Standards and Framework Act 1998 allowed Further Education colleges to provide secondary education at key stage 4. In addition, regulations made under section 363 of the Education Act 1996 allow schools to disapply parts of the key stage 4 National Curriculum for certain pupils to enable them to spend more time on work-related learning.

Many schools are now working in partnership with colleges and taking advantage of this flexibility to deliver work-related learning and vocational courses. For example, we have launched a programme to support local work-related learning projects. There are over 180 projects, and around two-thirds of these include school-college links. Such links can: help pupils acquire the skills and knowledge needed in employment; enable schools to enhance their curriculum with vocational options (G/NVQs and Key Skills); and make Further Education facilities and teaching expertise available to schools. Further measures are being introduced to promote work-related learning through college links with Fresh Start schools.

The Department has commissioned the National Foundation for Education Research to carry out an evaluation of how the regulations are being used in practice. The evaluators will interview schools, FE colleges and others involved in delivering extended work-related learning and vocational courses. The final evaluation report is due at the end of 2000.

Higher Education Staff

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment (1) if he will make a statement on ethnicity in employment patterns in the higher education sector; [109307]

(2) what representations he has received concerning employment patterns in the higher education sector in the last 12 months. [109303]

Mr. Wicks: Ministers met the Chairman of the Commission for Racial Equality in October 1999 to discuss the Commission's report on ethnicity and employment in higher education. Most of the recommendations are for higher education institutions and their representative bodies. Ministers have asked the funding and representative bodies, who co-sponsored the report, to consider what more they can do to encourage institutions to make progress towards greater equality of opportunity for all groups of staff.

Class Sizes (Key Stages)

Mr. Breed: To ask the Secretary of State for Education and Employment what assessment he has made of the link between class sizes and overall pupil performance at Key Stages 1 to 4. [109806]

Ms Estelle Morris: The evidence, including from Ofsted, indicates that class size is most important at Key Stage 1. That is why we have pledged to reduce the size of infant classes. The pledge will ensure that all children benefit from infant classes of 30 or below, and will help to give young pupils the important start they need.

Dartford West High School for Boys

Dr. Stoate: To ask the Secretary of State for Education and Employment when he will announce his decision on the future of Dartford West High School for Boys; and if he will make a statement. [109552]

Ms Estelle Morris: My right hon. Friend expects to make a decision within the next couple of weeks.

Age Discrimination

Mr. Coaker: To ask the Secretary of State for Education and Employment what steps the Government are taking to tackle age discrimination in employment against men between the ages of 60 and 65 years. [109684]

Ms Hodge: On 14 June 1999 we published a Code of Practice on Age Diversity in Employment, developed with key partners such as the TUC, CBI and Age Concern. It covers all aspects of employment, for men and women of all ages, including men aged between 60 and 65. It has sections covering recruitment, selection, training, development, redundancy and retirement, and provides detailed guidance and case studies to help employers to tackle age discrimination in their organisations. This is being backed by a publicity campaign and practical help for employers wanting to adopt the principles set out in the Code. The effectiveness of the Code is being evaluated through a large scale research project which looks in detail at employer policies and practices in recruitment

and employment and the impact this has on age diversity in their work force. The results of the evaluation will be published early in 2001.

Teachers' Pay

Mr. Hesford: To ask the Secretary of State for Education and Employment how much teachers will be able to earn once they have passed the performance pay threshold. [109681]

Ms Estelle Morris: Teachers who are successful at the threshold will receive a salary increase of £2,000, and will be placed on the new upper pay range. Teachers on point 9 of the pay scale and currently earning £23,193 will see their salary rise to £25,959 in September if they pass the threshold—a rise of 11.9 per cent. In future years, teachers who have passed the threshold will have opportunities to gain a further four points on the upper pay range, worth approximately £1,000 each. This could take their salary to over £30,000 for high performance in the classroom. Taking on additional responsibilities could take a teacher's salary to over £37,000.

A-levels

Mr. Breed: To ask the Secretary of State for Education and Employment what percentage of the population in (a) rural and (b) urban areas have at least two A-levels at grade E or above. [109753]

Mr. Wicks: Information from the Labour Force Survey indicates that, in 1998, 38.6 per cent. of economically active working age adults in urban areas in England had at least two A-levels at grades E or the equivalent, compared with 40.6 per cent. of economically active working age adults in rural areas.

Remploy

Mr. Rooney: To ask the Secretary of State for Education and Employment how many employees at Remploy were (a) able-bodied, (b) disabled and factory-based and (c) disabled and on Interwork, in each year since 1980. [109598]

Ms Hodge: The table shows the numbers of both disabled and non-disabled employees in both Remploy Factories and Interwork since 1980.

Year	*Remploy non-disabled employees*	*Remploy factory disabled employees*	*Interwork disabled employees*
1980–81	2,465	8,179	0
1981–82	2,409	8,448	0
1982–83	2,383	8,742	0
1983–84	2,397	8,730	0
1984–85	2,448	8,915	0
1985–86	2,368	8,900	0
1986–87	2,073	8,944	0
1987–88	1,955	8,992	0
1988–89	1,920	8,740	50
1989–90	1,952	8,648	90
1990–91	2,013	8,423	207
1991–92	1,740	8,160	431
1992–93	1,655	7,933	643
1993–94	1,575	7,671	983
1994–95	1,661	7,434	1,472
1995–96	1,629	7,144	2,190
1996–97	1,568	6,958	2,704
1997–98	1,457	6,898	3,123
1998–99	1,402	6,569	3,563
1999–2000	1,264	6,096	4,173

Supported Employment

Mr. Rooney: To ask the Secretary of State for Education and Employment what was the total budget for supported employment expressed (a) in cash terms and (b) at December 1999 prices in each year since 1980. [109596]

Ms Hodge [holding answer 11 February 2000]: The information is not available for years prior to 1989. The figures for 1989–90 onwards are as follows:

Year	*Cash price (£)*	*RPI*	*December 1999 RPI*	*(£)*
1989–90	101,634,000	117.4	167.3	144,832,779
1990–91	112,258,000	128.7	167.3	145,926,678
1991–92	122,445,000	134.8	167.3	151,966,235
1992–93	140,775,000	139.1	167.3	169,314,576
1993–94	140,399,000	141.5	167.3	165,998,252
1994–95	150,051,000	145.3	167.3	172,770,353
1995–96	154,231,000	150.1	167.3	171,904,372
1996–97	154,346,000	153.7	167.3	168,003,161
1997–98	155,556,000	158.8	167.3	163,882,360
1998–99	155,032,000	163.8	167.3	158,344,650

HOME DEPARTMENT

Closed Circuit Television

17. **Mr. Edwards:** To ask the Secretary of State for the Home Department how many applications he has received for portable *(a)* closed circuit and *(b)* open circuit TV units in the last year; and how many have secured grant aid from his Department. [108251]

Mr. Charles Clarke: Under the first round of the Crime Reduction Programme Closed Circuit Television Initiative, 45 proposals were solely for portable or mobile CCTV schemes, although many of the 748 outline applications received contained a mobile element. Applications for open circuit systems are outside the scope of the CCTV Initiative.

So far, we have awarded £627,000 to seven proposals for mobile systems. A further 16 proposals for mobile schemes to a potential value of £2.3 million are currently under further consideration.

Further bids for mobile systems can be submitted under the next phase of CCTV funding, details of which will be announced in the near future.

39. **Mr. Crausby:** To ask the Secretary of State for the Home Department how many applications he has received for portable CCTV units in the past year; and how many have secured grant aid from the Home Office. [108273]

Mr. Charles Clarke: Under the first round of the Crime Reduction Programme Closed Circuit Television Initiative, 45 proposals were solely for portable or mobile CCTV schemes, although many of the 748 outline applications received contained a mobile element.

So far, we have awarded £627,000 to seven proposals for mobile systems. A further 16 proposals for mobile schemes to a potential value of £2.3 million are currently under further consideration.

Further bids for mobile systems can be submitted under the next phase of CCTV funding, details of which will be announced in the near future.

Crime (Sussex)

18. **Mr. Waterson:** To ask the Secretary of State for the Home Department what plans he has in respect of fighting crime in Sussex; and if he will make a statement. [108252]

Mr. Boateng: The Government issued in November our strategy for reducing crime. One of the key elements in this is ensuring that the local crime and disorder reduction partnerships—in Sussex as elsewhere—perform to their maximum potential.

Police (Surrey)

19. **Mr. Hawkins:** To ask the Secretary of State for the Home Department if he will provide extra resources for Surrey police to reflect increases in crime and in their responsibilities. [108253]

Mr. Boateng: Funding for Surrey Police in 2000–01 will increase by 22.7 per cent. to £112.8 million. This large increase takes account of the expansion of the Surrey police area as a result of the boundary changes with the Metropolitan police in April. My right hon. Friend the Home Secretary announced on 9 February the allocation of funding under the Crime Fighting Fund for the recruitment of extra police officers over and above the number that would otherwise have been recruited over three years. Surrey police will receive funding to enable in total 78 extra officers to be recruited.

Community Beat Officers

20. **Mr. Jack:** To ask the Secretary of State for the Home Department what studies his Department has carried out into the effectiveness of community beat officers in preventing crime. [108254]

Mr. Charles Clarke: While there has been no Home Office research solely addressing the effectiveness of community beat officers in preventing crime, research has demonstrated the important role that community beat officers can play in fighting crime, whether by identifying and tackling local crime problems, providing intelligence, or combating fear of crime. Further, the contribution of community beat officers will be an important factor in some of the projects being funded under the crime reduction programme.

Unauthorised Camping

21. **Mr. Caplin:** To ask the Secretary of State for the Home Department what progress he has made in agreeing the operational guidelines with the Association of Chief Constables to deal with unauthorised camping. [108255]

Mr. Straw: Following consultation with the Government, revised operational guidelines on police powers to deal with unauthorised camping were approved by the Association of Chief Police Officers' Council on 28 April 1999 and issued to forces in early May. I have, however, commissioned a review of the joint Home Office/Department of the Environment, Transport and the Regions' guidance on managing unauthorised camping, in order to ensure that problems associated with these encampments are being tackled as effectively as possible.

27. **Dr. Iddon:** To ask the Secretary of State for the Home Department what progress he has made in agreeing the operational guidelines with the Association of Chief Constables to deal with unauthorised camping. [108261]

Mr. Charles Clarke: Following consultation with the Government, revised operational guidelines on police powers to deal with unauthorised camping were approved by the Association of Chief Police Officers' Council on 28 April 1999 and issued to forces in early May. We are, however, commissioning a review of the joint Home Office/Department of the Environment, Transport and the Regions' guidance on managing unauthorised camping, in order to ensure that problems associated with these encampments are being tackled as effectively as possible.

Clandestine Immigrants

23. **Mr. Corbett:** To ask the Secretary of State for the Home Department how many lorries have been stopped by the police which contained clandestine immigrants in the last six months. [108257]

Mrs. Roche: The police do not keep records of that information. However, I can tell my hon. Friend that the Immigration and Nationality Directorate's records show that 11,500 clandestine illegal entrants to the United Kingdom were identified between July and December 1999.

Anti-social Behaviour Orders

24. **Mr. McWalter:** To ask the Secretary of State for the Home Department what proportion of councils have used their powers to impose anti-social behaviour orders. [108258]

Mr. Charles Clarke: Anti-social behaviour orders are imposed by the courts upon application by either the local authority or the police. Information about the number of orders which have been granted is not held centrally, but we believe that about 20–25 are currently in force, involving about 15 different areas.

Prisons (School Links)

25. **Mr. Blizzard:** To ask the Secretary of State for the Home Department if he will support initiatives by which prisons develop links with schools. [108259]

Mr. Boateng: The new draft National Standards for prisoners under 18-years-old require prisons to develop links with the home education authority.

The Prison Service is happy to co-operate with targeted crime reduction activities where these are developed with the police and others locally.

Crime and Disorder

26. **Mr. MacShane:** To ask the Secretary of State for the Home Department what discussions he has had with his counterparts in the Department for Education and Employment about ensuring that schools are fully involved in local partnerships to combat crime and disorder. [108260]

Mr. Charles Clarke: Schools are designated as bodies which must co-operate with partnerships in the development and implementation of local crime and disorder reduction strategies. One of the strands of the Crime Reduction Programme is an investment of £12 million in projects designed to combat truancy and exclusions.

Prisoners

28. **Mr. Peter Bottomley:** To ask the Secretary of State for the Home Department if he will make a statement on the amount of purposeful activity undertaken by prisoners. [108262]

Mr. Boateng: During the period April 1999 to December 1999 the average amount of purposeful activity undertaken by prisoners was 23.0 hours per prisoner per week.

These data are provisional and subject to validation by prisons.

Crime Reduction

29. **Mr. Kidney:** To ask the Secretary of State for the Home Department what contribution neighbourhood watch schemes can make to his objective of crime reduction under the Crime and Disorder Act 1998. [108263]

Mr. Charles Clarke: Community involvement is essential if we are to achieve our aim of creating a safe, just and tolerant society. Neighbourhood Watch is a successful example of community involvement with around 155,000 schemes covering 5.5 million households. That is why the Government required the crime and disorder reduction partnerships to invite Neighbourhood Watch to participate in their work.

Asylum Seekers

30. **Mr. Gordon Marsden:** To ask the Secretary of State for the Home Department what minimum arrangements for social, welfare and cultural support he will require from agencies and local authority consortia wishing to place asylum seekers before agreeing to their dispersal. [108264]

Mrs. Roche: Contracts with providers for accommodation specify that the provider will facilitate access for asylum seekers to health and education services. The need for wider social and welfare provision to be available will be taken into account in discussion with local authorities about appropriate cluster areas for asylum seekers.

Voluntary sector bodies funded under Section 111 of the Immigration and Asylum Act 1999 will be required to provide a range of services as part of the one stop services for asylum seekers envisaged under the new asylum support scheme.

33. **Miss Kirkbride:** To ask the Secretary of State for the Home Department what plans the Government have to restrict the number of asylum seekers entering the United Kingdom. [108267]

Mrs. Roche: The Government will continue to honour their obligations under the 1951 United Nations Convention relating to the Status of Refugees to consider all applications for asylum made in the United Kingdom or at our ports. But we are taking tough measures to curb abuse of the asylum process. The Immigration and Asylum Act 1999 introduces fundamental changes, including measures to discourage unfounded asylum applications, while continuing to provide protection for those who need it.

34. **Mr. Whittingdale:** To ask the Secretary of State for the Home Department what representations he has received concerning the dispersal of asylum seekers. [108268]

Mrs. Roche: I and my officials have received numerous representations concerning the dispersal of asylum seekers, in response to proposals which we published last year as part of our consultation process. Some have been from voluntary bodies and local authorities by way of formal response to the original Asylum Seeker Support document published in March last year and to the consultation document on the regulations for the scheme published last November. Others have been received in the form of letters to Ministers from Members of Parliament, voluntary bodies and local authorities.

The representations have been concerned with a range of matters including the minimum standards of accommodation to be provided to asylum seekers and access to legal representatives in dispersal areas.

The National Asylum Support Service has also been in extensive talks with the Local Government Association about the operation of the dispersal scheme.

37. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department what was the average length of time for applications from asylum seekers *(a)* with children and *(b)* without children to be decided in the last month for which figures are available. [108271]

Mrs. Roche: Of the total asylum decisions made in December 1999, the average length of time since the application had been made was 13 months. A breakdown for asylum seekers with and without children is not available in this format. Of families with children who applied for asylum in November 1999, most had a decision made on their application within two months.

Immigration Advisers

31. **Mr. Love:** To ask the Secretary of State for the Home Department what progress he has made in curbing unscrupulous immigration advisers. [108265]

Mrs. Roche: Part V of the Immigration and Asylum Act 1999 makes provision for a scheme to regulate immigration advisers and service providers. Under the scheme the provision of immigration advice or services will be prohibited unless a person is registered with the Immigration Services Commissioner, authorised to practise by a designated professional body or exempt under the terms of the scheme.

We are currently in the process of appointing the Immigration Services Commissioner who will lead the body to administer the scheme. Our aim is to have the regulatory body established and ready to receive applications for registration and exemption by 2 October 2000, with a view to full roll-out of the scheme by April 2001.

Kosovo Refugees

32. **Mr. Lilley:** To ask the Secretary of State for the Home Department what steps he proposes to take to help return to their homes those refugees from Kosovo granted exceptional leave to remain in the United Kingdom during the conflict. [108266]

Mrs. Roche: All the evacuees under the United Nations High Commissioner for Refugees Humanitarian Evacuation Programme (HEP) were given 12 months' exceptional leave to remain in the United Kingdom. We have made it clear that there will not be a general extension of leave for those granted exceptional leave under the Kosovan concession.

Kosovans are expected to make arrangements to return to Kosovo once their current leave to remain expires.

The voluntary return programme for Kosovans from the United Kingdom began on 26 July 1999 and is open to those who arrived under the HEP and as independent arrivals. The Government are also running an Explore and Prepare (E and P) scheme to enable heads of households and community leaders with exceptional leave here to return to Kosovo to make advance preparations for the permanent return of their families. To date 1,570 Kosovans have returned under these programmes (1,388 permanent returnees {1,092 HEP and 296 non-HEP} and 182 E and P returns {176 HEP and 6 non-HEP}).

We have provided funds to the Refugee Council to publish a regular newsletter to keep Kosovans informed about the situation in Kosovo and have funded a voluntary returns office to provide help and information.

Police (Costs)

35. **Mr. Fraser:** To ask the Secretary of State for the Home Department what is his estimate of the annual cost of employing a police constable; and if he will make a statement. [108269]

Mr. Charles Clarke: As at 19 March 1999, the annual cost of a police constable serving in a provincial force, based on average salary for the rank, is £35,081, inclusive of Earnings-Related National Insurance Contribution, notional pension costs and housing allowance.

An officer serving in London will additionally receive London Allowance of £1,011 and London Weighting of £1,662.

Racism

36. **Mrs. Brinton:** To ask the Secretary of State for the Home Department what recent assessment he has made of the efforts made by police forces to stamp out racism. [108270]

Mr. Charles Clarke: "Race and the Criminal Justice System 1999" published on 9 December 1999 gives a comprehensive picture of how people from minority ethnic backgrounds fare under the criminal justice system, including the police service. The key findings for 1998–99 include a substantial increase by 66 per cent. of the number of racist incidents recorded by the police; against a history of under-recording of racist incidents this appears to reflect improved recording practices by the police and the higher priority the service is giving to its response to racist crime. Black people were, on average, six times more likely than white people to be stopped and searched by the police. The Department has set in hand a wide-ranging programme of research to help broaden understanding of these powers and how their use can be improved. The report found under-representation of ethnic minorities in the police service as in other parts of the criminal justice system. My right hon. Friend the Home Secretary has set targets for forces on recruitment, retention and progression of ethnic minority officers and has published a 25 point action plan to help forces meet them.

Her Majesty's Chief Inspector of Constabulary's report of the inspection of the Metropolitan Police Service (MPS), which my right hon. Friend the Home Secretary directed should be carried out in response to recommendation 4 of the Stephen Lawrence Inquiry, was published on 10 January. The inspectors found significant progress within the MPS in their response to the community and race relations issues raised in the Inquiry's report, and while there were still areas to be addressed there were grounds for confidence that there would be significant improvements when the inspectors return in 12 months' time.

My right hon. Friend the Home Secretary undertook during the debate on the report of the Stephen Lawrence Inquiry last March that I would publish an annual report on progress of the implementation of the Action Plan I published in response to the Inquiry's report; my right hon. Friend the Home Secretary will publish the first such report shortly.

Crime (London)

38. **Mr. Casale:** To ask the Secretary of State for the Home Department what progress he has made in developing local partnerships against crime in London. [108272]

Mr. Charles Clarke: Partnerships were set up in all the London boroughs and the City of London, making 33 in all, as part of the work under the Crime and Disorder Act 1998 which places a statutory requirement on the boroughs to produce a joint strategy to reduce crime and disorder. The detail of these and the way in which they are being taken forward varies to some extent but they all actively engaged in the work against crime and disorder.

Police Officer Recruitment

40. **Mr. Brady:** To ask the Secretary of State for the Home Department what measures he is taking to increase the total number of police officers in England and Wales. [108274]

Mr. Charles Clarke: I refer the hon. Member to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Elmet (Mr. Burgon), on 9 February 2000, *Official Report*, columns 172–74W.

Trial by Jury

Mr. Baker: To ask the Secretary of State for the Home Department if he will make a statement on his plans to limit trial by jury. [108242]

Mr. Straw: We have already announced our intention to introduce in this House, as soon as possible, a Bill which will give the courts the power to determine which either-way cases should be tried in the Crown Court.

Metropolitan Police

Mr. Burstow: To ask the Secretary of State for the Home Department what plans he has to increase the numbers of police officers in the Metropolitan police force. [108249]

Mr. Straw: It is for the Metropolitan Police Commissioner to determine overall police numbers within the resources available.

The strength of the Metropolitan Police fell by 2,060 officers between 1992 and 1998 under budgets set by the previous Administration. Numbers fell by a net 209 between March 1998 and September 1999.

We announced on 9 February that the Metropolitan Police has been allocated funds from the Crime Fighting Fund for 2000–01 which will enable them to recruit and train 1,113 officers over and above the levels planned for financial years 2000–03. This includes 242 officers in the next financial year and the Commissioner tells me that in the light of this, he hopes to maintain police officer numbers at a constant level through 2000–01.

Home Security

Mr. Healey: To ask the Secretary of State for the Home Department if he will make a statement on the impact of local initiatives to reduce domestic burglaries and improve home security. [108256]

Mr. Charles Clarke: The Reducing Burglary Initiative, a major component of the Crime Reduction Programme, is expected to prevent 15,000 burglaries by 2002 and 25,000 burglaries in the longer term.

In addition, the scheme to provide improved security to low-income pensioners should prevent 2,500 burglaries and, just as importantly, will reduce the fear of crime.

Crime Reduction Targets

Mr. Hope: To ask the Secretary of State for the Home Department what crime reduction targets police authorities will be expected to set over the next five years under the Best Value regime. [110301]

Mr. Charles Clarke: All police authorities and police forces have been told that statutory guidance under the Best Value regime (Section 5(7) of the Local Government Act 1999) will indicate that specific targets should be set by all police authorities for domestic burglary and for vehicle crime. In addition, five forces are being asked to set a target for robbery.

The table shows the five-year targets for each force area, based on our latest information. It will be for each police authority to decide what targets should finally be set and published.

Proposed five year crime reduction targets

Percentage change

	Vehicle crime		*Burglary dwelling*		*Robbery*	
	April 1998-March 1999	*October 1998-September 1999*	*April 1998-March 1999*	*October 1998-September 1999*	*April 1998-March 1999*	*October 1998-September 1999*
Avon and Somerset	30	28	29	26	—	—
Bedfordshire	30	35	20	32	—	—
Cambridgeshire	29	28	29	28	—	—
Cheshire	14	9	19	14	—	—
City of London	10	13	18	-3	—	—
Cleveland	30	26	20	19		—
Cumbria	41	36	22	23	—	—
Derbyshire	33	31	30	31	—	—
Devon and Cornwall	33	31	34	31	—	—
Dorset	31	27	26	21	—	—
Durham	35	29	20	16	—	—
Dyfed-Powys	30	24	30	19	—	—
Essex[1]	10	10	10	10	—	—
Gloucestershire	25	22	25	27	—	—
Greater Manchester	34	33	25	19	10	15
Gwent	30	30	10	14	—	—
Hampshire	27	23	17	10	—	—
Hertfordshire[1]	14	[1]10	14	16	—	—
Humberside	32	30	23	23	—	—
Kent	27	16	32	26	—	—
Lancashire	30	26	34	30	—	—
Leicestershire	34	30	30	24	—	—
Lincolnshire	18	17	37	40	—	—
Merseyside	30	33	12	13	10	12
Metropolitan Police[1]	31	35	[1]10	[1]10	[1,2]15	[1,2]15
Norfolk	14	13	18	17	—	—
North Wales	28	31	26	22	—	—
North Yorkshire	25	20	44	47	—	—
Northamptonshire	32	30	24	26	—	—
Northumbria	34	29	39	33	—	—
Nottinghamshire	47	44	64	63	—	—
South Wales	34	35	29	27	—	—
South Yorkshire	30	28	34	34	—	—

Proposed five year crime reduction targets

Percentage change

	Vehicle crime		*Burglary dwelling*		*Robbery*	
	April 1998-March 1999	*October 1998-September 1999*	*April 1998-March 1999*	*October 1998-September 1999*	*April 1998-March 1999*	*October 1998-September 1999*
Staffordshire	35	33	35	29	—	—
Suffolk	10	14	0	-4	—	—
Surrey[1]	14	15	11	10	—	—
Sussex	20	22	37	34	—	—
Thames Valley	30	32	40	44	—	—
Warwickshire	15	16	20	27	—	—
West Mercia	10	7	14	13	—	—
West Midlands	30	34	23	23	34	45
West Yorkshire	37	34	42	40	22	23
Wiltshire	14	18	10	11	—	—
National figure[5]	30	29	26	24	12	19

[1] Contains areas affected by boundary changes from 1 April 2000
[2] Subject to verification
[3] Based on projected recorded crime from April 1999-March 2000
[4] Figure refers to street crime
[5] National figures subject to verification against police authorities' Best Value performance plans

Criminal Records Bureau

Jackie Ballard: To ask the Secretary of State for the Home Department, pursuant to his answer of 28 January 2000, Official Report, column 362W, on the Criminal Records Bureau, if he will name the shortlisted bidders invited to take part in the technical design study for the Criminal Records Bureau. [109441]

Mr. Charles Clarke: Following evaluation of the six bids received, the following three bidders have been shortlisted and invited to take part in a technical design study:

Capita Business Services

PriceWaterhouseCoopers

e.CRES, a consortium led by SERCO.

Homicide Weapons

Mr. Chaytor: To ask the Secretary of State for the Home Department if he will list by type the weapons used in homicides in the United Kingdom in each of the last five years for which records are available. [109327]

Mr. Charles Clarke: The following table gives the information requested in relation to firearms for England and Wales:

Homicides initially recorded by the police in which a firearm was reported to have been used, by type of weapon, England and Wales, 1994–98

	1994	*1995*	*1996*	*1997*	*1998*
Shotgun:					
Long barrelled	22	18	9	12	3
Sawn Off	14	10	8	4	7
Handgun	25	39	30	39	28
Rifle	5	2	—	3	4
Air weapon	—	1	—	—	—
Other (including type not known)	—	—	2	1	2
Total	66	70	49	59	44

Information on other types of weapon used in homicides, such as sharp and blunt instruments, is published in Chapter 4 of Criminal Statistics, England and Wales, a copy of which is in the Library. (Figures on homicides by shooting contained in Chapter 4 will differ from the figures shown mainly because they are based on currently rather than initially recorded homicides).

Figures for Scotland and Northern Ireland are matters for the respective Secretaries of State.

Firearms Offences

Mr. Chaytor: To ask the Secretary of State for the Home Department what was the total number of firearms offences in the UK in each of the last five years for which records are available. [109341]

Mr. Charles Clarke: The following table gives the information requested for England and Wales:

Notifiable offences recorded by the police in which firearms were reported to have been used, England and Wales 1994–98

	Number
1994	13,167
1995	13,434
1996	13,876
1997	12,410
1998	[1]13,671

[1] Changes in the counting rules and coverage of recorded crime took place from 1 April 1998, and there may be some discontinuity in this figure

Figures for Scotland and Northern Ireland are matters for the respective Secretaries of State.

Murders

Mr. Quentin Davies: To ask the Secretary of State for the Home Department if he will set out, on a comparable basis, the number of murders recorded in the United Kingdom in each of the past 30 years. [109364]

Mr. Charles Clarke: The available information relates to initially recorded offences of homicide (murder, manslaughter and infanticide) in England and Wales and is given in the table. Those offences subsequently decided at court to be murder are also shown.

Offences of homicide initially recorded by the police and those subsequently decided at court to be murder, England and Wales, 1969–1998

	Initially recorded homicides	*Offences decided at court to be murder*
1969	395	69
1970	396	91
1971	459	86
1972	480	88
1973	465	81
1974	599	154
1975	508	97
1976	565	102
1977	484	112
1978	535	123
1979	629	160
1980	621	126
1981	556	148
1982	618	160
1983	552	152
1984	619	165
1985	625	166
1986	660	202
1987	686	195
1988	645	172
1989	626	177
1990	662	174
1991	725	181
1992	681	189
1993	675	209
1994	727	215
1995	753	238
1996	680	216
1997–98	748	[1]—
1998–99	750	[1]—

[1] Not applicable

The initially recorded figure includes all homicides because when an offence is discovered and recorded by the police, it is not generally known whether an offence of murder, manslaughter or infanticide has been committed.

Figures for Scotland and Northern Ireland are matter for the respective Secretaries of State.

Corporate Liability

Mr. Dismore: To ask the Secretary of State for the Home Department what progress his Department has made on consideration of the inter-departmental working party report on corporate liability. [109371]

Mr. Charles Clarke: We are continuing to consider the conclusions of the inter-departmental working group of officials which has been examining the recommendations made in the Law Commission's report no. 237 "Legislating the Criminal Code: Involuntary Manslaughter". The Law Commission's report included a recommendation that there should be a new offence of corporate killing.

We are consulting our colleagues on how to take the matter forward and expect to publish our conclusions for consultation.

Freemasons

Mr. Kidney: To ask the Secretary of State for the Home Department how many police officers in England and Wales are freemasons. [109440]

Mr. Charles Clarke: There is no requirement for this information to be provided by police officers. Most forces in England and Wales are compiling statistics of freemasonry membership among officers and civilian staff from information provided on a voluntary basis, and the following figures are currently available for 26 forces. Of the 38,875 individuals who made returns, 417 indicated that they were freemasons.

Security Industry

Mr. Swayne: To ask the Secretary of State for the Home Department when he plans to establish a private security industry authority. [109361]

Mr. Charles Clarke: Our White Paper, "The Government's Proposals for Regulation of the Private Security Industry in England and Wales", published last year set out plans to establish an authority to be responsible for maintaining and improving standards within the industry, and for licensing people employed in the industry. We intend to introduce legislation as soon as Parliamentary time permits.

Interception of Communications

Mr. Baker: To ask the Secretary of State for the Home Department how long, on average, he has taken to scrutinise each warrant issued under the Interception of Communications Act 1985. [110041]

Mr. Straw: I consider very carefully each application for a warrant submitted to me under the Interception of Communications Act 1985. The average time taken for this scrutiny, depends on the complexity of the application. An average would not be meaningful. The Interception of Communications Commissioner, currently Lord Nolan, stated in his annual report for 1998 that he had found no case where I had issued or renewed a warrant without adequate justification.

Correspondence

Mr. Burns: To ask the Secretary of State for the Home Department when the hon. Member for West Chelmsford will receive substantive replies to his letters concerning his constituents (a) Mr. A. Camp, written on 2 September 1999, (b) Mr. Sobarten, written on 29 September 1999, (c) Mr. S. Tennant, written on 2 September 1999 and (d) Mr. J. M. Braouli, written on 4 August 1999. [109738]

Mrs. Roche: I wrote to the hon. Member about Mr. Camp's case on 11 February 2000. I wrote about Mr. Tennant's case on 10 November 1999 and 14 February 2000, and about Mr. Braouli's case on 14 February 2000. We have no record of correspondence from the hon. Member about Mr. Sobarten. I assume the hon. Member is referring to his letter of 29 December about Mr. Sisawo Jobarteh to which I replied on 14 February 2000. I am extremely sorry for the delays in replying.

Mr. Paice: To ask the Secretary of State for the Home Department when he will reply to the hon. Member for South-East Cambridgeshire's letter on behalf of a constituent, Mrs. Anna Newton, which was acknowledged by his Office on 2 November 1999 (Reference 21142/99); and what steps he is taking to improve the timeliness of replies from his Office. [110140]

Mrs. Roche: I replied to the hon. Member on 14 February 2000.

Every effort is made to provide timely answers to letters sent to Ministers. Unfortunately, as in the present case, delays sometimes occur. I have reminded my officials of the need to ensure that the required priority is given to dealing with ministerial correspondence.

Somalia

Mr. Corbyn: To ask the Secretary of State for the Home Department how many people from Somalia have entered the United Kingdom in each of the last five years, indicating the number who are (a) asylum seekers, (b) dependants seeking family reunion, and (c) visitors; and of those how many have been (i) accepted, (ii) informed and are appealing and (iii) refused and removed. [109489]

Mrs. Roche: The available information is given in the tables.

Table 1: Admissions and refusals of nationals of Somalia 1995–99

	1995	*1996*	*1997*	*1998*	*1999*[1]
Total admissions[2]	5,720	5,560	4,490	4,900	1,460
Of which:					
Visitors	1,820	1,470	1,470	1,780	870
Dependants[3]	350	280	270	390	110
Passengers refused and removed	63	76	99	190	99

[1] January to June only.
[2] Persons, including port asylum seekers, given leave to enter. Excludes persons given temporary admission.
[3] Family members coming for settlement.

Table 2: Asylum applications received in the United Kingdom (excluding dependants), initial decisions[1] on applications, appeals and removals and voluntary departures[2] of Somalia

	1995	*1996*	*1997*	*1998*[3]	*1999*[3]
Applications received	3,465	1,780	2,7[illegible]	4,685	7,495
Total decisions	2,400	3,835	2,305	2,805	[4]80
Of which:					
Granted asylum	10	15	985	2,330	20
Not recognised as a refugee but granted ELR	2,205	3,580	1,015	375	[5]20
Refused asylum and ELR	185	235	305	100	40
Appeals sent to the IAA (adjudicators)	165	110	30	15	[6]—
Removals and voluntary departure[2, 7]	20	40	50	35	[6]—

[1] Excluding the outcome of appeals or other subsequent decisions.
[2] Includes voluntary departures up to and including notification of the decision on the asylum application for port applicants. Includes only those voluntary departures taking place after the initiation of enforcement action for in-country applicants.
[3] Provisional data.
[4] January to May only.
[5] Includes 15 cases decided under pragmatic measures aimed at reducing the pre-1996 Act asylum backlog.
[6] Not available.
[7] 1998 figure is estimated.

Senator Pinochet

Mr. Corbyn: To ask the Secretary of State for the Home Department to which (a) Ministers, (b) officials, (c) lawyers and (d) foreign Governments information concerning the medical condition of General Pinochet has been made available. [110117]

Mr. Straw: I informed the House on 12 January 2000, Official Report, columns 277–78, of the conclusions of the medical report on Senator Pinochet which I had commissioned. I have passed a copy of the report to my hon. Friend the Under-Secretary of State for the Home Department with responsibility for extradition matters, Lord Bassam, and another copy to my hon and learned Friend, the Solicitor-General. The report has also been copied to the Government's Chief Medical Officer; the Director of Public Prosecutions (DPP); a member of the Treasury Solicitor's Department; and the separate sets of officials and Counsel advising the Solicitor-General, the DPP (in his capacity as domestic prosecuting authority) and me on this case. I sent a copy to Senator Pinochet's legal representatives on 11 January. I have not disclosed the report to any foreign Government.

I have also received medical information, from Senator Pinochet's legal representatives when I was considering the first Authority To Proceed in the case in December 1998, and from the Embassy of Chile in 1999. I have made this material available within the Government on the same basis as the report I commissioned. The material from the Embassy of Chile was passed to me by the Foreign and Commonwealth Office, and therefore was also seen by officials advising on the case and in some cases by my right hon. Friend the Foreign Secretary and other Ministers.

Mr. Geraint Davies: To ask the Secretary of State for the Home Department when he will make a decision in the case of Senator Pinochet. [106936]

Mr. Straw: I will do so as soon as possible, but not before the High Court gives judgment in the current judicial review proceedings. I propose to give notice to the parties to the case, on the day before I expect to make my decision, and will notify the parties and this House immediately when the decision has been taken. It also remains my intention to make a full oral statement to the House when I am clear that it is appropriate to do so.

Terrorism Bill

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department what discussions he has had with (a) the Scottish Executive, (b) Scottish bodies and (c) the Scottish Parliament regarding the impact of the Terrorism Bill on devolved areas of responsibility. [109563]

Mr. Straw: Under Section 30 and Schedule 5 of the Scotland Act 1998, responsibility for the special powers and other special provisions for dealing with terrorism is reserved. Six organisations representing Scottish interests offered responses to the Government consultation paper "Legislation Against Terrorism" and their views, along with those of all other contributors, were taken into account in preparing the Terrorism Bill. Officials from this Department have been in regular contact with officials from the Scottish Executive about the contents of the Terrorism Bill.

I am regularly in touch with the First Minister and the Minister for Justice about a wide range of issues, and I greatly value the co-operative spirit in which these discussions take place.

Race Relations (Amendment) Bill

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department if he will list the legislation within the competence of the Scottish Parliament which falls to be amended by the Race Relations (Amendment) Bill. [109564]

Mr. Mike O'Brien: The Race Relations (Amendment) Bill does not contain any provisions which are within the legislative competence of the Scottish Parliament.

Fire Service College

Mr. Dalyell: To ask the Secretary of State for the Home Department what account has been taken of Scottish interests in drawing up the proposal to merge the Moreton and Manstone Fire Service establishments. [108430]

Mr. Mike O'Brien: I refer my hon. Friend to the reply which my right hon. Friend the Home Secretary gave to a question from my hon. Friend the Member for Eccles (Mr. Stewart) on 20 December 1999, *Official Report*, columns 370–71W. Scottish fire service interests were fully consulted during the course of the Fire Service College Prior Options Review. We will continue to consult them in reaching decisions on the review's findings, including the further evaluation of the feasibility of the proposal to join up the activities of the Fire Service College at Moreton-in-Marsh and the Ministry of Defence Fire Services Central Training Establishment at Manston.

Afghan Hijacking

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department what has been the cost to date to public funds of the hijacking of the Ariana Airlines aircraft. [109819]

Mr. Straw: It is not possible to make an estimate at this stage.

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department if he will make it his policy not to entertain asylum applications from the hijackers of the Ariana Airlines aircraft; and if he will make a statement on the status of applications for asylum by hijackers who arrived in the UK during the last five years. [109818]

Mr. Straw: The United Kingdom is bound to entertain asylum applications made here under the 1951 United Nations Convention Relating to the Status of Refugees, a legally binding international agreement. However, we also have the clearest possible obligations in respect of the prevention and deterrence of hijacking and other international terrorism. We condemn all hijackings unequivocally. The United Nations Convention provides that those convicted of or suspected of being involved in certain criminal acts shall be exempt from its provisions.

Asylum applications made by the Iraqi hijackers of the Sudanese Airbus in August 1996 remain under consideration.

HMP Manchester

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how HMP Manchester has performed against its Service Level Agreement and key performance indicators in each year of the Agreement; and if he will make a statement. [109885]

Mr. Boateng: The Manchester Service Level Agreement (SLA) commenced on 7 March 1994. The SLA was revised in August 1995 and October 1996. The information set out in the table outlines the target set by the SLA and the performance reached. SLA targets equate to national Key Performance Indicators.

	Number of escapes	*Number of proven assaults*	*Prisoners agreeing compact after 14 days*	*Mandatory drug testing*	*Average daily unlock weekdays*	*Purposeful activity*	*Training average staff per annum*
1994–95							
Target	[1]—	[1]—	90 per cent.	[1]—	12 hours	24.9	5.7 days
Performance	0	71	Not known	[1]—	13.1 hours	20.0	[1]—
1995–96							
Target	0	Less than 80	98 per cent.	[1]—	12 hours	25.5	5.7 days
Performance	0	105	Not known	[1]—	12.4 hours	21.8	
1996–97							
Target	0	Less than 75	98 per cent.	[1]—	[2]12 hours	[2]26.5	46 hours
Performance	1	76	Not known	27.2 per cent.	[2]12.2 hours	[2]27.8	39.5
1997–98							
Target	0	Less than 75	98 per cent.	[1]—	[2]12 hours	[2]26.5	46 hours
Performance	0	47	Not known	18.2 per cent.	[2]12.25 hours	[2]29.6	47.1
1998–99							
Target	0	Less than 75	98 per cent.	20.0 per cent.	[2]12 hours	[2]26.5	46 hours
Performance	0	56	Not known	15.5 per cent	[2]12.3 hours	[2]32.5	51.1

[1] Data not available

[2] Enhanced regime prisoners only

	Average days of staff sickness	Employment of women	Employment of ethnic minorities	Employment of registered disabled	Expenditure
1994–95					
Target	less than 9	Increase to 4.5 per cent. of total staff	Increase to 4.5 per cent. of total staff	Increase to 4.5 per cent. of total staff	Lower than SLA price
Performance	15.2	Not known	Not known	Not known	Not known
1995–96					
Target	[1]—	15 per cent.	5 per cent.	2 per cent.	Lower than SLA price
Performance	12.4	15.7 per cent.	1.5 per cent.	0 per cent.	Not known
1996–97					
Target	[1]—	10 per cent.	5 per cent.	2 per cent.	Lower than SLA price
Performance	12.1	15 per cent.	2.1 per cent.	0.1 per cent.	Achieved
1997–98					
Target	[1]—	15 per cent.	5 per cent.	2 per cent.	Lower than SLA price
Performance	13.6	18.3 per cent.	2.1 per cent.	0.1 per cent.	Achieved
1998–99					
Target	[1]—	20 per cent.	5 per cent.	0.5 per cent.	Lower than SLA price
Performance	14.8	19.5 per cent.	2.2 per cent.	0.2 per cent.	Achieved

[1] Data not available
[2] Enhanced regime prisoners only

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what factors underlay the decision to subject HMP Manchester to market testing; and if he will make a statement. [109886]

Mr. Boateng: The purpose of market testing Manchester prison is to drive up standards and obtain maximum value for money from the successful bidder.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is the timetable for the competition for the operation of HMP Manchester; and if he will make a statement. [109887]

Mr. Boateng: The intended timetable for the market test of Manchester prison is for the Invitation To Tender to be issued by 30 March, the receipt of Best and Final Offers by 15 June and the selection of the preferred supplier by October.

Prison Tenders

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, pursuant to his answer of 19 January 2000, *Official Report*, columns 456–57W, on prison tenders, what conclusion was reached in respect of the application of the rules governing business appointments to the former Prison Service Director of Security; what advice was given by the Cabinet Office in relation to the former Director of Security; and if he will make a statement. [109888]

Mr. Boateng: The matter is still under consideration.

Royal Parks (Trading Bill)

Mr. Mackinlay: To ask the Secretary of State for the Home Department what powers the Metropolitan Police have used in the last 30 years, which are still in force and which replicate the powers contained in the Royal Parks (Trading) Bill in respect of highways and public areas adjacent to St. James's Park; and if he will make a statement. [109392]

Mr. Charles Clarke: The Metropolitan Police Commissioner tells me that the powers under which his officers deal with illegal traders operating in areas adjacent to St. James's Park are those contained in the City of Westminster Act 1999. My right hon. Friend the Secretary of State for Culture, Media and Sport has informed me that the Royal Parks (Trading) Bill will provide the Royal Parks Constabulary and the Metropolitan police with similar powers in the Royal Parks.

Curfews (Drugs Offences)

Miss Widdecombe: To ask the Secretary of State for the Home Department of those prisoners released to date under the home detention curfew scheme, how many convicted of drugs offences were convicted of (a) unlawful supply and (b) possession with intent to supply unlawfully, for each type of controlled drug; and what was the average sentence (i) received and (ii) served in each case. [109592]

Mr. Boateng *[holding answer 11 February 2000]:* Of those prisoners released up to 7 February 2000 under the Home Detention Curfew scheme, 876 were convicted of drugs supply and 1,138 were convicted of drugs possession with intent to supply. Information is not held centrally about the type of controlled drug in respect of these convictions.

The average sentence received for drugs supply was 21.7 months, and the average time spent in custody before release on Home Detention Curfew was 9.2 months. The average sentence received for possession with intent was 20.1 months, and the average time spent in custody before release on Home Detention Curfew was 8.4 months.

Animal Experiments

Dr. Tonge: To ask the Secretary of State for the Home Department how many people holding his Department's licences to perform experiments on animals are employed in the NHS. [109519]

Mr. Mike O'Brien: The most recent figures available record 11 National Health Service (NHS) hospitals as holding Certificates of Designation under the Animals (Scientific Procedures) Act 1986 with a total of 307 personal licence holders at these hospitals.

A further three Certificates of Designation are held by public health laboratories, with a total of 53 personal licence holders at these establishments.

Our records are not held in a way which allows us to confirm whether these personal licence holders are employed in the NHS. Similarly, they do not show whether personal licence holders, working in other designated establishments, are NHS employees.

Immigration Rules

Miss Widdecombe: To ask the Secretary of State for the Home Department on how many occasions since 1 May 1997 he has used his powers to instruct immigration officers to disapply, and in respect of how many persons (a) any part of the immigration rules, (b) any of the restrictions in paragraph 320 of the immigration rules and (c) the restrictions in sub-paragraph 18 of paragraph 320 of the immigration rules. [107030]

Mr. Straw [holding answer 27 January 2000]: Under paragraph 1(3) of Schedule 2 to the Immigration Act 1971 the power of the Secretary of State to give instructions to Immigration Officers is limited to instructions which are not inconsistent with the Immigration Rules. In addition, the Secretary of State may give advice to Immigration Officers which they would take into account when exercising their power to grant or refuse leave to enter outside the Immigration Rules. No record is kept of the number of occasions on which such instructions or advice are given and this information could only be obtained at disproportionate cost, but I can personally recall only two occasions where I have given a specific instruction under paragraph 1(3).

AGRICULTURE, FISHERIES AND FOOD

Research Contracts

Dr. Harris: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 6 December 1999, *Official Report*, column 349W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108206]

Ms Quin: The Department's approach to the release of research information was set out in the reply to the hon. Member on 6 December 1999, *Official Report*, column 349W. This approach applies equally to discussion of findings with journalists both before and after publication of results.

Beef Special Premium Scheme

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food how much money was available for the United Kingdom from the European Union for the Beef Special Premium Scheme in each year from 1990. [108481]

Ms Quin: The Beef Special Premium Scheme was introduced in 1993. Payments are fully funded, but claims are restricted by a UK regional ceiling of 1,419,811 for bulls and first premium payment on steers; there is no ceiling on the second premium payment for steers. The payments made in the UK since the Scheme started are:

Year	*£*
1993	100,876,973
1994	129,572,732
1995	161,402,817
1996	179,175,135
1997	179,117,456
1998	169,699,784
1999[1]	153,273,789

[1] Forecast

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food how many claims under the Beef Special Premium Scheme were rejected in each year from 1990 broken down by each Ministry of Agriculture, Fisheries and Food regional office. [108482]

Ms Quin: The present Beef Special Premium Scheme was introduced in 1993. The table shows the information requested.

	1993	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*
Anglia (Cambridge)	154	147	142	168	163	55	120
Northern (Carlisle)	228	62	81	144	158	108	96
East Midlands (Nottingham)	319	230	243	282	263	195	138
South East (Reading)	448	381	303	279	279	144	128
Wessex (Bristol)	801	411	288	275	314	168	71
North Mercia (Crewe)	242	205	322	530	343	222	102
South West (Exeter)	120	45	93	70	75	80	131
North East (Northallerton)	370	321	359	245	296	245	168
South Mercia (Worcester)	266	221	163	271	220	144	150
Totals	2,948	2,023	1,994	2,264	2,111	1,361	1,104

Baby Foods

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food if he will lower the advised sugar content included in his guidance on packaged baby food. [108584]

Ms Quin: MAFF has not issued advice on the sugar content of packaged baby foods as statutory controls are laid down in the Processed Cereal Based Foods and Baby Foods for Infants and Young Children Regulations 1997. These Regulations implement European rules and any amendments would need to be agreed at Community level.

Farmer Incomes

Mr. Waterson: To ask the Minister of Agriculture, Fisheries and Food how many farmers have sources of income from part-time employment in addition to farming. [108782]

Ms Quin: For farmers and spouses on full-time farms in England, it is estimated that around 20 per cent. had income from employment or self-employment outside the farm in 1998–99.

Pigmeat

Mr. Fabricant: To ask the Minister of Agriculture, Fisheries and Food if he has requested meat-purchasing Government agencies to buy British pigmeat or only pigmeat produced to standards of animal welfare equivalent to those of the United Kingdom. [108733]

Ms Quin: In respect of pigmeat, we have sought to persuade public authorities that buying to British welfare and other standards (eg meat and bonemeal-free feed regimes) offers good value and meets the needs of their "customers". To back up this message, my right hon. Friend the Minister has written to a number of Government Departments and to local councils and health authorities in England to emphasise the importance of sourcing to British standards.

Responses received so far (over 100) indicate that those public authorities who do not currently source to British standards are looking to change the specifications in their tendering procedures.

FOREIGN AND COMMONWEALTH AFFAIRS

Austria

Mr. Hopkins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement

on the rise of the Freedom Party in Austria and its implications for Austria's relations with the United Kingdom. [109185]

Mr. Vaz: We have made very clear over the last two weeks our deep concern and distaste at the inclusion in the Austrian Government of a far-right party which appeals to xenophobia. We have welcomed the fact that the new Austrian Government have committed themselves to abiding by the common obligations and values of EU membership, to combating all forms of discrimination, and to dealing constructively with the country's Nazi past, but we will be watching them closely and judging them on whether they fulfil the commitments they have made.

Mr. Lilley: To ask the Secretary of State for Foreign and Commonwealth Affairs under which provisions of the European Treaties the *(a)* Commission and *(b)* European Presidency are seeking to influence the composition of the Government of Austria. [109028]

Mr. Vaz: The Portuguese Government on behalf of 14 members of the EU have made clear our concern on developments in Austria. The European Commission has also voiced its concern. The measures agreed by the 14 partners were not decided upon and are not being implemented within the framework of the EU or EC treaties, and Austria will continue to participate in EU business. For our part, I have made clear our deep concern and distaste at the inclusion in the Austrian Government of a far-right party which appeals to xenophobia. We will be judging the new Austrian Government carefully on whether they fulfil the commitments they have made in their Declaration to abide by all common obligations and values of EU membership.

Departmental Staff

Ms Christine Russell: To ask the Secretary of State for Foreign and Commonwealth Affairs in the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department, *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (i) time-range and (ii) mean time; *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *d)* returned to work after childbirth full-time and subsequently reduced their hours. [109238]

Mr. Hain: The Department is committed to facilitating the early return to work of staff who take maternity leave. Flexible working arrangements are available for women who do not wish to return to work full-time after giving birth. The detailed information requested could be provided only at disproportionate cost.

Pakistan

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effects on the armed forces in Pakistan of the recent suspension of British arms sales to Pakistan. [108905]

Mr. Hain *[holding answer 8 February 2000]:* I refer my hon. Friend to the answer given to my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on 11 February 2000, *Official Report*, column 336W.

Kosovo

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom police officers have been deployed *(a)* in Pristina and *(b)* throughout Kosovo in the last 12 months. [109713]

Mr. Hain *[holding answer 11 February 2000]:* In July 1999, five UK police officers transferred from the International Police Task Force in Bosnia to assist the United Nations Interim Administration in Kosovo with the establishment of a Police Headquarters in Pristina. Their mission finished at the end of October 1999.

52 UK police officers were also members of six successive UK Scenes of Crime Teams, who were gathering forensic evidence from war graves throughout Kosovo over periods of three weeks at a time, from July to October last year.

Since August 1999, 32 UK police officers have been in Vucitrn at the OSCE Police Training School. This number is shortly to rise to 40 officers.

In addition, 60 RUC officers were deployed in early November 1999 to the UN International Police in Kosovo. Of these 60, 32 are based in Pristina, and the remaining 28 have been deployed to small towns in the British Sector surrounding Pristina.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Kosovo Albanian prisoners are detained in Serbia. [109717]

Mr. Vaz *[holding answer 11 February 2000]:* The International Committee of the Red Cross, which is in regular contact with the Belgrade authorities, has visited a total of around 1,570 Kosovo Albanians currently detained in Serbia.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been taken by *(a)* UNMIK, *(b)* the EU and *(c)* the UN High Commissioner for Human Rights, to (i) secure the release of the Kosovo Albanian prisoners detained in Serbia and (ii) ameliorate the conditions of their detention. [109718]

Mr. Vaz *[holding answer 11 February 2000]:* The International Committee of the Red Cross is in regular contact with the authorities in Belgrade about the situation of the Kosovo Albanians held in Serbia. We remain in close touch with the ICRC. Several hundred of those detained last year have been released in recent months. We hope that all those still being held are either released or have their cases processed quickly. It is unacceptable that people should be detained without trial for so long.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the diplomatic messages to *(a)* Chile, *(b)* Spain, *(c)* France, *(d)* Belgium and *(e)* Switzerland concerning General Pinochet since 1 October 1998. [110116]

Mr. Battle: It is not possible to provide a fully comprehensive list without incurring disproportionate costs. However I assure my hon. Friend that the matter has been frequently raised.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list meetings between *(a)* ministers, *(b)* embassy staff and *(c)* officials and representatives of the Governments of (i) Spain, (ii) Chile, (iii) France, (iv) Belgium and (v) Switzerland at which the subject of General Pinochet has been raised, since 1 October 1998. [110115]

Mr. Battle: It is not possible to provide a fully comprehensive list of all the meetings at which the subject of Senator Pinochet has been raised since 1 October 1998 without incurring disproportionate costs. The matter has, inevitably, been raised on innumerable occasions.

Bahrain

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held by Her Majesty's Government's representatives with the Government of Bahrain concerning the restoration of the constitution; and if he will make a statement. [109485]

Mr. Hain: Although Bahrain's Parliament is suspended, the constitution remains in place. We take every opportunity to encourage the trend towards greater participation in the government of Bahrain. We welcome the Amirs' National Day statement in which he announced municipal elections with votes for women and expressed hopes that the Shura Council will develop in order to deepen popular participation in decision making.

Somalia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been taken by United Kingdom representatives at the United Nations to promote a peace process in Somalia. [109486]

Mr. Hain: In recent years the UN Secretary-General has regularly reported to the Security Council on Somalia. After the most recent report in August last year, the UK representative repeated our full support for the Secretary-General's efforts to promote peace in Somalia and encouraged him to review the role of the UN in Somalia, including exploration of possible support for civil society as a means of increasing the chances of achieving a comprehensive and lasting settlement. The Security Council imposed a mandatory arms embargo in its Resolution 733 of 23 January 1992. We have consistently called for it to be properly enforced.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the backlog of outstanding cases of entry clearance applications for Somali nationals, broken down by the diplomatic posts which received them. [109490]

Mr. Vaz: Detailed information on the nationality of entry clearance applicants is not collated centrally and could be provided only at disproportionate cost.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures his Department is taking to assist peace processes in Somalia; and if he will make a statement. [109491]

Mr. Hain: Together with the rest of the international community, we have supported the efforts of regional and other interested states and regional organisations, including the Intergovernmental Authority on Development (IGAD), the Organisation of African Unity and the Arab League, to facilitate the peace process in Somalia.

The President of IGAD, Djibouti President Ismael Omar Guelleh, is in the process of putting together new peace proposals. We welcome this initiative and look forward to seeing these proposals in detail, but the ultimate responsibility for achieving national reconciliation and for restoring peace in Somalia rests with the Somali people themselves.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Minister of State's oral statement of 8 February 2000, *Official Report*, column 29WH, on Iraq, if he will list the food sold by Iraq to Syria in 1999–2000. [110039]

Mr. Hain: We have reliable eyewitness reports from as early as 1998 of Iraqi foodstuffs including dates, honey, rice and cooking oil being exported to and sold in Syria. Some of the goods were clearly labelled as having been donated to Iraq by third countries. The concern of those governments for the well-being of the Iraqi people is not shared by the Iraqi regime.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Minister of State's oral statement of 8 February 2000, *Official Report*, column 30WH, what reports he has received from Christine Gosden about disease in the Basra area. [110087]

Mr. Hain: I met Christine Gosden on 26 November 1999 to discuss her findings about disease in northern Iraq, as a result of the murderous attacks on Halabja by Saddam Hussein's forces. We did not discuss disease in the Basra area.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received since 1 January 1999 from *(a)* Iran, *(b)* Jordan, *(c)* Turkey, *(d)* Saudi Arabia and *(e)* the Gulf States about Iraq being a threat to regional peace. [110038]

Mr. Hain: The GCC, in the communiqué issued after its twentieth summit last year, renewed its call for the need for Iraq to prove its peaceful intentions in word and deed towards its neighbours. Contacts with other regional states confirm that they too remain concerned about the threat posed by Iraq.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Minister of State's oral statement of 8 February 2000, *Official Report*, column 31WH, on Iraq, what is the location of the vast regional wetland to which he refers. [110040]

Mr. Hain: In the early 1970s the southern marshes of Iraq covered 5,200 square km west of the Tigris river. Following concerted efforts by the Iraqi government to drain the wetland, including the construction of an east-west dam and a north-south canal, by 1993 very little standing water remained in the area. I have arranged for photographs of the area in 1972 and 1993 to be placed in the Library of the House.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Minister of State's oral statement of 8 February 2000, *Official Report*,

column 29WH, on Iraq, if he will seek an explanation from the Iraqi Government of their reasons for the purchase of bank note counting machines. [110036]

Mr. Hain: No. The distribution plan for "oil for food" is drawn up by Iraq and approved by the UN Secretary-General. Iraq's last three distribution plans have included allocations for bank note counting machines. On each occasion the Secretary-General has refused to approve this allocation on the grounds that bank note counting machines are not consistent with the objectives of "oil for food".

Lebanon

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Israeli Government concerning their recent bombing of power stations in Lebanon. [109963]

Mr. Hain: We have raised our concerns about the escalation of violence in Lebanon with the Israeli government. We urge all parties to exercise restraint and respect the April 1996 Understanding. These incidents confirm the urgent need for renewed efforts to achieve a comprehensive peace in the region, including implementation of United Nations Security Council Resolution 425.

Angola

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had with oil companies operating in Angola about restricting oil revenues from funding the war and corrupt politicians. [109253]

Mr. Hain: I met London representatives of major oil companies active in Angola on 30 November. I made it clear that I was concerned that Angola's oil revenues should be used for the benefit of all the people of Angola. I am particularly concerned that such revenues contribute to enhancing the Angolan skill base and reconstructing her shattered infrastructure.

I made the same point when I met President Dos Santos of Angola in New York on 24 January. I intend to reinforce it when I visit Angola, I hope in the first half of this year.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made with De Beers to restrict the sale of Angolan diamonds that may be funding the purchase of armaments. [109254]

Mr. Hain: I and my officials are in regular touch with De Beers about the problems of the illicit diamond trade funding the UNITA movement in Angola. I welcomed De Beers' statement on 5 October 1999 that they would not buy diamonds from Angola beyond those they were contracted to from the Angolan Government, and I have asked for both their views and those of other diamond traders on how an effective certification scheme could be implemented to stop the sale of diamonds in breach of UN sanctions. This statement should send a clear message to UNITA that the international community condemns their return to conflict.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the British Ambassador in Angola about stepping up sanctions against Angola. [109255]

Mr. Hain: I and my officials are in regular touch with the Ambassador in Luanda and her staff about all aspects of the current situation in Angola, including the need to ensure rigorous implementation of UN sanctions against the UNITA rebel movement and the identification of individual and corporate sanctions breakers. There are no sanctions targeted against the Government of Angola.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Ukrainian Government about restricting the supply of tanks and other arms to Angola; and what was the outcome. [109256]

Mr. Hain: UN Security Council Resolution 864 of 15 September 1993 imposed an embargo on the sale of arms and petroleum products to Angola except through specific entry points named by the Government of Angola. The aim of this was to prevent arms from reaching the UNITA rebel movement. Ukraine has made clear its commitment to increasing the effectiveness of UN sanctions. It is currently a member of the UN Security Council. We have been in regular touch with the Ukrainian authorities, both in London and Kiev, about the problems of equipment of Ukrainian origin reaching the UNITA rebel movement in Angola. Ukrainian Government sales of equipment to the Angolan Government are not covered by the UN sanctions against UNITA. I am sending a team of officials to Kiev between 14 and 17 March for detailed discussions with the Ukrainian authorities on how we can co-operate to prevent this.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what activities are being undertaken by the United Nations to bring about a political solution in Angola. [109257]

Mr. Hain: Between 1993 and 1998, the United Nations Security Council adopted a range of targeted sanctions against UNITA to reduce Savimbi's ability to rebuild his military capability and encourage him to return to the negotiating table. To ensure the sanctions are as effective as possible, UNSCR 1237 of 7 May 1999 established two expert panels to investigate reports of violations of the arms and oil embargoes, diamond ban and freeze on UNITA funds. They will submit their findings shortly, including recommendations on tightening implementation of these measures.

On 15 October 1999 the Security Council adopted Resolution 1268 to establish a UN office in Angola (UNOA) to liaise with the political, military, police and other civilian authorities with a view to exploring effective measures for restoring peace, assisting the Angolan people in the areas of capacity building, humanitarian assistance, the promotion of human rights

and co-ordinating other activities. And the Secretary-General has appointed Ibrahim Gambari as his special adviser on African issues, whose responsibilities include Angola. The UN has been working closely with the Government of Angola to agree the Status of Mission Agreement to establish UNOA as mandated by the Resolution. We expect the head of UNOA to be appointed in the near future.

INTERNATIONAL DEVELOPMENT

Locally Employed Staff (Wages)

Mrs. Gillan: To ask the Secretary of State for International Development what is her policy on paying her Department's employees overseas the British minimum wage. [106331]

Clare Short: DFID pays staff appointed in-country overseas according to good employer practice in the conditions prevailing in local labour markets. Pay rates are established by wage surveys among embassies, high commissions and major international companies and organisations. The UK minimum wage was set in relation to UK conditions and has no particular relevance in the overseas context—especially in those economies where inflation may be substantially greater than the low rates prevailing in Britain and where fluctuating exchange rates would make any sterling benchmark figure a continuously variable target.

Mr. Streeter: To ask the Secretary of State for International Development what the salary is for her Department's locally employed staff in *(a)* Harare, *(b)* Dhaka, *(c)* Nairobi and *(d)* Jura. [106642]

Clare Short: The information requested is as follows:

(a) Harare

Z dollars

Grade	*Minimum*	*Maximum*
A3	589,608	1,075,704
B1	388,752	702,648
B2	297,972	529,572
C1	214,080	412,872
C2	132,420	269,220
C3	106,548	178,872

(b) Dhaka

Taka

Grade	*Minimum*	*Maximum*
LE(E)	555,120	610,632
LEII	417,600	506,640
LEIII	232,440	310,980
LEIV	183,960	246,600
LEVb	154,500	—

(c) Nairobi

K shillings

Grade	*Minimum*	*Maximum*
SPSO	2,051,424	3,305,184
PSO	1,568,748	2,446,788
LEI	1,049,472	1,529,712
LEII	715,872	1,151,352
LEIII	407,052	819,492
LEIV	339,792	606,312
LEVa	226,536	375,936
LEVb	195,936	295,056

(d) DFID currently has no employees in Juba.

Mrs. Gillan: To ask the Secretary of State for International Development how many of her Department's locally employed staff in *(a)* Harare, *(b)* Dhaka and *(c)* Pretoria are paid below the British minimum wage. [106326]

Clare Short: My Department pays its staff appointed in country in accordance with good employer practice and the conditions prevailing in local labour markets. The UK minimum wage has no particular relevance in those contexts—especially in those economies where inflation may be substantially greater than the low rates prevailing in the UK. Because of the effect of fluctuating exchange rates, the figure requested cannot be determined in absolute terms. It may be estimated by applying the exchange rate prevailing at any point in time to the following data on annual salary rates and the number of hours worked per week:

Grade	*Currency*	*Minimum*	*Maximum*	*Number in grade*	*Hours per week*
(a) Harare					
A3	Z dollars	589,608	1,075,704	1	37.5
B1	Z dollars	388,752	702,648	9	37.5
B2	Z dollars	297,972	529,572	12	37.5
C1	Z dollars	214,080	412,872	12	37.5
C2	Z dollars	132,420	269,220	4	37.5
C3	Z dollars	106,548	178,872	3	38
(b) Dhaka					
LE(E)	Taka	555,120	610,632	2	35
LEI	Taka	417,600	506,640	3	35
LEII	Taka	232,440	310,980	8	35
LEIII	Taka	183,960	246,600	6	35
LEVb	Taka	154,500	—	2	35
(c) Pretoria					
B1	Rand	110,460	171,360	2	36.5
B2	Rand	72,590	122,640	14	36.5
C1	Rand	52,500	81,445	8	36.5
C2	Rand	34,500	61,992	5	36.5

Somalia

Mr. Corbyn: To ask the Secretary of State for International Development if she will list the projects in Somalia supported by her Department as part of (a) multilateral and (b) bilateral projects; and if she will make a statement. [109487]

Clare Short: We do not have a bilateral aid programme to Somalia. Humanitarian projects currently funded by DFID are as follows:

Action Contre La Faim: "Emergency Nutritional Intervention in Gedo and Bakool Regions" (£96,122)

AMREF UK: "Luuq District Health Programme" (£288,735)

World Vision: "Primary Health Care in Juba" (£281,703)

World Vision: "Agricultural Rehabilitation Programme, Middle Juba" (£198,230)

In addition the following Civil Society Fund Projects are funded:

Action Aid: "Pastoralism and Peace Building" (£440,896)

Africa Educational Trust: "Educational Incentives—Girls/Young Ex-Militia Men" (£83,411)

Africa Education Trust: "Organisation/Skills Training in Community Schools" (£51,660).

There is currently one multilateral project funded by DFID: UNICEF "Supplementary Feeding Programme, Bardera" (£00,000). Britain also supports the work of other multilateral agencies in Somalia including the World Food Programme. In addition we are contributing £4.38 million as our contribution to a Euro 47m EC Rehabilitation Programme.

We are monitoring the humanitarian situation in Somalia closely and will continue to respond to urgent needs as they arise. Many of the problems facing the Somali people are, directly or indirectly, the result of political instability. We believe the problems of Somalia as a whole must be resolved by the Somalis themselves and we fully support the current initiative of the Inter-Governmental Authority on Development (IGAD) to promote a peaceful solution.

Child Employment

Mr. Burden: To ask the Secretary of State for International Development what measures her Department is taking to help reduce the employment of child workers. [109333]

Clare Short: We are strongly committed to the elimination of child labour. We have actively supported the development of the International Labour Organisation's (ILO) new Convention on Worst Forms of Child Labour. We are providing core and project funding to ILO's International Programme for the Elimination of Child Labour (IPEC).

Activities to end child labour need to address the main cause—poverty. Parents do not let their children work in dangerous and exhausting industries by choice. Any sustainable solution will have to include alternative income-earning opportunities for poor families. However, in many places finding alternative forms of income is difficult. The best outcome for many children may be to combine work with education. This may be the first step in breaking the inter-generational cycle of poverty.

Much of our work is aimed at promoting economic growth, improving access to education and increasing job opportunities. We are also supporting a number of initiatives which focus specifically on child labourers and their families including significant programmes in both India and Pakistan and, through ILO, in Indonesia. We are developing a strategic approach to child labour in Asia which will look at key international, regional and national stakeholders with interests in or influence on child labour. These strategies are looking at not just child worker specific projects but also the need for special efforts in wider education, rural livelihoods and urban-based programmes, to include children who work. We hope through these projects to develop successful approaches which can be replicated elsewhere. However, in the long term it is through a comprehensive process of sustainable development that change will come about.

Pakistan

Mr. Chaytor: To ask the Secretary of State for International Development if she will give a breakdown of the humanitarian aid being directed through non-Governmental organisations to Pakistan in 1999–2000, listing for each project (a) the NGO concerned, (b) the recipient organisation, (c) the sum involved and (d) the purpose of the project. [109336]

Clare Short: As the information is lengthy, it has been placed in the Library.

Angola

Mr. Worthington: To ask the Secretary of State for International Development if she will make a statement on the current situation in Angola concerning the need for humanitarian aid and the supply of such aid. [109251]

Clare Short: The UN estimate 3.7 million people will require humanitarian assistance in 2000. Two million of these are internally displaced. The conflict has caused large numbers of others to move to neighbouring countries to escape the conflict. The humanitarian status of one third of the population, in inaccessible areas, remains unknown.

The UK has committed about £7.5 million since the beginning of 1999 to international Non Governmental Organisations and UN Agencies. This includes US$6.2 million (some £3.8 million) for food aid through the World Food Programme. In addition, we contribute through our membership of the European Community.

The United Kingdom has called on all concerned to help facilitate safe passage for humanitarian personnel and the delivery of emergency assistance in areas under their control.

Mr. Worthington: To ask the Secretary of State for International Development to what extent the situation in Angola permits the provision of development aid as well as humanitarian aid; and if she will list the current provision of such aid. [109252]

Clare Short: The on-going civil war in Angola is a severe constraint to sustainable development. The quality of public expenditure and corruption are both serious concerns. Britain does not have a bilateral aid relationship with the Government of Angola. However, we provide humanitarian assistance to those in need and are also supporting the Luanda Urban Poverty Programme, which started in 1999, working through international Non Governmental Organisations to tackle the needs and priorities of the urban poor in Luanda.

SOCIAL SECURITY

Benefits Agency Doctors

Mr. Dobbin: To ask the Secretary of State for Social Security what plans he has to ensure that (1) training

for Benefits Agency doctors draws attention to the need for sensitivity in their dealings with vulnerable claimants; [109032]

(2) benefit claimants doctors receive appropriate training in the working of the benefit system. [109033]

Mr. Bayley: Training for Benefit Agency doctors is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jim Dobbin, dated 11 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Questions about what plans he has to ensure that training for Benefits Agency doctors draws attention to the need for sensitivity in their dealings with vulnerable claimants, and that they receive appropriate training in the working of the benefit system.

All examining doctors, employed by Sema Group and engaged by Nestor Disability Analysis (NDA), receive training in the Professional Standards of Medical Services. These standards include a requirement for doctors to be accessible, punctual, reliable, presentable, approachable, courteous, and friendly. Other specified standards include the requirement for the doctor to introduce him or herself to the person to be examined; to allow the claimant time to give their history, asking any questions in a non-adversarial manner; to explain the purpose of the examination; and to carry out the examination gently to avoid any unnecessary discomfort to the claimant.

The Chief Medical Advisor to the Department is responsible for setting the standards which all doctors, undertaking medical examinations, must achieve, and approves all training material.

The subject of professional standards is discussed during initial training and the standards are listed in full in the guidance notes that are given to each doctor. The training currently in place, ensures that all examining doctors are fully aware of the need for sensitivity whilst carrying out medical assessments on vulnerable claimants with disabilities.

As part of their training doctors are made aware of how their role fits into the overall benefit process. However, they do not make decisions on benefit claims nor do they offer advice on the technical details of the benefit concerned, these are matters for the Benefits Agency Local Offices.

I hope this is helpful.

Fraud

Mr. Field: To ask the Secretary of State for Social Security how many members of BASIS's Business Development Team are *(a)* under investigation for suspected fraud and *(b)* not discharging duties for some other reason. [108960]

Mr. Rooker: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 11 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question about how many members of BASIS's Business Development Team are (a) under investigation for suspected fraud and (b) not discharging duties for some other reason.

The Business Development Team provides a number of support services for the rest of BASIS and currently has 27 staff.

All allegations and suspicions of fraud on the part of Benefits Agency (BA) staff are properly considered and fully investigated. Whilst some investigations do unearth irregularities on the part of the staff and result in various penalties for those involved, many establish that the individuals have acted with propriety and are not involved in inappropriate activities.

It is important that investigations of this kind remain confidential, not only to protect innocent staff, but also to avoid alerting fraudulent staff to the fact that their activities are being examined.

I hope you will accept therefore that it would be inappropriate to provide you with any details of investigations of suspected fraud by BA staff that may currently be underway. Information on fraud detected on the part of BA staff is available in Her Majesties Treasury Return published in January 2000.

There are no members of the BASIS's Business Development Team that we would regard as not discharging their duties.

I hope this is helpful.

Housing Benefit

Mr. Colman: To ask the Secretary of State for Social Security if he will list the 10 *(a)* best and *(b)* worst performing local authorities in England in terms of (i) average time taken to process a claim for housing benefit and (ii) the number of housing benefit awards reviewed and subsequently found to be incorrect. [108984]

Angela Eagle: The information is not available.

We aim to transform the delivery of Housing Benefit so that local authorities provide their communities with a faster, more accurate service which is more secure against fraud and error, and which provides value for money and takes account of the views and needs of clients. Best value performance indicators will target these key areas from this April. Local authorities will be required to set and meet challenging targets against the indicators and demonstrate that they are achieving continuous improvements in the standards of service they provide.

Mr. Cox: To ask the Secretary of State for Social Security what proportion of housing benefit claimants who are *(a)* tenants of registered social landlords and *(b)* tenants of private landlords are affected by the four weeks in arrears rule; and what is the average weekly level of housing benefit paid to tenants in both of those groups. [109366]

Angela Eagle: The information is in the table.

Housing Benefit recipients, tenants of registered social landlords and private landlords, Great Britain—May 1998

	Tenants of registered social landlords	*Tenants of private landlords*
All recipients	840,000	971,000
Paid four weeks in arrears	242,000	352,000
Proportion paid four weeks in arrears—percentage	29	36
Average weekly amount of Housing Benefit	£54.50	£61.10

Notes:

1. Figures are the latest available.
2. The number of recipients are rounded to the nearest thousand, proportions to the nearest whole per cent. and average amounts of benefit to the nearest ten pence.
3. Recipients refer to benefit units, which may be a single person or a couple.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample inquiries taken on the second Thursday in May 1998.

Mr. Dobbin: To ask the Secretary of State for Social Security what progress has been made in the pilot local authorities taking part in the review of housing benefit procedures; and if he will make a statement. [109034]

Angela Eagle: Local authorities are involved in a number of initiatives aimed at improving the administration and delivery of Housing Benefit and Council Tax Benefit, including several pilots. Through initiatives such as the pilot ONE service, local and central government are working together to streamline the operation of the benefit system and help clients move from welfare into work.

A range of benefits for clients of working age, including Housing Benefit and Council Tax Benefit, are assessed via a single point of contact as part of the ONE service. This offers an opportunity to move away from the duplication and inefficiency of the present system, with customers providing information only once. Clients take part in a work-focused interview where they receive in-depth, individual help from a personal adviser. This puts work, and helping people overcome barriers to work, at the heart of the benefit system.

Twelve pilots are testing three variants of the ONE service over three years. The first four basic model pilots were launched on 28 June 1999. A further eight pilots, four assessing the use of call centre technology and four led by private and voluntary sector organisations, commenced on 29 November 1999.

Fifty-six local authorities are working in partnership with the Benefits Agency and the Employment Service to trial this new way of working. Local authority involvement in ONE is important not only because of the authorities' responsibilities for delivery Housing Benefit and Council Tax Benefit, but also because of their expertise in providing a wide range of local services and information. Local authorities have also provided valuable input to the design and development of the ONE service.

While it is too early to measure the degree of success we have had in helping people move into sustainable employment, the improved level of customer service and the focus on individual needs have been well received by our clients.

Verification Framework

Mr. Cox: To ask the Secretary of State for Social Security what systems are in place to scrutinise the effectiveness of verification framework practices; and when the results of that scrutiny will be published. [109367]

Angela Eagle: We will use information from a range of sources to monitor the effectiveness of the Verification Framework (VF) in helping local authorities to improve accuracy and reduce fraud and error from entering the Housing Benefit/Council Tax Benefit system. We have monitored the live running of the VF from its launch and have already made several improvements to the VF in the light of operational experience to enable LAs to focus more on the outcomes that we require rather than specifying detailed process requirements.

The information we will use includes: management information provided by individual local authorities on a quarterly basis; information and reports from representative groups and individuals; inspections made by the BFI and checking compliance with the VF through external auditors at the same time as the normal audit of administration subsidy.

We have also commissioned an independent research company to conduct in depth research with local authorities to evaluate the implementation and operation of the Verification Framework. We plan to publish the findings in early 2001.

We will continue to monitor the VF and will consider further improvements when we have analysed information from the range of sources available.

Disregards

Mr. Kidney: To ask the Secretary of State for Social Security if he will list the capital and income disregards for the benefits for which his Department is responsible indicating *(a)* the increases in levels of disregard for each year since 1997 and *(b)* the increases that would have been required to match the rate of inflation since 1996. [108824]

Mr. Bayley: The information is in the table.

Benefit	*Rate since 1996*	*Current rate April 1999*	*Value at April 2000 if increased in line with prices since 1996* [1]
IS/JSA Earnings Disregard [2]:			
Per person	5	5	5.45
Couple	10	10	10.85
Lone parent	15	15	16.35
HB/CTB Earnings Disregard [2]:			
Single person	5	5	5.45
Couple	10	10	10.85
Lone parent	15	15	16.35
Lone parent	25	25	27.25
Carer	15	15	16.35
HB/CTB/FC/DWA [2]			
Child care disregard	60	70	65.40
Income Support Disregard [2]			
Regular charitable/voluntary payments	20	20	21.80

Benefit	Rate since 1996	Current rate April 1999	Value at April 2000 if increased in line with prices since 1996[1]
Invalid Care Allowance Earnings Limit[1]	50	50	55.20
War Pension disregard for Income Related benefits[2]	5	10	5.45
	10	10	10.85
IS/JSA/HB/CTB[2]:			
Income from a boarder	20	20	21.80
Disregard of income from a sub-tenant plus heating	13.25	13.25	14.50
Disregard of Training Bonus[2]	200	200	217.95
FC/DWA/HB/CTB[2]			
Income disregard as IS but also Maintenance disregard	15	15	16.35
Student Loan disregard for Income Related Benefits[2]			
Student's Covenanted Income Benefit	10	10	10.85
Disregard for Income Related Benefits	5	5	5.45
IS/JSA[2]:			
Amount for meals breakfast rate	1.10	1.10	1.25
Amount for meals other	1.55	1.55	1.75
IS:			
Personal Expenses for Clmt and partner, Polish Home, Ilford Park[2]	17.35	17.35	18.95
For Dependant child aged 18	15.55	15.55	16.95
JSA (Contribution-based)[2]			
Occupational/Personal Pension Disregard	50	50	54.50
Pneumoconiosis, Byssinosis and Misc. Diseases Scheme Max. Death[1]	300	300	331.10
War Pensions Education Allowance[2]	120	120	130.75
SF Funeral Payments[2] (one-off lump sum)	1,000	1,000	1,089.80
IS/FC[2]			
Capital Limits:			
Lower	3,000	3,000	3,269.55
Upper	8,000	8,000	8,718.80
Housing Benefit[2]			
Capital Limits (Upper)	16,000	16,000	17,437.60
IS/HB for Residential Care and Nursing Homes[2]			
Capital Limits:			
Upper	16,000	16,000	17,437.60
Lower	10,000	10,000	10,898.55
Community Charge Benefit/Council Tax Benefit[2]			
Capital Limits (Upper)	16,000	16,000	17,437.60
Disability Working Allowance[2]			
Capital Limits (Upper)	16,000	16,000	17,437.60
Child's Capital Limits[2]	3,000	3,000	3,269.55
Social Fund[2]			
Capital Limits	1,000	1,000	1,089.80

[1] The figures are rounded to the nearest 5 pence at each uprating date.
[2] For income-related benefits the ROSSI index (Retail Prices Index less rent, local taxes and mortgage interest payments) as published by the Office for National Statistics.
[3] The Retail Prices Index (all items) as published by the Office for National Statistics.

Simplification Project

Mr. Cox: To ask the Secretary of State for Social Security when he will publish the findings of the Simplification Project. [109365]

Angela Eagle: I refer my hon. Friend to my reply to the hon. Member for Havant (Mr. Willetts) on 9 February 2000, *Official Report*, column 210W.

Data Protection

Mr. Webb: To ask the Secretary of State for Social Security what assessment he has made of the implications of the Data Protection Act 1986 for his plans to issue combined forecasts of state and private pension entitlements. [109843]

Mr. Rooker: In developing our plans for combined pension forecasts we have considered carefully the data

protection implications and consulted the Data Protection Registrar.

We intend to include a measure in the Child Support, Pensions and Social Security Bill which will provide that details of State pension rights can be passed to employers and pension scheme providers unless individuals have indicated that they do not want such information disclosed. This measure will include safeguards to ensure that individual rights are properly protected while minimising the administrative burden on employers and pension providers of providing the new service.

Stakeholder Pensions

Mr. Webb: To ask the Secretary of State for Social Security what plans he has to prevent sellers of stakeholder pensions from declining to make their products available to certain categories of employees. [109841]

Mr. Rooker: Stakeholder pension schemes set up under a trust will be able to restrict membership based on employment with a particular employer, or membership of a given trade or organisation. However, they will not be able to limit access using financial criteria. Details for alternative governance schemes are currently being developed and we will be making an announcement regarding them shortly.

Appeals

Mr. Gale: To ask the Secretary of State for Social Security how many appeals were heard by the Independent Tribunal Service and the Appeals Service in *(a)* May 1997 to April 1998 and *(b)* May 1998 to April 1999; how many of the appeals in each of the years were successful; what was the total amount paid in benefit arrears arising from those appeals for each of those years; and if he will make a statement. [109820]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

An enhanced computer system that allows the Appeals Service to record appeals and produce statistical information became operational at the end of 1997.

Number of appeals heard by the Independent Tribunal Service/Appeals Service during the period 1 May 1998 to 30 April 1999 and the number of those appeals which decided in the appellant's favour

Period	*Number of appeals heard and decided*	*Decided in appellant's favour*	*Proportion of successful appeals (%)*
1 May 1998 to 30 April 1999	276,074	96,450	34.9

Source:
100 per cent. download of the Appeals Service Generic Appeals Processing System (GAPS).

The limited information available for the period 1 May 1997 to 30 April 1998 is included in the following table.

Period	*Number of appeals heard and decided*	*Decided in appellants favour*	*Proportion of successful appeals (%)*
1 May 1997 to 30 April 1998[1]	97,620	30,985	31.7
1 July 1997 to 31 December 1997[2]	59,044	18,787	31.8

[1] Information obtained from GAPS system introduced at the end of 1997. Some cases processed before GAPS became operational, and not recorded on other systems, were input to GAPS.
[2] This information has been obtained from clerically maintained quarterly statistical reports of Social Security Appeals Tribunals that were kept until the introduction of the GAPS system.

Information about the amount of benefit arrears paid following appeals that found in favour of appellants is not available and could be obtained only at disproportionate cost.

Correspondence

Mr. Salmond: To ask the Secretary of State for Social Security when he will reply to the letter of 5 November 1999 from the hon. member for Banff and Buchan regarding benefit payments and rural post offices. [110011]

Mr. Rooker: A reply was issued to the hon. Member on Friday 11 February.

Winter Fuel Payments

Mr. Gale: To ask the Secretary of State for Social Security when claim forms for the winter fuel payments will be made available. [109821]

Angela Eagle: The decision to extend the Winter Fuel Payment scheme to people aged 60 and over will mean that some of those who are newly eligible will need to claim. It is therefore necessary to devise a claims process to enable these people to make their claims. The Benefits Agency are currently working on this and other operational issues to determine the best way to deliver the payments.

There is no need for anyone who believes they may now be eligible for a payment to contact the Benefits Agency at present. A further announcement will be made as soon as we are ready to set out how people should claim.

CULTURE, MEDIA AND SPORT

Music Library Services (North-West)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with Manchester City Council on the provision of music library services in the north-west. [109320]

Mr. Chris Smith *[holding answer 10 February 2000]:* Officials in my Department have been in contact with their opposite numbers at Manchester City Council to discuss their proposed reorganisation of the Central Library and its effect on the Henry Watson Music Library. I understand that no final decisions have been taken by the Council but, under the proposals, the Henry Watson collection would remain intact.

Museums, Libraries and Archives Council

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the Funding Agreement between his Department and the Museums, Libraries and Archives Council. [110118]

Mr. Chris Smith: A copy of the Funding Agreement of the Museums, Libraries and Archives Council (MLAC) will be placed in the Library of the House, and will also be published on the Department for Culture, Media and Sport's website when it is concluded and available. Mainstream Funding begins to flow to MLAC in the next financial year.

Funding Agreements

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the funding agreements between his Department and each of the non-departmental public bodies and national museums and galleries which are sponsored by the Department. [110109]

Mr. Chris Smith: Copies of the funding agreements between my Department and its non-departmental public bodies were placed in the Library of the House on 26 May 1999. They are also available on my Department's website—www.culture.gov.uk.

Departmental Contracts

Mr. Willis: To ask the Secretary of State for Culture, Media and Sport what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109451]

Mr. Chris Smith *[holding answer 10 February 2000]:* My Department has let one contract specifically for such services at a value of £3,000 per annum.

Burma (Olympic Games)

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if he will make it his policy to support measures to bar Burma from participating in this summer's Olympic Games; and if he will make a statement. [109804]

Kate Hoey: It is the responsibility of the International Olympic Committee and the Games organisers to set the rules for participation in the Olympics.

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he last visited the Millennium Dome. [109469]

Mr. Chris Smith *[holding answer 10 February 2000]:* I attended the Dome Opening Celebration on 31 December 1999.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the date by which all of the Dome's sponsors will have signed contracts with NMEC. [104432]

Mr. Chris Smith *[holding answer 13 January 2000]:* Seven contracts were outstanding and reported to the House in my reply to the hon. Member for Lewes (Mr. Baker) on 14 December 1999, *Official Report*, column 131W. Four of these contracts have now been signed and three remain to be signed at 10 February—Boots, Mars Confectionary and BSkyB. While NMEC had hoped that they would all have been completed at this stage, one or two matters of detail remain subject to discussion between the representative parties. The company has every confidence that the contracts will be signed.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if *(a)* he and *(b)* other Millennium Commissioners, were consulted about the appointment of the new Chief Executive of the New Millennium Experience Company. [109471]

Mr. Chris Smith *[holding answer 10 February 2000]:* This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission and place copies of my reply in the Libraries of the House.

Subtitling

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what recent figures he has collated on the level of subtitling on *(a)* BBC1, *(b)* BBC2, *(c)* ITV, *(d)* Channel 4 and *(e)* Channel 5; and if he will make a statement. [106969]

Janet Anderson: It is for the BBC Governors to monitor the levels of subtitling on BBC services and the Independent Television Commission to monitor the levels of subtitling on ITV, GMTV, Channel 4 and Channel 5. The most recent information available from the BBC is that 63 per cent. of BBC1 and 53 per cent. of BBC2 is subtitled. The latest figures available from the ITC, published in the Commission's Annual Report 1998, is that the level of subtitling of programmes in that year was 61 per cent. on ITV; 42 per cent. on GMTV; 60 per cent. on Channel 4; and 27 per cent. on Channel 5.

Public Service Broadcasting

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with the EU Commission regarding the definition of public service broadcasting, with special reference to the system of public funding. [109321]

Mr. Chris Smith *[holding answer 10 February 2000]:* Officials from my Department met officials from the Commission, Competition Directorate General, on 26 January. The purpose of this meeting was primarily to discuss the decision of the Commission on the matter of BBC 24 Hour News.

Departmental Expenditure Limit

Jane Griffiths: To ask the Secretary of State for Culture, Media and Sport if there are proposals to amend his Department's departmental expenditure limit and running costs limit for 1999–2000. [110379]

Mr. Chris Smith: Subject to Parliamentary approval of the necessary Supplementary Estimate for Class XI, Vote 1, the DCMS Departmental Expenditure Limit (DEL) for 1999–2000 will be increased by £6,181,000 from £995,858,000 to £1,002,139,000.

This is to provide for increased expenditure of £8,600,000, partly funded by draw down of £2,761,000 of Departmental Unallocated Provision, for meeting the settlement of final accounts on the completion of the St. Pancras building; a transfer of £2,000,000 from the Department for Education and Employment (Class I, Vote 1) for awards to dance and drama students; a transfer of £592,000 from the Department for the Environment, Transport and the Regions (Class III, Vote 1) for the maintenance of Marlborough House; increased expenditure of £400,000 on DCMS gross running costs offset by an increase in refunds of eligible deductible input VAT; and to provide for the receipts of £3,200,000 from the National Lottery operator's licence fees and from the National Lottery Distribution Fund to meet the administrative costs of the National Lottery Commission to be appropriated in aid of the Vote.

The increases will be offset by transfers, savings or a charge on the DEL Reserve, and will not, therefore, add to the planned total of public expenditure.

Orchestras

Mr. Hilary Benn: To ask the Secretary of State for Culture, Media and Sport if he will list the grant-in-aid from public funds for orchestras for each year since 1990 in *(a)* cash terms and *(b)* real terms. [109730]

Mr. Alan Howarth: Grant-in-aid allocated by the Arts Council of England to the nine subsidised English orchestras is shown in the table.

£

Year	*Cash terms*	*Real terms*
1990–91	6,721,000	8,657,066
1991–92	7,721,600	9,365,191
1992–93	9,014,461	10,583,086
1993–94	9,511,500	10,877,744
1994–95	8,869,000	10,000,112
1995–96	8,933,000	9,789,374
1996–97	9,133,000	9,696,255
1997–98	9,133,000	9,431,020
1998–99	9,133,000	9,133,000
1999–2000	9,902,880	9,684,968

Media Releases

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what was the average cost of issuing a media release from his Department in the last 12 months. [108892]

Mr. Chris Smith *[holding answer 8 February 2000]:* DCMS Press Releases are distributed via the Central Office of Information (COI).

In 1999 the Department for Culture, Media and Sport issued 315 press releases. The average cost of distributing a press release via the COI was £50.76, including post, fax, packing, copying, and stationery costs.

DCMS, in common with all other Government Departments, also contribute to the upkeep of the Central Office of Information's 'electronic news distribution system. In 1999 that contribution, which is a standing charge and is not related to the number of press releases issued by the Department, totalled £15,862.52.

TREASURY

Cambridgeshire Statistics

Mrs. Brinton: To ask the Chancellor of the Exchequer if he will list the wards in *(a)* Peterborough and *(b)* Cambridge ranked by average earnings. [109533]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Kidgell to Mrs. Helen Brinton, dated 14 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question regarding the average earnings of the wards in Peterborough and Cambridge. I am replying in Dr Holt's absence.

The New Earnings Survey (NES) can only provide ward level earnings data based on where people work, rather than where they live. Additionally we can only provide data where we have a sufficiently large sample of employees, and have an acceptable level of accuracy.

I have provided the only available data in the table below. These are based on the 1999 NES, the latest survey for which data are available.

New earnings survey, April 1999 (GB)

All full-time employees	*Average (£)*
Cambridge	—
Trumpington	407.8
Newnham	377.4

Notes:

Employees on adult rates, whose pay for the survey period was unaffected by absence. Gross weekly earnings (including overtime).

The NES is based on a one per cent sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Mrs. Brinton: To ask the Chancellor of the Exchequer what percentage of the population in *(a)* Peterborough and *(b)* Cambridge are from ethnic minority groups. [109534]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mrs. Helen Brinton, dated 14 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question on the percentage of the population in Peterborough and Cambridge who are from ethnic minority groups. I am replying in Dr Holt's absence.

The percentages of the resident population in ethnic groups other than 'White', from the 1991 Census are:

	Percentages
Peterborough district	7.42
Cambridge district	5.89

These figures were published in Table 5 of the report 1991 Census Key Statistics for Local Authorities laid before Parliament in 1994. This report is available from the House of Commons Library.

Mrs. Brinton: To ask the Chancellor of the Exchequer how many job vacancies currently exist in (a) Peterborough and (b) Cambridge. [109536]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mrs. Helen Brinton, dated February 2000:

The Director of the Office for National Statistics has been asked to reply to your parliamentary question on how many job vacancies currently exist in Peterborough and Cambridge. I am replying in Dr. Holt's absence.

In December 1999 the number of unfilled vacancies held by Jobcentres, unadjusted for seasonal patterns, was 1,317 in the Peterborough Jobcentre area and 920 in the Cambridge Jobcentre area. Jobcentre vacancies do not represent the total number of vacancies available in the economy. Latest estimates suggest that about a third of all vacancies nationally are notified to Jobcentres.

Mrs. Brinton: To ask the Chancellor of the Exchequer how many people in (a) Peterborough and (b) Cambridge have been unemployed for longer than (i) six months, (ii) 12 months and (iii) 24 months. [109535]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mrs. Helen Brinton, dated February 2000:

The Director of the Office for National Statistics has been asked to reply to your parliamentary question on the number of people in (a) Peterborough and (b) Cambridge who have been unemployed for longer than six months, twelve months and twenty four months. I am replying in Dr. Holt's absence.

The ONS publish a monthly count of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

The information requested is in the table below.

Unadjusted claimant count by duration (computerised claims only)[1] December 1999

	PCA Peterborough[2]	PCA Cambridge[2]
Over 6 months	602	584
Over 12 months	317	330
Over 24 months	85	151

[1] Claimant count flows are available for computerised claims only and do not include claims which are processed clerically, which make up about 1 per cent. of the total Claimant count.

[2] Parliamentary Constituency

Rural Areas (GDP)

Mr. Breed: To ask the Chancellor of the Exchequer if he will list those of the 10 areas with the lowest gross domestic product per head of population which are rural areas. [109891]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Colin Breed, dated 14 February 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your parliamentary question on which of the 10 areas with the lowest gross domestic product (GDP) per head of population are rural.

The ONS does not publish estimates of GDP per head specifically for rural areas. The most detailed estimates of GDP per head that ONS publishes are for UK NUTS-3[1] areas. These are based on local government administrative areas, which may cover both urban and rural communities.

ONS last published estimates of GDP per head at the NUTS-3 level in October 1998, including estimates for 1996. The NUTS-3 areas with lowest GDP per head for 1996, presented in the form of an index where UK=100, are given in the attached table.

[1] All UK NUTS (Nomenclature of Units for Territorial Statistics) areas were defined in an ONS News Release published in June 1998 (ONS(98)199—European Classification of UK Geographic Areas)

NUTS-3 Area	1996 GDP/head (UK=100)
East Lothian and Midlothian	56
Sefton	63
Wirral	63
Central Valleys	64
West and South of Northern Ireland	66
Barnsley, Doncaster and Rotherham	66
South Nottinghamshire	67
East and West Dunbartonshire, Helensburgh and Lomond	67
Isle of Anglesey	68
Outer London—East and North East[1]	69
Outer Belfast[1]	69
Blackpool[1]	69

[1] Ranked joint 10th

Heavily Indebted Poor Countries

Ms Drown: To ask the Chancellor of the Exchequer which heavily indebted poor countries have produced poverty reduction strategy papers in partnership with the IMF and World bank; and which countries are in the process of developing such papers. [109528]

Miss Melanie Johnson: Poverty Reduction Strategy Papers (PRSPs) are to be national strategies, drawn up by the countries themselves, in consultation with civil society and the World Bank and IMF. Interim PRSPs have been produced by the three countries (Uganda, Bolivia and Mauritania) who recently reached decision point under the enhanced HIPC Initiative.

Work is currently underway to produce PRSPs in the remaining countries currently in the HIPC process. The Department for International Development and NGOs are providing important technical assistance to countries in that regard. Many countries already have some form of poverty reduction strategy and it is clearly important to build on this to ensure the first principle of the new approach to poverty reduction, that of country ownership.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Chancellor of the Exchequer if he will list those previously planned meetings and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109900]

Miss Melanie Johnson: A joint statement issued by Portugal, the current holder of the EU presidency, on 31 January 2000, stated that Austria's 14 member state partners in the EU

> "will not promote or accept any bilateral official contacts at political level with an Austrian Government integrating the FPO [Freedom Party]."

No bilateral ministerial meetings were scheduled between the Chancellor and Austrian Ministers.

Israel

Dr. Starkey: To ask the Chancellor of the Exchequer (1) what action Her Majesty's Customs and Excise is taking to monitor products imported from Israel into Britain to ensure full compliance with (a) Article 38 and (b) other Articles of the Origin Rules Protocol of the EC Trade Agreement with Israel; [109543]

(2) what investigations Her Majesty's Customs and Excise has conducted and what conclusions it has reached concerning products wholly or substantially processed in Israeli settlements in occupied territories which have been imported into the Community under the EC Trade Agreement with Israel in violation of (a) Article 38 and (b) other Articles of that Agreement's Origin Rules Protocol. [109541]

Dawn Primarolo: Following receipt of information indicating that products wholly or substantially processed in Israeli settlements in occupied territories may have been imported into the United Kingdom in violation of both Article 38 and the provisions of the Protocol on Rules of Origin of the EC Trade Agreement with Israel, Customs and Excise has examined a number of documents presented in the past in support of products entered for customs clearance as of Israeli origin. Scrutiny of those documents has failed to substantiate the alleged non-compliance with the provisions of the Agreement. Customs and Excise is considering further options for checking the validity of such declarations.

Dr. Starkey: To ask the Chancellor of the Exchequer what action Her Majesty's Customs and Excise is taking on violation by Israel of the Origin Rules Protocol of the EC Trade Agreement with Israel in respect of imports to Britain. [109542]

Dawn Primarolo: Customs and Excise is participating in a European Commission initiative to establish the true origin of goods which have been exported to the United Kingdom under the provisions of the Interim Agreement on trade and trade related matters between the European Community and the State of Israel.

Personal Services (Tax Avoidance)

Mr. Wigley: To ask the Chancellor of the Exchequer what recent representations he has received from the Chartered Institute of Taxation and from the Institute of Chartered Accountants, concerning his proposals for countering tax and national insurance contribution avoidance in the provision of personal services; and if he will make a statement. [109557]

Dawn Primarolo: Both organisations have played a full part in consultations on the proposals. Recently they have been consulted on draft guidance on the application of the employment status rules in typical consultancy situations. The guidance has now been published and can be found on the Inland Revenue website at www.inlandrevenue.gov.uk/ir35

Ivory

Angela Smith: To ask the Chancellor of the Exchequer how much elephant ivory was seized by HM Customs and Excise in the years (a) 1998, (b) 1999 and (c) 2000 to date; and (i) where each shipment originated, (ii) where each shipment was destined, (iii) which shipments were (1) in transit through the United Kingdom and (2) had the United Kingdom as the final intended destination, and (iv) what indication in each of these was of whether the ivory was less than one year old when seized. [109574]

Dawn Primarolo: Customs seized 378 items of ivory in 1998 and 15 items of ivory in the first nine months of 1999. Figures for the latter part of 1999, and the first part of this year are not yet available. The following tables set out the number of individual items of ivory seized in each category for the years in question. Customs do not hold central statistics on the age of the ivory when seized, or the number of ivory items found illegally in transit through the United Kingdom, though items in transit would normally be seized.

Worked Ivory seizures 1998 (UK)

Item	*Number of items*	*Country of export*	*Country of origin*	*Commercial or private*
Ivory and wood trinket box.	1	India	India	Private
Ivory artefacts	2	—	India	Private
Carved ivory	1	—	—	Private
Carved ivory	7	—	—	Private
Ivory egg	1	—	South Africa	Private
Carved ivory	1	—	Thailand	Private
Ivory pipes and cigarette holders	20	—	Thailand	Commercial
Ivory jewellery	10	Ghana	—	Private
Ivory carvings	3	—	—	Private
Items of ivory jewellery	7	Holland	—	Private
Ivory sculpture	1	—	—	Commercial
Ivory statues	3	Australia	—	Private
Ivory pieces	66	Zambia	—	Commercial
Elephant ivory	87	Hong Kong	—	Commercial

Worked Ivory seizures [illegible] (UK)

Item	*Number of items*	*Country of export*	*Country of origin*	*Commercial or private*
Ivory jewellery	3	Ghana	—	Private
Ivory figures	2	Singapore	—	Commercial
Ivory pendants	3	Egypt	—	Private
Ivory pendants	3	Egypt	—	Private
Carved ivory elephants	4	Malawi	—	Private
Carved ivory figure	1	Canada	—	Private
Whale bone statue with ivory inserts	1	USA	—	Private
Ivory bangle	1	India	—	Private
Ivory jewellery	18	Mozambique	—	Private
Ivory figures	2	USA	—	Private
Ivory necklaces	2	India	—	Private
Sitar-instrument containing ivory	1	India	India	Private
Ivory elephant figure	3	—	—	Private
Ivory figure	4	Malawi	—	Private
Carved ivory	17	Ivory Coast	—	Commercial
Ivory bracelet	1	—	—	Private
Ivory picture	1	Ivory Coast	—	Private
Worked ivory	8	—	—	Private
Pianos with ivory keys	24	—	—	Private
Ivory earrings	4	Germany	—	Private
Ivory figures	2	Hong Kong	—	Private
Ivory ornament	1	USA	—	Private
Ivory pendant	1	—	Thailand	Private

Worked Ivory seizures 1999 (UK)

Item:	*Number of items*	*Country of export*	*Country of origin*	*Commercial or private*
Ivory necklace	1	Nigeria	—	Private
Carved ivory tusks	2	Belgium	—	Private
Knives with ivory inserts	2	South Africa	South Africa	Private
Necklace with ivory	1	—	—	Private
Carved whalebone statue with ivory inserts	1	USA	—	Private
Carved ivory letter opener	1	Austria	—	Private
Statues containing ivory	2	Jamaica	—	Private
Ornament containing ivory	1	Egypt	—	Private
Necklace with ivory beads	1	UK	—	Private

Raw Ivory seizures 1998

Item:	*Number of items*	*Country of export*	*Country of origin*	*Commercial or private*
Ivory tusk	1	—	South Africa	Private
Ivory tusk	1	—	South Africa	Private
Ivory tusk	1	—	South Africa	Private
Elephant ivory tusk	2	—	Kenya	Private
Ivory	2	South Africa	—	Private
Elephant tusk (loxodonta africana)	1	Zimbabwe	—	Private
Ivory tusks	2	—	—	Private
Ivory tusks	3	Gabon	—	Private
Elephant ivory tusks	1	Congo	—	Private
Ivory tusks	4	Nigeria	—	Private
Ivory	1	Ghana	—	Private
Ivory pieces	12	Zambia	—	Commercial
Ivory	4	Kenya	—	Private
Elephant tusks	6	—	—	Commercial
Ivory pieces	18	Kenya	—	Private
Elephant tusk	1	—	—	Private
Ivory item	1	—	—	Private

Raw Ivory seizures 1999

Item:	*Number of items*	*Country of export*	*Country of origin*	*Commercial or private*
Elephant tusk	1	France	—	Private
Ivory tusk	1	—	—	Private
Elephant tusk	1	—	—	Private

Working Families Tax Credit

Mr. Lilley: To ask the Chancellor of the Exchequer how many people who have claimed Working Families' Tax Credit received it (a) in the wage earner's wage packet and (b) as a benefit via the Post Office. [109363]

Dawn Primarolo: The Working Families' Tax Credit (WFTC) will become payable to employees by their employer along with their wages or salary from April 2000. Couples applying for WFTC are able to choose which partner applies for and receives their tax credit. From April 2000, if they opt for a partner who is self-employed, or not working, to receive the tax credit, they will be paid direct by the Inland Revenue.

National Insurance

Mr. Willetts: To ask the Chancellor of the Exchequer how many self-employed people have been unable to make their national insurance contributions due to the operating problems of the NIRS2 computer system. [109447]

Dawn Primarolo: The vast majority of 3.3 million self-employed people have been able to pay National Insurance Contributions without difficulty. The periodic collection of self-employed contributions, by monthly direct debit or quarterly billing arrangements, have been in place since March 1999.

We have experienced some difficulties by new and current customers, under 5,000 people are currently affected and urgent action is being taken to resolve these cases.

Health Expenditure

Mr. St. Aubyn: To ask the Chancellor of the Exchequer if he will estimate by how much (a) tax and (b) public sector borrowing would have to rise in order to raise health expenditure to 8 per cent. of GDP on the assumption that no changes are made to other expenditure predictions outlined in the 1999 Budget report. [110111]

Mr. Andrew Smith: Decisions on NHS expenditure will be taken in the spending review.

Mr. St. Aubyn: To ask the Chancellor of the Exchequer what estimate the Treasury has made of the consequences for inflation of a rise in NHS expenditure over five years to the EU average if funded by additional taxation. [110107]

Mr. Andrew Smith: It is the task of the Bank of England's Monetary Policy Committee to set interest rates to ensure the Government's inflation target is met. Decisions on future NHS expenditure will be taken in the forthcoming Spending Review.

Asset Sales

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 January 2000, Official Report, column 353W, on asset sales, if he will list the asset sales planned in (a) 1999–2000, (b) 2000–01 and (c) 2001–02 by (i) central Government, (ii) local government and (iii) public corporations; and if he will set out the method by which he calculated the estimates in his answer of 17 January. [110012]

Mr. Andrew Smith: Details of individual assets to be sold are not held centrally. The projections of aggregate receipts from asset sales given on 17 January are based on returns made by Departments.

Training Allowance

Mr. Colman: To ask the Chancellor of the Exchequer if he will investigate the accuracy of the information given on the Inland Revenue web page on the training allowance for 16 and 17-year-olds. [110226]

Dawn Primarolo: The Inland Revenue makes strenuous efforts to ensure that the information on its website is as accurate and up to date as possible.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid Board

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans the Government have to alter the current system of rewards to Legal Aid Board managers who process claims quickly. [110019]

Mr. Lock: The terms and conditions of the Legal Aid Board's staff are determined by the Board, with the approval of the Lord Chancellor and the consent of the Treasury.

The current system of performance-related pay awards to Legal Aid Board staff is based upon a comprehensive appraisal of overall performance in terms of achievement of targets, standards and personal competency. The Government maintain a general overview of pay structures in non-departmental public bodies. There are no proposals at this time to alter the Board's current performance-related pay system.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what action he plans to take to ensure transparency and public accountability in the workings of Legal Aid Board offices, with particular reference to the Reading Area Office. [110013]

Mr. Lock: As a non-departmental public body, the Legal Aid Board is required to comply with Government Accounting standards in its management of public funds. The Board provides information about its activities in its Annual Report and Accounts, which are laid before Parliament and published, and in accordance with the principles in the Code of Practice on Access to Government Information.

Members of the Board are appointed by the Lord Chancellor, and have responsibility for ensuring high standards of corporate governance, including openness.

I am prepared to consider carefully and refer to the Board as appropriate any evidence of misconduct or breakdown of these arrangements at the Reading area office.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the ability of the current management of the Legal Aid Board, with particular reference to the Reading Area Office, to implement planned changes to legal services. [110014]

Mr. Lock: I have confidence in the ability of the current management of the Legal Aid Board to deliver the legal aid reforms successfully. My view is supported by the work of Mr. Victor Benjamin, who agreed in December 1998 to act as the Lord Chancellor's Independent Business Adviser on Legal Aid Reform. Mr. Benjamin was asked to form a view of the Board's ability to develop the managerial and strategic systems to implement the new arrangements and monitor them in the future. Mr. Benjamin visited a number of the Board's area offices, including Reading, and has expressed confidence in the ability of the Board to deliver the reformed scheme.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will invite past, present, temporary and permanent staff at the Reading Area Legal Aid Board office to comment anonymously about practices at the centre. [110016]

Mr. Lock: I am, of course, willing to listen to any concerns by past, present, temporary and permanent staff about allegations of impropriety at any of the Board's offices. Where such complaints give rise to matters of legitimate concern, I will ensure they are properly investigated within the constraints inherent in anonymous complaints. The Board has in place established procedures for staff to raise concerns regarding any illegal, improper or unethical behaviour within the Board. These procedures provide for concerns to be raised in confidence with the Board's Head of Internal Audit.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the measures in place at Legal Aid Board offices to prevent computer fraud and consequent abuse of public funds. [110018]

Mr. Lock: The Chief Executive of the Legal Aid Board, as Accounting Officer, is responsible for ensuring that an adequate control framework is in place to ensure that public funds are suitably protected from fraud and abuse. The Legal Aid Board's Annual Accounts, which are published in its Annual Report, contain a statement by the Accounting Officer giving assurance on the Board's system of internal financial control.

Access to the Board's computer systems is controlled through the use of passwords, and a detailed auditable trail of all transactions undertaken is provided.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the Legal Aid Board's compliance with section 38 of the Legal Aid Act 1988. [110020]

Mr. Lock: Section 38 of the Legal Aid Act prevents disclosure of information concerning an application for legal aid to any unauthorised third party. On the information before me at present, I am satisfied that the Board takes its responsibilities seriously and is careful to comply with section 38.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will investigate the activities of the Reading area office and committee of the Legal Aid Board. [110001]

Mr. Lock: My hon. Friend has raised concerns about the operation of the Reading legal aid area office with me and my predecessor. The Board is responding to these concerns. If evidence of impropriety on the part of any office of the Board came to light, the Lord Chancellor would, if appropriate, authorise an independent inspection of the Board's systems and activities and seek explanations from the Board where necessary.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures he plans to take to ensure the Legal Aid Board prevents double payments and payments to fraudulent and fictional clients. [110017]

Mr. Lock: The Board has in place controls to reduce the risk of duplicate or fraudulent payments being made. The Chief Executive's statement on internal financial control, which is informed by the ongoing work of the Board's internal and external auditors and executive managers, has provided assurance to the Government and Parliament that the procedures being operated give an adequate level of control over the Board's financial systems. The Government will remain vigilant to ensure that every reasonable step is taken to prevent double payments and payments to fraudulent and fictional clients.

Mr. Salter: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will investigate reports that staff at the Reading Area Legal Aid Board office are required to make up missing details on legal aid application forms. [110015]

Mr. Lock: The Board's computer system provides a facility for the collection of a great deal of information, not all of which is essential for the purposes of assessing legal aid applications. Where supervisors are otherwise satisfied about the validity of an application or claim, and where the cost of obtaining any missing information could not be justified they may authorise certain information not to be entered. For example, in some cases where the client's date of birth is omitted from a form, staff may be authorised to enter a notional date on the computer, but only where this will not compromise proper control over legal aid expenditure.

Rail Crash (Paddington)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has in relation to the Paddington rail crash inquiry, to include coroners' inquest powers in those of the inquiry therein, pursuant to the Access to Justice Act 1999. [109372]

Jane Kennedy: Section 71 of the Access to Justice Act 1999 came into force on 1 January. Under the new powers, once identification and pathological evidence have been dealt with, the Lord Chancellor will formally direct the coroner to adjourn the inquest and allow Lord Cullen to start his inquiry into the train crash.

Conditional Fee Agreements

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will publish the rules on the extension of conditional fee agreements due to come into effect on 1 April 2000, *(a)* in draft form and *(b)* in final form; what plans he has to consult with professional bodies on the rules in draft; and if he will make a statement. [109376]

Mr. Lock: The Government have already consulted professional bodies and others. We published our consultation paper "Conditional Fees: Sharing the Risks

of Litigation" on 23 September 1999. The paper sought views on the regulations and rules of court required to give effect to its policy on conditional fee agreements. It received 91 responses. These included responses from consumer groups, the Civil Justice Council, the Association of District Judges, the Senior Costs Judge, the legal professional bodies (including those with a specialist interest in conditional fees such as the Association of Personal Injury Lawyers), the trade unions and their legal representatives, individual judges, practitioners and the insurance industry. On 1 February, in the light of responses to that consultation paper, the Government published a report entitled "The Government's Conclusions Following Consultation on Conditional Fees: Sharing the Costs of Litigation". The report announced the principles to be set out in regulations applying to conditional fee agreements. The report also contained recommendations to the Civil Procedure Rule Committee concerning the detailed guidance in rules of court governing the recovery of success fees under conditional fee agreements and premiums for after the event insurance policies. Copies of the report have been placed in the Libraries of both Houses. The regulations giving effect to the changes announced in the report will be laid before Parliament in time for them to be approved and come into force on 1 April. The Rule Committee will, before making rules of court, consult such persons as they consider appropriate.

Indemnity

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to review the indemnity principle in the light of the court decision in the case of Geraghty *vs* Awwad; and if he will make a statement. [109373]

Mr. Lock: The issue in Geraghty and Co. *vs* Awad Awwad was whether an oral agreement between a solicitor and client to charge a reduced fee if the case was lost and the normal charging rate if the case was won, was enforceable. The Court held that the agreement (at the time at which it was made) was unlawful and in breach of the Solicitor's Practice Rules 1990. Geraghty *vs* Awwad considered the position as it stood in 1993. Since then amendments have been made to the legislation and to the Solicitor's Practice Rules and further amendments will come into force on 1 April 2000 as a result of the commencement of section 27 of the Access to Justice Act. After 1 April 2000 agreements to work for no, or a lesser, fee if unsuccessful and a normal or higher fee if successful will be enforceable, provided they comply with the regulations currently being drafted.

No consideration of the indemnity principle, relevant to the present position took place in Geraghty *vs* Awwad. The Government are conscious of the impact the indemnity principle can have on the recovery of costs, and had, prior to Geraghty *vs* Awwad, included a provision in the Access to Justice Act to amend section 51 of the Supreme Court Act 1991.

Freemasons

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* magistrates and *(b)* judges in England and Wales are freemasons. [109439]

Mr. Lock: The latest provisional figures available for full-time and part-time judges and judicial office-holders and lay magistrates are given in the following table. These figures are subject to revision in the light of further analysis and changes in the composition of the judiciary.

	Professional Judiciary [1]	*Lay Magistracy* [2]
Masons	268	1,207
Non-masons	4,894	20,308
Not disclosed	75	597
Not replied/not recorded	470	2,852
Total	5,707	[3]24,964

[1] Position for post-holders as at 30 September 1999. These figures include both responses to the voluntary questionnaire sent to serving office-holders in July 1998 and information provided on initial appointment.

[2] Position for post-holders as at 1 October 1998. These figures relate to the voluntary questionnaire.

[3] Excludes Justices of the Peace in the Duchy of Lancaster.

Departmental Contracts

Mr. Willis: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the (a) number and (b) value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109304]

Mr. Lock: The information requested is as follows:

(a) the number of contracts is 10

(b) the value of the contracts is £1,415,385.

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list for the financial year 1998–99 the number and total value of contracts let by his Department with external consultants and advisers that have (a) been put out to competitive tender, (b) not been put out to competitive tender and (c) been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109064]

Mr. Lock: The information available is broken down in the table. In the time available the Public Records Office has only been able to provide the total number and value of the contracts let in each of the categories concerned.

Departmental Contracts

Department	£
(a) Contracts that have been competitively tendered:	
LCD	
Donaldsons	12,484
Pricewaterhousecoopers (x2)	347,835
Managing Agents	71,384
Professor Richard Susskind	6,345
CCTA (x2)	4,673
Amtec Consulting	2,504
Parity Solutions	2,350
Management Partners	24,992
Syntegra	108,954
Myriad	60,657

Departmental Contracts

Department	£
University of Birmingham	49,500
NB Selection	23,612
RSSM Ltd.	5,118
KPMG	94,599
16 contracts	815,007
Court Service	
Widnells	29,375
RADAR	15,334
Wheelers	34,803
Digital	4,911
Myriad (x3)	70,334
CCTA	6,766
Professor Richard Susskind	18,942
PA Consulting	32,101
Information Initiatives Ltd. (x5)	70,167
CSL Group Ltd.	577
Inbucon Ltd.	2,302
AMTEC Consulting Ltd.	9,400
18 contracts	295,012
Land Registry	
Syntegra	3,388
Bailey Partnership	801
Memorex Telex	1,064
Tower Technology	18,982
Lewis Productions	13,561
Jeremy Coyle Associates	93,096
Opinion Research	7,693
Development Partnership (x2)	3,007
Business Enhancement	907
10 contracts	142,499
Public Trust Office	
CCTA	1,973
Eurotek	11,171
G-Cat (x2)	28,125
K2	2,124
Myriad (x2)	167,917
One Zero	30,400
Parity (Trident)	16,296
Siemens Nixdorf	2,200
Workgroup	950
11 contracts	261,156
Northern Ireland Court Service	
Bird and Bird	166,000
Price Waterhouse (x2)	45,000
Citex Bucknall Austin	204,728
CCTA	8,249
5 contracts	423,977
Public Records Office	
BDL	
CCTA (x2)	
Crane Davies	
Diane Bailey Associates	
Elan	
Fretwell Downing	
Hedra	
Kite	
Logica	
Magna Consulting	
Marketing Alliance	
MMT	
MR Group	
PC Docs	
PCL	
Security Systems	
17 contracts	548,409

Departmental Contracts

Department	£
(b) Not been put out to competitive tender:	
LCD	
Demograph	2,273
George Willman	5,525
Iaonann Management Consultants	3,513
Civil Service College	1,064
Focus Quality Services	4,200
Woodward Lewis Assoc.	2,186
Zeldon Health Ltd. (x2)	6,374
University of Surrey	6,000
Professor Gareth Jones	14,900
Mr. Burn	2,026
MDA	3,731
Website	5,288
Lorien plc	7,365
Plontikoff & Woolfson	2,937
Sir Graham Hart	5,850
Liberty	300
17 contracts	73,532
Court Service	
Hengstler Flexitime Ltd.	8,459
Sapphire International Ltd.	763
Public Sector Software	5,816
Judd Consultancy Services	7,500
MLI Ltd.	16,388
BMRB International	24,612
6 contracts	63,538
Land Registry	
Syntegra	1,673
Tenet Systems	118,314
Dunstan Thomas	30,017
IBM UK Ltd.	11,063
Scan Optics	595
IRC Europe	29,787
Law Society Publishing	12,500
Plain English Campaign	1,600
Tannerton Ltd.	3,568
E Quality	1,600
Catering Price Index	21,000
Saville & Holdsworth	5,069
Breckenridge	22,695
Claire Lefevre	4,945
Jill Totty	2,000
Joh Manthorpe	11,925
16 contracts	278,351
Public Trust Office	
British Telecommunications	99
Colt	750
Edis	11,228
3 contracts	12,077
Northern Ireland Court Service	
Helm Corporation	12,800
1 contract	12,800
Public Records Office	
Crawley Services	
J Geddes	
TFPL	
3 contracts	28,581
(c) Non-commercial basis:	
Nil	—

Written Answers to Questions

Tuesday 15 February 2000

PRIME MINISTER

Public Bodies (Fees)

Mr. Matthew Taylor: To ask the Prime Minister which fees his Department, its agencies and associated public bodies collect; how much has been raised and will be raised from each of these fees from 1989–90 to 2004–05; and which of these fees count as negative expenditure. [107974]

The Prime Minister: For the purposes of this question, this answer includes my Office and the Cabinet Office, together with its agencies and associated public bodies. A fee is a charge made under legislative authority. My Office, the Cabinet Office, its agencies and associated public bodies collect no fees.

Privy Council (Judicial Committee)

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answers of 7 February 2000, *Official Report*, columns 3–4W, (1) which judges have served on the Judicial Committee of the Privy Council, who were nominated on the advice of a head of Government of another Commonwealth country in the past twenty years; [109383]

(2) if he will list the people from other countries of the Commonwealth who have been accorded membership of the Privy Council in the past 20 years; which of these were eligible for membership of the Judicial Committee; and which served on the Judicial Committee subsequently. [109384]

The Prime Minister *[holding answer 10 February 2000]:* I understand that of those persons appointed to the Privy Council in the last 20 years the following have actually served on the Judicial Committee by virtue of holding or having held judicial office in a superior court outside the United Kingdom:

Privy Councillor	
Sir Gordon Bisson	New Zealand Court of Appeal
Sir Maurice Casey	New Zealand Court of Appeal
Sir Thomas Eichelbaum	New Zealand Court of Appeal
Sir Thomas Floissac	East Caribbean Supreme Court
Thomas Gault	New Zealand Court of Appeal
Telford Georges	Bahamas Court of Appeal
Sir Michael Hardie Boys	New Zealand Court of Appeal
John Henry	New Zealand Court of Appeal
Sir Duncan McMullin	New Zealand Court of Appeal
Edward Zacca	Supreme Court of Jamaica

Of course, some Privy Councillors appointed prior to 1980 will also have served on the Judicial Committee.

In the last 20 years, the following people from countries of the Commonwealth other than the UK have been accorded membership of the Privy Council:

Privy Councillor	
Duncan MacIntyre	New Zealand
Lancelot Raymond Adams-Schneider	New Zealand
Sir Duncan McMullin[1]	New Zealand
Edward Phillip George Seaga	Jamaica
Sir Julius Chan	Papua New Guinea
Allan Louisy	Saint Lucia
Robert Milton Cato	St. Vincent and the Grenadines
David Spence Thomson	New Zealand
Sir Edward Somers[1]	New Zealand
Sir Zelman Cowen	Australia
George Cadle Price	Belize
Tomasi Puapua	Tuvalu
Vere Cornwall Bird	Antigua and Barbuda
John George Meluin Compton	St. Lucia
David Lange	New Zealand
Kennedy Alphonse Simmonds	St. Kitts and Nevis
Sir Geoffrey Winston Russell Palmer	New Zealand
Robert James Tizard	New Zealand
Fraser MacDonald Colman	New Zealand
James Fitz-Allen Mitchell	St. Vincent and the Grenadines
Manuel Esquivel	Belize
Sir Maurice Casey[1]	New Zealand
Telford Georges[1]	Bahamas
Herbert Augustus Blaize	Grenada
Anerood Jugnauth	Mauritius
Paias Wingti	Papua New Guinea
Francis Duncan O'Flynn	New Zealand
Sir Gordon Bisson[1]	New Zealand
Ezekiel Alebua	Solomon Islands
Jonathan Lucas Hunt	New Zealand
Sir Michael Hardie Boys[1]	New Zealand
Sir Thomas Eichelbaum	New Zealand
Lainagan Namaliu	Papua New Guinea
Michael Norman Manley	Jamaica
Lloyd Erskine Sandiford	Barbados
Helen Elizabeth Clark	New Zealand
Michael Kenneth Moore	New Zealand
Bikenibeu Paeniu	Tuvalu
Sir Nicholas Alexandar Braithwaite	Grenada
James Brendan Bolger	New Zealand
Donald Charles McKinnon	New Zealand
William Francis Birch	New Zealand
Thomas Munro Gault[1]	New Zealand
Ian Lloyd McKay[1]	New Zealand
John Steele Henry[1]	New Zealand
Edmund Walter Thomas[1]	New Zealand
Percival Noel James Patterson	Jamaica
Edward Zacca[1]	Jamaica
Sir Vincent Floissac[1]	St. Lucia
Hubert Ingraham	Bahamas
Owen Seymour Arthur	Barbados
Kamuta Latasi	Tuvalu
Jennifer Mary Shipley	New Zealand
Winston Raymond Peters	New Zealand
Douglas Arthur Montrose Graham	New Zealand
Paul Clayton East	New Zealand
Sir Kenneth James Keith[1]	New Zealand
Peter Blanchard[1]	New Zealand
Andrew Patrick Charles Tipping[1]	New Zealand
Wyatt Beetham Creech	New Zealand
Dame Sian Seerpoohi Elias[1]	New Zealand
Simon Upton	New Zealand

[1] Judges who are or were eligible for membership of the Judicial Committee

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Prime Minister if he will list the previously planned meetings, and their subject, between him and the Prime Minister of Austria which have been cancelled since the formation of the new Austrian Government. [109868]

The Prime Minister: I had no previously planned meeting with the Chancellor of Austria before the measures of the 14 member states were implemented.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his letter of 8 February to the hon. Member for Linlithgow, if he will set out the conditions which Iraq must fulfil to have made real progress on disarmament. [109601]

The Prime Minister *[holding answer 14 February 2000]:* Security Council Resolution 1284 sets out the conditions which Iraq must fulfil. The Executive Chairman of UNMOVIC and the Director General of the IAEA will identify the key remaining disarmament tasks to be completed by Iraq. The resolution states that what is required of Iraq for the implementation of each task should be clearly defined and precise.

Central and Regional Government

Mr. Ben Chapman: To ask the Prime Minister when the Performance and Innovation Unit's report on the role of central Government at regional and local level will be published. [110419]

The Prime Minister: The Performance and Innovation Unit's report "Reaching out: the role of central Government at regional and local level" is being published tomorrow.

Copies will be available from the Vote Office.

Review Body on Senior Salaries

Mr. Gapes: To ask the Prime Minister if he will make a statement on the report and recommendations of the Review Body on Senior Salaries. [110420]

The Prime Minister: The 2000 report of the Review Body on Senior Salaries, which makes recommendations about the pay of the senior civil service, senior military personnel and the judiciary, together with the annual uprating of Parliamentary salaries, is being published today. Copies are available from the Vote Office. I am grateful to the Chairman and members of the Review Body for their work.

The main recommendations of the Review Body are:

an increase from 1 April 2000 of 2.9 per cent. in the minimum and maximum values of each of the pay bands for the senior civil service. Within the bands, departments and agencies will determine individual awards on the basis of performance. A further 0.4 per cent. of the total senior civil service paybill should be made available to fund additional performance awards for the most senior staff, whose pay has fallen well behind comparable remuneration elsewhere. Promotion to and within the senior civil service should be recognised by a move to a higher pay band and an increase of not less than 10 per cent.;

an increase from 1 April 2000 of 3.3 per cent. in judicial salaries, with additional increases for seven senior members of the judiciary as a result of changes in the salary structure at those levels in recognition of their increasing responsibility for judicial leadership and the supervision of the judicial system;

an increase from 1 April 2000 of 3.3 per cent. in the maxima of the pay ranges within which individual salaries are set for senior military personnel.

The Government have decided to accept these recommendations. Their cost will be met within existing Departmental Expenditure Limits.

Pay increases for Members of Parliament and Ministers are linked automatically to the increase in pay bands for the senior civil service. Their pay entitlement will therefore increase from 1 April 2000 by 2.9 per cent.

House of Lords Reform

Mr. Evans: To ask the Prime Minister what plans he has to bring forward proposals for reform of the House of Lords; and on what timescale. [110336]

The Prime Minister: The Government have made it clear that they wish to give proper consideration to the recommendations of the Royal Commission. That process is still continuing.

Proportional Representation

Mr. Evans: To ask the Prime Minister when he intends to hold a referendum on whether proportional representation should be introduced for elections to the United Kingdom Parliament. [110335]

The Prime Minister: I refer the hon. Member to the reply I gave the Leader of the Opposition in the House on 12 January 2000, *Official Report,* column 274.

NORTHERN IRELAND

Police Service

Mr. McNamara: To ask the Secretary of State for Northern Ireland what criteria relating to minor criminal records will govern entry into the proposed Police Service for Northern Ireland; what class of criminal conviction is a barrier to recruitment to the RUC; and what plans he has to change the criteria. [107815]

Mr. Ingram: A note setting out the current criminal convictions criteria has been placed in the Library. It is also available on the Royal Ulster Constabulary's website.

The criteria will be reviewed in light of the recommendations on recruitment in the Patten Report.

Royal Ulster Constabulary

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his reply to the hon. Member for Hull, North of 24 January 2000, *Official Report,* column 5W, if he will list the responsibilities of the Chief Constable of the RUC when he was a detective superintendent at RUC Headquarters. [108429]

Mr. Ingram *[holding answer 8 February 2000]:* While I was content to answer the previous question from my hon. Friend for Hull, North, I do not consider it appropriate to answer questions relating to the operational responsibilities of individual members of the Royal Ulster Constabulary.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Construction Industry

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what assistance his Department gives to aid the development of the construction industry. [107848]

Ms Beverley Hughes: The Department operates a sponsorship programme to support the technical and commercial development of the construction industry.

We invest approximately £25 million a year in research and dissemination of best practice to help and encourage the industry to improve its competitiveness and its performance on such issues as sustainability, diversity, health and safety, training etc. This includes over £8 million to support collaborative research with industry.

From within this total, the Department contributes funds to support the work of the Construction Industry Board, the Construction Best Practice Programme, the Movement for Innovation Board and the Housing Forum, on their work to improve the industry's performance.

The Department also provides support for external and internal trade missions to promote UK interests in overseas markets.

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions how much funding he has provided to support the *(a)* Movement for Innovation, *(b)* Construction Industry Training Board, *(c)* Construction Best Practice programme and *(d)* Housing Forum for the years (i) 1998–99 and (ii) 1999–2000. [R] [108707]

Ms Beverley Hughes: DETR funding has been as follows:

£000

Financial year	*1998–99*	*1999–2000*
Movement for Innovation		
M4I Board/Local Government Taskforce/Change the Face of Construction/other publicity and conferences	110	615
Housing Forum	0	100
Construction Industry Board (including National Construction Week)	140	155
Construction Best Practice Programme	1,300	2,000

Please note that because a number of expenditures are expected to arise at around the turn of the financial year, out-turns for the current financial year may vary from the above estimates.

Housing (Elderly People)

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the availability of suitable housing to the elderly. [109247]

Mr. Mullin: Over the lifetime of this Parliament, we are providing nearly £5 billion of extra resources for investment in housing in England. Most of these resources are being directed through local authorities who are key to the delivery of our housing policies. £2.1 billion has been allocated to local authorities in 2000–01, through the Housing Investment Programme—48 per cent. more than was available in the current year.

We believe that local authorities are best placed to decide on the needs and priorities of their areas and their investment decisions for these additional resources should be based on robust local assessments of the housing needs of all groups within the community, including addressing the needs of the elderly.

In particular, grants are available through local authorities, to help elderly and disabled people to carry out adaptions and improvements that enable them to remain in comfort and safety in their own homes. Provision for disabled facilities grants is due to increase by a quarter over the current expenditure period, and this is expected to pay for over 10,000 additional adaptations.

Regional Development Agencies

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions how many regional development agency boards have more than one member with expertise in rural matters. [109810]

Ms Beverley Hughes: All RDA boards have at least one member with rural expertise. Yorkshire Forward and the East of England RDA have two board members with rural expertise.

Brownfield Sites

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions how many brownfield sites his Department has identified in *(a)* rural and *(b)* urban areas; and what is the total area of such sites in each category. [109766]

Ms Beverley Hughes: Provisional results from the first phase of the National Land Use Database (NLUD), published in May last year estimated that, in 1998, there were about 33,000 hectares of previously developed vacant and derelict land in England. An additional 23,000 hectares of land are potentially available through reuse of vacant commercial buildings, land currently in use but allocated in plans for redevelopment or with planning permission for housing, and other sites expected to become available for redevelopment. These results were compiled from information on more than 30,000 previously developed sites.

This information is not available for urban and rural areas separately.

Dan Norris: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish a list of brownfield sites in England. [110235]

Ms Beverley Hughes: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) on 28 January 2000, *Official Report*, column 357W.

Carbon Dioxide Emissions

Mr. Dobbin: To ask the Secretary of State for the Environment, Transport and the Regions if the United Kingdom is on target to meet the level of carbon dioxide reduction agreed at Kyoto. [109575]

Mr. Meacher: The UK has a legally binding target under the Kyoto Protocol of reducing its greenhouse gas emissions to 12.5 per cent. below 1990 levels by 2008–12. Our emissions of the six greenhouse gases covered by the Kyoto Protocol fell by almost 9 per cent. between 1990 and 1997 and is on target to meet our commitment. The Government will shortly be publishing a draft UK climate change programme for consultation. The draft programme will show how the UK plans to meet its legally binding Kyoto target and move towards the domestic goal of a 20 per cent. cut in carbon dioxide emissions below 1990 levels by 2010.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for the Environment, Transport and the Regions how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109872]

Ms Beverley Hughes: Any records of bilateral meeting between the DETR (or the former DOE or DOT) and its Austrian counterpart are not held centrally. It would therefore involve a disproportionate cost in trying to retrieve the information.

Mr. Jim Murphy: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those previously planned meetings and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109899]

Ms Beverley Hughes: There were no previously planned meetings between DETR and its Austrian counterpart when the new Austrian Government was formulated.

Tree Felling (Croydon)

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what is the outcome of his review of the proposal by Croydon Council to fell trees at Gravel Hill, Croydon. [109510]

Mr. Mullin: The Secretary of State received on 12 January a request to make a tree preservation order in respect of trees at Gravel Hill, Croydon. This request and subsequent submissions are currently being considered. I will write to the hon. Member when a decision has been made.

Housing Associations (Borrowing)

Mr. Pickles: To ask the Secretary of State for the Environment, Transport and the Regions what is *(a)* the value of borrowing by housing associations to finance investments in housing stock and *(b)* the average length of the term for repayment. [109545]

Mr. Mullin: According to information from the Housing Corporation at 31 March 1998 committed loan facilities of £13.5 billion had been arranged by housing associations and other registered social landlords, of which £10.6 billion had been drawndown. Whilst the vast majority of this funding was to finance the purchase, development or improvement of housing stock, it is not possible to identify separately that element which was raised to meet other costs.

The average length of term for repayment is not available. Typically long term funding may be for periods of 25 to 35 years. Short-term funding may be up to five years.

Planning Applications

Dr. Stoate: To ask the Secretary of State for the Environment, Transport and the Regions (1) when he will announce his decision on the planning application for the cement works at Holborough, Kent; [109551]

(2) when he will announce his decision on the planning application for Stone Lodge Park, Dartford; and if he will make a statement. [109550]

Mr. Raynsford: On the Holborough application, we are considering the Inspector's report and will issue a decision as soon as possible.

On the Stone Lodge application, it was necessary to seek further representations from the parties on the question of need for the facilities proposed. We are analysing the responses and will issue a decision shortly.

EU Structural Funds

Mr. Prior: To ask the Secretary of State for the Environment, Transport and the Regions what guidance is being given to those responsible for implementing the provisions of the Single Programming Documents for Objective 1 funding in *(a)* Merseyside, *(b)* South Yorkshire and *(c)* Cornwall, with regard to issuing draft programme Complement and Guidelines in advance of the final approval of the SPD, to enable project sponsors to move ahead with their projects without delay. [109556]

Ms Beverley Hughes: My Department has issued guidance to programme managers on the implementation of Objective 1 programmes. This will be updated as new policy and other developments arise. We are very keen to avoid any delay in the implementation of these programmes, to enable partners to maximise the opportunities afforded by the new programmes.

Biodiversity

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received on whether biodiversity action planning should be placed on a statutory footing; [109991]

(2) what plans he has to provide a statutory basis for biodiversity action planning. [109992]

Mr. Mullin: A number of representations on whether the biodiversity action plan process should be placed on a statutory footing have been received since the announcement, in the Queen's Speech, of a Bill to give people greater access to the countryside and improved protection for wildlife. This issue and representations received on many others are currently being considered.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the implications for the national biodiversity action planning process of the Countryside Council for Wales's decision not to work on biodiversity action plans. [109990]

Mr. Mullin: The implications of the Countryside Council for Wales's decision are a matter for the National Assembly for Wales.

Departmental Research

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the titles of *(a)* research studies, *(b)* audits and *(c)* surveys he commissioned for completion in the last 12 months, stating in each case when the results were published. [109944]

Mr. Mullin: I refer to the answer that I gave on 8 December 1999, *Official Report*, column 544W, on Departmental Research, when I explained that details of each project are not held centrally. As on that occasion, a list of research projects will be prepared and placed in the Library of the House.

Local Government Finance

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each *(a)* unitary, *(b)* shire county, *(c)* shire district, *(d)* metropolitan district and *(e)* London borough council (i) the real terms cash and percentage increase in standard spending assessment between 1997–98 and 2000–01, (ii) the real terms cash and percentage increase in revenue support grant between 1997–98 and 2000–01, (iii) the real terms cash and percentage increase in total external support between 1997–98 and 2000–01 and (iv) the real terms cash and percentage increase in aggregate external finance between 1997–98 and 2000–01. [109600]

Ms Armstrong *[holding answer 11 February 2000]:* The information requested, to the extent that it is available, has been placed in the library. It is not possible to provide the increase in aggregate external finance to 2000–01 as the latest available figures relate to budgets for 1999–2000.

Development Plans (MPs' Representations)

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy that hon. Members should have the opportunity to make oral representations at the examination in public concerning the development plan policies relating to their constituencies. [109975]

Ms Beverley Hughes: Existing policy on the selection of participants in Structure Plan examinations in public (EIPs) is set out in Town and Country Planning Act 1990 and in the booklet "Structure Plans—A Guide to Procedures" published by my Department in December 1999. There are currently no plans to alter this policy. The purpose of an EIP is to provide the local structure planning authority with more information, through public discussion of certain issues, before reaching decisions on the plan. It is not intended that all those who have made objections or representations on an issue selected for discussion should be invited to take part.

Primary legislation gives responsibility to the EIP panel and the local planning authority for selecting participants. The basic criterion will be the significance of the contribution which they can be expected to make to the discussion of the matters to be examined. The aim will be to select participants (whether statutory bodies, interest groups or individuals) who between them represent a broad range of viewpoints and have a relevant contribution to make.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the advantages and disadvantages of amending planning and public inquiry rules and legislation to give hon. Members the right to make oral representations at the examinations in public on the development plan policies concerning their constituencies. [109977]

Ms Beverley Hughes: None. However, my right hon. Friend, the then Minister for Planning, indicated in "Modernising Planning—A Progress Report", published by my Department in April 1999, that while a number of improvements had already been achieved, we would continue to consider proposals for further changes to make the planning system more efficient and effective. A summary report on research into the Operation and Effectiveness of Structure Planning System was also published in April 1999, and indicated that the Department intended to carry out a short-term review of the structure planning process in England. That review will commence shortly.

Small Airports

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to *(a)* reduce noise levels and *(b)* improve safety at small airports outside London; [109797]

(2) if he will make a statement on the safety and age of aircraft using small airports. [109798]

Mr. Mullin: Our policy on noise is the same for small and large airports—reduction of noise at source, and airport specific measures where necessary. The Government continue to work for international agreement on higher certification standards and on phasing out noisier aircraft. Apart from the designated London airports, where the Secretary of State has direct responsibility, measures to reduce operational noise are the responsibility of the airport management, working in consultation with local interests. We shall shortly consult on the details of proposed legislation to strengthen aerodromes' powers to establish and enforce noise amelioration schemes, and to enable the Secretary of State to designate an aerodrome requiring it to agree such a scheme with an appropriate local authority.

All United Kingdom airports are licensed by the Civil Aviation Authority and must be operated safely, regardless of their size or location. Similarly there is no

necessary correlation between the age of aircraft and their safety: what is important is that the aircraft are maintained properly. Commercial aircraft must be maintained to an approved maintenance programme by qualified engineers working for an approved maintenance organisation. The age of the aircraft will be taken into account in determining the maintenance programme. Similar arrangements apply to aircraft with a private category certificate of airworthiness.

Second Homes

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions (1) what levels of payment have been made to local authorities to recompense them through the premium support grant for the 50 per cent. council tax discount given to *(a)* second homes and *(b)* other domestic properties entitled to the 50 per cent. discount, in each of the last three years; [110203]

(2) what recompense has been paid to local authorities through the revenue support grant for the loss of income due to the 50 per cent. council tax discount for second homes, *(a)* by district and *(b)* by county and unitary authority in each of the last three years. [110205]

Ms Beverley Hughes: There is no distinct element of the Revenue Support Grant to recompense authorities for council tax discounts they are required to give. However, the definition of the tax base used in the calculation of Revenue Support Grant normally has the effect of increasing an authority's grant by an amount broadly similar to the discounts. It will not be exactly the same as the discounts because the taxbase is based on information available before the year in which the discounts are given, the tax base is based on 100 per cent. collection, and the grant calculation uses a national tax rate rather than the actual tax rate.

The Department does not have information distinguishing 50 per cent. discounts on second homes and 50 per cent. discounts for other reasons. We will place tables in the Library shortly based on all 50 per cent. discounts.

Radiation Protection

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the implementation of the European Council Directive 96/29/Euratom on radiation protection, with particular reference to the treatment of nuclear waste. [110248]

Mr. Meacher: I refer the hon. Member to the answer given to my hon. Friend the Member for Shipley (Mr. Leslie) on 14 February 2000, *Official Report*, columns 356–57W.

Single Vehicle Approval Tests

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans to introduce enhanced single vehicle approval tests. [110247]

Mr. Hill: Changes to the single vehicle approval scheme were the subject of public consultation last October, when it was envisaged that an enhanced test would be introduced this March for certain classes of passenger car and light goods vehicle. In the light of responses, including observations from the European Commission, we are reviewing the proposals. This will mean the existing arrangements will continue for the time being. A further announcement will be made as soon as we have decided how best to proceed.

EDUCATION AND EMPLOYMENT

New Deal (Young People)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many 18 to 24-year-olds have entered the New Deal in Shrewsbury and Atcham; what the destinations of the leavers were; and if he will make a statement. [105525]

Ms Jowell: In the period to the end of October 1999, 299 young people started the New Deal in Shrewsbury and Atcham constituency. Of the 173 leavers, 78 found unsubsidised employment, 21 transferred to other benefits, and 20 left for other known destinations. Many of the remaining 54 who left for unknown destinations will have found jobs without telling the Employment Service. We are on target to meet our manifesto commitment of 250,000 young people into jobs and have just published a 10 point plan to build on the success of the New Deal.

School Sports

Mr. Bob Russell: To ask the Secretary of State for Education and Employment what plans he has to introduce a school sports strategy to coincide with the forthcoming Government sports strategy. [107156]

Jacqui Smith: I am working very closely with the Minister for Sport to develop the education strand of the Government's Sports Strategy.

Mr. Bob Russell: To ask the Secretary of State for Education and Employment what percentage of children can swim 25 metres at the end of Key Stage 2; and if he will make a statement. [107159]

Jacqui Smith: In November, Ofsted conducted a focused survey on swimming in the primary school and is currently analysing the data which will provide an up-to-date figure on what percentage of children can swim 25 metres at the end of Key Stage 2.

Mr. Bob Russell: To ask the Secretary of State for Education and Employment what research his Department has *(a)* commissioned and *(b)* evaluated on the relationship between physical exercise and standards of literacy and numeracy. [107172]

Jacqui Smith: No research has been commissioned on the relationship between physical exercise and standards of literacy and numeracy. Ofsted has published an evaluation of the first year of implementation of the National Literacy Strategy and is currently evaluating the first year of the National Numeracy Strategy.

Individual Learning Accounts

Dr. Tonge: To ask the Secretary of State for Education and Employment if students undertaking a fourth year at law school will be eligible for an individual learning account from September 2000. [108128]

Mr. Wicks: Anyone aged 19 and over can open a learning account. A package of incentives is available for people in work, or seeking to return to work, who do not benefit from the public provision provided to unemployed people and people in full-time education (e.g. women seeking to return to the labour market, younger workers with low skills or few qualifications and self-employed people). The incentives will help these people to invest in their own learning and take charge of their career and futures.

New Deal (Regional Variations)

Mr. Maclean: To ask the Secretary of State for Education and Employment what assessment the Government have made of regional variations in the performance of the New Deal; and if he will make a statement. [109280]

Ms Jowell: The overall success of the New Deal does not mean that variations in levels of performance will not arise. This is inevitable in the short run and reflects the range in the client group and labour market conditions in some localities. We are always striving to improve performance and build on success. We have a strategy in place for continuous improvement which enables us to monitor performance against a range of measures and develop plans for improvement. By involving locally based partnerships in delivery we are ensuring that the programme design is relevant to local needs and will continue to offer unemployed people the best route into employment.

Section 28

Mr. Gerald Howarth: To ask the Secretary of State for Education and Employment what reports he has received indicating that section 28 of the Local Government Act 1988 has prevented teachers from dealing with incidents of bullying in schools. [109369]

Jacqui Smith: Section 28 of the Local Government Act 1988 has never applied to schools, but it is clear that it has had a significant effect on teachers' perceptions.

In research carried out in over 300 secondary schools by the Health and Education Research Unit at the Institute of Education, University of London (Playing it Safe, November 1997) some 44 per cent. of the teachers responding said that section 28 of the Local Government Act 1988 had made it more difficult for them to address the needs of gay, lesbian and bisexual pupils. The report noted that

> "teachers often referred to confusion about promoting homosexuality and how this had caused them to be reluctant to touch upon certain issues."

More recently, Dr. Debbie Epstein from the Institute of Education, University of London, who has conducted confidential interviews with teachers as part of her research into sex education in schools (Schooling Sexualities, Open University Press 1998), concluded that

> "Section 28 has created an atmosphere of confusion and fear. Because teachers do not know how to comply with it, they err on the side of caution. As a result, they choose to ignore, wherever possible, homophobic harassment and bullying. This creates a permissive environment in which pupils believe they can, and do, get away with it."

Citizenship Studies

Mr. Mitchell: To ask the Secretary of State for Education and Employment in respect of the inclusion in the National Curriculum of citizenship studies in schools, what consultation took place, and with whom, prior to the adoption of such studies; to whom and when draft proposals were sent for comment; what specific requirement is made in respect of information and instruction concerning the European Union and consequential citizenship obligations; what material for use of (i) teachers and (ii) pupils in respect of the European Union is made available through departmental channels; and if it includes a package entitled, Euroquest. [109435]

Jacqui Smith: The Qualifications and Curriculum Authority consulted widely on proposals for a framework for Citizenship and Personal, Social and Health Education between 13 May and 23 July 1999 as part of broader proposals for the review of the National Curriculum.

The proposals were sent to all schools. In addition, 4,000 copies were sent to other major organisations including central educational organisations, subject organisations, professional associations, Local Education Authorities and faith groups. In all, nearly 80,000 copies of the proposals for Citizenship and Personal, Social and Health Education and over 50,000 copies of the full consultation materials were distributed. In addition to the paper consultation, MORI held discussions with a number of focus groups of teachers, parents and governors.

Questionnaires were returned by nearly 2,500 people and organisations—including over 600 schools, nearly 1,000 teachers, almost 200 parents, nearly 100 school governors, 90 Local Education Authorities, and over 20 employers. Details of the questionnaire responses and the responses of the focus groups were published in September. They showed a high degree of support for the proposals.

The Citizenship programme for secondary schools—to take effect, subject to Parliamentary approval, at the start of the school year 2002—provides for pupils to be taught about: the world as a global community, and the political, economic, environmental and social implications of this, and the role of the European Union, the Commonwealth and the United Nations at Key Stage 3 and the United Kingdom's relations in Europe, including the European Union, and the relations with the Commonwealth and the United Nations at Key Stage 4.

During the UK Presidency of the European Community from January to June 1998, an information and resource pack for schools, Partners in Europe, was produced and distributed by the four education departments in the UK, in response to requests from teachers to update materials that were already in use in the classroom. The pack offers case studies of how schools have incorporated the European dimension into work which meets the requirements of the National Curriculum. It was produced in conjunction with the Qualifications and Curriculum Authority and the

Central Bureau for Educational Visits and Exchanges. The material is available from the Department's website. It is designed for use by teachers and its use is voluntary.

I understand that the Euroquest booklet was funded entirely by the Representation of the European Commission in the UK, and that the content of the booklet was produced in collaboration with a number of UK educationalists and the Central Bureau for International Education and Training. One million copies were produced and approximately half have been distributed to schools on request.

Air Conditioning and Refrigeration Systems

Mr. Chaytor: To ask the Secretary of State for Education and Employment what guidance he gives to local education authorities on the use on their estates in air conditioning and refrigeration systems of substances which contribute to global warming. [109332]

Jacqui Smith: The Department gives advice in Building Bulletin 83, "Schools Environmental Assessment Method (SEAM)". This recommends specifying materials which are CFC and HCFC free, and do not use CFCs or HCFCs in their manufacture, for refrigerants in refrigerators, freezers and air conditioning systems.

Unemployment

Mr. Breed: To ask the Secretary of State for Education and Employment what percentage of all those unemployed in *(a)* rural and *(b)* urban areas were classified as long-term unemployed (i) at the latest date for which figures are available and (ii) 10 years previously. [109752]

Ms Jowell: In England, in December 1999, 18.4 per cent. of claimant unemployed people in rural areas and 25.1 per cent. of claimant unemployed people in urban areas had been claiming for more than a year. The figures for December 1989 are 17.8 per cent. and 26.7 per cent. respectively.

Minimum Nutritional Standards

Mr. Ruane: To ask the Secretary of State for Education and Employment if he will list the education authorities that *(a)* voluntarily adhere and *(b)* do not adhere to the Minimum Nutritional Standards. [109763]

Jacqui Smith: Regulations to be laid before Parliament in due course, setting out compulsory nutritional standards for school lunches in England, will begin to take effect from September 2000. In the meantime, local education authorities and schools are free to set their own local specification and guidelines.

Milk (Schools)

Mr. Ruane: To ask the Secretary of State for Education and Employment if he will list the education authorities that provide milk to school children *(a)* free and *(b)* at cost. [109762]

Jacqui Smith: All education authorities decide for themselves whether or not to provide any milk for school children. Where they do so, they must, by law, provide milk free to children whose parents receive the specified benefits. Authorities must charge for all other milk they provide. We do not collect statistical information on which education authorities provide free or at cost milk.

Remploy

Mr. Rooney: To ask the Secretary of State for Education and Employment what was the subsidy to Remploy *(a)* in cash terms and *(b)* at December 1999 prices, in each year since 1980. [109597]

Ms Hodge *[holding answer 14 February 2000]:* This table shows the Government's subsidy to Remploy, in both cash and real terms, since 1980.

£ million

Year	*Cash*	*December 1999 prices*
1980–81	42.123	101.605
1981–82	45.684	98.724
1982–83	49.100	99.127
1983–84	51.903	100.868
1984–85	56.570	103.849
1985–86	59.290	102.814
1986–87	57.144	95.859
1987–88	57.996	93.716
1988–89	62.714	95.570
1989–90	67.013	94.747
1990–91	72.167	93.026
1991–92	75.346	92.557
1992–93	83.995	100.210
1993–94	89.199	104.613
1994–95	92.081	105.169
1995–96	94.161	104.106
1996–97	94.161	101.667
1997–98	94.161	98.402
1998–99	94.161	95.89
1999–2000	95.661	95.661

Bullying

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will make a statement on the Government's policy on tackling bullying in schools. [109925]

Jacqui Smith: We attach a high priority to helping schools prevent and combat bullying in whatever form—be it racial, or as a result of a child's appearance, behaviour or special educational needs, or related to sexual orientation. We want all schools to treat bullying seriously and deal with it promptly and firmly whenever and wherever it occurs. Since September 1999, schools have been required by law to have an anti-bullying policy. Ofsted's Framework for Inspection requires inspecting teams to evaluate the measures taken by the school to prevent and eliminate bullying.

We will be launching a further anti-bullying initiative shortly. This will comprise a public information film to raise awareness of the problem; a video for schools on tackling bullying aimed at young people, on the theme 'Don't Suffer in Silence'; and a revised and updated anti-bullying pack for schools on the same theme setting out, among other things, strategies for combating bullying including racist bullying.

Education SSA (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each year

from 1992 to date, the standard spending assessment increase in education allocated to Shropshire County Council; and if he will make a statement. [110129]

Ms Estelle Morris: The data requested are given in the table. These figures have not been adjusted for any changes in local authority function over the years and are not directly comparable due to the effects of local government reorganisation.

Year	*SSA total*	*Cash change £ million*	*Percentage change*
1990–91	128.2	—	—
1991–92	145.5	17.3	13.5
1992–93	154.0	8.5	5.9
1993–94[1]	134.0	—	—
1994–95	135.5	1.5	1.1
1995–96	137.1	1.6	1.2
1996–97	145.3	8.2	6.0
1997–98[2]	146.9	1.6	1.1
1998–99[3]	95.4	—	—
1999–2000	100.8	5.4	5.7
2000–01	105.4	4.6	4.5

[1] From 1993–94 Education Spending Assessment figures are affected by the Creation of the Further Education Funding Council and the subsequent reduction in post-16 funding
[2] In 1997–98 £527 million was removed from Education Standard Spending for the Nursery Voucher Scheme
[3] In 1998–99 Shropshire was affected by Local Government Reorganisation

Assisted Places Scheme (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each year the cost of the assisted places scheme in Shropshire; and if he will make a statement. [110132]

Ms Estelle Morris: The cost to the Exchequer of the assisted places scheme at the seven participating schools in the area of the present Shropshire local education authority in the current academic year 1999–2000 is estimated to be £535,600. Information relating to previous years is not readily available and, in any case, would not be directly comparable in view of the boundary changes brought about by the recent local government re-organisation. The assisted places scheme is being phased out and no new assisted places are now available.

Kinloss School, Worcestershire

Mr. Sayeed: To ask the Secretary of State for Education and Employment if he will make a statement on the timescale for the publication of the Social Services Inspectorate report into Kinloss School in Worcestershire. [110304]

Jacqui Smith: On 3 February 2000 my Department authorised the Worcestershire County Inspectorate to release copies of the report. Copies will be sent to all local authorities that have placed children in the school and to those people, often parents of present or former pupils, who have contacted the Department or the Inspectorate about the report. I understand that the Inspectorate is finalising its distribution arrangements, and expects copies to issue around one week from now.

My Department has also given the school notice of withdrawal of its approval under section 347 of the Education Act 1996. This means that the school has until June 2000 to remedy the failings identified in the report, or it will lose its approval. The school has submitted its plans for addressing these issues, and we will arrange for inspection at the appropriate time.

Education Funding (Newcastle)

Mr. Doug Henderson: To ask the Secretary of State for Education and Employment if he will set aside the passporting test and review his decision to reduce the education element in Government grant made available to Newcastle City Council. [110185]

Ms Estelle Morris: It is vitally important that the increased funding we have made available reaches education. We will therefore continue to urge local authorities to passport the increase in education standard spending assessment to education budgets. My right hon. Friend will take decisions on the release of the £50 million special grant to support school budgets in due course.

Teachers' Pay

Mr. Cann: To ask the Secretary of State for Education and Employment what progress he has made on reforming teachers' pay. [109246]

Ms Estelle Morris: The Green Paper "Teachers: meeting the challenge of change" (Cm 4161) published in December 1998 outlined our proposals for reform of the teaching profession. Following extensive consultation with representatives of teachers and teachers' employers on the proposals, the Department for Education and Employment submitted detailed evidence on pay reform to the School Teachers' Review Body (STRB) last September. This evidence contained revised proposals on the pay structure and responded to issues raised through the consultation process.

The STRB's Ninth Report was published on 1 February. The report is a major endorsement for the Government's reforms, and the Government have accepted the recommendations with only minor modifications. Copies of the report have been placed in the Libraries of the Houses of Parliament. The Secretary of State has initiated consultation with key stakeholders including teacher unions and employers on the STRB's recommendations. The consultation ends on 7 March.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what assessment he has made of the National Union of Teachers representations on the Government's proposals on performance-related pay. [109570]

Ms Estelle Morris: The Government's proposals for teachers' pay reform were initially outlined in the Green Paper, "Teachers: meeting the challenge of change" (Cm 4164). We have discussed our proposals extensively with all teacher unions and other key stakeholders. The NUT's evidence to the independent pay body, the School Teachers' Review Body (STRB), was considered alongside that of other statutory consultees when the STRB drew up their recommendations, which were published on 1 February 2000. Ministers and officials will continue to meet unions and other consultees as part of the consultation on the STRB recommendations. The consultation ends on 7 March.

SOLICITOR-GENERAL

Charity Premises

Mr. Simon Hughes: To ask the Solicitor-General on how many occasions charges have been brought against managers of charity premises under section 8 of the Misuse of Drugs Act 1971; and if he will make a statement. [109890]

The Solicitor-General: The Crown Prosecution Service measures its performance and case-loads by the number of defendants, the type of proceedings and the outcome of cases. It does not keep a central record of specific charges brought by the police. That information is held on individual case files and could be recovered only by examining every case file in each CPS office. The cost of such an exercise would be prohibitive.

Gardening Leave

Mr. Garnier: To ask the Solicitor-General how many staff employed by the Law Officers' Departments are currently on gardening leave. [110342]

The Solicitor-General: None. I take "gardening leave" to mean paid absence from work that is not annual leave, sickness absence, suspension or any category of special leave as defined in my Departments' personnel management manuals.

DEFENCE

Flying Hours

Mr. Duncan Smith: To ask the Secretary of State for Defence how many hours flying, other than during operations, *(a)* the Army Air Corps and *(b)* the Fleet Air Arm have flown in each of the last five years. [108656]

Mr. Spellar: For statistical purposes, the number of flying hours is collated by financial year (FY). Figures for the last five complete years and for the current year are as set out. The figures for the current FY are up to and including the end of October 1999.

Financial year	*Total Army Air Corps hours* [1]	*Total Fleet Air Arm hours* [1]
1994–95	66,035	17,958
1995–96	62,564	18,596
1996–97	62,601	16,509
1997–98	64,354	17,958
1998–99	67,465	15,835
1999–2000[2]	37,568	11,136

[1] Excluding operations
[2] To October 1999

Antonov 124–100

Mr. Hoyle: To ask the Secretary of State for Defence if the Antonov 124–100 has the capacity to lift two main battle tanks simultaneously. [103103]

Dr. Moonie *[holding answer 20 December 1999]:* On the basis of information publicly available, we are not aware that the Antonov 124–100, nor any of the other aircraft under consideration to fulfil our Short Term Strategic Airlift requirement, are currently capable of carrying safely two Challenger 2 Main Battle Tanks. We have not, however, sought detailed information on this point since we have no such requirement.

Chinook Crash, Mull of Kintyre

Mr. Hancock: To ask the Secretary of State for Defence what evidence underlies his conclusion that RAF Chinook ZD 576 was travelling too low and too fast towards the Mull of Kintyre on 2 June 1994. [108750]

Mr. Spellar: In reaching their conclusions concerning the height and speed of the aircraft just prior to the accident the RAF Board of Inquiry considered data extracted from navigation equipment on the aircraft, the AAIB technical report and information and analysis provided by Boeing Helicopters and the Defence Research Agency, Bedford. Evidence from witness statements was also taken into account.

Bowman Project

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the problems being experienced with the new Bowman Communication System; and what assessment he has made of their impact on the effectiveness and safety of the United Kingdom's armed forces. [109037]

Dr. Moonie: I refer the hon. Member to the answer given by my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle), the then Parliamentary Under-Secretary of State for Defence, on 21 December 1999, *Official Report,* column 468W, to my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy).

Mr. Keetch: To ask the Secretary of State for Defence what assessment he has made of the reasons for delay to the original in service date of the BOWMAN digital battlefield communications system; and if he will make a statement. [109965]

Dr. Moonie *[holding answer 14 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John F. Howe to Mr. Paul Keetch, dated 15 February 2000:

I am replying to your question to the Secretary of State for Defence about the reasons for delay to the in service date of the BOWMAN communication system. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

As part of our normal process, we assess the reasons for any programme slippage. Accumulated slippage from BOWMAN's original in service date of December 1995 can be attributed to a combination of technical difficulties, MOD budgetary constraints, the need to reconsider the BOWMAN procurement strategy following changes in industry, a redefinition of the in service date to reflect the completion of field trials and a further redefinition of the programme in order to reduce cost growth and risk.

On 21 December 1999, the then US of S, in a Parliamentary answer to Linda Gilroy MP, provided a progress report, which noted the difficulties being experienced by ARCHER Communications Systems Ltd. Subject to continued good progress by ARCHER on their improvement programme, our aim would be to seek approval to proceed later this year following which we would expect to place an implementation (manufacture) contract by the end of the year. Prior to this we cannot set a revised in service date but would expect it to be in late 2003 or early 2004.

Armed Forces Pay Review

Mr. Alan Campbell: To ask the Secretary of State for Defence if he will make a statement on the report and recommendations of the Armed Forces Pay Review Body. [110524]

Mr. Duncan Smith: To ask the Secretary of State for Defence on what date the annual armed forces pay review will be announced; and if he will make a statement. [109050]

Mr. Hoon: The 2000 Report of the Armed Forces Pay Review Body has been published today. Copies are available in the Vote Office and the Library of the House. I am grateful to the Chairman and members of the Review Body for the work they have put into them.

In the Comprehensive Spending Review the Government made it clear that public sector pay settlements would need to be fair and affordable and support budgeted public service improvements. In making their recommendations the AFPRB have taken into account a number of considerations, including the recruitment, retention and motivation of the armed forces and have recommended an increase in basic military salary of 3.3 per cent. for all ranks, with the exception of Privates, Lance Corporals, Captains and Lieutenants who should receive 3.8 per cent. An increase of 1 per cent. in X Factor is also recommended. The X Factor which has not been reviewed for five years, is paid as an addition to basic pay and reflects the differences between conditions of service experienced by members of the armed forces over a full career and conditions in civilian life, which cannot be taken directly into account in assessing pay comparability. The graduate starting salary is set at £18,126 p.a. There are also some increases in Additional Pay (e.g. Flying Pay, Submarine Pay and Hydrographic Pay) and in Longer Separated Service Allowance/Bonus.

These recommendations will fully support the armed forces strategic personnel policies, in particular in relation to recruitment and retention. The additional cost to the Defence Budget will be £260 million. This will be met within existing Departmental Expenditure Limits.

The AFPRB's recommendations are to be accepted in full, with implementation effective from 1 April 2000.

Defence Bills Agency

Mr. Alan Campbell: To ask the Secretary of State for Defence what performance targets have been set for the Defence Bills Agency for the financial year 2000–01. [110523]

Dr. Moonie: Targets have been set for the Defence Bills Agency for the financial year 2000–01 in accordance with the Agency's Service Level Agreement with the Ministry of Defence. The targets build on the high standards of service achieved by the Agency since its formation in January 1996 and are as follows:

1. By the end of the financial year 2000–01, to reduce transaction costs by a further 7.3 per cent. for bills and a further 2.4 per cent. for invoices over the targets set for 1999–2000. This represents a further step towards achieving overall reductions in transaction costs of between 15 per cent. and 20 per cent. by March 2004 as required under the terms of the Service Level Agreement.
2. To produce financial and accounting information to the ISO 9001/3 quality standard and to the times set out in the Service Level Agreement.
3. To pay 100 per cent. of correctly-presented bills within 11 calendar days of receipt.
4. To raise 95 per cent. of invoices within four working days of receipt of a correctly-presented claimable document.
5. Within the permitted tolerances, to meet the performance targets prescribed in the Service Level Agreement.

Reserve Forces

Mr. Viggers: To ask the Secretary of State for Defence what the cost was of each of the reserves and auxiliary forces, distinguishing between Regular Reserves and Volunteer Reserves and identifying separately the cost of the *(a)* Territorial Army, (b) Royal Naval Reserve, *(c)* Royal Marine Reserve, *(d)* Royal Air Force Volunteer Reserves and *(e)* Royal Auxiliary Air Force, and specifying the constituent parts of each figure in the last year for which figures are available. [108907]

Mr. Spellar *[holding answer 9 February 2000]:* The information is not available in the format requested and cannot be provided except at disproportionate cost. I can, however, identify total expenditure by Service during 1998–99 as follows:

	£ million
Navy Reserve Forces Pay	6.646
Navy Bounty Payments	3.025
Army Reserve Forces Pay	94.908
Army Bounty Payments	30.780
Royal Air Force Reserve Pay	6.993
Royal Air Force Bounty Payments	0.057
Total	142.409

TRACER/FSCS System

Mr. Gill: To ask the Secretary of State for Defence what agreement has been reached with the USA regarding funding for the development of the TRACER/FSCS system. [109858]

Dr. Moonie: The UK and USA have entered into a joint Project Definition phase for TRACER/FSCS under the terms of a Memorandum of Understanding. This commits both nations to an equal share of the cost of this stage of the project. There is no commitment, by either nation, to proceed beyond the Project Definition phase and, therefore, no agreement to fund any further development beyond this stage. The UK contribution to the cost of the collaborative Project Definition contracts for TRACER is some £90 million.

Mr. Gill: To ask the Secretary of State for Defence what staff requirement is planned to be met by the development of the TRACER/FSCS system. [109856]

Dr. Moonie: The Tactical Reconnaissance Armoured Combat Equipment Requirement (TRACER) is intended to meet the Army's requirement for a manned reconnaissance vehicle as stated in Staff Requirement (Land) 4061. The requirement forms the UK part of the UK/US collaborative project for a future reconnaissance vehicle, the US part being known as the Future Scout Cavalry System (FSCS).

Accommodation (Royal Navy)

Mr. Chidgey: To ask the Secretary of State for Defence what (a) refurbishment (b) rebuild and (c) new build projects are planned to modernise accommodation provided for junior ratings in each of Her Majesty's Royal Naval Shore Establishments; in what year they were first approved; what the programmed dates for completion were at the time of approval; and what the current expected dates of completion are. [109474]

Mr. Spellar *[holding answer 10 February 2000]:* Following is the approved programme of current and planned projects for junior ratings single living accommodation:

Establishment	*Type*	*Year approved*	*Initial anticipated completion*	*Current anticipated completion*
Royal Naval Air Station Yeovilton	New Build	1997	March 1999	March 2000
HMS Dryad	New Build	1998	November 1999	March 2000
Royal Marines Bickley	New Build	1998	July 2001	July 2001
Royal Naval Air Station Culdrose:				
Phase 1	Refurbishment	[1]1999	August 2000	September 2000
Phase 2			February 2003	February 2003
Phase 3			June 2005	June 2005
Royal Marines Chivenor	New Build	2000	June 2001	June 2001

[1] Three phases

MESAR2

Mr. Hancock: To ask the Secretary of State for Defence what the cost is of evaluating MESAR2 in White Sands, USA; how much of the cost will be borne by his Department; and if he will make a statement. [109801]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John. F. Howe to Mr. Michael Hancock, dated 15 February 2000:

I am replying to your question to the Secretary of State for Defence about the cost of evaluating MESAR2 in White Sands, USA and how much of the cost will be borne by his department. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The estimated cost to the UK of evaluating MESAR2 at the White Sands Missile Range is £1,691,000 (excluding VAT). The range will be provided to us on a cost-free basis but there will undoubtedly be costs incurred by the US of which we have no visibility.

Mr. Hancock: To ask the Secretary of State for Defence what has been the cost so far of DERA's evaluation of MESAR2; and if he will make a statement. [109803]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John F. Howe to Mr. Michael Hancock, dated 15 February 2000:

I am replying to your question to the Secretary of State for Defence on what has been the cost so far of DERA's evaluation of MESAR2. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

To date the costs attributable to the DERA evaluation of MESAR2 are £6,395,700 (excluding VAT), which is part of the overall figure of £18,074,320 spent by MOD on MESAR2 so far.

Mr. Hancock: To ask the Secretary of State for Defence how much money his Department has spent so far on MESAR2 and over what timescale; and if he will make a statement. [109802]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter for John F. Howe to Mr. Michael Hancock, dated 15 February 2000:

I am replying to your question to the Secretary of State for Defence on how much money his Department has spent on MESAR2 and over what timescale. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The Department has spent £18,074,320 (excluding VAT) on MESAR2. This spend has been incurred over the period August 1995 to date.

RAF Neatishead

Mr. Prior: To ask the Secretary of State for Defence if he will make a statement on the future of RAF Neatishead. [109558]

Mr. Spellar: I refer the hon. Member to the answer I gave him on 28 January 2000, *Official Report*, column 382W.

Gulf Veterans

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to the letter from the Minister of State for the Armed Forces to the hon. Member for Woodspring (Dr. Fox) of 27 January 2000, concerning Gulf veterans, for what reasons he has been unable to obtain adequate material from Canada on depleted uranium testing work; and what further steps he plans to take to obtain adequate material. [110071]

Mr. Spellar *[holding answer 14 February 2000]:* The MOD has repeatedly stated that we are keen to see the evidence from the independent tests carried out in Canada and the US that claim UK veterans were exposed to unusually high levels of DU during the Gulf conflict. We have urged all the scientists involved in testing UK veterans to share their full results with us and the scientific community. We have also repeated our request for details of the work during meetings with, and when writing to,

Dr. Durakovic, Dr. Sharma and veterans' representatives. Yet in spite of our requests we have still not seen any robust scientific data justifying the claims.

The MOD will continue to make requests for robust scientific evidence to support the claims and urges all those involved in these independent tests to make the positive step to provide the evidence so that we can move forward on a scientific basis. In the meantime, we have offered to test the UK veterans who were involved with these independent tests. A draft protocol, under which the testing would take place, is currently being considered by veterans' representatives. We hope that they will soon agree to co-operate in such testing.

SONAR 2087

Ms Squire: To ask the Secretary of State for Defence if he will make a statement on the timetable for a decision on SONAR 2087. [109390]

Dr. Moonie *[holding answer 14 February 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from John F. Howe to Ms Rachel Squire, dated 15 February 2000:

I am replying to your question to the Secretary of State for Defence about the timetable for a decision on Sonar 2087. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Two companies, Thomson Marconi Sonar Ltd and Babcock Defence Systems Ltd, are currently competing for the Full Development, Production and Support contract for Sonar 2087. We expect to make a decision around the turn of the year and to place a contract in spring 2001.

QARNNS

Ms Dari Taylor: To ask the Secretary of State for Defence if he will make a statement on plans to alter the current status of Queen Alexandra's Royal Naval Nursing Service; and how this will affect personnel serving within QARNNS. [110522]

Mr. Spellar: Following a comprehensive review, the Queen Alexandra's Royal Naval Nursing Service (QARNNS) will be incorporated into the Royal Navy (RN) from 1 April 2000 as the Service's specialised nursing branch. QARNNS is currently a separate Service within the Naval Service.

This will bring the status of QARNNS into line with that of the Army and RAF. It will also mean that QARNNS personnel commissioned or engaged into the RN from 1 April 2000 will be available for reserve service once they leave the RN. QARNNS ratings currently have no liability for reserve service.

The terms and conditions of service of existing QARNNS personnel will be unaffected by this change.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Defence if he will list those previously planned meetings, and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109901]

Mr. Hoon: There have been no cancellations of previously planned meetings between officials of the Ministry of Defence and its Austrian counterpart since the formation of the new Austrian government.

FOREIGN AND COMMONWEALTH AFFAIRS

Nigeria

17. **Mr. Blizzard:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Nigeria to discuss consular relations. [108547]

Mr. Hain: I visited Nigeria from 9–12 January and raised the case of my hon. Friend's constituent, Mr. Mark Davey, with the Nigerian Foreign Minister.

Intergovernmental Conference

18. **Mr. Bercow:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy at the next intergovernmental conference to resist any extension of qualified majority voting and new EU competences. [108548]

Mr. Vaz: The Government have made it clear that they will adopt a pragmatic approach to the extension of qualified majority voting. Where it is in Britain's interests to support QMV, we shall do so. But where key national interests are at stake, we shall insist on retaining unanimity. As for competencies, The Helsinki European Council agreed that the ICG would concentrate on reforming the institutions, not giving them new tasks to perform.

EU Enlargement

19. **Mr. Andy King:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for the enlargement of the European Union. [108549]

32. **Mr. McCabe:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for the enlargement of the European Union. [108562]

37. **Ms Perham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for the enlargement of the European Union. [108568]

Mr. Vaz: Today, the EU is launching accession negotiations with six applicant countries. They will join six countries already in negotiation. We want applicant countries to accede to the European Union as soon as they are able to meet the obligations of membership. But the EU must prepare for enlargement too. This is why, yesterday, the member states of the European Union convened an intergovernmental conference to make the institutional changes necessary for enlargement.

Middle East

20. **Dr. Iddon:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of the middle east peace process. [108550]

Mr. Hain: I refer my hon. Friend to the answer my right hon. Friend the Foreign Secretary gave earlier in the House today to my hon. Friend the Member for Aberdeen, North (Mr. Savidge).

Nepal

21. **Mr. Bill O'Brien:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to visit Nepal to discuss strengthening relations with the UK; and if he will make a statement. [108551]

Mr. Hain: My right hon. Friend the Foreign Secretary has been invited to visit Nepal and this is currently under active consideration.

Pakistan

22. **Mr. Michael J. Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards restoring a democratic Government in Pakistan. [108552]

Mr. Hain: We continue to press General Musharraf for progress towards the restoration of democracy and in January, General Sir Charles Guthrie, Chief of the Defence Staff, took a strong message seeking a route-map to achieve this.

Kosovo

23. **Mr. Goggins:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with other European Governments about additional funds for the reconstruction of Kosovo. [108553]

Mr. Vaz: The UK is in frequent contact with European partners on Kosovo reconstruction. The EU pledged 137 million euros for Kosovo reconstruction in 1999, and has agreed to provide 310 million euros this year.

Therefore, we welcomed the decision of yesterday's General Affairs Council to provide urgently 35 million euros in emergency support for the budget of the UN Mission in Kosovo.

Reconstruction is not just about economics. Kosovo's institutions need our help. The FCO is to give an additional £150,000 this month, via the OSCE Mission and the Council of Europe in Pristina, in particular to provide practical support to Kosovo's judiciary.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in Kosovska Mitrovica. [109714]

Mr. Vaz *[holding answer 11 February 2000]:* Violence erupted last week in Mitrovica, following an attack on a UNHCR bus in which two ethnic Serbs died. Reprisals led to deaths and injuries among Serbs and Albanians in the local population and injuries to troops in the NATO-led Kosovo force (KFOR). Following action by KFOR and the leaders of the United Nations Mission in Kosovo (UNMIK), including the imposition of a curfew, the situation appears to have been brought under control.

Mitrovica is a particularly acute example of the continuing tensions between the communities in Kosovo. It underlines the importance of international efforts to promote reconciliation and to condemn and act against violence and intimidation. It also emphasises the importance of both Serbs and Albanians working with UNMIK in the new joint administrative structures. The Kosovo Albanians are already participating. We hope the Kosovo Serbs will soon join them.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the political and security situation in *(a)* Kosovo, *(b)* Serbia, *(c)* Montenegro and *(d)* Vojvodina. [109712]

Mr. Vaz *[holding answer 11 February 2000]:* The political and security situation in Serbia clearly is desperate. The ruling coalition continues to intensify its repression of the independent media and of the democratic political parties through administrative and judicial harassment. The recent murders of Zeljko Raznatovic ("Arkan") and Federal Defence Minister Pavle Bulatovic—just the latest in a string of assassinations of high-ranking politicians, officials and businesspeople—show that violence has become endemic in public life.

Vojvodina, as part of Serbia, is suffering from the same degradation of democratic freedoms and public security.

In Montenegro, the government of President Djukanovic has made real efforts to introduce democratic reforms and promote the ethnic and social cohesion of Montenegro. However, Milosevic is undermining the economy and therefore the stability of Montenegro by blocking trade and financial transactions between Montenegro and Serbia. He and his supporters are also attempting to intimidate the legitimate government of Montenegro through the formation and deployment of special military units loyal to Belgrade.

In Kosovo, the security situation has improved since the arrival of the NATO-led Kosovo Force (KFOR) in June 1999. The number of crimes is decreasing. However, the recent upsurge in ethnic violence in the divided city of Mitrovica underlines the fragility of the security situation. KFOR and the UN Mission in Kosovo (UNMIK) are taking measures to tackle extremist behaviour by Kosovo Albanians and Serbs and to maintain peace and security in Mitrovica.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the Human Rights Watch report on civilian casualties in Kosovo; and if he will make a statement. [109719]

Mr. Vaz *[holding answer 11 February 2000]:* We welcome the acknowledgement in the Human Rights Watch Report of "gross violations of international humanitarian law" by the forces of the Milosevic regime. This puts into proper perspective its comments on the consequences of NATO action. NATO intervened, when all other options had been exhausted, to avert a humanitarian catastrophe. The great lengths to which NATO went to minimise civilian casualties are in stark contrast to the carefully planned and brutally executed terror perpetrated by FRY and Serbian forces in Kosovo.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the economic impact of the Kosovo crisis on *(a)* Albania, *(b)* Bosnia-Herzegovina, *(c)* Bulgaria, *(d)* Croatia, *(e)* FYR Macedonia and *(f)* Romania. [109716]

Mr. Vaz *[holding answer 11 February 2000]:* The international community is committed to helping the countries of south-eastern Europe raise their level of economic prosperity, to bring them into the European mainstream. The International Monetary Fund estimate the Kosovo crisis might have reduced regional GDP by up to 2 per cent. in 1999. However, provided governments of the region push ahead with key economic reforms, the medium-term prospects are bright.

Helsinki Summit

24. **Judy Mallaber:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent contacts he has had with the representatives of the six EU applicant countries announced at the Helsinki EU summit. [108554]

Mr. Vaz: I refer my hon. Friend to the answer my right hon. Friend the Foreign Secretary gave earlier in the House today to my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson).

Drugs

25. **Mr. Russell Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to improve international co-operation in combating the global drugs trade. [108555]

Mr. Battle: The FCO coordinates the international elements of the UK's national drugs strategy, in close cooperation with Keith Hellawell, the UK Anti-Drugs Coordinator. Our efforts are targeted, with other Government Departments, on reducing the production and trafficking of class A drugs to the UK and Europe; and on improving the effectiveness of other countries, including the EU and UN, in dealing with the global threat from drugs and associated crime.

Angola

26. **Mr. Eric Clarke:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of action taken against those who break the United Nations sanction against UNITA in Angola. [108556]

30. **Ms Ryan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of enforcement action against those who break the United Nations sanctions against UNITA in Angola. [108560]

Mr. Hain: I am extremely concerned by continuing reports of breaches of UN sanctions against UNITA. It is vital that would-be sanctions busters are forced to recognise that the international community will not tolerate their activities. The UK fully implements these sanctions and takes its enforcement responsibilities very seriously.

We strongly support the efforts of Ambassador Fowler, Chair of the UN Angola Sanctions Committee and the Expert Panels that have been set up to investigate how these sanctions can be implemented more effectively. We have contributed $200,000 to fund their work. As I told the House on 18 January, I have referred to the Sanctions Committee the details of three individuals I believe to be breaching sanctions. We look forward to the forthcoming report of the Panels and their recommendations on how the sanctions can be made to bite.

The UK regularly discusses better sanctions with fellow Governments on a bilateral basis, urging them to do all that they can to fully implement the measures and take prompt and effective action in response to allegations of breaches. When I visited South Africa in January, I agreed with Deputy Foreign Minister Pahad, who shares my concerns, that we would work very closely together on this issue over the next few critical months.

Arms Sales

27. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy in relation to arms sales to other countries. [108557]

31. **Mr. Hammond:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the application of his ethical criteria to decisions on arms sales. [108561]

Mr. Hain: This Government have introduced fundamental changes in the UK's approach to arms exports, while maintaining our commitment to a strong defence industry. We introduced tough new criteria for export licensing. We will not issue a licence if there is a clearly identifiable risk the equipment will be used for internal repression or external aggression. We banned the export of equipment that has been used in torture. We worked for, and got, agreement on an EU Code of Conduct on Arms Exports which is recognised by other member states as the touchstone of EU policy on arms exports. We have started publishing Annual Reports—deliberately inviting scrutiny.

Malta

28. **Helen Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Malta. [108558]

Mr. Vaz: Our relations with Malta are very strong. We continue to build on our common traditions and shared history with close links across a wide range of issues. We are delighted that negotiations for Malta's EU accession were formally launched today.

Treaty of Nice

29. **Mr. Chope:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the European Commission to discuss the draft text for the proposed treaty of Nice. [108559]

Mr. Vaz: There is no draft text for a possible future treaty of Nice. Last month's Commission Opinion is merely a contribution to the IGC negotiations. Treaty change is for member states.

Austria

33. **Mr. Bradshaw:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his EU colleagues about the new Government in Austria. [108563]

Mr. Vaz: The Portuguese Prime Minister's statement on 31 January, based on consultations with his colleagues in the thirteen other member states of the EU was a signal of our joint concern about developments in Austria. I discussed developments directly with my EU colleagues including the Austrian Foreign Minister at the General Affairs Council meeting in Brussels on 8 February.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Austrian Embassy in respect of the formation of the new coalition Government in Vienna; and if he will make a statement. [109125]

Mr. Vaz *[holding answer 9 February 2000]:* My officials have been in touch with the Austrian Embassy in London and the Austrians are fully aware of Her Majesty's Governments reaction to the inclusion of the Freedom Party in the new Austrian Government.

I have made very clear over the last two weeks my deep concern and distaste at the inclusion in the Austrian Government of a far-right party which appeals to xenophobia. I have welcomed the fact that the new Austrian Government has committed itself to abiding by the common obligations and values of EU membership, to combating all forms of discrimination, and to dealing constructively with the country's Nazi past. But we will be watching them closely and judging them on whether they fulfil the commitments they have made.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will recall the British Ambassador to Austria. [109816]

Mr. Vaz *[holding answer 11 February 2000]:* We have no plans to recall the British Ambassador to Vienna.

Human Rights

34. **Mr. Colvin:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the relationship between the proposed charter of fundamental rights of the European Union and the European convention on human rights. [108564]

Mr. Vaz: The Charter of Rights should complement the ECHR. The Conclusions of the June 1999 Cologne European Council state that the Charter

"should contain the fundamental rights and freedoms as well as basic procedural rights"

guaranteed by the ECHR. I therefore welcome the attendance of Council of Europe representatives at all meetings of the Charter Convention.

Chile

35. **Mr. Winnick:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with Chile. [108566]

Mr. Battle: We have kept closely in touch with the Chilean Government since Senator Pinochet's arrest in October 1998. My right hon. Friend the Foreign Secretary has met the Chilean Foreign Minister three times, most recently in New York last September. These meetings have all been open and friendly.

Iraq

36. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of sanctions against Iraq on the number of deaths of children in Iraq. [108567]

Mr. Hain: We are very concerned about reports of increased child mortality rates in Iraq. We continue to support efforts to target the humanitarian effort there towards the most vulnerable who continue to suffer because of the policies of the Iraqi Government. If Iraq had prioritised properly the vast amounts of humanitarian assistance on offer, the suffering of the Iraqi people would have been hugely reduced.

India and Bangladesh

38. **Mr. Dobbin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of Her Majesty's Government's visa policy in India and Bangladesh following the recent visit by the Minister of State. [108569]

Mr. Vaz: Our entry clearance policy is designed to facilitate travel to the UK by visitors who qualify under the Immigration Rules, and to prevent the entry of those who do not.

I was impressed by the commitment of our staff in the Posts I visited to offer a fair, fast and firm visa service.

During my visit I announced the launch of a number of feasibility studies to examine how we might be able to improve the services we offer to people living a long way from our visa-issuing centres.

Restraints (Exports)

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the report from the US Customs and Excise Service on the availability for sale within the USA of *(a)* hand cuffs, *(b)* over-size hand cuffs and *(c)* leg irons, manufactured by Hiatts of Birmingham, UK. [109482]

Mr. Hain *[holding answer 11 February 2000]:* During the course of our investigations into the allegations in *The Independent* newspaper on 16 November that UK-made leg-irons were on sale in the US, we received assistance from US authorities. They did not, however, provide us with any written report.

I stated in a letter to the Chairman of the Foreign Affairs Committee on 2 February that we had completed thorough investigations into the allegations but had found no evidence that there had been a breach of the ban on the export of leg-irons. As far as we have been able to establish, it appears likely that the leg-irons in question were old stock dating back to the early 1980s prior to the statement made on 28 March 1984 by the then Secretary of State for Trade and Industry, *Official Report*, columns 175–76.

We are also satisfied that the leg-irons mentioned in *The Independent* articles were not manufactured using oversized individual cuffs exported without a licence from the UK. Although we have no evidence to suggest that such single cuffs have ever been exported, there is a hypothetical loophole and amending legislation to extend controls to cover large individual cuffs is in preparation.

Montenegro

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the Montenegrin Government concerning the situation in *(a)* Montenegro, *(b)* Serbia, *(c)* Kosovo and *(d)* Sanjak. [109711]

Mr. Vaz *[holding answer 11 February 2000]:* President Djukanovic of Montenegro visited London on 25 January. During our meeting, we discussed the situation across the whole of the Federal Republic of Yugoslavia.

Spain-Gibraltar Ferry Service

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised the establishment of a new ferry service between Spain and Gibraltar port. [109708]

Mr. Vaz *[holding answer 11 February 2000]:* We would welcome the re-establishment of ferry links between Gibraltar and Spain. We have regularly drawn to the attention of the Spanish authorities the potential benefits of such links to Gibraltar and to the neighbouring regions of Spain, most recently following the publication of the report of the Foreign Affairs Committee.

Gibraltar

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when the next meeting in the Brussels process on Gibraltar will take place. [109710]

Mr. Vaz *[holding answer 11 February 2000]:* We expect the next meeting in the Brussels Process to take place in Spain. No date has yet been fixed.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he received the expert team report on a fast patrol boat for the Royal Gibraltar Police. [109709]

Mr. Vaz *[holding answer 11 February 2000]:* The expert team reported their findings at the beginning of November. As a result of the team's recommendations, HMG and the Government of Gibraltar have agreed to co-fund the purchase of a new vessel.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in negotiations with Spain over the future of Gibraltar airport. [109707]

Mr. Vaz *[holding answer 11 February 2000]:* The subject of Gibraltar airport has been raised in discussion with the Governments of Spain and Gibraltar, but there are no negotiations taking place at present on the future of the airport.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised the issue of Gibraltar with the Spanish Foreign Ministry; and what was discussed. [109706]

Mr. Vaz *[holding answer 11 February 2000]:* We regularly raise a wide range of issues related to Gibraltar with Ministers and officials of the Spanish Ministry of Foreign Affairs.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs which recommendations of the Fourth report from the Foreign Affairs Committee on Gibraltar, HC366, Session 1998–99, have been implemented. [109705]

Mr. Vaz *[holding answer 11 February 2000]:* The Government's response to the Foreign Affairs Committee report on Gibraltar was laid before Parliament in October 1999 (Cd 4470). The response included detailed comments on each of the report's recommendations.

South-eastern Europe (Stability Pact)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress in implementing the Stability Pact for South Eastern Europe. [109715]

Mr. Vaz *[holding answer 11 February 2000]:* The Stability Pact has made a useful start in refocussing attention on the political and economic needs of the region. The United Kingdom has been an active participant in the Pact, taking forward key initiatives such as the Investment Compact and the Media Charter. We are now working with partners in the Pact to prepare further initiatives which will be considered at a Regional Conference in March. This will be a useful opportunity to take stock of the progress that has been made.

Russia (Nuclear Weapons)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Russian Government about its decision to lower the first-use criterion for nuclear weapons. [110328]

Mr. Vaz: We have made no representations about the new Russian National Security Concept or Military Doctrine, neither of which make significant changes to Russian policy on the use of nuclear weapons. Russia abandoned its no first use commitment in 1993.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of Russia's decision to lower the first-use criterion for nuclear weapons; and if he will make a statement on Government policy on this decision. [110327]

Mr. Vaz: Our assessment, supported by assurances from Russian officials, is that neither the new Russian National Security Concept or Military Doctrine make significant changes to Russian policy on the use of nuclear weapons. Russia abandoned its declared policy of no first use of nuclear weapons in 1993. There has therefore been no change of British policy towards Russia.

Falklands

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations *(a)* he and *(b)* the Falkland Islands' Governor have received from (i) the Falkland Islands Government and (ii) individual Falklands councillors about the withdrawal of the South Atlantic guardship. [110326]

Mr. Battle: I refer to the answer of 27 January 2000 from my hon. Friend the Minister of State for the Armed Forces to the hon. Member for Croydon, South

(Mr. Ottaway), *Official Report*, column 227W. In response to recent press speculation we have assured the Falkland Islands Government that there are no plans to withdraw the Falkland Islands Guardship or otherwise reduce naval patrols in the South Atlantic. The Governor of the Falkland Islands informed Legislative Councillors accordingly. They thanked the Governor for this assurance and expressed the view that it would not be appropriate to reduce such patrols.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Ministry of Defence about the diplomatic and security consequences of withdrawing the South Atlantic guardship. [110333]

Mr. Battle: My right hon. Friend the Foreign Secretary and I have had no such discussions with the Ministry of Defence. There are no plans to withdraw the Falkland Islands Guardship or otherwise reduce naval patrols in the South Atlantic.

Chechnya

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on representations to which he has been a party concerning the prosecution of the war in Chechnya. [108539]

Mr. Vaz: We have made frequent representations to the Russian government since the outbreak of hostilities in Chechnya, as has the EU. Most recently I raised the matter with Russian Foreign Minister Ivanov by telephone on 31 December 1999 and 11 January 2000.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from human rights organisations about the scale of civilian suffering in Chechnya; and if he will make a statement. [110331]

Mr. Vaz: We have received representations about the scale of civilian suffering in Chechnya from a wide number of sources, including Amnesty International, Medecins sans Frontieres and other NGOs. We have repeatedly made representations to the Russian government about the indiscriminate use of force in Chechnya and its impact on the civilian population, urging them to seek a political solution. The UK has given £1.4 million to UNHCR/ICRC appeals for humanitarian relief in Chechnya.

Other international organisations are also active. The Council of Europe Parliamentary Assembly (PACE) debated Russia's human rights performance on 27 January. It passed a recommendation calling on Russia to halt disproportionate military action, including attacks on the civilian population; for a dialogue leading to a ceasefire and a political solution; unhindered delivery of international assistance and access by Russian and international media; and a role for international organisations, including the CoE, in the search for a long-term solution. The relevant documents are available on the CoE website www.coe.fr/index/asp.

Kosovo and Chechnya (Civilian Casualties)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the level of civilian casualties in *(a)* Kosovo and *(b)* Chechnya. [110332]

Mr. Vaz: We estimate that around 10,000 Kosovo Albanians, many of them civilians, were killed by Yugoslav and Serb forces, between June 1998 and June 1999. This estimate is based on a variety of sources, including debriefing of refugees, eyewitness accounts, reports from NGOs, as well as information derived from more sensitive sources.

We are concerned over the civilian casualties in Chechnya. We have repeatedly made representations to the Russian government about the disproportionate use of force, most recently on 11 January. We have stressed to the Russians that the human cost of their military offensive in Chechnya is unacceptable and that they must pursue a political settlement. We are working with both the OSCE and Council of Europe to urge Russia to begin such a process at the earliest opportunity.

Iran

Mr. Clappison: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received about the UK's relations with Iran. [108565]

Mr. Hain: We regularly receive representations about UK/Iran relations. Recently we have received representations from a number of sources including the Bahai community of the UK, the Jewish community of the UK, the All-Party Parliamentary Group on Iran, a number of British companies and a number of NGO's with an interest in Iran.

HOME DEPARTMENT

Disqualifications Bill

Mr. William Ross: To ask the Secretary of State for the Home Department (1) if he will place in the Library copies of the written representations he has received on the Disqualifications Bill; [109061]

(2) if he will list the persons and organisations he consulted before the Disqualifications Bill was published, giving the dates and times of oral consultations. [109060]

Mr. Straw *[holding answer 8 February 2000]:* I refer the hon. Member to the reply given on 10 February 2000 by my right hon. Friend the Secretary of State for Northern Ireland to a question from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), *Official Report,* column 240W.

Asylum Seekers

Mr. David Atkinson: To ask the Secretary of State for the Home Department if he will list the *(a)* number and *(b)* country of origin of asylum seekers who arrived in the United Kingdom in (i) 1998 and (ii) 1999. [109761]

Mrs. Roche: The requested information is given in the table.

Applications [1] for asylum, received in the UK, excluding dependants, by nationality

	1998	*1999*
Europe:		
Bulgaria	165	80
Cyprus	90	20
Poland	1,585	1,860
Romania	1,015	1,985
Former USSR	2,820	4,105
Turkey	2,015	2,850
Former Yugoslavia	7,980	14,180
Others	2,075	3,200
Total	17,745	28,280
Americas:		
Colombia	425	1,000
Others	550	1,025
Total	975	2,025
Middle East:		
Iran	745	1,320
Iraq	1,295	1,800
Lebanon	155	240
Others	595	805
Total	2,785	4,165
Africa:		
Algeria	1,260	1,385
Angola	150	545
Cameroon	95	245
Democratic Republic of Congo	660	1,240
Ethiopia	345	455
Gambia	45	30
Ghana	225	195
Ivory Coast	95	190
Kenya	885	485
Liberia	70	65
Nigeria	1,380	945
Rwanda	280	820
Sierra Leone	565	1,125
Somalia	4,685	7,495
South Africa	65	90
Sudan	250	280
Tanzania	80	80
Togo	60	60
Uganda	210	420
Zimbabwe	80	230
Others	895	2,045
Total	12,380	18,435
Asia:		
Afghanistan	2,395	3,975
Bangladesh	460	530
China	1,925	2,625
India	1,030	1,365
Pakistan	1,975	2,615
Sri Lanka	3,505	5,130
Others	650	1,225
Total	11,940	17,465
Other and unknown nationalities	190	785
Grand Total	46,015	71,160

[1] Figures rounded to nearest 5

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department if he will ensure that asylum seekers are not kept on a voucher system beyond the six-month target for processing claims. [109569]

Mrs. Roche: No. In the White Paper, "Fairer, Faster and Firmer", the Government set a target of delivering, by April 2001, most initial asylum decisions within two months and most appeals in a further four months. In respect of families with children, this target was brought forward to April 2000. For those people who remain on the support arrangements for more than six months through no fault of their own, additional payments of £50 per person will be made every six months to assist with the cost of any replacement items they may need.

Police Expenditure

Mr. Gill: To ask the Secretary of State for the Home Department what proportion of police expenditure was represented by *(a)* pay, *(b)* pensions and *(c)* staff personnel costs in the last year for which figures are available. [109833]

Mr. Charles Clarke: According to information on police expenditure published by the Chartered Institute of Public Finance and Accountancy's Police Statistics for 1998–99, police officer pay and allowances represented 54.5 per cent. of gross expenditure; support services' and other staff salaries 14.9 per cent.; pensions represented 12.1 per cent., and other staff related costs 1.0 per cent.

Police National Radio System

Mr. Gill: To ask the Secretary of State for the Home Department what arrangements he has put in place to fund the planned police national radio system. [109830]

Mr. Charles Clarke: Over the next three years the police service will receive an additional £1.24 billion in central Government funding, which is a significant increase for the police at a time when the Government need to maintain firm control over public expenditure. It is a matter for each Police Authority to set its budget and for the Chief Constable to determine how to use the resources that are available. The Government have also relaxed the rules on the use of capital receipts from the sales of assets. Police Authorities now have the freedom to use all proceeds from the sales for capital investment.

Approximately 80 per cent. of the service charges for the Public Safety Radio Communications Project (PSRCP) is attributable to the cost of the core service which, in England and Wales, is to be funded centrally by means of deduction from the total police grant provision. These charges will be reduced by the £50 million subsidy I have obtained from the Capital Modernisation Fund.

The cost of services additional to the core, the so-called 'menu services', which all forces may purchase according to their own requirements accounts for the remaining 20 per cent. Separately from the PSRCP Service charge, forces will need to purchase radio terminals, control room equipment and integration service.

Police expenditure in the period 2001–02 to 2003–04 will be subject to the outcome of the 2000 Spending Review.

Speed Limits (Prosecutions)

Mr. Bob Russell: To ask the Secretary of State for the Home Department what recent discussions he has had with the Association of Chief Police Officers on its advice to police forces not to prosecute motorists exceeding the 30 mph speed limit until their speed reaches 35 mph; and if he will make a statement. [109548]

Mr. Charles Clarke: The enforcement of speed limits is an operational matter for chief officers of police. The Association of Chief Police Officers informed the Home Office of the guidelines on its speed enforcement policy before they were published but there were no detailed discussions about the appropriate thresholds for enforcement action. The thresholds provide guidance to police forces. The decision in any particular case will be taken by the police in the light of the individual circumstances of the offence.

Transsexuals

Jackie Ballard: To ask the Secretary of State for the Home Department what further representations he has received regarding the working group on the status of transsexual people since 19 July 1999; what further meetings he and his officials have had with groups representing transsexual people; and what plans he has made for such meetings in the future. [109393]

Mr. Straw *[holding answer 14 February 2000]:* Since 19 July 1999, the Interdepartmental Working Group on Transsexual People has received representations from nine organisations and 83 members of the public. A number of hon. Members have also written to me about the work of the Group. In addition, the Working Group had a useful meeting last month with representatives of five organisations representing the transsexual community (the Gender and Sexuality Alliance, the Gender Trust, Gender Identity Research and Education Society, Liberty and Press for Change). Consideration will be given to further meetings as appropriate.

Criminal Convictions

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what proportion of the *(a)* male and *(b)* female adult population has a criminal conviction; and if he will make a statement. [109921]

Mr. Charles Clarke: The exact information requested is not held centrally.

However, from studies of the criminal histories of persons born since 1953 it is estimated that 30 per cent. of males and 7 per cent. of females aged between 18 and 39 have at least one conviction for a standard list offence.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) how many young people were convicted *(a)* in each category of recorded crime and *(b)* in total in each of the last five years; and if he will make a statement; [109915]

(2) what proportion of crime was committed by young offenders in each of the last five years for which figures are available; and if he will make a statement; [109916]

(3) what was the average age of offenders in each category of crime and in total for the last year for which figures are available; and if he will make a statement; [109917]

(4) what is the peak age of offending for *(a)* males and *(b)* females; and if he will make a statement. [109920]

Mr. Charles Clarke: The available information on offenders by age comes from the Home Office Cautions and Court Proceedings databases and is given in the tables.

Table B: Number and proportion of young people aged 10 to under 18 cautioned or convicted at all courts for indictable offences, England and Wales, 1994–98

Thousand

Year	*All offenders [=100%]*	*Offenders aged 10–17*	
		Number	*Percentage*
1994	523.9	135.9	25.9
1995	504.8	132.9	26.3
1996	491.4	124.2	25.3
1997	509.4	120.1	23.6
1998	533.5	126.8	23.8

Table C: Average age of offenders cautioned or convicted at all courts for indictable offences by offence group, England and Wales, 1998

Type of offence	*Average age*
Violence against the person	26
Sexual offences	35
Burglary	21
Robbery	20
Theft and handling stolen goods	25
Fraud and forgery	29
Criminal damage	24
Drug offences	25

Table C: Average age of offenders cautioned or convicted at all courts for indictable offences by offence group, England and Wales, 1998

Type of offence	*Average age*
Other (excluding motoring)	27
Motoring offences	29
Total	25

Note:
The average age cannot be calculated exactly from data in the Home Office Cautions and Court Proceedings databases.

Table D: Peak age of offending for indictable offences by sex, England and Wales, 1998

Sex	*Peak age*
Males	18
Females	15

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what percentage of convicted adult offenders were first convicted under the age of 21; and if he will make a statement. [109918]

Mr. Charles Clarke: From a representative sample of adult offenders convicted during 1997, 54 per cent. had previously been convicted when they were under the age of 21.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is the average age of first time offending for *(a)* males and *(b)* females; and if he will make a statement. [109919]

Mr. Charles Clarke: An estimate of the average age for first time offending is not available.

However, results from the youth lifestyles survey, a self report study of persons aged 14 to 25 undertaken between November 1992 and January 1993, indicated that 55 per cent. of the males and 31 per cent. of the females questioned admitted committing at least one of 23 criminal offences at some time in their life. The same study indicated that the average age at which they started to offend was around 13.5 for both males and females.

Data on known offending in 1998—that is those who are cautioned by the police or found guilty by the court for indictable offences—show that the peak age for known offending was 18 for males and 15 for females.

Misuse of Drugs Act 1971

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to amend section 8 of the Misuse of Drugs Act 1971; and if he will make a statement. [109889]

Mr. Charles Clarke: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Cambridge (Mrs. Campbell) on 1 February 2000, *Official Report*, column 512W.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letters dated 25 October, 25 November and 6 January from the right hon. Member for Manchester, Gorton with regard to Mrs. T. Gulzar; [110337]

(2) when he will reply to the letters dated 29 October, 2 December and 6 January from the right hon. Member for Manchester, Gorton with regard to Bafaiz Shapari. [110338]

Mrs. Roche: I wrote to my right hon. Friend on 15 February.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letters dated 18 October, 19 November and 22 December from the right hon. Member for Manchester, Gorton with regard to Mr. R. Taylor and Jacqueline Taylor. [110339]

Mr. Straw: I wrote to my right hon. Friend on 15 February in response to his letters on behalf of Mr. Taylor and Jacqueline Taylor. I am sorry that I was unable to do so sooner.

Sexual Offences

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the progress and future timetable of his review of the law on sexual offences. [110344]

Mr. Charles Clarke: The Sex Offences Review, which started in January 1999, is considering the law on sexual offences. It has held eight consultation conferences and seminars on a number of subjects, and is now drawing together its recommendations. It will be reporting to Ministers this spring, and we hope that the recommendations of the review will be published for public consultation in the early summer.

Electric Shock Dog Collars

Mr. Rendel: To ask the Secretary of State for the Home Department if he will list the police forces in possession of an electric shock dog collar for use in training, indicating those forces that have used the device since July 1998. [110246]

Mr. Charles Clarke: The following 20 forces in England and Wales possess electric shock dog collars:

Avon and Somerset
Cambridgeshire
Cheshire
Cleveland
Derbyshire
Gloucestershire
Greater Manchester
Gwent
Hampshire
Humberside
Kent
Leicestershire
Lincolnshire
Metropolitan Police
South Wales
Staffordshire
Sussex

Warwickshire
West Midlands
West Yorkshire.

The following eight forces had used electric shock dog collars in the period July 1998 to November 1999:

Cambridgeshire
Gwent
Humberside
Leicestershire
Lincolnshire
South Wales
Warwickshire
West Midlands.

I understand that the Association of Chief Police Officers is considering whether these devices should be used in future.

Firearms

Mr. Martyn Jones: To ask the Secretary of State for the Home Department how many firearms have been misappropriated over the last five years from *(a)* the police, *(b)* the Ministry of Defence police, *(c)* the Atomic Energy Authority police and *(d)* the armed forces. [108825]

Mr. Charles Clarke *[pursuant to the reply, 10 February 2000, c. 249–50W]:* Information on the misappropriation of firearms from the police service is not collected centrally, but inquiries of 41 police forces in England, Wales and Scotland indicate that firearms have been misappropriated from the police in only one incident over the past five years.

On 24 January 1997, an MP5 carbine was misappropriated when the police vehicle in which it was carried was hijacked by armed criminals. The vehicle and the weapon were recovered two days later.

No firearms are recorded as having been misappropriated from the Ministry of Defence Police or the United Kingdom Atomic Energy Authority Constabulary during the period concerned.

The Ministry of Defence have confirmed that the firearms in the following table have been misappropriated from the armed services in mainland Great Britain over the past five years. Their figures run from 1 April to 31 March. Figures in parenthesis are those weapons subsequently recovered by the authorities.

Firearm	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
5.56mm rifle	0	9 (8)	[1] 1 (1)	1 (1)	3 (1)
9mm pistol	2	7 (3)	1	1	1
.22in rifle	0	7 (3)	1	0	0
.77in Air Rifle	0	6	11	0	0

[1] This weapon was misappropriated by a soldier and used in a murder. Recovered immediately afterwards when soldier was arrested.

SOCIAL SECURITY

Departmental Consultation

Dr. Tony Wright: To ask the Secretary of State for Social Security if he will list the public consultation exercises on policy matters carried out by his Department and its agencies in each of the last five years; who was consulted and by what means; how responses were analysed; how and in what form the results were transmitted to those responsible for the consultation; how the results of the consultation were published; and what analysis has been carried out of the extent and nature of policy changes resulting from the consultation. [106296]

Mr. Rooker: The Department and its agencies are continually and routinely engaged in consulting the public and external stakeholders on a wide range of policy and other matters, both nationally and locally, and through formal written exercises, as well as more informally.

A list of the main national public consultation exercises on policy matters carried out by the DSS since May 1997 has been placed in the Library. Details of consultation exercises prior to May 1997 could be obtained only at disproportionate cost.

We are very grateful to the many individuals and organisations which have taken the time to let us have their views during public consultation exercises.

All responses to public consultation exercises are categorised and carefully examined by the relevant policy areas.

The consultation exercises listed cover specific, detailed policy proposals as well as broader aspects of social security policy and the responses served to inform the development of detailed policy.

Winter Fuel Payments

Mr. Robertson: To ask the Secretary of State for Social Security when he will make winter fuel payments to men over the age of 60; if men have to claim these payments; and if he will make a statement. [110033]

Angela Eagle: An announcement on the arrangements will be made soon. We will be able to identify some of those newly eligible for a payment through the benefits systems; however the majority will have to make a claim.

Ms Walley: To ask the Secretary of State for Social Security what resources he has made available to the Benefits Agency to expedite the processing of applications by men aged 60 and over for winter fuel allowance; and when application forms will be available to enable claims to be paid in Stoke-on-Trent. [109986]

Angela Eagle: An announcement on the arrangements will be made soon. To ensure that payments are made accurately and securely to those who are newly eligible, a project team has been set up to deal specifically with winter fuel payments.

Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he will obtain a copy of the report on the research undertaken by the Financial Services Authority into the effect of decision-tree approaches to pension choices; and if he will place it in the Library. [109842]

Mr. Rooker: We see a key role for decision trees, as part of a package of information, in enabling many of those considering a stakeholder pension scheme to make an informed choice about whether it will be a suitable option for them. We have been working closely with the Financial Services Authority (FSA), which is carrying out

a three-stage programme of consumer research aimed at developing an effective decision tree. The final stage is currently under way and is due for completion in April. The FSA will be publishing a report of its completed research in due course.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of employees who fall within the target group for stakeholder pensions and who will not be entitled to workplace access to a stakeholder pension because they currently work for a firm with fewer than five employees. [109838]

Mr. Rooker: We estimate that the exemption for employers with fewer than five employees will mean that around 750,000 employees, from a target group of over five million, will not have an automatic right of access through the workplace. We expect, however, that some employers will voluntarily offer access. Furthermore, those who cannot join a stakeholder pension scheme through the workplace will be able to join a scheme on an individual basis.

Mr. Webb: To ask the Secretary of State for Social Security what restrictions he proposes on the investment strategies which may be adopted by the managers of stakeholder pension funds. [109840]

Mr. Rooker: The position for trustees of stakeholder pension schemes is set out in legislation and mirrors the current requirements on trustees of occupational pension schemes. For example, the trustees will have a duty to consider the need for diversification and the suitability of proposed investments, and to take appropriate advice when making investments. They will also have to prepare a statement of investment principles.

Details of the rules applying to schemes run by an authorised scheme manager, as an alternative to a trustee board, including any rules relating to investments, will be announced shortly.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate for each of the 10 financial years after the introduction of the State Second Pension the number of people receiving the State Second Pension; and of these, how many will also be receiving Income Support. [109839]

Mr. Rooker: The information is not available in the format requested. Such information as is available is in the table.

It is not possible to provide precise estimates of the numbers of individuals who will receive the State Second Pension for specific years following its introduction. The table shows very broad brush estimates of the numbers who will benefit from the State Second Pension. These are subject to uncertainty and possible subsequent revision. Income Support is means-tested and is paid on a benefit unit basis. Therefore, in order to estimate the overlap between those receiving the State Second Pension and Income Support we would need information on the incomes, assets and family circumstances of the State Second Pension recipients for up to 12 years in the future. No sufficiently reliable estimates of all these factors are available to answer this question.

Numbers benefiting from State Second Pension at the end of the financial year

Year	*Millions*
2003–04	0.3
2004–05	0.5
2005–06	0.8
2006–07	1.2
2007–08	1.7
2008–09	2.1
2009–10	2.6
2010–11	3.0
2011–12	3.5
2012–13	3.7

Notes:

1. The numbers given are the estimated numbers of individuals who will benefit from the State Second Pension at the end of each financial year. For example, with the first year of awards being 2003–04, the entry in the table headed 2003–04 shows the number of beneficiaries after the first full year of awards.
2. Numbers have been rounded to the nearest 0.1 million.
3. Figures include people who would receive the State Second Pension payments as well as those receiving contracted-out pensions where they have benefited from higher contracted-out rebates than would have applied under SERPS.
4. The figures exclude those higher earning individuals who are contracted-out and whose rebates would be the same under the State Second Pension as under SERPS, since such individuals would not benefit from awards of the State Second Pension, nor would they gain from any increase in contracted-out rebates.

Departmental Initiatives (Grants)

Mr. Don Foster: To ask the Secretary of State for Social Security if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109315]

Mr. Rooker *[holding answer 10 February 2000]:* No formal grants have been awarded by the Department in respect of new initiatives since May 1997 although the Department does make a small number of grants and grants in aid to voluntary organisations and other outside bodies based on specific legislation established before that date.

We are reforming the welfare system to encourage work for those who can and to improve security for those who cannot. In delivering this, the Department is already working locally with a number of outside bodies and is looking to extend the involvement of the voluntary sector as its resources and statutory powers permit, including the establishment of a Children's Fund to help voluntary organisations to do more to eliminate child poverty. For existing local schemes, payment is generally on the basis of remuneration for services provided rather than by direct grant, and information on these arrangements is not available centrally and could be obtained only at disproportionate cost.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Social Security (1) how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997; [109904]

(2) if he will list those previously planned meetings, and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109892]

Angela Eagle: Routine bilateral contacts at official level between the UK and Austrian Governments regularly take place in the margins of meetings of Council and Commission working groups. No bilateral meetings between my Department and the Austrian Government were specifically arranged during 1995 and 1996. The information for subsequent years is as shown.

September 1997:

DSS officials met their Austrian counterparts as part of a tour of member states in preparation for the UK's forthcoming Presidency on the EU.

February 1998:

My hon. Friend the Member for Manchester, Withington (Mr. Bradley), then Parliamentary Under-Secretary of State for Social Security, met Frau Eleonara Hostach, the then Austrian Minister for Labour Health and Social Affairs. They discussed issues of mutual interest, including the social security agenda of the UK Presidency of the EU and prospects for the forthcoming Austrian Presidency.

June 1998:

Austrian officials met DSS officials to review the EU social security agenda to be handed on from the UK Presidency to the Austrian Presidency.

July 1999:

My right hon. Friend the Secretary of State had a discussion on issues of mutual interest with Frau Hostach in the margins of an informal meeting of EU social affairs ministers convened by the Finnish Presidency.

October 1999:

The Department's Head of International and EU Relations met his Austrian counterpart to review the two Governments' respective positions on current EU social security business.

No meetings previously arranged by the Department have been cancelled since the formulation of the new Austrian Government.

Jobseekers

Mr. Coaker: To ask the Secretary of State for Social Security what benefits are available to men aged between 60 and 65 years who are out of work and seeking employment. [109679]

Angela Eagle: There is a range of Social Security benefits available to help meet a variety of needs. Entitlement to these benefits depends upon the individual circumstances of each case.

Men in this age group may claim either Jobseeker's Allowance or Income Support, subject to the normal conditions of entitlement, to help meet day-to-day living costs. National Insurance credits may also be awarded to men aged 60–64 if they are not liable to pay contributions or do not receive credits by another route. The credits awarded will count towards Retirement Pension.

Housing Benefit and Council Tax Benefit, which are intended to help meet eligible rent or council tax liability, and payments from the Social Fund may also be available. Again, this would be subject to the normal conditions of entitlement. Other help may be available through the benefit system, but this would very much depend upon the circumstances of the individual and whether the basic conditions of entitlement to the particular benefit had been met.

People in this age group who are unemployed or economically inactive and who have been receiving certain benefits (including Income Support or Jobseeker's Allowance) for six months or more may also have access to a package of back-to-work help through the New Deal 50 plus, which was launched in nine pathfinder areas in October last year and will be available nationally from April 2000.

Severely Disabled People

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what assessment he has made of the impact of the benefits available to severely disabled people through the provisions of the Welfare Reform and Pensions Act 1999. [109568]

Mr. Bayley: Our package of reforms to provision for sick and disabled people is intended to modernise the welfare system and to encourage those who are able to work to do so. Severely disabled people will benefit in particular from the provisions in the Welfare Reform and Pensions Act 1999, which will allow those incapacitated under the age of 20, or 25 in certain circumstances, to qualify for Incapacity Benefit without having to meet the normal National Insurance contribution conditions.

In addition, the introduction of the new Disability Income Guarantee and the extension of the higher rate mobility component of Disability Living Allowance to three and four year old children will provide additional help for many severely disabled people who have the greatest needs.

Departmental Expenditure Limit

Mr. Coaker: To ask the Secretary of State for Social Security what proposals he has to amend his Department's expenditure limit and running costs limit for 1999–2000. [110525]

Mr. Rooker: Subject to Parliamentary approval of the necessary Supplementary Estimate for Class XII Vote 3 (Department of Social Security: administration) the Department of Social Security's Departmental Expenditure Limit will be increased by £27,811,000 from £3,265,802,000 to £3,293,613,000. The Supplementary Estimate is the net effect of £20,000,000 (running costs) for expenditure associated with Welfare Modernisation activities, £526,000 (running costs) for additional pensions work, £525,000 (running costs) to meet additional costs of providing a letter forwarding service and £203,000 (running costs) to meet the costs of collecting expenses associated with road traffic accidents in Scotland and Wales.

Other changes result from an increase of £11,062,000 (running costs) arising from a number of small transfers offset by a corresponding reduction on Class I, Vote 3 (Employment Services), a reduction of £619,000 (Capital) offset by a corresponding increase on Class I, Vote 3 (Employment Services), a reduction of £53,000 (running costs) arising from the continuing effects of the transfer of responsibility for Contributions Agency and Working Families Tax Credit to Inland Revenue offset by a corresponding increase on Class XVI, Vote 4 (Inland

Revenue: administration), an increase of £1,250,000 (running costs) for the cost of collecting expenses associated with road traffic accidents offset by a corresponding reduction on Class II, Vote 1 (Hospital, community health, family health and related services, England), a reduction of £60,000 (running costs) towards the administrative costs of the Teenage Pregnancy Unit offset by a corresponding increase on Class II, Vote 2 (Department of Health administration, miscellaneous health and personal social services, England), a reduction of £505,000 (running costs) for costs associated with the recruitment of panel members offset by a corresponding increase on Class V, Vote 1 (Lord Chancellor's Department), a reduction of £304,000 (running costs) for the London Rough Sleepers Unit offset by a corresponding increase on Class III, Vote 1 (Housing, construction, regeneration, countryside and wildlife, England), an increase of £34,000 (running costs) for access to miner's medical records offset by a reduction on Class XI, Vote 1 (Department of Trade and Industry, programmes and administration), a reduction of £20,000 (running costs) for costs associated with Better Government for Older People offset by an increase on Class XVII, Vote 1 (Cabinet Office). There is also an increase of £7,972,000 (running costs) associated with services provided to other government departments on a repayment basis, an increase of (£13,696,000) running costs arising from increased payments of Value Added Tax on contracted out services and a reduction of £10,000 (running costs) as a result of virement to capital expenditure. Appropriations in aid increase by £22,896,000.

Changes in the Welfare-to-Work provision arise from an increase of £1,204,000 in the administrative costs of measures to help people with a disability or long-term illness move into or remain in work and a net reduction of £213,000 as a result of a number of minor transfers to Class I, Vote 3 (Employment Services).

As a result of these changes the running cost limit of this Department will be increased by £32,648,000 from £3,009,854,000 to £3,042,502,000 and the running cost limit of the Welfare-to-Work programme will be increased by £991,000 from £10,968,000 to £11,959,000.

The increase will be offset by transfers from other Departmental Expenditure Limits and also a charge on the DEL Reserve and will not therefore add to the planned total of public expenditure.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Social Security when he will reply to the letters to him dated 25 October, 2 December and 6 January from the right hon. Member for Manchester, Gorton with regard to Mrs. L. Goode. [110340]

Mr. Darling: A reply was issued to the right hon. Member on Friday 11 February 2000.

HOUSE OF COMMONS

Clerks

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, pursuant to his answer of 7 February 2000, *Official Report*, column 25W, on staff, how many House of Commons Clerks are female. [109603]

Mr. Kirkwood: There are presently 18 female Clerks employed in the Department of the Clerk of the House out of a total of 73. Of these, one is currently on secondment to the Cabinet Office.

CULTURE, MEDIA AND SPORT

Millennium Dome (Advertising)

Mr. Maclean: To ask the Secretary of State for Culture, Media and Sport what representations he has made to the New Millennium Experience Company about the newspaper reviews used in the Dome advertising campaign. [107947]

Janet Anderson: The New Millennium Experience Company (NMEC) is responsible for all decisions connected with the marketing of the Dome. Lord Falconer of Thoroton, as NMEC's Shareholder, is kept informed by the Company of all aspects of the Dome's operations.

Lottery Grants

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport how many grant applications to the National Lottery have been received from organisations within the Torbay constituency; how many have been successful; and what was the total amount awarded *(a)* by each distributing body and *(b)* in total. [109512]

Kate Hoey: The following table shows applications for, and awards of, National Lottery funds in the Torbay constituency by distributing body. The total amount awarded (excluding awards by the New Opportunities Fund) is £1,187,107.

Distributing body	*Number of applications*	*Number of awards*	*Amount awarded (£)*
Arts Council of England	[1]Not known	3	22,667
Film Council	0	0	0
Heritage Lottery Fund	8	3	551,200
Millennium Commission	Not known	0	0
National Lottery Charities Board	161	49	490,318
New Opportunities Fund	[2]Not known	[2]Not known	[2]Not known
Sport England	20	9	122,922
UK Sport	0	0	0

[1] The Arts Council of England has received 15 applications from within the area covered by Torbay Borough Council.

[2] The New Opportunities Fund (NOF) has not received any applications from the Torbay constituency for its Health Living Centre, Out of School Hours Activities, or Digitisation programmes. Funding for the ICT (information and computer technology) programme is allocated by local education authority or library authority, and NOF is unable to provide a breakdown by constituency at present. NOF has allocated £409,044 to schools in Torbay LEA.

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport how many applications for National Lottery grants have been received from organisations in (a) Gloucestershire and (b) Tewkesbury since its inception. [109554]

Kate Hoey: 1,429 applications for National Lottery grants have been received from Gloucestershire since the inception of the Lottery; 212 have been received from Tewkesbury. Both figures exclude applications to the Millennium Commission, and the figure for Tewkesbury also excludes applications to the Arts Council of England, as these bodies do not hold information in the form requested.

Henry Watson Music Library

Mr. Brady: To ask the Secretary of State for Culture, Media and Sport what representations his Department has made to Manchester City Council regarding the proposed closure of the Henry Watson Music Library. [109561]

Mr. Alan Howarth *[holding answer 11 February 2000]:* Officials in my Department at my request have been in contact with their opposite numbers at Manchester City Council to discuss their proposed reorganisation of the Central Library and its effect on the Henry Watson Music Library. No final decisions have been taken by the Council, but under the present proposals the Henry Watson collection would remain intact, and physical access to it would be improved.

The Henry Watson Music Library of course provides a service which is used extensively in the North West and other local authorities may wish to consider whether it would be appropriate for them to contribute to the costs of maintaining it as allowed by Section 9(1) of the Public Libraries and Museums Act 1964.

National Lottery

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport if he will list, for each year from 1995 to date, the total amount received by National Lottery winners in Shrewsbury and Atcham; and if he will make a statement. [109924]

Kate Hoey: My Department does not hold information on National Lottery prize winners by constituency.

TRADE AND INDUSTRY

Regulations (Refrigerator Manufacturers)

Mr. Gibb: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 December 1999, *Official Report*, column 288W, on refrigerator manufacturers, if he will list the regulations referred to in respect of employment, health and safety and environmental legislation. [104884]

Ms Hewitt: A list of the main regulations in respect of employment, health and safety and environmental legislation is as shown. More generally, the overall number of regulations that impact on a business will depend to some extent on the size of that business and its particular sector of industry. The Small Business Service, which is to be formally launched in April this year, will consider the applicability and impact of regulations on businesses in different circumstances.

List of main Employment, Health and Safety and Environment Regulations

Employment Legislation

The main duties on employers are set out in the:

Employment Rights Act 1996,
Employment Relations Act 1999,
National Minimum Wage Act 1998,
Working time Regulations 1998
The Maternity and Parental Leave Regulations 1999

Discrimination

Race Relations Act 1976
Sex Discrimination Act 1975
Disability Discrimination Act 1995
Equal Pay Act 1970

Health and Safety

The Health and Safety at Work, etc. Act 1974.

Other main pieces of generic health and safety legislation which may apply are:

the Management of Health and Safety at Work Regulations 1999;
the Workplace (Health, Safety and Welfare) Regulations 1992;
the Provision and Use of Work Equipment Regulations 1998;
the Personal Protective Equipment at Work Regulations 1992; and
the Manual Handling Operations Regulations 1992
the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

Environmental Regulation

There are three sets of regulations that apply specifically to refrigeration:

The Energy Information (Refrigerators and Freezers) Regulation (SI 3076–1994)
The Energy Efficiency (Refrigerators and Freezers) Regulation (SI 1941–1997)
The Environmental Protection (Control of Substances that Deplete the Ozone Layer) Regulations 1996 (SI 506–1996) implementing Council Regulation (EC) 3093–94 on substances that deplete the ozone layer.

In addition the refrigerator manufacturers also may need to comply with the Framework on Materials in Contact with Food (SI 2487–1990), and potentially with the following regulations on effluent discharge:

The Water Industry Act 1991
The Environment Act 1995
The Environmental Protection Act 1990 (for Integrated Pollution Control); and
The Pollution Prevention and Control Act 1999 (for Integrated Pollution Prevention and Control).

Socialist Environment Resources Association

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry when he last met representatives of the Socialist Environment Resources Association; and what matters were discussed. [108684]

Mr. Byers: Socialist Environment Resources Association (SERA) have not requested such a meeting.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if he will list, for the financial year 1998–99, the number and total value of contracts let by

his Department with external consultants and advisers that have *(a)* been put out to competitive tender, *(b)* not been put out to competitive tender and *(c)* been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109062]

Dr. Howells *[holding answer 8 February 1999]:* In respect of the value of contracts in 1998–99, I refer to the answer given to the hon. Member for Bath on 10 November 1999, *Official Report*, columns 722–24W. The number of contracts let centrally to external consultants and advisers, as defined in the 1994 Efficiency Scrutiny into the Government's use of external consultants, was 19. Eighteen of these were let following competitive tendering exercises. One was let by single tender action. All 19 contracts were let on a commercial basis. The organisations concerned were:

GHK Economics and Management Ltd;
ECOTEC Research and Consulting;
Risk and Policy Analysts Ltd;
Public and Corporate Economic Consultants;
Casson and Crispe Consultants;
Meitra Martech Ltd;
Paras Ltd;
Segal Quince Wicksteed Ltd;
Roto Conseil Ltd;
Nottingham University;
Roger Tym and Partners;
KPMG Management Consultants;
Strategem Ltd;
David Rigby Associates;
Ove Arup and Partners;
University of Sussex;
The Harris Research Centre.

The above information does not include contracts let by the Department's Executive Agencies. I have asked the respective Chief Executives to reply separately to this question.

Letter from David Hendon to Mr. Don Foster, dated 15 February 2000:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about contracts let to external consultants and advisors.

2. The tender route followed for each of the four contracts let by the Agency in FY 98/99 is as follows:

Competitive Tender

Quotient Communications Ltd.

Single Tender

The Smith Group Ltd.
Barclay Associates Ltd.
Quotient Communications Ltd.

3. The total value (ex-VAT) of the contracts was £330,800. No Agency contracts were let on a non-commercial basis.

Letter from J. S. Holden to Mr. Don Foster, dated 15 February 2000:

I have been asked to reply to your recently tabled Parliamentary Question to the Secretary of State for Trade and Industry in respect of Companies House Executive Agency.

Companies House expenditure on external consultants and advisors for 1998–99 was £2.6M. The major part of this atypically high outlay was for IT supplier companies, substantially to secure Millennium readiness for IT systems.

Within the classes requested, expenditure was:

(a) £1.8M

(b) £0.8M

(c) Zero

Apart from the individual contractor company (IBM) mentioned in (b) there was a large number of contractors involved. The number and names have not been provided because of disproportionate cost.

Letter from Desmond Flynn to Mr. Don Foster, dated 15 February 2000:

In Peter Joyce's absence from the office the Secretary of State has asked me to reply to your question about competitive tendering for external consultancy contracts by the Insolvency Service.

In 1998/99 the Insolvency Service, an Executive Agency of the Department of Trade and Industry, spent £5,000 on a single external consultancy contract, awarded after a competitive tendering exercise.

Letter from Ian Jones to Mr. Don Foster, dated 15 February 2000:

You tabled a Parliamentary Question on 4 February to the Secretary of State for Trade and Industry about the number and total value of contracts let by his Department with external consultants and advisors. I have been asked to reply in respect of the Employment Tribunals Service (ETS) which is an executive agency of the DTI.

ETS let the following contracts with consultants in 1998/9:

Yale Consulting—to assist in the development of an IS/IT strategy for the ETS, a scoping study for a Web Site at the Employment Appeal Tribunal and work on the Service's IT security policy. Total value: £60,881

Cap-Gemini Ltd—scoping and initial design of an e-mail migration project, and a Year 2000 audit of IT systems. Total value: £31,089

Drivers Jonas Ltd—Year 2000 audit of ETS embedded systems. Total value: £1,175

Central Computer Telecommunications Agency—to conduct an IS/IT scoping study. Total value: £15,792

Mr D Bower—to advise ETS on the development of customer service arrangements with a view to an application for Chartermark. Total value: £3,924

All contracts were either tendered or let under pre-tendered call-off arrangements.

Letter from Seton Bennett to Mr. Don Foster, dated 15 February 2000:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the amount spent on external consultants and advisors in 1998/99. In response to a similar question in November 1999 (98/3127), NWML reported that the spend on consultants and advisors in 1998/99 had been £3,800. This figure was wrong, it should have been £68,862.87. This revised figure was made up of three contracts one of which went to competitive tender and two others that were each below the threshold for competitive tender. The three organisations in question were:—

National Engineering Laboratory
Parity Resources
ICL.

Letter from Alison Brimelow to Mr. Don Foster, dated 15 February 2000:

I am replying to your parliamentary question tabled 4 February 2000 regarding the number and total value of contracts let for the financial year 1998/99 with external consultants and advisors that have (a) been put out to competitive tender, (b) not been put out to competitive tender and (c) been let on a non-commercial basis.

The Patent Office has, under (b) above awarded one contract, to the value of £8k to Mtic Ltd.

No contracts were let under categories (a) or (c).

Mr. Willis: To ask the Secretary of State for Trade and Industry what is the *(a)* number and *(b)* value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109301]

Dr. Howells: Information on this type of contract is not held centrally, and could be provided only at disproportionate cost.

Post Offices

Mr. Ashdown: To ask the Secretary of State for Trade and Industry what estimate he has made of the effect on sub-post offices' assigned office payments of the Government's plans to pay benefits and pensions directly into bank accounts starting in 2003; if he will estimate the effect on assigned office payments for each of the years *(a)* 2002–03, *(b)* 2003–04, *(c)* 2004–05, *(d)* 2005–06 and *(e)* 2006–07; and if he will make a statement. [109468]

Mr. Byers *[holding answer 10 February 2000]:* The ability of the Post Office to continue making assigned office payments to subpostmasters is governed by the income levels it receives from its clients, such as the Benefits Agency, for undertaking work on their behalf.

The effect on Post Office income of payment of benefits and pensions direct into bank accounts from 2003 depends on the detailed plans for the migration. The Post Office's ability to finance assigned payments will depend on its overall level of income from all sources, including new and additional business opportunities generated by the Horizon automated system.

Newsprint Industry

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry if he will calculate the annual growth of consumption of newsprint in each of the last 10 years; and what proportion of that increase was made up of recycled newsprint. [110106]

Ms Hewitt: The information for the yearly change of consumption of newsprint is in the table. The Pulp and Paper Information Centre estimate that the recycled content has increased from 27.3 per cent. in 1992 to 52.4 per cent. in 1998. Over this period, the tonnage of recycled newsprint increased by more than overall consumption.

Newsprint Consumption

Year	*Tonnage '000 consumption*	*Change per cent.*
1989[1]	2,055	7.1
1990	1,895	-7.8
1991	1,851	-2.3
1992	1,860	0.5
1993	1,937	2.0
1994[1]	2,312	19.4
1995	2,214	-4.2
1996	2,221	0.3
1997	2,350	5.8
1998	2,497	6.2
1999[2]	2,507	0.4

[1] 53 week year
[2] Estimate
Source:
The Paper Federation of Great Britain

Due to changes in import classifications figures may not be strictly compatible to those in preceding years.

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry what assessment he has made of the future role of incineration in the United Kingdom newsprint industry. [110102]

Ms Hewitt: The Government believe that incineration with energy recovery has an important role to play as one of the options in an integrated waste strategy. It can be the best practicable environmental option where the opportunity for recycling newsprint does not exist. For example, at least one leading paper mill utilises energy from waste.

The role of incineration was considered as one of the waste options when Regulatory Impact Assessments for the draft Waste Strategy and the Limiting Landfill consultation paper were drawn up.

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry what assessment he has made of the employment implications of newspaper recycling. [110104]

Ms Hewitt: While environmental policies can have positive or negative effects on employment in individual sectors there is no presumption that they lead to net (overall) employment gains or losses. Generally, environmental policies are justified on the basis of environmental objectives, taking account of the costs and benefits of the policy.

TransTec

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will make a statement on the reasons for his referral of matters relating to grants paid to subsidiaries of TransTec plc to the police. [110051]

Mr. Byers *[holding answer 14 February 2000]:* In reaching this decision I took account of the information received by the Department, the allegations being made and consultations with the police. I concluded that it was appropriate for the police to consider, independently, the allegations that fraud had been committed against the Department.

National Minimum Wage

Dr. Kumar: To ask the Secretary of State for Trade and Industry when he expects to publish the latest report of the Low Pay Commission with the Commission's recommendation on a minimum wage for 2000–01. [110208]

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry when he received the latest report of the Low Pay Commission; and when he will respond to its recommendations. [110206]

Mr. Byers: The Government are grateful to the Low Pay Commission (LPC) for its report. Its findings confirm that the introduction of the national minimum wage (NMW) has been successful in helping take some 1.5 million people out of the trap of poverty wages, with no significant impact on jobs or the economy. The report presents evidence that the minimum wage has had a positive impact on business, in terms of improving performance and productivity, and helping to alleviate

some of the worst aspects of low pay. The LPC report finds that the minimum wage has been introduced sensibly and smoothly.

The report makes 16 important operational recommendations and suggestions, covering aspects of the technical application and enforcement of the national minimum wage, and one recommendation on the treatment of 21-year-olds. It also repeats its view, expressed in the first report, that the main rate should be increased to £3.70 this year.

The Government have decided, in the light of the positive findings in the report and our own analysis, to accept this suggestion and increase the main rate from £3.60 to £3.70 an hour in October this year. By introducing it in October we will provide time for business to prepare for such an increase. The LPC stressed the importance of a reasonable time for implementation. The Government also accept all 16 of the LPC's operational recommendations and suggestions, subject to the usual detailed consideration of practicality and resources. In addition, the Government confirm that the development rate for young people will rise from its current level of £3.00 an hour to £3.20 an hour from June 2000.

The LPC report comes just nine months after the introduction of the NMW. Assessing the full impact of the NMW will take a little longer. A more thorough analysis will be possible when more data become available on earnings, compliance and the interaction of the NMW with the Working Families Tax Credit. The Government will therefore ask the LPC to monitor the NMW and produce a further report, including on whether there is a case for an increase and if so to what level, by July next year.

In its next report the LPC will be asked to take into account movements in earnings and other factors, as well as impacts on the economy, including competitiveness, jobs and on training with particular attention to the youth labour market and the impact on low paying sectors and small firms, as well as the effect of the minimum wage on particular groups of workers. The Government will take decisions on the basis of this report so that any further increase can take place by October 2001.

The Government have decided not to implement the LPC recommendations that 21-year-old workers should be treated as adults rather than young workers for the purposes of national minimum wage. The Government are not shelving this matter—they will consider in detail the LPC's case for changing the treatment of 21-year-olds when they report on the general case for an increase next year. Copies of the LPC's second report will be placed in the Libraries of both Houses.

Post Offices (Ceredigion)

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many post offices there are in the county of Ceredigion; and how many of them derive 40 per cent. or more of their workload from Benefits Agency-related work. [110119]

Mr. Alan Johnson: I understand from the Post Office that there are 73 post offices in the Parliamentary constituency of Ceredigion of which 44 derive 40 per cent. or more of their workload from Benefits Agency-related work.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Dr. Tonge: To ask the Parliamentary Secretary, Lord Chancellor's Department how many legal aid franchises have been issued in the last five years; how many legal aid franchises there are in each parliamentary constituency; and how lists of these franchise holders will be made available to the public. [109518]

Mr. Lock: The first Legal Aid Board Franchises were awarded in August 1994–95 and by the end of that financial year a total of 1,050 solicitors' offices and other organisations had been franchised. This total rose to 1,295 by the end of 1995–96, to 1,820 by the end of 1996–97, to 2,382 by the end of 1997–98 and to 2,780 by the end of 1998–99. In the lead-up to the introduction of civil contracting in January 2000, the numbers continued to rise and on 10 February 2000 stood at 3,697. 2,000 further offices and organisations have applied for a franchise and passed a preliminary audit.

The Legal Aid Board does not keep information on the numbers of legal aid franchises in each parliamentary constituency. Their franchising and contracting data are structured in line with Local Authority boundaries and Regional Legal Service Committees bid zones.

Information on franchised solicitors is currently available from the Legal Aid Board's Freephone helpline or on request from any of the Board's offices. On 3 April 2000 the Community Legal Service Directory will be published. All franchised holders will be listed in the Directory and will be marked with a Community Legal Service Quality Mark. Copies of the Directory will be available at all Community Legal Service approved outlets and at other information providing outlets and at other information providing outlets such as main libraries. In addition an electronic version of the Directory will be available via the Internet.

Family Law Act 1986

Mrs. Virginia Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to implement Part II of the Family Law Act 1986. [109676]

Jane Kennedy: I refer the right hon. Member to the written Parliamentary Answer to my hon. Friend the Member for Dartford (Dr. Stoate) on 17 June 1999, *Official Report*, column 213W. The position remains unchanged.

Circuit Judges

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department how many circuit judges were appointed from the solicitors' profession in *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96, *(e)* 1996–97 and *(f)* 1997–98; and if he will make a statement. [109578]

Mr. Lock: The information requested is set out in the table.

	Number of circuit judges from the solicitors profession appointed in the financial year	*Total number of circuit judges appointed in the financial year*
1992–93	10	50
1993–94	5	45
1994–95	6	32
1995–96	16	53
1996–97	4	37
1997–98	3	25

The Lord Chancellor welcomes applications from both solicitors and barristers to be considered for appointment to the Circuit Bench. He considers that the skills and experience needed to be a Judge may as well be shown by a successful litigation solicitor as by an experienced barrister. The Lord Chancellor wants to appoint the Judges with the best potential—regardless of whether they come from the ranks of barristers or solicitors.

Children and Family Court Service

Mr. Coleman: To ask the Parliamentary Secretary, Lord Chancellor's Department if the new training manual for the Children and Family Court Service is complete; and if he will make a statement. [109560]

Jane Kennedy: The Project Team charged with taking forward the development of the Children and Family Court Advisory Service is preparing a training strategy, along with unified National Standards and guidelines for the officers of the new service. In doing so the Project Team will consider the existing National Standards for those services being amalgamated, and take account of any guidelines in existence. It will also consider all submissions on the subject.

Family Assistance Orders

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to standardise the issuing of family assistance orders. [109571]

Jane Kennedy: Section 16 of the Children Act 1989 enables a court to issue a family assistance order requiring a probation officer or local authority officer to advise, assist and (where appropriate) befriend a child, any parent or guardian of a child, or any person with whom the child is living or who has an order for contact with the child. Family assistance orders last for a maximum of six months. They require the consent of any person named in the order other than the child himself or herself, and may not be made unless the circumstances of the case are exceptional. Consequently, the number of such orders made is small (in 1999 there were 43 in the High Court and 701 in county courts). The decision whether or not a case is exceptional, and whether a family assistance order would be in the best interests of the child, if those concerned agree, is necessarily one for the courts to take in the light of the facts of each case. Standardisation would therefore not be appropriate.

CABINET OFFICE

Departmental Occupational Health Services

Dr. Iddon: To ask the Minister for the Cabinet Office if Government Departments and agencies provide occupational health services specifically for drug and substance misuse. [109177]

Mr. Ian McCartney: Responsibility for the provision of occupational health services rests with individual departments and agencies. Precise arrangements will therefore vary from department to department. Most main departments have issued policy statements on the help available to staff with problems of drug abuse.

In the Cabinet Office, should a case occur, staff would receive counselling from the welfare officer who would be advised by the contracted occupational health services provider. Referral to an NHS programme or another provider would also be considered.

Departmental Staff

Caroline Flint: To ask the Minister for the Cabinet Office what childcare provision was made available in the financial year 1998–99 for use by (i) her departmental staff and (ii) employees of executive agencies under the control of her Department; what was the cost to parents of this childcare; and how many parents used the facilities. [108838]

Mr. Stringer: The Civil Service as a whole is striving for an improved worklife balance. The report on Civil Service Reform by Sir Richard Wilson to the PM states

> that the Civil Service is strongly committed to a dramatic improvement in our record on diversity. It attaches a lot of importance to developing policies to enable staff to achieve a better balance between their work and private lives.

The Cabinet Office is currently running pilot studies on five issues (working practices, working patterns, childcare, long hours culture and alternative working) from which lessons will be emerging early next year. It is essential that the Service responds, not only to bring on women, but also to become more competitive in the general recruitment market.

As a department, the Cabinet Office places great importance on maintaining and developing a wide range of family friendly policies. Childcare is just one element of these policies.

The following table shows the type of childcare provision in my Department and executive agencies; the number of parents who used it; and the cost to parents:

£

	Type of childcare provision	*Number of parents using childcare*	*Cost to parents*
Cabinet Office	Holiday playscheme	41	1,951
Civil Service College	Nursery	9	34,476
COI	Holiday playscheme	3	112
CCTA	Holiday playscheme	0	0

£

	Type of childcare provision	Number of parents using childcare	Cost to parents
Government Car and Dispatch Agency	None		
Property Advisers to the Civil Estate	Nursery	2	4,323.20
	Holiday playscheme	2	128.88
Security Facilities Executive	Holiday playscheme	0	0
The Buying Agency	Holiday playscheme	2	0
Civil Service College	Nursery	9	34

Caroline Flint: To ask the Minister for the Cabinet Office in each of the last five years, what proportion of women employees in (i) her Department and (ii) executive agencies under the control of her Department (a) returned to work after childbirth, (b) returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, (c) returned to work after childbirth on reduced working hours, indicating the average hours worked and (d) returned to work after childbirth full-time and subsequently reduced their hours. [108968]

Mr. Stringer: There is no requirement to keep data on the patterns of women returners after maternity leave. As a result this information is not available for the Cabinet Office, the Civil Service College or the Central Office of Information. Information is available from the following Cabinet Office Agencies.

CCTA

1995 one maternity leave case: returned to full-time working

1996 one maternity leave case: left three months later under VES Scheme before the end of her maternity leave

1997 one maternity leave case: returned to full-time working, took career break three months later

1998 one maternity leave case: returned to full-time working, resigned one month later

1999 four maternity leave cases: three returned part-time (average 18 hrs); one returned full-time

PACE (PACE records start from its creation on 1 April 1996)

1996 two maternity leave cases: one returned part-time; one returned full-time

1997 one maternity leave case: returned full-time

1998 four maternity leave cases: one returned part-time; three returned full-time

1999 three maternity leave cases: one returned part-time; two returned full-time

Security Facilities Division

two maternity leave cases: one took a 12 month career break immediately at the end of the leave period and returned to her previous part-time hours; one returned full-time

1998 one maternity leave case: returned part-time two days, previously worked four days

1999 one maternity leave case: resigned at end of leave period

TBA

1995 three maternity leave cases: one returned part-time (16 hrs); two returned full-time

1996 two maternity leave cases: one returned part-time (16 hrs); one took career break immediately following maternity leave

1997 one maternity case: returned full-time

Government Car and Despatch Agency

Since the Agency was formed there have been no women who have taken maternity leave.

Caroline Flint: To ask the Minister for the Cabinet Office what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of her Department, for (a) maternity leave, (b) maternity pay, (c) paternity leave, (d) parental leave, (e) flexible working hours, (f) part-time work, (g) job sharing, (h) leave to care for sick children, (i) home-working, (j) term-time contracts, (k) annual hours contract, (l) child care allowances, (m) careers leave and (n) career break schemes; and what criteria are used to judge eligibility in each case. [108845]

Mr. Stringer: The Civil Service as a whole is striving for an improved work-life balance. The Cabinet Office recognises the importance of policies on work-life balance to the Civil Service Reform programme and is running pilot studies on five issues (working practices, working patterns, childcare, long hours culture, and alternative working). The lessons which emerge from the pilot studies will be communicated to departments and agencies when they are available early next year.

Within the Cabinet Office and its Agencies the following provisions are currently available;

(a) maternity leave

The Cabinet Office and its Agencies give 18 weeks full paid leave to their women employees provided they; a. are in paid service at the time maternity leave begins; b. have completed at least one year's paid service; c. intend to return to work in the Civil Service after their confinement and leave, or after a combination of maternity leave and a career break; d. agree to repay any non-statutory payments made during the maternity leave if they do not return to work; and e. are not employed on a casual basis or on a fixed term appointment of less than two years. Maximum of 52 weeks paid and unpaid leave.

(b) maternity pay

The Cabinet Office and its Agencies pay Statutory Maternity Pay within full pay.

(c) paternity leave

The Cabinet Office, Government Car and Despatch Agency and PACE allow seven days; CCTA, Civil Service College, Security Facilities Division and TBA allow five days; COI allow two days.

(d) parental leave

The Cabinet Office allows all staff with parental responsibility who have one years' service 13 weeks parental leave. Applications for periods of unpaid parental leave above the statutory entitlement would be considered favourably. The Agencies have all implemented the Parental and Maternity Leave Regulations 1999. TBA allow up to five years' unpaid parental leave.

(e) flexible working hours

The Cabinet Office operates a formal flexible working hours scheme in some parts of the Department, elsewhere line managers are responsible for agreeing hours of attendance for staff, providing that a core time of 10.00–12.00 and 14.00–16.00 hours is observed and

conditioned hours are worked. CCTA, PACE, Security Facilities Division and TBA all operate flexible working hours. Civil Service College operates flexible working hours which is available to the majority of staff below Grade 7, with the exception of some occupational groups eg drivers. COI operates flexible working hours except in areas where operational needs make this impossible. Government Car and Despatch Agency allows flexible working hours to all non-industrial staff.

(f) part-time work

(g) job sharing

Cabinet Office considers all requests to work part-time or jobshare sympathetically and accommodates staff wishes where possible. Under the Departmental Job Advertising Scheme the presumption is that all posts advertised will be open to part-time or job share applicants unless there are specific reasons for restricting it to full time staff only. The Agencies consider requests to work part-time or jobshare on a case by case basis.

(h) leave to care for sick children

The Cabinet Office and its Agencies all allow special paid leave under their special leave arrangements for domestic situations.

(i) home working

Cabinet Office, CCTA, Government Car and Despatch Agency, PACE and Security Facilities Division members of staff are all eligible to apply for home working. All cases are considered on their merits. Civil Service College have no provisions. COI does not generally have provision for home working as it does not fit in with the work of the agency. TBA consider each case on merit and has a number of staff who are home based.

(j) term time contracts

(k) annual hours contracts

The Cabinet Office, CCTA, PACE and Security Facilities Division will consider cases on merit. COI, Civil Service College, Government Car and Despatch Agency and TBA have no provision.

(l) child care allowances

Cabinet Office staff with under school age children who fulfil certain criteria will be eligible for childcare vouchers which were negotiated as part of the 1999 pay agreement. Criteria are still being negotiated with the Departmental Trade Union side. Staff are also able to claim for additional childcare costs associated, for instance, with attendance on a training course. The responsibility for decisions about whether extra costs can be claimed has been delegated to line managers. No provisions exit in CCTA, COI, Civil Service College, Government Car and Despatch Agency, PACE, Security Facilities Division and TBA.

(m) careers leave

(n) career break schemes

The Cabinet Office, CCTA, PACE and Security Facilities Division allow up to five years' unpaid special provided that staff: a. are permanent members of the Cabinet Office with at least one year's service; b. have a satisfactory attendance record; and c. have a good record of performance. COI provides careers' leave on an unpaid basis but there is no provision for career breaks. Civil Service College provide special unpaid leave for careers' leave and career breaks. Government Car and Despatch Agency have no specific scheme in place but consider each case on merit. TBA provide special unpaid leave but consider each case on merit.

Investors In People

Mr. Paul Marsden: To ask the Minister for the Cabinet Office if she will list (a) those Government departments and agencies which have received certification in (i) ISO 9,000, (ii) ISO 14,000 and (iii) Investors In People; and (b) the status of the remaining departments and agencies; and if she will make a statement. [105527]

Mr. Stringer: *(a)* The following Government departments include agencies or units with:

(i) ISO 9000 certification:
- Cabinet Office
- Central Office of Information
- HM Customs & Excise
- Department of the Environment, Transport and the Regions
- Department for Education and Employment
- Foreign and Commonwealth Office
- Inland Revenue
- Department for International Development
- Home Office
- Lord Chancellor's Department
- Ministry of Agriculture, Fisheries and Food
- Ministry of Defence
- Office for National Statistics
- Department of Social Security
- Department of Trade & Industry
- HM Treasury
- Welsh Office/National Assembly for Wales

(ii) ISO 14000 certification:
- Cabinet Office
- HM Customs & Excise
- Department of the Environment, Transport and the Regions
- Ministry of Defence
- Department of Trade & Industry

(iii) Investors In People:
- Cabinet Office
- Department for Culture, Media and Sport
- HM Customs & Excise
- Department of the Environment, Transport and the Regions
- Department for Education and Employment
- Foreign and Commonwealth Office
- Department of Health
- Inland Revenue
- Home Office
- Lord Chancellor's Department
- Ministry of Agriculture, Fisheries and Food
- Ministry of Defence
- Northern Ireland Office
- Office for National Statistics
- Scottish Office
- Department of Social Security
- Department of Trade & Industry
- HM Treasury
- Welsh Office.

(b) The following Government departments include agencies or units that are working towards:

(i) ISO 9000 certification:
Cabinet Office
HM Customs & Excise
Department of the Environment, Transport and the Regions
Department for Education and Employment
Foreign and Commonwealth Office
Home Office
Office for National Statistics
Department of Social Security

(ii) ISO 14000 certification:
Cabinet Office
Department of the Environment, Transport and the Regions
Department of Health
Home Office
Inland Revenue
Lord Chancellor's Department
Office for National Statistics
Department of Social Security

(iii) All remaining parts of departments and agencies are committed to achieving the Investors In People Standard.

Remploy

Mr. Caton: To ask the Minister for the Cabinet Office what Remploy products her Department has purchased in the last three years. [109939]

Mr. Stringer: None.

Departmental Initiatives (Grants)

Mr. Don Foster: To ask the Minister for the Cabinet Office if she will list the initiatives launched by her Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109312]

Mr. Stringer: My Department's expenditure on grants initiated since May 1997 is given in the table.

£

Description	*Actual 1997–98*	*Actual 1998–99*	*Budgeted 1999–2000*
National Infrastructure Programme (Y2K project)	—	3,698,200	18,671,000
Local Government Pilot Scheme	—	5,000	10,000
Better Government for Older People	—	51,000	50,000
Passport 50 plus	16,250	—	—
Youth Net—project work with girls	—	—	12,000
Payment to Disability Partnership for bursary awards	11,600	21,000	28,000
Total	27,850	3,775,200	18,771,000

Notes:
1. National Infrastructure Programme expenditure in 1998–99 was paid to Action 2000 via DTI.
2. Better Government for Older People exclude amounts in 1999–2000 specifically aimed at reviewing the project.
3. Youth Net grant is managed by the Home Office, Family Policy Unit.

TREASURY

Departmental Contracts

Mr. Willis: To ask the Chancellor of the Exchequer what is the number and value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109450]

Miss Melanie Johnson *[holding answer 10 February 2000]:* Since May 1997 the Treasury has no record of contracts let for the purpose of managing competitive tendering processes.

Pensions

Mrs. Organ: To ask the Chancellor of the Exchequer what representations he has received on the Inland Revenue's review into the operation of income draw-down on personal pensions and the system of a 75 year age limit on the purchase of an annuity. [110069]

Miss Melanie Johnson: The recent Inland Revenue review of income drawdown considered representations from the pensions industry, regulatory bodies and individuals. We will take all representations into account when deciding if any change to the current system is appropriate.

Mrs. Organ: To ask the Chancellor of the Exchequer when he will publish the report on the Inland Revenue's review into the mandatory purchase at 75 years of age of an annuity for a personal pension. [110070]

Miss Melanie Johnson: We are considering the conclusions of the recent Inland Revenue review of income drawdown, which looked at, among other things, the appropriateness of the current requirement for annuity purchase by age 75. An announcement will be made if it is decided that any changes are required.

Departmental Functions (Food)

Mr. Yeo: To ask the Chancellor of the Exchequer if all food served at his Department's official functions meets the standards of production required of domestic producers. [109785]

Miss Melanie Johnson *[holding answer 11 February 2000]:* Our Department's catering contractor complies with all the relevant provisions of the Food Safety Act. An independent annual audit is carried out to ensure that the required standards are met.

VAT

Dr. Iddon: To ask the Chancellor of the Exchequer, pursuant to his answer of 26 January 2000, *Official*

Report, column 215W, on VAT, what study he has made of the recent alterations to Annex J of the Sixth VAT Directive regarding the potential it offers for permitting the lowering of rates charged to a private citizen installing energy-saving measures via a contractor; and if he will make a statement. [110201]

Dawn Primarolo: This Government have already introduced a reduced rate of 5 per cent. for the grant-funded installation of energy saving materials. Annex K of the Sixth VAT Directive allows member states to adopt optional experimental reduced rates for the renovation and repair of private dwellings, which would cover the related installation of energy saving materials.

The important issue for energy saving materials, however, is do-it-yourself installation, where EC law does not permit a reduced rate.

"Invest to Save"

Mr. Russell Brown: To ask the Chancellor of the Exchequer what progress is being made on the Government's Invest to Save Initiative. [110380]

Mr. Andrew Smith: I am pleased to announce that 104 bids from across the public sector have been successful in Round 2 of the Invest to Save Budget, at a cost of £45m in 2000–01, including consequential funding for the devolved administrations, and £69m in total over the three years to 2002–03. The following list describes the winners of this round:

Invest to Save Budget: Round 2 winning bids

Lead organisation	*Project*	*£000*
Central Government:		
HM Customs and Excise	Integrated intelligence project for anti-fraud investigations	4,849
HM Customs and Excise	Data transmission of CAP export licensing	737
Central Buying Consortium	Joined Up Procurement pilot	46
Cabinet Office	Database for water and sewerage services	750
Cabinet Office	Notification of change of address project	775
Department for Culture, Media and Sport	Integrated website for small tourism businesses to communicate	50
Department of the Environment, Transport and the Regions (DETR)	Improving the effectiveness of DVLA's vehicle recording operations	409
DETR	Increasing accessibility to DVLA's driver licensing service	366
DETR	Improved coordination of central government information to local authorities	499
DETR	Call centre for Health and Safety communications	448
DETR	Dissemination of nature conservation data and information	48
DETR	Best Practice on Local Authority ICT procurement	600
Department for Education and Employment	New student support system links	494
Department for Education and Employment	One stop shop on equal opportunity issues for business	1,500
Department of Social Security	Better Government prototypes for older people	76
Department of Social Security	Co-Location of Benefits Agency and Local Authority (Lancs)	142
Department of Social Security	Integrated social care advice for prisoners on release	18
Department of Trade and Industry	Small Business Service: electronic regulation service	10,000
Department of Trade and Industry	Consumer advice call centres	1,200
Home Office	Joint response to non-emergency calls focusing on harassment	118
Home Office	Mobile/remote communications data: joint fire brigades approach	50
Home Office	Joint approach to money laundering crime	2,760
Home Office	Data exchange and sharing between the forensic science services	240
Home Office	Database for substance misuse treatment services	50
Home Office	Criminal Justice System—Internet technology	699
Home Office	Development mechanisms for joining up funding and policy development	48
Home Office	Best practice in joint public safety non-emergency call centres	2,535
Home Office	Prison-NHS trust telemedicine links	199
Home Office	Extension of young offender treatment programme	120
Home Office	Joint control room for five fire brigade partners—scoping study	40
HM Treasury	Evaluation of Round 1 ISB Partnership Work	105
Inland Revenue	Occupational pensions data links with DSS	75
Inland Revenue	Citizens school leaver package in Scotland	104
Lord Chancellor's Department	Community Legal Services website	483
Ministry of Agriculture, Fisheries and Food (MAFF)	Electronic access to integrated rural information	364
MAFF	Live fish movement database/website	185
MAFF	Operation Gangmaster: enforcement approach to sub-contractors	50
MAFF	Single search engine approach to track research information	50
MAFF	Biological innovation demonstrator website	100
Office for National Statistics	A public service census dataset	2,100
Office for National Statistics	Rationalising the existing post code products	137
Public Record Office	Access to Archives	697
Public Record Office	Development of generic IT procedures for government records	48
The Met Office	Electronic delivery of Weather forecasts on Admiralty Chart	50
Valuation Office	Electronic lodgement of appeals	350
Other public authority bids/projects		
Birmingham Health Authority (HA)	Single integrated child health database	50
NHS Executive: London Region	Data transfer of mental health risk assessment	600

Invest to Save Budget: Round 2 winning bids

Lead organisation	*Project*	*£000*
NHS North Lambeth	Sexual health advice for young people in Brixton	50
NHS West Norfolk Primary Care Group	One Stop Service Access Facilitators	275
North Yorkshire HA	Prevention and rapid response to rural accidents	50
Nottingham HA	CITYNET: community-based intranet	900
Somerset HA	Integrated information system for mental health	300
Barnsley Metropolitan Borough Council	Improving care and treatment of people in their own homes	918
Braintree District Council	Colne Valley Healthy Living Project	436
Essex Social Services Department	Help Line for Health and Social Services	38
Gateshead Metropolitan Borough Council	Beyond 2000—Accessible Information	50
Hampshire County Council	IT to Support Integrated—24 hour—Social Services	555
Kirklees Metropolitan Council	Inter-Agency use of integrated electronic information system	50
Leeds City Council	Community Care Centre	825
London Borough of Croydon	One Stop Facility for older people	100
London Borough of Harrow	Integrated health and social care, delivering a mental health pilot scheme	1,301
Medway Council	Positive Parenting Network for Medway Children	630
Stoke-on-Trent City Council	Communicating with the Community	451
Thurrock Council	NHS Information Sharing	60
Trafford Metropolitan Borough Council	Empowering Parents	171
Bedfordshire County Council	Bedfordshire Online Initiative	1,238
Bolton Institute	Bolton Information Network	232
Borough of Lewisham	Life Events Access Project	1,200
Bracknell Forest Borough Council	Co-ordinated Out of Hours Emergency Response	777
Bradford Metropolitan Borough Council	Bradford Partnership for Joined-Up working	2,114
Bury Metropolitan Borough	Bury's Local Service Centre—Answers	375
Cambridgeshire County Council	Cambourne-Modern Services for a Modern Community	50
Carrick District Council	Intranet linking 27 town and parish councils with other public bodies	168
Cheshire County Council	Project Manager and support research methodology and systems	470
City of Nottingham	Nottingham Electronic One Stop Shop for Planning	185
City of Wakefield Metropolitan District Council	Shared database and geographic information system	137
City of York Council	Improving quality and cost-effectiveness of meals service	48
Doncaster MBC	South Yorkshire Coalfield On Line Project	545
Greenwich Council	IT for domiciliary care service	159
Hackney Borough Council	Developing a mode of seamless public services using IT support	757
Huntingdoneshire District Council	Coordinator for Health Living Centre	88
Hyndburn Council	Pilot Electronic Public Information Network	46
Leicester City Council	Day centre for street drinkers, providing holistic care and services	247
Lifeline West Yorkshire	Closing the Revolving Door: working with ex-drug offenders	156
London Borough of Redbridge	Improving Access for Older People	50
Milton Keynes Council	Needs of young people at risk of social exclusion	50
Norfolk County Council	Integrated Services for Waste Management	50
North East Lincolnshire Council	Improving Community Safety through Recording of Crime	48
North Lincolnshire Council	Address Exchange Project	276
Norwich City Council	Norwich Connect	1,660
Oldham Metropolitan Borough	Oldham Business Management School	750
Peterborough City Council	Manage and develop Pathfinder Circles	400
Royal Borough of Kensington and Chelsea	Development of Community Extranet	225
Southwark Council	Reducing anti-social behaviour in the Borough	619
St. Helens Metropolitan Borough Council	Pilot project to reduce incidences of victimisation	241
Swindon Borough Council	Crime Reduction Shop	155
Telford and Wrekin Partnership	Inter-agency one stop shop	500
The District of Bolsover	Community Action Network Link	160
Vale Royal Borough Council	Use of IT to combat social exclusion	48
Walsall Metropolitan Borough Council	Walsall PEALS Project	1,520
Warwick District Council	The Open Door	1,000
West Lancashire District Council	Council Services Direct	45
Wolverhampton Council	Co-ordination of Bereavement Services	313
Worcestershire County Council	Integrated communications, offering services/support to 14 to 25-year-olds	470

EU Membership Costs

Mr. Robertson: To ask the Chancellor of the Exchequer what was the financial cost of the United Kingdom's membership of the EU in *(a)* gross and *(b)* net terms for each of the last five years for which figures are available; and what estimate he has made of the costs for each of the next three years. [110250]

Miss Melanie Johnson: Details of the United Kingdom's gross and net contributions to the EC Budget for the years 1993–94 to 1997–98 are given in Table 7A of the 1999 Departmental Report of the Chancellor of the Exchequer's Departments (Cm 4218). The latest forecasts of the UK's net contributions to the EC Budget for the years 1998–99 to 2001–02 are given in the footnote to Table B12 of the November 1999 Pre-Budget Report (Cm 4479).

Credit Unions

Mr. Ruane: To ask the Chancellor of the Exchequer (1) if he will estimate the amount of money saved by those using credit unions in each of the last 10 years; [110244]

(2) how many credit unions *(a)* there were, *(b)* were established and *(c)* were closed in each of the last 10 years. [110212]

Miss Melanie Johnson: The information requested for Great Britain is as follows:

Year	*Registrations*	*CUs leaving the Register*	*CUs at end of year*	*Shareholding £000*
1990	72	0	275	14,968
1991	55	3	327	20,478
1992	57	1	383	28,505
1993	48	4	427	39,492
1994	53	5	475	53,706
1995	63	8	530	70,012
1996	36	16	550	87,686
1997	51	5	596	107,394
1998	47	13	630	126,721
1999	50	14	666	[1]—

[1] Not available until end 2000

AGRICULTURE, FISHERIES AND FOOD

Lamb Slaughter Charges

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to take action to reduce lamb slaughter charges to the EU average level; and if he will make a statement. [101147]

Ms Quin *[holding answer 7 December 1999]:* Since these charges relate to the cost of operating the abattoir and providing a slaughtering service, their level is a commercial matter between slaughter house operators and suppliers of lambs. The Government have, however, frozen MHS hourly inspection charges for 1999–2000 at 1998–99 levels—charges which affect the cost of slaughtering all species, including lamb.

Private Finance Panel

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which projects relating to his Department that appeared in the Private Finance Panel's list of 29 November 1995 *(a)* have been completed, *(b)* are still pending, *(c)* have been dropped and *(d)* are being pursued by means other than a public private partnership. [105867]

Mr. Morley *[holding answer 24 January 2000]:* I refer the right hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 24 January 2000, *Official Report*, columns 117–18W.

Bovine Somatotropin

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the use of bovine somatotropin in dairy cows this year; and if he will make a statement. [108579]

Ms Quin: One letter has been received this year. Following advice from the independent Veterinary Products Committee, the Government voted in favour of a permanent ban in the EU on the marketing and use of recombinant bovine somatotropin. The ban came into effect on 1 January 2000.

Pet Passports

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will permit the new pet passport documentation to act as *(a)* an export certificate, *(b)* an import permit and *(c)* a rabies vaccination certificate; and if he will make a statement. [108176]

Ms Quin *[holding answer 3 February 2000]:* Export certificates for pets are not a requirement of the UK Government, but may be required by countries to which animals are travelling. Such countries are entitled, as is the UK, to set their own requirements for import documentation. There is no requirement for import permits for pet animals entering England under the Pet Travel Scheme. Each such pet will need to be accompanied by a valid Pet Travel Scheme rabies re-entry certificate. Other certification relates to treatment against ticks and tapeworms and no limitation of the pet's travel outside the UK to permitted countries.

The aim of the Pet Travel Scheme is to permit pet owners to bring their animals back to this country without having to undergo quarantine, while maintaining the protection of public health. The scheme which will commence on 28 February is a pilot: the experience gained from it will be used in framing the full scheme which we are committed to implementing by April 2001.

Baby Foods

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review his nutritional guidance on packaged processed foods aimed at babies and toddlers. [108585]

Ms Quin: MAFF guidance for parents on Healthy Diets for Infants and Young Children recommends that parents choose products which are low in salt and sugar, and use nutrition labelling information to identify these foods.

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food if he will clarify the guidance in respect of the Food Labelling Regulations for processed foods targeted at babies and small children. [108583]

Ms Quin: The Food Labelling Regulations 1996 lay down rules for the labelling of foods generally, and this includes foods for babies and young children. MAFF has issued Guidance Notes on the Regulations for use by industry and enforcers and kept them under regular review. Responsibility for this guidance will pass to the Foods Standards Agency.

Flood Defence

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food where members of the public may *(a)* consult and *(b)* purchase the flood risk maps which were disseminated to local planning authorities in September 1999; and if they are available in electronic form. [110146]

Mr. Morley: These maps may be consulted at the offices of either the local planning authority or the Environment Agency. Paper copies may be obtained from

the Agency. The Agency is also developing proposals to place the maps on its website to make them freely accessible to the public.

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food if he will list the names and addresses of the Wessex Regional Flood Defence Committee. [110145]

Mr. Morley: Members of the Wessex Regional Flood Defence Committee are as follows:

(i) Members appointed by MAFF

G. P. Sturdy—Chairman

J. B. Bush

B. M. Chandler

J. B. Comer

Dr. J. Gething

(ii) Members appointed by Environment Agency

C. R. Rothwell

P. K. Rees

(iii) Members appointed by Local Authorities

A. Massey—Bristol City Council

F. L. Crutchley—North Somerset Council

P. Tyzack—South Gloucestershire Council

Mrs. L. C. S. Bennett—Wiltshire County Council

J. L. Churchouse—Dorset County Council

H. P. N. Temperley—Somerset County Council

H. Prior-Sankey—Somerset County Council

R. E. L. Lelliott—Bournemouth and Poole Borough Councils

Members of the Committee can be contacted c/o The Environment Agency, Manley House, Kestrel Way, Exeter EX2 7LQ.

Farm Animal Welfare

Mr. Peter Atkinson: To ask the Minister of Agriculture, Fisheries and Food if he has consulted the Farm Animal Welfare Council on the impact of the withdrawal of OP sheep dip. [110287]

Mr. Morley: I understand that the Farm Animal Welfare Council is already preparing to consider the likely impact on farm animal welfare of this decision. I look forward to receiving their advice.

HEALTH

Medicinal Drug Deaths (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many people died in Northumberland Health Authority area as the result of the use of medicinal drugs in each of the last five years *(a)* accidentally, *(b)* in cases involving (i) suicide and (ii) self-inflicted injury and *(c)* in other cases; and which drug each death involved. [106824]

Ms Stuart: The information requested is in the table.

Northumberland residents

Deaths	*Accidental* [1]	*Suicide* [2]	*Undetermined* [3]
1994			
Analgesics, antipyretics and antirheumatics	3	1	2
Barbiturates	—	—	—
Other sedatives and hypnotics	2	—	—
Tranquilisers and other psychotropic agents	1	2	3
Other specified drugs and medicaments	—	1	1
Unspecified drug or medicament	—	2	1
Total	6	6	7
1995			
Analgesics, antipyretics and antirheumatics	1	—	—
Barbiturates	—	—	—
Other sedatives and hypnotics	1	—	1
Tranquilisers and other psychotropic agents	—	—	3
Other specified drugs and medicaments	—	—	—
Unspecified drug or medicament	—	—	—
Total	2	0	4
1996			
Analgesics, antipyretics and antirheumatics	—	3	1
Barbiturates	—	—	—
Other sedatives and hypnotics	—	—	—
Tranquilisers and other psychotropic agents	1	3	—
Other specified drugs and medicaments	3	—	—
Unspecified drug or medicament	—	1	—
Total	4	7	1
1997			
Analgesics, antipyretics and antirheumatics	—	2	—
Barbiturates	—	—	—
Other sedatives and hypnotics	—	—	—
Tranquilisers and other psychotropic agents	1	2	1
Other specified drugs and medicaments	—	2	1
Unspecified drug or medicament	—	—	1
Total	1	6	3

Northumberland residents

Deaths	*Accidental* [1]	*Suicide* [2]	*Undetermined* [3]
1998			
Analgesics, antipyretics and antirheumatics	—	2	1
Barbiturates	—	1	—
Other sedatives and hypnotics	1	—	—
Tranquilisers and other psychotropic agents	—	—	1
Other specified drugs and medicaments	—	—	1
Unspecified drug or medicament	—	1	—
Total	1	4	3

[1] Accidental = E850-E858
[2] Suicide = E950 (.0 to .5)
[3] Undetermined = E980 (.0 to .5)
Source:
ONS Annual Death Extracts (individual anonymised records based on Death Certificate/any subsequent investigations)
It is not possible to distinguish between 'suicide' and 'self inflicted injury' since the ICD-9 classification has these as a single category
It is not possible to determine the specific drugs used—ICD-9 classification gives only categories of drugs

Scientific and Technical Staff

Mr. Sanders: To ask the Secretary of State for Health (1) how many *(a)* medical laboratory officers and *(b)* trainee biomedical scientists were employed by the NHS in each of the last 10 years; and if he will make a statement; [108308]

(2) how many *(a)* clinical scientists and *(b)* biomedical scientists are employed by each health authority; [108307]

(3) how many people were recruited on to training courses for biomedical scientists in each of the last 10 years; [108221]

(4) how many people were recruited in each of the last 10 years on to training courses for *(a)* pathology, *(b)* pharmacology, *(c)* cardiology, *(d)* audiology, *(e)* respiratory and *(f)* other medical laboratory officers. [108309]

Mr. Denham: Information about the number of scientific and technical staff directly employed by the National Health Service in each health authority, and over the past 10 years, is in statistical bulletins and detailed results from the Department of Health's annual non-medical workforce census, copies of which are in the Library. Information about the numbers recruited on to training courses in the NHS is not available.

Drugs Costs

Mr. Hurst: To ask the Secretary of State for Health what are the terms of his referral to the Office of Fair Trading of the cost of drugs to the National Health Service; and if he will make a statement. [109438]

Ms Stuart: The matter concerns the supply of generic drugs to the National Health Service. The whole basis of the current arrangements for generic supply is competition in the market place. In the light of disruption to the market last year, we were concerned to establish whether any suppliers of generics were misusing their market power; whether exploitation of the reimbursement system was taking place; and whether there was any implicit or explicit collusion to bring about price rises or shortages. The Office of Fair Trading is carrying out an investigation to see if there has been any contravention of United Kingdom competition law.

General Practitioners

Mr. Breed: To ask the Secretary of State for Health (1) what is the average number of patients per general practitioner in *(a)* rural and *(b)* urban areas; [109749]

(2) what is the average waiting time for an appointment to see a general practitioner in a non-emergency case in *(a)* rural and *(b)* urban areas. [109750]

Mr. Denham: The average patient list size for general practitioners at 1 October 1998 was 1,787 for rural areas and 1,890 for urban areas.

Figures for average waiting times for an appointment with a GP are not collected centrally although there is information available from the 1998 Patients' Survey for General Practice. This shows that over 56 per cent. of respondents were given an appointment on the day they wanted, while 30 per cent. waited one day or more days. 13 per cent. of respondents reported that they had not minded what day they were given an appointment. There were no significant differences in waiting times between rural and urban areas.

NHS Direct (Shropshire)

Mr. Gill: To ask the Secretary of State for Health (1) what recent representations he has received regarding the organisation of NHS Direct in Shropshire; and if he will make a statement; [109845]

(2) what consultations his Department has held regarding the establishment of NHS Direct in Shropshire. [109824]

Ms Stuart: Shropshire Health Authority, in partnership with stakeholders, will shortly submit plans for the extension of NHS Direct to Shropshire to the National Health Service Executive. NHS Direct will be available in Shropshire by the end of October this year.

Resource Allocation

Mr. Lilley: To ask the Secretary of State for Health what measures he plans for the allocation of resources within the NHS so as to eliminate differences in waiting times and clinical performance between different hospitals. [109759]

Mr. Denham: The objective of resource allocation is to distribute National Health Service funds fairly based on the healthcare needs of populations.

Premature Deaths

Mr. Lilley: To ask the Secretary of State for Health (1) if he will publish figures showing the composite index for adverse events/complications of treatment in *(a)* 1997–98 and *(b)* 1998–99 for (i) England, (ii) East and North Hertfordshire, (iii) West Hertfordshire and (iv) the health authority in the prospering growth area with the (1) lowest figure and (2) highest figure; [109754]

(2) if he will publish figures showing the composite index for in-hospital premature deaths in *(a)* 1997–98 and *(b)* 1998–99 for (i) England, (ii) East and North Hertfordshire, (iii) West Hertfordshire and (iv) the health authority in the prospering growth area with the (1) lowest figure and (2) highest figure. [109756]

Mr. Denham: The 1997–98 figures for the in-hospital premature deaths indicator were published in "Quality and Performance in the NHS: High Level Performance Indicators" in June 1999, copies of which are available in the Library. Figures for 1998–99 will be published later this year.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Health how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109877]

Ms Stuart: There was a meeting between my right hon. Friend the then Minister for Public Health and the Federal Minister for Labour, Health and Social Affairs, Mrs. Eleonora Hostasch, on 11 March 1998, when key topics in the European Union public health field were discussed.

There have been no other bilateral contacts at senior official or ministerial level since May 1997.

Cleft Lip and Palate Services

Mr. Boswell: To ask the Secretary of State for Health if, in reviewing cleft lip and palate services, he will have regard to *(a)* the desirability of maintaining different clinical approaches, *(b)* travelling times to centres of excellence for parents and their children and *(c)* the practicability of providing adequate specialist nursing support services close to the parents' home. [110010]

Mr. Denham *[holding answer 14 February 2000]:* Under the new arrangements all centres will be required to participate in national, inter-centre audit. This will, for the first time, collect clinical data on an equivalent basis and allow comparisons to be made of the effectiveness of centres and different techniques. It will be a vital tool in supporting practice and the continuing training needs of clinicians. Arrangements for the appointment of surgeons in designated cleft lip and palate centres, including the selection criteria, will be a matter for employing National Health Service trusts. Those applying for posts will be required to demonstrate evidence of their skills and expertise regardless of surgical technique.

The new services will work on a hub and spoke basis. Surgery and other specialised elements of care will be provided at the main centres, but many aspects of care will continue to be provided locally, in close liaison with the main centre. We accept that some patients and their carers will need to travel further for some aspects of their care because it is not possible for the highest standards of care to be provided at every hospital which has previously carried out cleft lip and/or palate surgery.

It will be for each cleft centre to ensure that patients have access to specialist nursing services. This might be provided on an outreach basis from the main centre or by nurses with specialist skills in spokes working in accordance with agreed protocols.

Legal and Accountancy Fees

Mr. Baker: To ask the Secretary of State for Health how much his Department has paid to *(a)* law firms and *(b)* accountancy firms since 1 May 1997. [110241]

Ms Stuart: The Department's records do not separately identify payments to law firms or accountancy firms. This information could be obtained only at disproportionate cost.

Parliamentary Questions

Mr. Lidington: To ask the Secretary of State for Health what his target is for answering ordinary written questions from hon. Members; and what percentage of his Department's answers were made within the target time in *(a)* 1999 and *(b)* 2000 to date. [110320]

Ms Stuart: The Department's target for replying to ordinary written questions is five working days. In 1999 we achieved this 63 per cent. of the time. In 2000 to date we have achieved this 40 per cent. of the time.

Mr. Lidington: To ask the Secretary of State for Health when he plans to reply to the two questions about NHS Direct tabled by the hon. member for Aylesbury on 24 January for answer on 27 January (refs. 107079 and 107088). [110321]

Ms Stuart: Because of the detailed nature of the hon. Member's questions it is taking a long time to compile the data. I shall let the hon. Member have a reply as soon as possible.

Cystic Fibrosis

Mr. Robertson: To ask the Secretary of State for Health if he will make a statement on the National Screening Committee's advice regarding antenatal screening for cystic fibrosis. [110249]

Mr. Denham: The United Kingdom National Screening Committee does not currently recommend the introduction of routine antenatal screening for cystic fibrosis. This is based on the advice of its specialist Antenatal Screening Sub-Group. The aim of any antenatal screening programme would be informed choice and as yet there are too many mutations of cystic fibrosis and too little information on their clinical severity to enable counsellors to facilitate informed choice. The UK National Screening Committee will review this approach in the light of any new evidence.

Written Answers to Questions

Wednesday 16 February 2000

LORD CHANCELLOR'S DEPARTMENT

Legal Advisers

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance his Department has issued to ensure that legal advisers working on a conditional fee basis make disclosures of that fact to any other party to litigation or to a transaction; and if the guidance provides that such disclosures be made. [110034]

Mr. Lock: At present there is no need for special guidance as the opponent's liability for costs is unaffected if a claimant chooses to finance litigation through a conditional fee agreement. However, the success fee in a conditional fee agreement and the premium for any insurance policy against costs will become recoverable from the losing party from 1 April, when the relevant provisions of the Access to Justice Act 1999 come into force. On 1 February, the Government published a report entitled "The Government's Conclusions Following Consultation on Conditional Fees: Sharing the Costs of Litigation". In view of the opponent's potential liability for increased costs if there is a success fee or insurance premium, the report includes recommendations to the Civil Procedure Rule Committee as to how rules of court might deal with issues of disclosure. Copies of the report have been placed in the Libraries of both Houses.

HOME DEPARTMENT

Nottinghamshire Police (PFI)

Mr. Coaker: To ask the Secretary of State for the Home Department what assessment he has made of the progress of the PFI project involving vehicle supply, support and maintenance for Nottinghamshire Police; and if he will make a statement. [110345]

Mr. Charles Clarke: I understand that negotiations between the Nottinghamshire Police and the preferred bidders for this project are continuing, with a view to a contract being signed early in the next financial year.

Gambling Review Body

Mr. Stephen Twigg: To ask the Secretary of State for the Home Department when he plans to announce the appointment of the Chairman of the Gambling Review Body and the body's terms of reference. [110759]

Mr. Straw: Further to the reply I gave my hon. Friend the Member for Dundee, West (Mr. Ross) on 8 December 1999, *Official Report,* column 534W, I have today appointed Sir Alan Budd as Chairman of the Gambling Review Body.

Sir Alan Budd is Provost of Queen's College, Oxford, and a former Chief Economic Adviser to the Treasury. The position is unpaid.

We will make a further announcement on the membership of the Review Body in the next few weeks. We hope it will start work shortly after Easter to report by the Summer 2001.

The terms of Reference for the gambling review are as follows:

Consider the current state of the gambling industry and the ways in which it might change over the next 10 years in the light of economic pressures, the growth of e-commerce, technological developments and wider leisure industry and international trends.

Consider the social impact of gambling and the costs and benefits.

Consider, and make recommendations for, the kind and extent of regulation appropriate for gambling activities in Great Britain, having regard to:

- their wider social impact;
- the need to protect the young and vulnerable from exploitation and to protect all gamblers from unfair practices;
- the importance of preventing gambling from being carried out in a way which allows crime disorder or public nuisance;
- the need to keep the industry free from infiltration by organised and other serious crime, and from money laundering risks;
- the desirability of creating an environment in which the commercial opportunities for gambling, including its international competitiveness, maximise the United Kingdom's economic welfare; and
- the implications for the current system of taxation, and the scope for its further development.

Consider the need for, and, if necessary, recommend new machinery appropriate for carrying out that regulation which achieves a more consistent and streamlined approach than is now possible and which is financed by the gambling industry itself.

Consider the availability and effectiveness of treatment programmes for problem gamblers and make recommendations for their future provision, potential costings and funding.

In conducting this review, the body should not consider changes to the National Lottery, but it will need to look at the impact on the Lottery of any proposed changes, including an assessment of the potential effect on the income to good causes.

Sex Offenders

Mr. McNamara: To ask the Secretary of State for the Home Department (1) how many prisoners are undergoing treatment on a sex offender therapy programme; how many prisoners have been recommended for treatment on such a course in the past year; and by how much demand for places outstrips supply; [110082]

(2) what is the average time between recommendation for treatment on a sex offender therapy programme and placement on such a course. [110083]

Mr. Boateng: Records are kept centrally of the number of sex offender treatment programmes running at any one time, but not of the number of offenders participating in them. However, given that there is an average of eight inmates attending each of the 48 programmes currently in progress, about 384 prisoners will be receiving treatment at the moment.

No records are kept centrally of the number of prisoners who have been recommended for a place on the programme and this information could be obtained only at disproportionate cost. The programme is open to all adult male prisoners who have been convicted of a sexual offence, to those whose index offence appears to have had

a sexual motive and to those who have been convicted of a sexual offence in the past and are assessed as needing to participate in the programme. Candidates must be assessed as suitable for participation in the programme and they must be willing to participate in it.

There are considerable variations between the dates on which individual prisoners are assessed for participation in the programme and the commencement of treatment. It would not be feasible to make places available on demand for all prisoners who need to undergo it, and the Prison Service, therefore, operates a waiting list system. For determinate sentenced prisoners, the order of priority is determined by an assessment of risk of re-offending balanced against time left to serve; for life sentenced prisoners by their tariff date, or by proximity of the next parole review if the tariff has expired or none was set. In addition to that, programme treatment managers need to ensure that each group has a balance of different types of offender. This means that a prisoner at the top of a waiting list may not necessarily be selected for the next programme. For these reasons, average waiting times between assessment and participation have little significance and are not recorded centrally.

Mr. McNamara: To ask the Secretary of State for the Home Department what action he has taken in response to the report by HM Inspector of Prisons into Wymott Prison; and what plans he has to increase the provision of sex offender therapy programme places there. [110084]

Mr. Boateng: In accordance with the protocol for handling inspection reports, the Prison Service produced an action plan within 30 working days of publication of the report. All but three of the 104 recommendations have been accepted, and an updated action plan showing the progress made will be produced in April 2000, nine months after publication of the report.

Additional resources have been made available under the Government's Comprehensive Spending Review and the number of sex offender treatment programmes is set to increase as follows: 48 places in 1999–2000, 56 places in 2000–01, and 72 places in 2001–02.

Immigration and Asylum (Scottish Executive)

Dr. Godman: To ask the Secretary of State for the Home Department what discussions he has held with the Scottish Executive concerning a bilateral concordat in relation to the implementation of the Immigration and Asylum Act 1999; and if he will make a statement. [109225]

Mrs. Roche: Implementation of the Immigration and Asylum Act 1999 in Scotland is being pursued in accordance with the administrative arrangements set out in the general concordat between the Home Office and the Scottish Executive. In particular, the National Asylum Support Service is maintaining close contact with the Scottish Executive to ensure the effective implementation of the new asylum support arrangements in Scotland.

Cycling Offences

Mr. Key: To ask the Secretary of State for the Home Department if he will list by police force the number of fixed penalty cycling offences committed monthly since 1 August 1999. [110021]

Mr. Charles Clarke: Information on the new fixed penalty offences introduced on 1 August 1999 is not yet available.

Each police force has been asked to monitor the fixed penalty provisions which came into force on 1 August 1999, and the figures will be published later in the year.

Monthly figures, however, are not being collected centrally.

National Fire College

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department in relation to the National Fire College at Moreton-in-Marsh, Gloucestershire, when he will commence implementing the recommendations of the Options Review and over what timescale the implementation will be completed; what discussions he has had with the unions about the recommendations; and what discussions he has had with the private sector about the recommendation to form a private public sector partnership. [110228]

Mr. Mike O'Brien: I refer to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Eccles (Mr. Stewart) on 20 December 1999, *Official Report*, columns 370–71W. This makes it clear that we have invited the views of all interested parties, including the trade unions, by 18 February 2000. We shall also be seeking the advice of the Central Fire Brigades Advisory Council. We will take further decisions on implementation in the light of these consultations.

Polling Booths

Mrs. Brinton: To ask the Secretary of State for the Home Department (1) what plans he has to increase the accessibility of polling booths to the aged who are disabled; [109988]

(2) if he will estimate the increase in the number of people aged 65 or over who would vote in a national election if all polling booths were accessible to those with disabilities [109987]

Mr. Mike O'Brien: The Representation of the People Bill includes measures specifically aimed at increasing the accessibility of polling places to disabled voters. In addition, guidance on national minimum access standards for polling places was issued in June 1999; new guidance on disabled access to electoral services is being developed, and grants are available to local authorities for temporary ramps and polling screens. No statistics are collected on the age or disability of voters.

Remploy

Mr. Caton: To ask the Secretary of State for the Home Department what Remploy products his Department has purchased in the last three years. [109932]

Mr. Straw: The following Remploy products have been purchased by my Department over the last three years.

Year	Product
1997	Office furniture Binders
1998	Office furniture Binders
1999	Office furniture

Franchise

Mr. Cox: To ask the Secretary of State for the Home Department what plans he has for legislation that would allow long-term residents in the UK from member states of the European Union to be able to vote in all UK elections. [109997]

Mr. Mike O'Brien: European Union citizens can vote in local and European Parliamentary elections in the member state in which they are resident. We have no plans unilaterally to extend these voting rights to Parliamentary elections in this country.

West Mercia Police

Mr. Michael J. Foster: To ask the Secretary of State for the Home Department how many civilians were employed by West Mercia Police Authority in each year since 1979. [110120]

Mr. Charles Clarke: The information requested is set out in the table.

West Mercia Constabulary
Civilian support staff—1979 to 1999

Year (As at 31 March)	Number of civilians
1979	493
1980	519
1981	540.5
1982	560.5
1983	604.5
1984	701.5
1985	742.5
1986	760
1987	750
1988	744
1989	772
1990	832
1991	836
1992	850
1993	925
1994	918.5
1995	949
1996	963.7
1997	942.1
1998	974.6
1999	975.2
1999 (30 September)	963.6

Asylum Seekers

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) what is his policy with regard to the detention of asylum claimants from states which are party to an association agreement with the European Union; [110031]

(2) what information is given by his Department to asylum seekers from states which are party to an association agreement with the European Union regarding their rights to establish themselves in the UK. [110032]

Mrs. Roche: Association agreements do not provide an automatic right of establishment. Information regarding the right of establishment is not provided routinely, but is available to asylum seekers and others on request.

Decisions on whether detention is appropriate are made on a case-by-case basis. Detention is used only as a last resort, and only those who are inadmissible passengers, illegal entrants or subject to deportation action may be detained. The existence of an association agreement between an asylum seeker's country of origin and the European Union is not taken into account.

Burns Inquiry

Dr. Gibson: To ask the Secretary of State for the Home Department (1) who determined the criteria used in drawing up lists of those invited to *(a)* give oral evidence to the Burns Inquiry, *(b)* attend seminar sessions to discuss commissioned research and *(c)* set up public meetings for the Burns Inquiry team; [109949]

(2) who set down the criteria used to determine which organisations were consulted in drawing up the list of hunting events for members of the Burns Inquiry to attend. [109954]

Mr. Mike O'Brien: The Committee of Inquiry into Hunting has been set up as a committee which is independent of Government. Terms of reference have been given to the Committee, as set out in the reply by my right hon. Friend the Home Secretary to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 9 December 1999, *Official Report*, columns 617-18W.

The conduct of the Committee, within those terms of reference, is a matter for the Chairman and the members of the Inquiry team.

Dr. Gibson: To ask the Secretary of State for the Home Department if he will list the (a) individuals put forward by interested parties and (b) organisations approached for nominations for membership of the Burns Inquiry. [109953]

Mr. Mike O'Brien: Organisations and Government Departments approached for suggestions for names of potential members of the Inquiry team into hunting included:

The Cabinet Office;

Campaign 2000 (the Royal Society for the Prevention of Cruelty to Animals, the International Fund for Animal Welfare and The League Against Cruel Sports);

The Country Landowners Association;

The Countryside Agency;

The Countryside Alliance;

The Department of the Environment, Transport and the Regions;

The Ministry of Agriculture, Fisheries and Food;

The National Trust;

The office of the Secretary of State for Wales; and

The Wildlife Network.

We consulted organisations on the basis that nominations would be received in confidence. It would not be right, therefore, for me to divulge individual names.

Electronic Tracking

Mr. Bob Russell: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 February 2000, *Official Report*, column 142W, on electronic tracking, how many offenders have been granted a variation in the hours of a home detention curfew by prison governors; and in the case of each offender on how many occasions the variation was granted. [110135]

Mr. Boateng: The information requested is not held centrally and could be made available only at disproportionate cost by an examination of individual prisoner records.

Crime (Young People)

Mr. Blizzard: To ask the Secretary of State for the Home Department (1) if he will provide financial support for the work of prisons with schools to direct young people away from crime; [109526]

(2) if he will make it his policy for prisons to use serving prisoners in controlled circumstances to assist young people to address their offending behaviour; [109527]

(3) if he will provide financial support for the work of prisons in developing programmes to address the offending behaviour of young people referred from local courts and youth offending teams; [109525]

(4) if he will make it his policy to include prison staff on youth offending teams. [109524]

Mr. Boateng: Under the Crime and Disorder Act 1998, local authorities must plan how youth justice service systems will be delivered locally. If they choose, they may seek to involve the Prison Service in the delivery of those services, including work with schools and the secondment of prison staff to youth offending teams. Funding for this work will, however, in general have to be found from youth offending team resources, since the Prison Service is funded to work with offenders in custody.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for the Home Department if he will list the previously planned meetings, and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109869]

Mr. Straw: No meetings between my Department and its Austrian counterparts have been cancelled since the formation of the new Austrian Government, since, so far as I am aware, none were planned.

Mr. Jim Murphy: To ask the Secretary of State for the Home Department how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what subjects were discussed at each meeting since May 1997. [109902]

Mr. Straw: My Department does not hold a central record of bilateral meetings with counterparts in other European Union member states. But bilateral meetings with Austrian counterparts in recent years have included:

a visit to Vienna by the United Kingdom's then K4 Co-ordinator on 16–17 September 1997;

a visit I made to Vienna on 14 May 1998 for talks with the then Austrian Ministers of Interior and Justice; and

a return visit to London 25 November 1998 by the then Austrian Interior Minister.

All three meetings were in connection with the United Kingdom and Austrian presidencies of the European Union and covered a variety of topics on the Justice and Home Affairs Council agenda.

Hunting with Dogs

Dr. Stoate: To ask the Secretary of State for the Home Department if he will make a statement on the Government's plans to ban hunting with dogs. [109549]

Mr. Mike O'Brien: I refer my hon. Friend to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Worcester (Mr. Foster) on 11 November 1999, *Official Report*, columns 787–88W.

Sunday Elections

Mr. Trickett: To ask the Secretary of State for the Home Department what estimate he has made of the additional cost per elector of pilot schemes under which elections take place on Sunday. [109767]

Mr. Mike O'Brien: A number of local authorities have applied to run pilot schemes which involve weekend voting but no scheme which provides for voting on Sunday only will be run.

Trial by Jury

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the *(a)* number and *(b)* cost of additional appeals to the Crown Court against the (i) verdicts and (ii) sentences of magistrates, under his proposals to restrict the right to trial by jury. [108099]

Mr. Straw *[holding answer 2 February 2000]:* Only 1 per cent. of defendants appeal against conviction and sentence following a trial in the magistrates courts and the model which has been used to estimate costs assumes that the effect will be de minimis. Even if as many as 10 per cent. of previously electing defendants chose to appeal following conviction after a contested trial, there would be fewer than 200 additional appeals, at a cost of less than £250,000.

CULTURE, MEDIA AND SPORT

Broadcasting

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the EU authorities on the framework for public financing for broadcasting with special reference to licence fee supplements. [110072]

Janet Anderson *[holding answer 14 February 2000]:* My officials met Commission officials on 26 January, primarily to discuss the Commission's decision on BBC News 24. The various funding options identified in the report of the independent panel, chaired by Gavyn Davies, "Review of the Future Funding of the BBC", were briefly discussed.

Mr. Alan Simpson: To ask the Secretary of State for Culture, Media and Sport which *(a)* organisations and *(b)* individuals he has met to discuss broadcasting since 1 May 1997. [109995]

Janet Anderson: My right hon. Friend has discussed broadcasting with a wide range of organisations and individuals since 1 May 1997, and with many of them a number of times. Diary records are not kept by subject matter and it would not be possible to identify all such meetings, formal and informal, in order to provide the comprehensive list sought.

Museums, Libraries and Archives Council

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport with which body the Chief Executive of the Museums, Libraries and Archives Council has a contract of employment. [110108]

Mr. Chris Smith *[holding answer 14 February 2000]:* The Chief Executive of the Museums, Libraries and Archives Council has a contract of employment with the Museums, Libraries and Archives Council (MLAC).

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) what procedures were followed in the selection of a candidate for the new Chief Executive of the New Millennium Experience Company; [109470]

(2) if he will make a statement of the role of Lord Falconer of Thoroton in the appointment of the new Chief Executive of the New Millennium Experience Company. [109472]

Janet Anderson *[holding answer 10 February 2000]:* The NMEC Board appointed Pierre-Yves Gerbeau as Chief Executive of the Company on 7 February. Mr. Gerbeau's appointment reflects the view that a different approach and different skills are now needed to manage the project successfully during its year of operation. A number of possible candidates were considered before deciding to appoint Mr. Gerbeau. Under the terms of the Financial Memorandum governing relations between the NMEC and its Shareholder, Lord Falconer of Thoroton has approved the appointment.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the balance of the revenues of the New Millennium Experience Company and the operating costs of the Dome. [106354]

Janet Anderson *[holding answer 24 January 2000]:* It is too early at this stage to make a conclusive estimate but I fully expect the New Millennium Experience Company to meet its income targets and complete the Millennium Experience project within the original £758 million cash-limited budget.

Millennium Dome

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport which schools in the Colchester constituency will be eligible to receive free tickets to visit the Millennium Dome; how many pupils in each school will be eligible; and what are the arrangements for the allocation of tickets. [106467]

Janet Anderson: Every school in the Colchester constituency is eligible to apply for up to 100 free tickets to the Dome under the New Millennium Experience Company's (NMEC) Education Tour scheme. Up to 1,000,000 free tickets are available. The available free tickets are allocated over a series of ballots. The first ballot, for tickets available in February, March and April, took place in November 1999. The second ballot, for tickets available in May, June and July, will take place in February 2000. The third ballot, for tickets available in September, October and November, will take place in June 2000. The final ballot, for tickets available in December, will take place in September 2000. NMEC, through the Education and Learning Experience Managers in its 12 offices countrywide (Scotland, Wales, Northern Ireland, the North-East, Yorkshire and Humberside, the North-West, the East Midlands, the West Midlands, the East, the South-East, the South-West and London), and through the regional media will continue to ensure that all schools are fully aware of the free ticket scheme and of the education visit arrangements.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport (1) which schools in the Chorley constituency will be eligible to receive free tickets to visit the Millennium Dome; [105039]

(2) how many pupils in each school in the Chorley constituency will be eligible for free tickets to visit the Millennium Dome. [105040]

Janet Anderson: *[holding answer 17 January 2000]:* Every school in the Chorley constituency is eligible to apply for up to 100 free tickets to the Dome under the New Millennium Experience Company's (NMEC) Education Tour scheme. Up to 1,000,000 free tickets are available. The available free tickets are allocated over a series of ballots. The first ballot, for tickets available in February, March and April, took place in November 1999. The second ballot, for tickets available in May, June and July, will take place in February 2000. The third ballot, for tickets available in September, October and November, will take place in June 2000. The final ballot, for tickets available in December, will take place in September 2000. Approximately 12 per cent. of all free tickets are available to schools in the North West region as this is the approximate proportion of the school population in that region. NMEC, through the Education and Learning Experience Managers in its 12 offices countrywide (Scotland, Wales, northern Ireland, the north-east, Yorkshire and Humberside, the north-west, the east Midlands, the west Midlands, the east, the south-east, the south-west and London), and through the regional media will continue to ensure that all schools are fully aware of the free ticket scheme and of the education visit arrangements.

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport what provision is made for students with learning difficulties attending further

education establishments to be allocated free tickets to visit the Millennium Experience; and if he will make a statement. [108724]

Janet Anderson: The New Millennium Experience Company are not making free tickets for the Dome available to further education establishments. Free tickets are available to up to 1 million schoolchildren aged between eight and 16. Groups of students are charged £14.50 per head and student card holders wishing to make their own arrangements pay £16.50. NMEC is happy to discuss any special needs which particular visitors and groups might have—for example, special needs groups can bring an enabler with them free of charge and can use the on site car park, provided they are Orange Badge Holders and book beforehand. Hosts can be prepared to receive a particular group and ensure that its members are able to move through zones at their own pace, and buggies and wheelchairs can be arranged. All special needs requirements can be arranged on the Dome ticket line (0870 606 2000) when booking Dome tickets.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what travel assistance is being provided to schools in the Chorley constituency visiting the Dome. [105041]

Janet Anderson *[holding answer 17 January 2000]:* The costs attributable to the New Millennium Experience Company's (NMEC) Education Tour scheme at the Dome, including administration of the scheme, the tickets themselves and the management costs of implementing it throughout the year, are being met by NMEC from the Millennium Experience project budget. It is, however, established practice with school trips for the schools to make arrangements for travel and subsistence themselves. NMEC provides all schools with details of travel companies who are offering packages specifically aimed at schools. Additionally, many schools are also well placed to negotiate favourable deals through their established relationships with local travel operators.

Millennium Experience (Sponsorship)

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport (1) if he will list the Millennium Experience zones for which final sponsorship arrangements remain outstanding; [106407]

(2) if he will list the *(a)* zones and *(b)* corporate sponsors of the Millennium Experience for which agreed sponsorship moneys remain outstanding. [106207]

Janet Anderson *[holding answer 27 January 2000]:* The target for the New Millennium Experience Company was to raise £150 million of sponsorship value towards its overall income requirement of £758 million. While the company's approach to sponsorship focused on individual exhibit zones, other forms of sponsorship—for example Official Supplier status—were also pursued and achieved. Consequently, once the £150 million was delivered, the company could remain within its £758 million cash-limited budget and deliver the Millennium Experience as planned, even if some exhibit zones were without sponsorship support. Sponsorship support has been achieved for the Work, Learning, Talk, Journey, Body, Shared Ground, Self Portrait, Home Planet, Money and Mind zones. Sponsorship support has also been achieved for Our Town Stage and donations have been received for the Faith zone.

In addition, sponsorship has been achieved for Skyscape and the Greenwich Pavilion, which are integral parts of the Millennium Experience but outside the Dome. Exhibit zones without sponsorship support, but delivered within the cash-limited budget, are Play, Rest, Timekeepers, Living Island and the Millennium Show in the Central Arena.

Those sponsors who have signed contracts with NMEC have paid, and are paying, sponsorship moneys according to the terms of their contracts. The three contracts, outstanding as at 10 February and detailed in my answer to the hon. Member for East Surrey (Mr. Ainsworth) on 14 February 2000, *Official Report,* column 442W, are being taken forward urgently by NMEC and moneys due under their terms will be paid accordingly. The actual amounts are subject to confidentiality provisions applicable to both parties.

BBC

Mr. Alan Simpson: To ask the Secretary of State for Culture, Media and Sport if he will take steps to widen the accountability of the BBC. [109993]

Janet Anderson: The independent review panel on the future funding of the BBC made a number of recommendations on BBC transparency and accountability. We intend to announce our decisions on those recommendations shortly.

Transfrontier Television

Mr. McNamara: To ask the Secretary of State for Culture, Media and Sport what plans he has to ratify the amendment to the Protocol of the European Convention on Transfrontier Television to enable it to enter into force on 1 October 2000. [110081]

Janet Anderson: The Protocol amending the European Convention on Transfrontier Television will enter into force on 1 October 2000, provided that no State Party to the Convention notifies the Secretary General of the Council of Europe of an objection to its entry into force. The United Kingdom has no plans to make such an objection.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Local Government Finance

Mr. Brooke: To ask the Secretary of State for the Environment, Transport and the Regions if he will exempt from being classified as excessive council tax rises the consequences of complying with the proposals of the Secretary of State for Education and Employment for passporting the increase in education standard spending assessments to education budgets. [110414]

Ms Armstrong: The Secretary of State will not be deciding whether to determine any principles to identify excessive budgets until all local authorities have set their budgets for 2000–01.

Mr. Brooke: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is on hypothecating standard spending assessments. [110413]

Ms Armstrong: Standard Spending Assessments are a component of the calculation of Revenue Support Grant, which is unhypothecated.

Air Quality Strategy

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what resources he has made available to local authorities to enable them to meet the targets set out in the Air Quality Strategy. [108335]

Mr. Meacher *[holding answer 3 February 2000]:* Since 1997, the Government have provided additional resources each year via the local government finance settlement to enable authorities to carry out their air quality management duties. We have also provided supplementary credit approvals to the value of £12 million over the same period to allow for capital expenditure on air quality monitoring equipment. We have issued guidance and established helpdesks to help with any technical difficulties. Where road transport is the major source of local air pollution, we have encouraged authorities to use their local transport plans where appropriate to bid for additional resources to tackle the problem.

Eurostar

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Stafford (Mr. Kidney) of 19 January 2000, *Official Report*, column 450W, when the consultant's report on Eurostar services to the North was completed and submitted to Ministers; and when he plans to make a statement on the report. [109296]

Mr. Hill *[holding answer 9 February 2000]:* The finalised report was completed and submitted to Ministers in January. An announcement of its publication will be made to the House shortly.

Regional Development Agencies

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what criteria he uses to assess whether potential members of regional development agency boards have expertise in rural matters. [109808]

Ms Beverley Hughes: Candidates are assessed against a range of criteria, which includes demonstrating a detailed understanding of rural and environmental issues and/or a track record of success in the rural economy.

The specific knowledge and expertise sought has varied from region to region and has included experience and knowledge of agriculture and land use industries, experience of social and economic issues affecting rural areas, experience of small and medium businesses in the rural environment and knowledge of issues such as CAP reform. The relative importance of these elements has depended on the balance of skills and expertise available from other potential board members.

Public Bodies

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those non-departmental public bodies responsible to his Department which hold their *(a)* board and *(b)* working meetings in public; if he will set out the reasons for the remaining meetings being held in private; and if he will arrange to place in the Library the minutes of, and papers presented at, open board meetings of NDPBs responsible to his Department. [105077]

Ms Beverley Hughes: Of the executive NDPBs sponsored by DETR, only the eight Regional Development Agencies are statutorily required to hold an annual board meeting in public, following the publication of their annual reports. However, the following bodies do hold at least one annual open board meeting:

Docklands Light Railway;
Countryside Agency;
English Nature;
English Partnerships;
Environment Agency;
Health & Safety Commission and Executive;
Housing Action Trusts (all five bodies);
Local Government Commission for England;
London Regional Passengers Committee; and
National Forest Company.

Other NDPBs, including the Housing Corporation and the Traffic Director for London, hold meetings for stakeholders as and when necessary, and the Environment Agency's regional advisory committees hold their meetings in public. NDPB meetings are held in private for good reason: commercial confidentiality; personal confidentiality; legal matters; and operational reasons.

Many of DETR's executive NDPBs publish the minutes of board meetings and, in some cases, papers on the internet or make them available in paper form or do both. For this reason, and because of the volume of paper involved, I do not propose to ask bodies to place minutes of, and papers for, open board meetings in the Library.

Biosafety Protocol

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what are the Government's objectives in the forthcoming negotiations on the Biosafety Protocol in Montreal; and if he will make a statement. [105574]

Mr. Meacher *[holding answer 19 January 2000]:* I refer my hon. Friend to my answer of 9 February 2000, *Official Report*, columns 159–60W.

Genetically Modified Organisms

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on the European Commission amendments to Directive 90/220 (Deliberate Release of Genetically Modified Organisms). [108091]

Mr. Meacher: The European Commission's amendments to Directive 90/220/EEC that have been incorporated in the Council's Common Position reflect the political agreement that was reached at the June 1999 Environment Council. The amendments include stricter provisions for environmental risk assessment and

monitoring, the time limitation of consents, a tough new labelling regime and the identification and phasing out of antibiotic marker genes where they pose a risk to human health and the environment.

Homelessness

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on the provision of accommodation for homeless young single people who do not have family support. [110139]

Mr. Mullin: Local authorities currently have a duty under the Housing Act 1996 to accommodate unintentionally homeless people in priority need, which includes those who are vulnerable.

The Department of the Environment, Transport and the Regions' revised Code of Guidance on the Allocation of Accommodation and Homelessness, due to be published later in the year, will recommend that authorities treat 16 and 17-year-olds who have no back-up support as vulnerable, because of their age and circumstances, and therefore in priority need.

The revised Code of Guidance will recommend that authorities develop strategies for co-ordinated working between agencies, including the value of exploring joint assessments at an early stage for those with multiple needs. The Guidance will also explicitly refer to the need for this approach when assessing homelessness applications from vulnerable people and when dealing with the needs of young people between the ages of 16–18. The forthcoming Housing Green Paper is likely to include proposals for reform of the homelessness legislation to provide further protection for unintentionally homeless people in priority need.

Sustainable Waste Management

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what funding he has made available to local authorities for recycling, composting and other sustainable waste management initiatives for each financial year since the introduction of the landfill tax. [110030]

Mr. Mullin: There has been no specific funding for such initiatives by authorities, but schemes for new waste management facilities can be eligible for funding under the PFI. To date, 7 such schemes have been endorsed and will receive a total of £316.7 million of PFI credits.

As we said in the draft National Waste Strategy, "A way With Waste", we recognise that the move to more integrated, sustainable waste management could incur costs to local authorities. We are therefore considering options for providing more resources to local authority waste management as part of the current Spending Review.

Remploy

Mr. Caton: To ask the Secretary of State for the Environment, Transport and the Regions what Remploy products his Department has purchased in the last three years. [109934]

Ms Beverley Hughes: The Department purchased from Remploy office desking and pedestals during the period 1 January 1997 to 31 October 1997 after which the contract with the Department of Transport expired.

The value of this furniture was £39,561 and was purchased by the Central Services Unit of the Department of Transport and the Vehicle Inspectorate Executive Agency (VIEA).

Rent Assessment Panels

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the organisations which have been invited to respond to the consultation paper, entitled "Rent Assessment Panels: Financial Management and Policy Review". [109927]

Mr. Mullin: My Department invited the following organisations to respond to the consultation paper published on 18 November 1999:

All Party Parliamentary Group for Leasehold Reform and Commonhold
Association of Regulated Tenants' Associations
Association of Residential Letting Agents
Association of Residential Managing Agents
Association of Retirement Housing Managers
The Bar Council
British Property Federation
Camden Federation of Private Tenants
Campaign for Fairer Fair Rents
Coalition for the Abolition of Residential Leasehold
Council on Tribunals
DETR Trade Union Side
The Enfranchisement League
Federation of Independent Advice Centres
Flat Owners Self-Help Network
Kensington and Chelsea Staying Put
The Law Society
Leasehold Advisory Service
Leasehold Enfranchisement Association
Leasehold Enfranchisement Limited
Lord Chancellor's Department
National Assembly for Wales
National Association of Citizens' Advice Bureaux
National Association of Estate Agents
National Consumer Council
National Federation of Residential Landlords
Rent Assessment Panels in England and Wales
Rent Service Agency
Residential Landlords' Association
Royal Institution of Chartered Surveyors
Scottish Executive
Shelter
Small Landlords' Association.

My Department also invited comments from the following organisations who requested a copy of the consultation paper:

Advice Information and Mediation Service for Private Retirement Housing
Association of London Government
Brent Private Tenants' Rights Group
Brighton, Hove and District Leaseholders' Association
Bromford Housing Group
Independent Housing Ombudsman
Liverpool Federation of Council Tenants and Residents' Associations
Local Government Association
Private Tenants' Rights Project
South East Landlords' Association Group.

RAF Base, Little Rissington

Mr. Clifton-Brown: To ask the Secretary of State for the Environment, Transport and the Regions in relation to the Planning Inspector's report on the application for change of use for the hangars at the former RAF base at Little Rissington, Gloucestershire, when *(a)* the inspector's hearing was concluded, *(b)* the inspector submitted her report to Ministers and *(c)* the Minister made a decision. [110227]

Ms Beverley Hughes: The public inquiry concluded on 7 January 1999 and the Government Office for the South West (on behalf of the Secretary of State) received the Inspector's report on 2 August 1999. The decision in this case has been delayed in large part to the complexity of the issues and the changing status of the development plan. The case will be ready to submit to the Secretary of State in the very near future.

DEFENCE

Strategic Defence Review

Mr. Hancock: To ask the Secretary of State for Defence which programmes set out in the Strategic Defence Review have been *(a)* cut, *(b)* delayed and *(c)* cancelled as a result of the costs incurred by the Kosovo deployment. [108743]

Mr. Hoon: The costs of the Kosovo deployment have had no impact on programmes set out in the SDR. However, the Kosovo deployment has meant that we have not yet been able to implement as much of the SDR as we would have liked at this stage. Some force elements, particularly those in the Army's Formation Readiness cycle, whose training has been disrupted by the deployment to Kosovo, will not be at full readiness levels as soon as planned.

Tracer/FSCS System

Mr. Gill: To ask the Secretary of State for Defence when he last discussed the Tracer/FSCS system with his United States counterpart; and what conclusions were reached. [109859]

Dr. Moonie: My right hon. Friend the Secretary of State for Defence has not had any specific discussions about Tracer with his US counterpart.

Eurofighter

Mr. Hancock: To ask the Secretary of State for Defence what discussions his Department has had with the Norwegian Government about the possible purchase of the Eurofighter; and if he will make a statement. [109799]

Dr. Moonie: Discussions with the Norwegian Government are continuing and cover various aspects of governmental support, such as training, to assist in this important marketing campaign. Ministers of the Eurofighter nations have agreed to accept Norway as a member of the NATO Eurofighter and Tornado Management Agency should she choose to buy Eurofighter.

Mr. Hancock: To ask the Secretary of State for Defence what impact the production of the Meteor Missile in the United Kingdom will have on the missile selection process for the Eurofighter; and if he will make a statement. [109523]

Dr. Moonie: We are currently evaluating the bids we have received from two companies, Matra BAe Dynamics and Raytheon Systems Ltd., to meet our requirement for a Beyond Visual Range Air-to-Air Missile for Eurofighter. Our assessment will take into account the industrial issues associated with each bid together with a wide range of other factors including missile performance, cost, technical risk and overall value for money.

Cruise Missiles (Kosovo)

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the effectiveness of the Cruise missiles launched from UK submarines during the Kosovo conflict. [109837]

Mr. Hoon: The Tomahawk Land Attack Missiles (TLAM) fired from HMS Splendid made a highly effective contribution to the NATO air campaign in Kosovo. They provided a major step forward in UK capability, enabling precision attacks at long range against selected targets. Tomahawks were particularly valuable during periods of poor weather when fewer manned aircraft were able to operate.

Dervish Anti-personnel Land Mines

Mrs. Ray Michie: To ask the Secretary of State for Defence what plans he has to meet representatives from Edinburgh University to discuss the funding of the Dervish anti-personnel land mines clearance project. [109586]

Dr. Moonie: None.

Nancekuke

Ms Atherton: To ask the Secretary of State for Defence what archive files relating to Nancekuke are restricted for publication by the 30-year-rule; and if he will publish them early. [109947]

Dr. Moonie: It is not possible to identify the holding of all archived files relating to defence activities at Nancekuke without incurring disproportionate cost. All department records are reviewed under well established procedures and those selected for permanent preservation are released in accordance with the provisions of the Public Records Acts, 1958 and 1967.

European Council (Helsinki)

Mr. Colvin: To ask the Secretary of State for Defence what changes in military structures are required in order to implement the common foreign and security policies agreed at the Helsinki European Council. [109956]

Mr. Hoon: At the Helsinki European Council, EU member states agreed:

(a) to establish the new structures necessary for the EU to decide and, where NATO as a whole is not engaged, act in response to crises. These bodies will include a Military Committee and a Military Staff; and

(b) to set up, from March 2000, the interim arrangements required for the EU to develop its military crisis management procedures, including an interim body of military representatives of member states' Chiefs of Defence.

Defence Diversification Agency

Mr. Cohen: To ask the Secretary of State for Defence what is the budget for the Defence Diversification Agency for the financial year 1999–2000. [110317]

Dr. Moonie: The Defence Diversification Agency (DDA) was launched in 1999 with a notional budget of £2 million per annum for its first three years. In the Agency's start-up year (financial year 1999–2000) the forecast budget was set at £1.5 million to take account of the planned ramp up in its operations. The forecast actual spend against this budget is projected to be around £1.1 million.

Cluster Bombs

Mr. Livsey: To ask the Secretary of State for Defence if cluster bombs available for use by the armed services *(a)* at present and *(b)* within the last three years contain depleted uranium. [110223]

Mr. Spellar: No cluster bombs available for use by UK Armed Forces now or at any time during the last three years have contained depleted uranium.

Advertising Budgets

Mr. Baker: To ask the Secretary of State for Defence what was the average cost of issuing a media release from his Department in 1999. [110277]

Dr. Moonie: During 1999, the average cost to my Department of distributing a media release centrally was approximately £78.50.

Mr. Baker: To ask the Secretary of State for Defence what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110264]

Dr. Moonie: The information is not available in the requested format. However, MOD's forecast expenditure for 1999–2000 on PR, marketing and business support services (together with expenditure by the Chief of Public Relations but not including the salaries of staff or associated costs) totals £4.849 million. Recruitment costs are not included.

The corresponding figure for 2000–01 is £3.750 million.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Defence (1) if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source; [110158]

(2) what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110157]

Dr. Moonie: In line with the recommendations of a recent Government-wide review, it is my Department's policy to procure timber and timber products only from sustainable sources and, in the case of tropical hardwood, to require independent verification of those sources. The scheme operated by the Forest Stewardship council is one of a number of available verification schemes mentioned in the DETR's Green Guide for Buyers. Where practicable, the use of reclaimed timber or timber products is also considered. Guidance on the use of paper is set out in the Ministry of Defence's Environmental Manual (JSP 418) and will be reviewed as part of the implementation of the Department's corporate Environmental Management System. A copy of JSP 418 has been placed in the Library of the House.

Departmental Housing

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will make a statement on his Department's housing repair programme. [105564]

Dr. Moonie *[holding answer 18 January 2000]:* The Ministry of Defence plans cyclical maintenance and responds to requests for repairs through works services contracts. In Great Britain those works are managed by the Defence Housing Executive (DHE) who have a total repair and maintenance budget of £105.361 million in the current Financial Year. An additional £7.650 million is budgeted for carpets and curtains. Together these support the stock of some 64,000 houses. DHE have strict performance targets for meeting repair requests and these are being upheld.

Overseas and in Northern Ireland repairs and maintenance are actioned through the individual Service establishment's overall repairs and maintenance budget. This covers all Service buildings and office accommodation as well as housing and it is not possible to identify precisely the expenditure for housing alone.

Mr. Duncan Smith: To ask the Secretary of State for Defence what funding his Department has allocated for each of the next three years for the renovation of service housing. [105563]

Dr. Moonie *[holding answer 18 January 2000]:* The funding allocated for the next three years for the renovation of the married quarters estate (the upgrade programme) in Great Britain is as follows:

Financial year	*£ million*
2000–01	79.7
2001–02	78.8
2002–03	69.5

There is no separate programme for the renovation of Service housing overseas which is undertaken with general estate maintenance.

TRADE AND INDUSTRY

Advertising Budgets

Mr. Baker: To ask the Secretary of State for Trade and Industry what was the average cost of issuing a media release from his Department in 1999. [110278]

Mr. Byers: I refer the hon. Member to the answer given to him on 9 February 2000, *Official Report*, column 208W.

Mr. Baker: To ask the Secretary of State for Trade and Industry what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110265]

Mr. Byers: Most of the Department's publicity budgets, and the details of expenditure on advertising, are not held centrally. Also, in most cases a budget for advertising is not identified separately from other types of publicity or programme spend. The information requested could be produced only at disproportionate cost.

Companies House

Mr. Hoyle: To ask the Secretary of State for Trade and Industry when the quinquennial review of Companies House will take place; and what the terms of reference for the review will be. [110934]

Mr. Alan Johnson: I am today launching the Quinquennial Review of Companies House.

Agencies and non-Departmental Public Bodies (NDPBs) are at the heart of our programme to modernise government. The Government are committed to achieving better public services that are of higher quality and are more responsive to the needs of the people who use them. Regular Agency and NDPB reviews are an important element in ensuring that we have in place the right structures to deliver the Government's agenda effectively and to provide a strong focus on improving future performance.

The terms of reference for the Review of Companies House are:

To consider and to make recommendations regarding:

First, the organisational status which would be most appropriate for the operation and policy of Companies House in the future, taking into account its contribution to the objectives of the Department and of the Government as a whole, including the Modernising Government agenda, developments in the national and international legislative, regulatory and commercial environment; and

Second, whether any changes should be made to the way in which Companies House operates, including its aims and objectives, targets and financial controls; the scope of the activities undertaken; and whether its activities could be done more effectively.

In carrying out both stages of the review, the views of customers, staff and their trade unions, consumers and other interested parties will be fully taken into account.

The review is to be undertaken in accordance with the latest Cabinet Office guidance, published on 31 January 2000.

The Review will be carried out by officials in the Department of Trade and Industry, with specialist advice as appropriate. The work of the Review Team will be overseen by a Steering Group chaired by the Director General of Competition and Markets and including an independent member. The aim will be to complete the review within about six months, as recommended in the Cabinet Office guidance.

As indicated in the terms of reference, the Review Team is seeking the views of interested parties. A questionnaire is available from:

Companies House Review Team
Department of Trade and Industry
Bay 104
151 Buckingham Palace Road
London SW1W 9SS
tel: 020 7215 1548
email: cca.comments@lond02.dti.gov.uk

Comments should be sent to the same address by 17 March 2000.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Trade and Industry how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109903]

Mr. Caborn: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Jim Murphy: To ask the Secretary of State for Trade and Industry if he will list those previously planned meetings and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109905]

Mr. Caborn: The 'Britain Now' campaign, which was to involve a series of commercial and cultural events and was due to be held in Austria in May 2000, has been postponed. It may be rescheduled when the political climate is right and when commercial interests in the events themselves are more secure.

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Trade and Industry if all food served at his Department's official functions meets the standards of production required of domestic producers. [109774]

Dr. Howells *[holding answer 11 February 2000]:* Only caterers who meet the statutory requirements of food safety legislation are used as suppliers to the Department. They are audited for compliance before being used for the first time, and then at least annually.

EU Structural Funds

Mr. Blizzard: To ask the Secretary of State for Trade and Industry if money from a private company, acting in the capacity of a port authority, is eligible as matched funding for European Objective 2 funding. [110138]

Mr. Caborn: It is perfectly acceptable for projects supported by the structural funds to be part-funded by the private sector. The Government encourage programme partnerships to provide for flexibility in their programmes between private and public funding. The amounts of public and private funding required for programmes are set out in the financial tables in each Single Programming Document which must be agreed with the European Commission.

Cash Machines (Surcharges)

Mr. Chidgey: To ask the Secretary of State for Trade and Industry if he will use his powers under the Prices Act 1974 to regulate the charging of cash machine customers; and if he will make a statement. [109484]

Dr. Howells *[holding answer 11 February 2000]:* I believe that any charges for cash machines should be clearly displayed before the transaction proceeds. I am aware that the banking industry is currently considering this in the context of the revision to the Banking Code and I hope that a voluntary agreement ensuring transparency will be achieved. Nevertheless, if this is not, I will use my powers in section 4 of the Prices Act 1974 to require the industry to display charges clearly.

Mr. Chidgey: To ask the Secretary of State for Trade and Industry what powers he has to regulate the charging of cash machine customers. [109483]

Dr. Howells *[holding answer 11 February 2000]:* Under section 4 of the Prices Act 1974 the Secretary of State may by order require that charges for services such as the use of cash machines are indicated.

From 1 March the Director General of Fair Trading will have the power to examine such matters under the Competition Act 1998.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what advice he has received from the Trade Attaché of the British Embassy in Chile concerning the trade effects of the arrest of General Pinochet. [110114]

Mr. Caborn *[holding answer 14 February 2000]:* The Commercial Section within our Embassy in Santiago provides regular advice on trade-related opportunities and developments. British companies remain active in Chile, although trade over the past year has been affected by the impact of the Asia crisis on the sub-region, including Chile, rather than by the detention of Senator Pinochet.

Export Credits Guarantee Department

Ms Oona King: To ask the Secretary of State for Trade and Industry if he will list the unrecovered loans issued by the Export Credits Guarantee Department over the last 15 years which are attributed to defence-related contracts, broken down by *(a)* country, *(b)* financial amount and *(c)* equipment. [108740]

Mr. Caborn: From information readily available, the value claims paid by ECGD in respect of defence-related contracts under guarantees issued in the last 15 years and which remain outstanding for recovery is as follows:

£ million

Country	*Value of claims outstanding*
Algeria	98
Egypt	46
Indonesia	131
Jordan	253
Kenya	16

The equipment supplied under these contracts includes aircraft, artillery, naval vessels, vehicles, communications and ancillary equipment.

Dr. Cable: To ask the Secretary of State for Trade and Industry if he will list the losses attributable to defence-related business with the ECGD broken down by *(a)* country, *(b)* goods and *(c)* financial amounts concerned for each year from 1997 to 1999. [108766]

Mr. Caborn *[holding answer 7 February 2000]:* No business for which ECGD has issued cover in the period 1997 to 1999 has given rise to losses.

However ECGD has recognised losses in this period in respect of business which was the subject of guarantees issued prior to 1997. In the case of defence-related business the losses are as follows:

£ million

Market	*Amount written off*
Burkina Faso	0.6
Egypt	0.7
Tanzania	0.1

Details of the goods are not readily available.

NORTHERN IRELAND

Traffic Accidents

Mr. Peter Bottomley: To ask the Secretary of State for Northern Ireland how many people have been killed or seriously injured in road traffic accidents in Northern Ireland since 1988. [110318]

Mr. Ingram: The following table shows the number of fatalities and serious injuries in road traffic accidents in northern Ireland since 1988:

Year	*Fatalities*	*Serious injuries*
1988	178	1,969
1989	181	2,014
1990	185	1,993
1991	185	1,648
1992	150	1,841
1993	143	1,725
1994	157	1,648
1995	144	1,532
1996	142	1,599
1997	144	1,548
1998	160	1,538
1999	141	[1]—

[1] Not yet available

Armed Robbery

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many armed robberies there have been in Northern Ireland since the Good Friday Agreement. [110052]

Mr. Ingram *[holding answer 14 February 2000]:* There have been 729 armed robberies in Northern Ireland during the period from 10 April 1998 to 10 February 2000.

Mr. Paterson: To ask the Secretary of State for Northern Ireland if he will estimate the number of people who have been held at gunpoint in armed robberies in Northern Ireland since the Good Friday Agreement. [110316]

Mr. Ingram: The number of persons held at gunpoint during the 729 armed robberies recorded since the signing of the Good Friday Agreement could be provided only at a disproportionate cost.

SCOTLAND

Immigration and Asylum Act 1999

Dr. Godman: To ask the Secretary of State for Scotland if, in relation to the Memorandum of Understanding published in October 1999, he has attended a joint ministerial committee to discuss matters relating to the implementation of the Immigration and Asylum Act 1999; and if he will make a statement. [109226]

Dr. Reid: The implementation of this Act in Scotland has been the subject of regular contact between the Home Office and the relevant bodies in Scotland. UK Government Ministers are in frequent contact with Scottish Ministers on a wide range of matters. This issue has not been the subject of a meeting of the Joint Ministerial Committee.

Bilateral Concordats

Dr. Godman: To ask the Secretary of State for Scotland if, in relation to the Memorandum of Understanding published in October 1999, he will list the bilateral concordats between the Scottish Executive and UK Government Departments; and if he will make a statement. [109227]

Dr. Reid: The following bilateral concordats between UK Government Departments and the Scottish Executive have been published:

1. Cabinet Office
2. Department of the Environment, Transport and the Regions
3. Department for Education and Employment
4. Ministry of Agriculture, Fisheries and Food (main concordat)
   (a) Ministry of Agriculture, Fisheries and Food (subject specific concordat on Fisheries)
   (b) Ministry of Agriculture, Fisheries and Food (subject specific concordat on State Veterinary Services and Animal Disease Compensation)
5. Office for National Statistics/General Register Office for Scotland
6. Department of Trade and Industry
7. HM Treasury and Department of Trade and Industry (subject to specific concordat on public procurement and related international obligations)
8. Health and Safety Executive
9. Department of Culture, Media and Sport
10. Ministry of Defence
11. Lord Chancellor's Department
12. European Structural Funds
13. HM Treasury
14. Department of Health
15. Home Office
16. Department of Social Security.

The bilateral concordats are administrative, not legally binding, agreements between UK Government Departments and the Scottish Executive, setting out their working relationships.

PRIME MINISTER

Austria

Q14. **Dr. Julian Lewis:** To ask the Prime Minister if he will make a statement on his policy on the inclusion of the Freedom Party in the Government of Austria. [108949]

The Prime Minister: We made clear our concern at the inclusion of the Freedom Party in the Austrian Government. We have welcomed the fact that the new Austrian Government has committed itself to abiding by the common obligations and values of EU membership, but we will be judging it by its future actions.

NHS Beds (Oxfordshire)

Q16. **Dr. Harris:** To ask the Prime Minister what is his policy on providing NHS beds to patients in Oxfordshire. [108951]

The Prime Minister: It is the responsibility of individual health authorities to determine the most appropriate balance of health services locally, including the range and number of beds available to the local community.

The hon. Member will be aware that the report of the Government's National Beds Inquiry was published for consultation last week. The facts revealed by the report support our plans to build a new bridge of NHS care for older people between hospital and home and will support the first national strategy for providing NHS beds in 30 years.

The conclusions of the report underline the need for us to consider a variety of forms of care, from acute to community provision, depending on the circumstances. Some services will be provided in a large hospital, some in community hospitals and some will be via improved care services in the home.

Iraq

Q18. **Mr. Dalyell:** To ask the Prime Minister what account Her Majesty's Government have taken of the representations of *(a)* Denis Halliday, *(b)* Hans von Sponeck and *(c)* other senior officials of UN Agencies in relation to UN sanctions in relation to child nutrition and mortality in Iraq. [108953]

The Prime Minister: The Government are very concerned about reports of child morality rates and malnutrition in Iraq. We continue to support efforts to target the humanitarian effort there towards the most vulnerable.

Meanwhile, UN Security Council Resolution 1284, which was drafted and piloted through the Council by the UK, includes a raft of measures providing for an increased and improved "oil for food" programme. It also calls on

the Government of Iraq to prioritise its spending under "oil for food" more effectively and to address the needs of vulnerable groups.

If the Iraqi Government had chosen to prioritise properly the humanitarian assistance which has been made available since the start of "oil for food" in 1996, the suffering of the Iraqi people would have been hugely reduced.

Engagements

Mr. Prior: To ask the Prime Minister if he will list his official engagements for Wednesday 16 February. [108947]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 16 February. [109970]

The Prime Minister: This morning I had meetings witn Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

UN Agencies (Representations)

Mr. Dalyell: To ask the Prime Minister what account the Government have taken of the representations of *(a)* Denis Halliday, *(b)* Hans von Sponeck and *(c)* other senior officials of UN agencies in relation to (i) aggravated water shortage in Turkey and (ii) US and UK bombing and the effect on child mortality in Iraq. [108790]

The Prime Minister: We are not aware of any representations by UN officials regarding "aggravated water shortage in Turkey".

All actions by UK and US forces in the No Fly Zones are in response to Iraqi threats and are made in self-defence, as is their right under international law. Our forces make every effort to avoid civilian casualties. Iraqi claims to the contrary should be treated with caution. The Government of Iraq has, for example, previously blamed coalition aircraft for civilian casualties on days when no aircraft were patrolling the No Fly Zones.

Local Government Elections

Mr. Evans: To ask the Prime Minister if he will make a statement on his policy in respect of the voting system for local government, with particular reference to proportional representation. [110334]

The Prime Minister *[holding answer 15 February 2000]:* We have consistently made clear that we do not propose to change the local government voting system, other than the introduction of the Supplementary Vote system for the election of directly elected mayors. The Local Government Bill now in the House of Lords makes provision for these mayors.

INTERNATIONAL DEVELOPMENT

Advertising Budgets

Mr. Baker: To ask the Secretary of State for International Development what is her Department's advertising budget for *(a)* 1999–00 and *(b)* 2000–01. [110252]

Mr. Foulkes: DFID does not have a specific advertising budget. However, paid advertising in relation to recruitment currently costs around £1 million annually.

Mr. Baker: To ask the Secretary of State for International Development what was the average cost of issuing a media release from her Department in 1999. [110266]

Mr. Foulkes: Our Department issued 89 media releases in 1999 at a total cost of £10,350. The average cost for issuing a press release was £116.29.

East Timor

Mr. Corbyn: To ask the Secretary of State for International Development if she will list the projects and their costs in the reconstruction programme for East Timor. [108904]

Clare Short: At a multi-donor meeting on East Timor in Tokyo in December last year, the UK worked successfully for an international collaborative approach to East Timor. The UN Transitional Administration (UNTAET) and East Timorese representatives will set priorities for reconstruction and the transition to independence; the World Bank and Asian Development Bank will co-ordinate detailed analysis of needs; and donors will operate in this framework working jointly wherever possible. Often a sector-based, programmatic approach will be followed rather than one based on a plethora of small projects.

Donors pledged a total of $522 million for East Timor at the Tokyo meeting. The UK will provide £13 million over three years, the bulk of it channelled through Trust Funds established by the World Bank and the UN. This is in addition to £5.5 million which we made available in the immediate aftermath of the crisis in East Timor which has supported the humanitarian work of a number of international organisations and NGOs, and has helped restore the power supply in Dili.

Sri Lanka

Dr. Tonge: To ask the Secretary of State for International Development what recent assessment she has made of the humanitarian situation in north and east Sri Lanka. [109517]

Clare Short: The humanitarian situation in Sri Lanka remains difficult as a result of the ongoing conflict. Further displacements occur each time the conflict escalates. Officials from my Department continue to monitor the situation closely. We fund a number of agencies (including Oxfam, Save the Children Fund, the International Committee of the Red Cross, the United Nations High Commissioner for Refugees and the United Nations Children's Fund) who have well-established programmes providing relief and rehabilitation for those displaced by the conflict.

External Consultants

Mr. Willis: To ask the Secretary of State for International Development what is the *(a)* number and *(b)* value of contracts let by her Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109300]

Mr. Foulkes: Since May 1997, our Departments has not used external consultants or advisers for the management of competitive tendering processes.

Mr. Don Foster: To ask the Secretary of State for International Development if she will list for the financial year 1998–99 the number and total value of contracts let by her Department with external consultants and advisers that have *(a)* been put out to competitive tender, *(b)* not been put out to competitive tender and *(c)* been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109067]

Mr. Foulkes *[holding answer 8 February 2000]:* I refer the hon. Member to the reply my right hon. Friend the Secretary of State for International Development gave him on 24 November 1999, *Official Report*, column 132W. Our Department's spend on external consultants and advisers in 1998–99 was £1.83 million. Ten contracts with a value of £926,154 were awarded after competitions. The remaining 24 contracts, with a value of £903,846, were awarded without competition. There were no contracts awarded on a non-commercial basis.

Locally Employed Staff (Wages)

Mrs. Gillan: To ask the Secretary of State for International Development what is the salary scale for her Department's locally employed staff in *(a)* Bangkok, *(b)* Bridgetown, *(c)* Delhi and *(d)* Pretoria. [106327]

Mr. Foulkes *[holding answer 24 January 2000]:* The information is as follows:

Grade		*Minimum*	*Maximum*
(a) Bangkok			
LEI	Baht	575,340	961,620
LEII	Baht	414,660	728,940
LEIII	Baht	303,936	564,036
LEIV	Baht	193,224	405,624
(b) Bridgetown			
A2	Barbados $	95,306	137,608
B1	Barbados $	64,217	92,993
B2	Barbados $	44,497	70,960
C1	Barbados $	27,365	49,515
C2	Barbados $	22,111	31,089
LEVa	Barbados $	17,603	27,326
LEVb	Barbados $	15,447	23,601
(c) Delhi			
A3	Rupees	540,000	1,080,000
B1	Rupees	405,000	702,000
B2	Rupees	243,000	432,000
C1	Rupees	162,000	297,000
C2	Rupees	108,000	189,000
D	Rupees	86,400	145,800
(d) Pretoria			
B1	Rand	110,460	171,360
B2	Rand	72,590	122,640
C1	Rand	52,500	81,445
C2	Rand	34,500	61,992

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for International Development how many bilateral meetings were held between her Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109878]

Mr. Foulkes: The last bilateral meeting between UK and Austrian Development Ministers took place on 22 June 1998, when the Secretary of State for International Development met Mrs. Ferrero-Waldner, the Austrian Minister for Foreign Affairs. The work programme for the Austrian presidency of the European Union was discussed.

The cost of researching all ministerial or official bilateral meetings in the last five years would be disproportionate.

Mr. Jim Murphy: To ask the Secretary of State for International Development if she will list those previously planned meetings and their subject, between her Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109893]

Mr. Foulkes: No bilateral meetings between the Department for International Development and its Austrian counterpart had been planned to take place after the formation of the new Austrian Government.

Colombia

Dr. Tonge: To ask the Secretary of State for International Development what support her Department gives to human rights training programmes for the Colombian army. [109520]

Clare Short: Our Department does not give any support to human rights training programmes for the Colombian army.

Dr. Tonge: To ask the Secretary of State for International Development which British non-Governmental organisations in Colombia are supporting the Colombian Institute of Family Welfare's campaign to encourage peaceful resolution within the country. [109521]

Mr. Foulkes: Our Department has provided £149,905 for a Save the Children Fund project where they are working with five local partners in Colombia, including the Colombian Institute of Family Welfare. The project is meeting the immediate needs of children and adolescents while simultaneously addressing the longer-term rehabilitation aspects including conflict resolution, human rights and local capacity building.

EDUCATION AND EMPLOYMENT

"Computers Within Reach"

Mr. Caton: To ask the Secretary of State for Education and Employment if he will make a statement on the impact of the Computers Within Reach scheme on low-income learners and families. [109984]

Mr. Wills: The Government are making £15 million available for a pilot scheme—Computers Within Reach—to enable those who cannot afford new

computers to acquire reconditioned computers for use in the home for the purpose of improving their employment prospects, for lifelong learning, or for their children's homework. The pilot scheme will run from April, and evaluation findings of the initiative will be made available in due course.

Mr. Caton: To ask the Secretary of State for Education and Employment if he has identified the pilot areas for the introduction of the Computers Within Reach scheme for low-income learners and families. [109982]

Mr. Wills: Proposals submitted in response to the Computers Within Reach prospectus published in autumn 1999 are currently being assessed. A final list of pilot projects and areas will be published later this spring.

Mr. Caton: To ask the Secretary of State for Education and Employment when the Computers Within Reach pilot projects for low-income learners and families will begin. [110312]

Mr. Wills: The Computers Within Reach scheme to pilot arrangements in England for enabling those who cannot afford new computers to acquire reconditioned or remaindered computers for use in the home will run from April 2000.

Miss Geraldine Smith: To ask the Secretary of State for Education and Employment what plans the Government have to enable families on low incomes to gain access to home computers. [109184]

Mr. Wills: The Government have made £15 million available for a pilot scheme—Computers Within Reach—to enable those who cannot afford new computers to acquire reconditioned computers for use in the home for the purpose of improving their employment prospects, for lifelong learning, or for their children's homework. The pilot scheme will run from April.

Mr. Breed: To ask the Secretary of State for Education and Employment if he will announce the areas for the pilot scheme for the Computers Within Reach Programme; and what criteria he uses in selecting these pilot areas. [108607]

Mr. Wills: The selection of pilot projects for the Computers Within Reach initiative is currently under way, and includes assessment of proposals submitted in response to the prospectus published in autumn 1999 and follow-up visits to shortlisted projects. All those satisfying an assessment of their technical and financial capability of fulfilling their commitment under the terms of the initiative will be accepted, and a list, with the geographical areas which the projects intend to cover, will be published later this spring.

SSAs

Mr. Trickett: To ask the Secretary of State for Education and Employment what is the education standard spending assessment per *(a)* primary and *(b)* secondary pupil in (i) England and Wales and (ii) Wakefield District; what the reasons are for the difference between the two figures; and if he will make a statement. [109805]

Ms Estelle Morris: Information for England is given in the table for 2000–01. Education Standard Spending assessments do not cover Wales. The differences between the figures for England and those for Wakefield are a result of the authority's standard spending assessment which reflects social deprivation, area costs and demographic changes.

£

	England	*Wakefield*
Primary SSA per pupil	2,474	2,314
Secondary SSA per pupil	3,175	2,982

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how much of Shropshire County Council's standard spending assessment increase for education will not be spent on education; and if he will make a statement. [110121]

Ms Estelle Morris: As part of our drive to raise standards in schools, the Government have announced an extra £1.4 billion for education standard spending assessments in 2000–01, of which Shropshire's share is £4.57 million. I understand that Shropshire County Council has not yet finalised its budget plans for the next financial year. We shall continue to urge them to use all of this additional funding for education.

Departmental Initiatives (Grants)

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109309]

Ms Estelle Morris *[holding answer 10 February 2000]:* The following table lists the education initiatives launched since May 1997 under which specific grants are located, showing for each initiative the amount of funding allocated by the Government in each financial year. The figures for the Standards Fund do not include local education authorities' contributions. The 5.7 per cent. and 5.4 per cent. national increases in Education Standard Spending in 1999–2000 and 2000–01 respectively, include provision for authorities' contributions to the Standards Fund. The Government are also making £390 million available, over the three years from 1999–2000, to increase by 66 per cent. the number of free early years education places available for three-year-olds by 2002.

Specific grants supporting Department for Education and Employment (DfEE) initiatives launched since May 1997

£ million

DfEE specific grant	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Standards Fund				
School Effectiveness/Improvement	—	71.5	125.5	145.3
Induction for Newly Qualified Teachers	—	2.4	Part of School Improvement Grant	Part of School Improvement Grant

Specific grants supporting Department for Education and Employment (DfEE) initiatives launched since May 1997

£ million

DfEE specific grant	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Baseline Assessment	—	4.7	Part of School Improvement Grant	Part of School Improvement Grant
National Curriculum Assessment	—	11.4	Part of School Improvement Grant	Part of School Improvement Grant
Effective use of National Curriculum Results	—	2.5	Part of School Improvement Grant	Part of School Improvement Grant
School Leadership	—	6.9	21.0	24.9
Advanced Skills Teachers	—	0.6	6.4	9.5
Local Recruitment Measures	—	—	2.9	Transferred to Teacher Training Agency
Early Years Training and Development four-year-olds	—	4.5	4.5	4.5
Early Years Training and Development three-year-olds	—	—	1.5	2.3
Early Excellence Centres	—	1.9	4.2	2.1
National Literacy Strategy—Primary	—	24.6	24.4	24.1
National Numeracy Strategy—Primary	—	—	24.8	34.0
Summer Literacy Schools and Key Stage 3 Literacy	—	3.7	6.5	Part of merged grant below
Summer Numeracy Schools	—	0.3	1.5	Part of merged grant below
National Numeracy Strategy—Key Stage 3	—	—	0.5	Part of merged grant below
Summer Literacy and Numeracy Schools and Literacy and Numeracy at Key Stage 3	—	—	—	10.3
Playing for Success	—	0.8	1.5	1.7
Family Literacy	—	1.7	2.5	Part of Family Literacy and Numeracy
Family Numeracy	—	—	0.5	Part of Family Literacy and Numeracy
Family Literacy and Numeracy	—	—	—	3.5
Local Authority Lifelong Learning Development Plans	—	—	4.5	9.0
Qualifications	—	9.5	9.5	9.5
Work Related Learning	—	2.0	2.0	Part of School Improvement Grant
Special Educational Needs	—	9.0	17.5	27.5
Social Inclusion: Pupil Support	—	10.2	28.7	70.0
Drug Prevention	—	3.5	3.7	Part of Social Inclusion grant
Youth service	—	1.0	1.0	Part of Social Inclusion grant
National Grid for Learning	—	51.0	52.2	102.5
School Security	—	15.0	16.4	16.5
Beacon Schools	—	1.3	5.5	8.0
Specialist Schools	—	19.3	41.8	To be allocated
Ethnic Minority Pupil Achievement (EMAG)	—	—	81.6	95.0
Education of Traveller and Displaced Persons	—	—	8.9	Part of EMAG
Expanding central music services	—	—	6.2	10.3
Protecting central music services	—	—	28.9	29.9
Access Fund for pupils aged 16–19 in schools	—	0.0	6.0	9.0
Year 6 Booster Classes	—	13.5	48.0	42.0
Asset Management Plans	—	—	7.0	—
Health Education Partnerships: Pilot projects	—	0.6	2.0	To be allocated
Numeracy Consultants and Leading Maths Teachers	—	0.6	—	Part of the National Numeracy Strategy
Portable CD Rom Systems for SEN Coordinators	—	4.0	—	—
Books for Schools	23.5	73.5	—	—
Childrens Parliament	—	0.04	—	—
PCs for Chairs of Education	—	—	0.3	—
Applications for Education Action Zones	—	—	1.0	—
Small Education Action Zones	—	—	0.1	—
Education Maintainence Allowances	—	—	13.2	31.9
Excellence in Cities (EiC): Development	—	—	0.8	—
Learning Mentors and Learning Support Units (EiC)	—	—	16.9	34.3
Gifted and Talented Children (EiC)	—	—	6.0	18.0
Best Practice Research Scholarships (EiC)	—	—	0.2	—
City Learning Centres (EiC)	—	—	1.8	To be allocated
Dom-x Project	—	—	0.2	To be allocated
Study Support Summer School Pilots	—	—	0.4	—
Support for Parent Governor Representatives	—	—	0.2	0.2
Working Environment Fund	—	—	20.0	20.0
Administrative Assistance in Small Schools	—	—	20.0	30.0
PCs for Heads of Small Primary and Special Schools	—	—	3.0	—
New National Curriculum	—	—	—	9.0
Teenage Pregnancies	—	—	—	5.0
Study Support	—	—	—	9.8
Teaching Assistants	—	—	—	117.0
Small School Support Fund	—	—	—	10.0
Performance Management and Threshold Assessment Training	—	—	—	12.0
Supported Early Retirement Scheme for Heads	—	—	—	5.6
Adult: Pupil Ratios in Reception Classes	—	—	—	8.6
Total Standards Fund	23.5	351.4	683.6	*1,002.8
Capital grants paid through the Standards Fund				
Removal of Outside Toilets	—	16.5	—	—
Energy Management	—	13.2	—	—
Reduction of Infant Class Sizes (Capital)	—	45.4	80.0	60.0
Seed Challenge Capital Grant	—	—	—	30.0
Capital grants paid through the Standards Fund and other routes				
New Deal for Schools	83.0	257.0	340.0	To be allocated
Formula Capital Grant	—	—	—	186.9

Specific grants supporting Department for Education and Employment (DfEE) initiatives launched since May 1997

£ million

DfEE specific grant	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Total Capital	83.0	332.1	420.0	186.9
Other specific grants				
Reduction of Infant Class Sizes (Revenue)	—	22.0	80.0	160.0
Education Action Zones	—	11.9	30.0	59.0
Nursery Education Grant	637.0	130.0	125.0	To be allocated
Total other specific grants	637.0	163.9	235.0	219.0

Notes:

1. Grant for the Education of Traveller and Displaced Persons was in existence prior to May 1997 but became a standard Fund grant in 1999–2000.
2. Ethnic Minority Pupil Achievement replaced the schools' education element of the Home Office Section 11 grant.
3. Both grants for the reduction of class sizes will be paid through the Standards Fund mechanism from 1999–2000 but are covered by their own Regulations and are therefore listed outside the Standards Fund.
4. The Books for Schools grant includes provision for grant maintained schools paid via the Funding Agency for Schools.
5. In 1998–99 a large proportion of nursery education funding was channelled through the Revenue Support Grant.
6. Nearly £1.5 million of credit approval has been allocated for the removal of outside toilets, in addition to the £16.5 million of grant allocated through the Standards Fund.
7. Under the New Deal for Schools, grant that has not been paid through the Standards Fund has been paid direct to voluntary aided schools and to former grant-maintained schools (either direct or through the Funding Agency for Schools).
8. Formula capital grant is paid to schools either through the Standards Fund or direct to Voluntary Aided schools.

Funding

Mr. Ruane: To ask the Secretary of State for Education and Employment if he will list the funding per pupil in *(a)* primary and *(b)* secondary schools for each local education authority in descending order in the last year for which figures are available; and what plans he has to tackle the disparity in funding between local education authorities. [110245]

Ms Estelle Morris *[holding answer 15 February 2000]:* Set out in the table, in descending order, is the funding for LEA maintained primary (including pre-primary) and secondary schools, on a per pupil basis, for the financial year 1997–98, the latest year for which final figures are available.

The Government announced in November 1998 a three-year review in partnership with local government to look for a way of distributing revenue support grant which is simpler, more stable, more robust and fairer than the present arrangements for SSAs.

£

	Funding per pupil
Pre-primary and primary	
London, City of	3,946
Isles of Scilly	2,852
Lambeth	2,832
Kensington and Chelsea	2,649
Tower Hamlets	2,593
Westminster, City of	2,553
Hammersmith and Fulham	2,535
Hackney	2,384
Camden	2,381
Lewisham	2,335
Islington	2,332
Haringey	2,314
Southwark	2,313
Wandsworth	2,210
Harrow	2,158
Greenwich	2,150
Bradford	2,122
Waltham Forest	2,117
Hounslow	2,062
Merton	2,054
Brent	2,018
Ealing	2,010

£

	Funding per pupil
Barking and Dagenham	1,974
Birmingham	1,949
Newcastle upon Tyne	1,937
Richmond upon Thames	1,932
Rutland	1,922
Croydon	1,905
Enfield	1,894
Sutton	1,872
Doncaster	1,870
Cumbria	1,865
Newham	1,854
Barnet	1,846
Sandwell	1,837
Southampton	1,831
Kingston upon Thames	1,820
Redbridge	1,812
Isle of Wight	1,803
Portsmouth	1,802
Suffolk	1,789
Coventry	1,784
Bristol, City of	1,780
Surrey	1,776
Bedfordshire	1,770
Wolverhampton	1,758
Hertfordshire	1,754
Bolton	1,743
Luton	1,743
Bromley	1,741
Havering	1,741
West Sussex	1,736
Hillingdon	1,735
Nottinghamshire	1,732
Leicester City	1,731
Essex	1,721
Norfolk	1,713
Cheshire	1,711
Knowsley	1,709
Bath and North East Somerset	1,709
Leeds	1,694
Kent	1,694
Somerset	1,694
Sheffield	1,693
Durham	1,690
North Somerset	1,689
Gateshead	1,688
Kingston Upon Hull, City of	1,688
Liverpool	1,687

	£
	Funding per pupil
Wiltshire	1,687
Lancashire	1,684
Lincolnshire	1,684
Hampshire	1,683
Rochdale	1,680
Shropshire	1,679
East Sussex	1,675
Cornwall	1,670
Warwickshire	1,668
Hereford and Worcester	1,666
Gloucestershire	1,664
Oldham	1,662
Derby City	1,661
Leicestershire	1,661
South Gloucestershire	1,659
North Lincolnshire	1,658
Kirklees	1,656
Calderdale	1,647
Sunderland	1,645
North Yorkshire	1,645
Manchester	1,643
East Riding of Yorkshire	1,641
Dorset	1,641
Walsall	1,640
North Tyneside	1,639
North East Lincolnshire	1,635
Buckinghamshire	1,634
Devon	1,633
Solihull	1,623
Redcar and Cleveland	1,620
York, City of	1,614
Milton Keynes	1,614
Berkshire	1,614
Oxfordshire	1,614
Northumberland	1,611
Tameside	1,599
Wirral	1,596
Stoke-on-Trent	1,596
Bexley	1,595
Trafford	1,594
St. Helens	1,589
Rotherham	1,585
Cambridgeshire	1,585
Sefton	1,584
Northamptonshire	1,582
Dudley	1,578
Derbyshire	1,578
Staffordshire	1,575
Swindon	1,566
Middlesbrough	1,563
Stockport	1,559
Barnsley	1,553
Brighton and Hove	1,552
South Tyneside	1,546
Salford	1,545
Wakefield	1,532
Bournemouth	1,521
Wigan	1,519
Poole	1,518
Hartlepool	1,490
Bury	1,455
Stockton-on-Tees	1,439
Darlington	1,432
Average	1,739
Secondary	
Isles of Scilly	5,077
Brent	3,799
Hammersmith and Fulham	3,464

	£
	Funding per pupil
Kensington and Chelsea	3,458
Lambeth	3,363
Tower Hamlets	3,206
Camden	3,154
Haringey	3,154
Islington	3,147
Westminster, City of	3,121
Hackney	3,050
Lewisham	3,043
Southwark	3,022
Harrow	2,858
Newham	2,804
Waltham Forest	2,773
Hillingdon	2,738
Havering	2,737
Ealing	2,723
Croydon	2,682
Wandsworth	2,680
Greenwich	2,642
Barnet	2,631
Hounslow	2,630
Barking and Dagenham	2,621
Birmingham	2,612
Enfield	2,607
Redbridge	2,599
Derby City	2,595
Sutton	2,578
Richmond upon Thames	2,542
Essex	2,540
Bromley	2,539
Bristol, City of	2,532
Cumbria	2,516
Hertfordshire	2,516
Calderdale	2,504
Wolverhampton	2,503
Coventry	2,497
Manchester	2,491
Merton	2,474
Shropshire	2,472
Lincolnshire	2,471
Kingston upon Thames	2,468
Norfolk	2,462
Newcastle upon Tyne	2,452
Doncaster	2,445
South Gloucestershire	2,438
North Somerset	2,433
Sandwell	2,423
Southampton	2,409
Lancashire	2,404
Kent	2,386
Rochdale	2,380
West Sussex	2,369
Bexley	2,366
Middlesbrough	2,364
Nottinghamshire	2,362
Wirral	2,358
Leeds	2,358
East Sussex	2,358
Brighton and Hove	2,354
Sefton	2,352
Bath and North East Somerset	2,348
York, City of	2,348
Bolton	2,346
North Yorkshire	2,345
Liverpool	2,336
Cornwall	2,328
Hampshire	2,327
Solihull	2,322
Berkshire	2,321
Surrey	2,321

£

	Funding per pupil
Cheshire	2,320
Gateshead	2,311
Devon	2,310
Leicester City	2,308
Portsmouth	2,307
Stoke-on-Trent	2,306
Wigan	2,305
Knowsley	2,304
Oldham	2,304
Salford	2,302
Kingston Upon Hull, City of	2,300
Suffolk	2,300
East Riding of Yorkshire	2,298
Leicestershire	2,297
Buckinghamshire	2,287
Derbyshire	2,287
St. Helens	2,278
North Tyneside	2,272
North East Lincolnshire	2,272
Cambridgeshire	2,270
Wiltshire	2,263
Redcar and Cleveland	2,262
Warwickshire	2,261
Walsall	2,252
Bournemouth	2,248
Trafford	2,244
Kirklees	2,243
North Lincolnshire	2,243
Gloucestershire	2,243
Northamptonshire	2,239
Oxfordshire	2,235
Luton	2,232
Bedfordshire	2,231
Somerset	2,222
Barnsley	2,218
Sunderland	2,210
Durham	2,206
Isle of Wight	2,204
Hereford and Worcester	2,203
Dudley	2,202
Sheffield	2,192
Tameside	2,176
Milton Keynes	2,174
Swindon	2,163
Rotherham	2,152
Hartlepool	2,151
Bury	2,139
Stockport	2,121
Stockton-on-Tees	2,119
Dorset	2,116
Staffordshire	2,115
South Tyneside	2,109
Wakefield	2,108
Darlington	2,083
Northumberland	2,035
Poole	1,794
Bradford	1,605
London, City of	[1]—
Rutland	[1]—
Average	2,359

[1] Not applicable

Local Government Finance

Mr. Brooke: To ask the Secretary of State for Education and Employment what account he took of the speech by the right hon. Member for the Cities of London and Westminster of 3 February 2000, *Official Report*, columns 1299–1300, in writing to the Leader of Westminster City Council on 7 February. [110409]

Ms Estelle Morris: My right hon. Friend is aware of views expressed in the speech by the right hon. Member for Cities of London and Westminster (Mr. Brooke) of 3 February 2000. He will not take account of the level of an authority's spend in comparison with its standard spending assessment in taking decisions on whether to release its share of the £50 million grant. It is vitally important that the increased funding we have made available for education reaches education budgets. We will therefore continue to urge local authorities to passport the increase in education spending assessments to education budgets. My right hon. Friend will take decisions on the release of the £50 million grant to support school budgets in due course.

Mr. Brooke: To ask the Secretary of State for Education and Employment, pursuant to his letter of 7 February to the Leader of Westminster City Council, if he will take account of the authority's cash increase in central support grant when deciding whether to release the council's share of the extra £50 million special grant available for education. [110411]

Ms Estelle Morris: It is for an authority to decide how it uses any increase in central support protection grant in setting its budget. My right hon. Friend will want to see prior confirmation that an authority has increased its education budget by the increase for 2000–01 in its education standard spending assessment before making a decision on the release of its share of the £50 million special grant.

Mr. Brooke: To ask the Secretary of State for Education and Employment what conditions will be attached to the additional special grant of £50 million for education next year; and what the reasons are for attaching these conditions. [110408]

Ms Estelle Morris: My right hon. Friend will want to see prior confirmation that the whole of an authority's increase in its education standard spending assessment has been passed on to its education budget before he takes decisions on the release of that authority's share of the £50 million special grant. Local education authorities will be required to include their share of the £50 million special grant in their schools' delegated budgets. It is vital that the £1.1 billion increase in education standard spending for 2000–01 is not diverted to other services, but reaches local education authority budgets, and that the £50 million in extra grant is used to support school budgets.

Mr. Brooke: To ask the Secretary of State for Education and Employment if he will take into account the fact that an authority is already spending above its education standard spending assessment when distributing his Department's additional special grant of £50 million for education. [110412]

Ms Estelle Morris: My right hon. Friend will not take account of the level of an authority's spend in comparison with its standard spending assessment in taking decisions

on whether to release its share of the £50 million special grant. What is important is whether an authority increases its education budget by the increase in its education SSA.

Mr. Brooke: To ask the Secretary of State for Education and Employment how many local authorities have confirmed to his Department their intention to passport the whole of their education standard spending assessment increase to their education budget in the next financial year. [110407]

Ms Estelle Morris: To date 113 local authorities in England have confirmed their intention to passport the whole of their education standard spending assessment increase to their education budget.

Skills Development Fund

Mr. Burden: To ask the Secretary of State for Education and Employment if he will make a statement on the budget for the Skills Development Fund for 1999–2000; how many applications were received for assistance from the Fund for 1999–2000 and how many were successful; and what was the total value of applications for assistance from the Skills Development Fund received for the 1999–2000 bidding round. [110100]

Mr. Wicks: In 1999–2000, a Skills Development Fund budget of £31.75 million was allocated to the Regional Development Agencies (RDAs) to enable them to support skills projects. RDAs have provided funding for over 100 SDF projects. The RDAs report that there was considerable interest in the Fund. Information is not held centrally on the number of bids received or their total value.

Training and Enterprise Councils

Mr. Blizzard: To ask the Secretary of State for Education and Employment if he will permit TECs to commit funds to Objective 2 projects during the changeover period to learning and skills councils. [110136]

Mr. Wicks: The Government wish to maintain the level and quality of local projects with a learning and skills focus which are supported by European funding during the changeover to learning and skills councils. My Department is currently developing a framework for managing TECs' involvement in new projects, including European programmes, and will be issuing guidance shortly to TECs and Government Offices. Where it is necessary, transition arrangements will be made for managing any forward commitment, including transferring this to the learning and skills council if this is appropriate.

Higher Education

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what data he has collated on the number of people participating in higher education, broken down by socio-economic group, in each of the last three years. [109980]

Mr. Wicks: Figures for the number of acceptances by social class are given in the table.

Home domiciled accepted applicants to full-time and sandwich [1] undergraduate courses in the United Kingdom through the Universities and Colleges Admission System (UCAS) by social class [2] 1997 to 1999

	Year of entry		
	1997	*1998*	*1999*
A Professional	39,644	38,510	38,864
B Intermediate	117,360	115,615	115,667
C1 Skilled non-manual	44,804	44,207	44,474
C2 Skilled manual	37,333	35,610	36,286
D Partly skilled	23,507	22,692	23,097
E Unskilled	5,620	5,329	5,538
Not known	35,050	36,257	39,139
Total	303,318	298,220	303,065

[1] UCAS collect data on full-time and sandwich courses only, therefore no information on part-time acceptances is available.
[2] For students aged under 21, the social class is that of their parents, for those aged 21 and over the social class is that of the student.

Northumberland Education Authority

Mr. Beith: To ask the Secretary of State for Education and Employment how much Northumberland Education Authority will receive from the £50 million funding he has announced for the post-16 curriculum; and if he will provide guidance on the amount which should be made available to each high school or college teaching the relevant age group. [109985]

Mr. Wicks: Education Standard Spending for 2000–01 takes into account the estimated recurrent costs—£35 million—of successfully implementing the forthcoming reforms to post-16 qualifications in LEA maintained schools in that year. There is no meaningful way in which the Department can put a precise figure on how much additional funding for implementing the reforms is included in the Northumberland Education Standard Spending Assessment. Nor would it be appropriate for the Department to offer guidance on the resources which should be made available to individual schools in order to implement the reforms. These decisions are, rightly, made locally, in the light of local needs and circumstances.

Teachers' Pay

Mr. Willis: To ask the Secretary of State for Education and Employment if the proposed arrangements for performance-related pay for teachers in England and Wales will apply to British teachers in European schools. [109941]

Ms Estelle Morris: The proposed performance threshold arrangements and other pay reforms will only have statutory force for those teachers working in England and Wales who are covered by the School Teachers' Pay and Conditions Document. This is not the position for British teachers in European schools.

Literacy and Numeracy Standards

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each year from 1992 to date the percentage of 11-year-olds that met the expected (a) literacy and (b) numeracy standards in Shropshire; and if he will make a statement. [110131]

Ms Estelle Morris: The information requested is shown in the following table.

Percentage of pupils achieving Level 4 or above in KS2 English and maths tests

Year	Shropshire		Telford and Wrekin	
	English	Maths	English	Maths
1999	73.7	72.4	67.5	66.3
1998	69.1	64.2	59.7	55.8
1997	59.1	51.3	n/a	n/a
1996	55.4	53.7	n/a	n/a

Note:

Primary Performance Tables were first published in 1996. Complete national KS2 test information was not available prior to that year. Telford and Wrekin local authority was established as a Unitary Council in April 1998 from within the boundaries of Shropshire local authority.

Source:

DfEE Performance Tables

The national Literacy and Numeracy Targets for 2002 are that 80 and 75 per cent. of 11-year-olds should reach Level 4 and above in KS2 English and maths tests respectively.

Oath of Allegiance

Mr. Field: To ask the Secretary of State for Education and Employment how many letters he has received since 1 May 1997 on *(a)* constituency matters and *(b)* other matters of Government policy from each of those Members of the House who have not taken the oath of allegiance. [108410]

Mr. Wills *[holding answer 3 February 2000]:* Correspondence between MPs and Departments is treated in confidence unless the originating MP chooses to make such issues public.

"Computers for Teachers"

Mr. Levitt: To ask the Secretary of State for Education and Employment how the supplying companies were chosen for the Computer for Teachers scheme. [108437]

Mr. Wills: The process of identifying suitable companies involved the DfEE issuing a prospectus, to which interested suppliers responded. Their proposals contained financial and historical information on their business, the specifications of computers being offered and a detailed plan of the ways in which the company would support prospective customers. Detailed checks were made on these responses, including checks on the financial strength and stability of the companies concerned. Final selection was made on the basis of advice provided by BECTa to the Tender Board assembled for the purpose. Their decisions and recommendations to the DfEE were arrived at in the light of the proposals received and the results of the checks carried out.

Mr. Levitt: To ask the Secretary of State for Education and Employment what arrangements he has put in place to allow small local suppliers to take part in the Computers for Teachers scheme. [108438]

Mr. Wills: Following the announcement of 12 October, copies of the prospectus were issued on request to interested companies. Nothing in the prospectus precluded applications from small suppliers.

Learning and Skills Councils

Mr. Chaytor: To ask the Secretary of State for Education and Employment if local authorities will have designated representation on the proposed national and local learning and skills councils. [109083]

Mr. Wicks: We have reiterated during the Lords Committee Stage of the Learning and Skills Bill that we would certainly expect national and local LSCs to include members who understand the needs of local communities through current local authority experience. But we also said it would be wrong to go further than that and specify a particular proportion of places for local authority representatives. It would be difficult then to ensure representation for all the other national partners and stakeholder organisations with an interest in post-16 learning.

We also made it clear that Local authorities will be central partners in the new post-16 arrangements—not just in providing and securing learning opportunities in schools and through adult and community learning but also as organisations which are uniquely placed to provide vision and leadership for communities. The new arrangements will mean that local authorities have a greater influence over the whole range of post-16 provision since local LSCs will be required to consult local authorities on their plans and set out in them the post-16 learning provision which LEAs will secure.

Disruptive Pupils

Dan Norris: To ask the Secretary of State for Education and Employment what steps he is taking to ensure schools receive the support they need to deal with disruptive pupils. [110238]

Ms Estelle Morris: The key to tackling poor behaviour is early intervention. My right hon. Friend issued guidance on pupil attendance, behaviour, exclusion and re-integration to Local Education Authorities and schools in July of last year. The School Inclusion: Pupil Support Standards Fund grant will provide £140 million to schools and Local Education Authorities in 2000–01 to help them tackle behaviour problems before they escalate. Nearly £100 million must be devolved to secondary schools. Additional resources are going to secondary schools in some city areas as part of the 'Excellence in Cities' initiative, which will include support for Learning Mentors and Learning Support Units to help combat disruption in the classroom. These measures will help meet the targets to reduce truancy and exclusions by one third by 2002.

Internet

Mr. Evans: To ask the Secretary of State for Education and Employment if he will list the primary schools in Lancashire which *(a)* are and *(b)* are not connected to the internet via the Lancashire National Grid for Learning. [108808]

Mr. Wills *[holding answer 7 February 2000]:* As at March 1999, national connection figures stood at 93 per cent. of secondary schools and at least 62 per cent. of primary schools having internet connections.

Information provided by Lancashire Local Education Authority indicates that as at October 1999, 313 primary schools had access to the internet. The 200 primary schools remaining are due to be connected to the internet by the end of July 2000. The Department does not hold information on whether or not these connections are through the Lancashire National Grid for Learning.

Information Technology (Primary Schools)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans he has to develop the provision of information technology within primary schools. [108518]

Mr. Wills *[holding answer 7 February 2000]:* The implementation of the National Grid for Learning will support investment of £657 million in information and communications technology in maintained schools in England in the period up to 2002. Primary schools were the focus for expenditure in the first phase of this programme (1998–99). This has led to unprecedented improvements in connectivity. Last year there was a four fold improvement in internet connections in primary schools to 62 per cent. We are making increased levels of funding available in the period 2000–02 to enable the remaining primary schools to become connected to the internet and the Grid. At the same time this will enable more primary schools to invest in networked ICT.

Departmental Staff

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what plans he has to extend the new statutory right to time off for parental leave to staff in his Department whose children were born before 15 December 1999. [108792]

Mr. Wills: The Department for Education and Employment will consider whether it is appropriate to extend the new statutory right for parental leave to staff whose children were born before 15 December 1999 as part of the 2000 pay round.

Departmental Press Releases

Mr. Willis: To ask the Secretary of State for Education and Employment how many press releases were issued by his Department in each year since 1995. [109305]

Mr. Wills: The number of press releases issued for each year from 1995 to 1999 by this Department are as follows:

Year	*Number*
1995	472
1996	443
1997	447
1998	598
1999	605

A-level Points Scores

Mr. Chaytor: To ask the Secretary of State for Education and Employment (1) what recent research he has commissioned on the relationship between the size of school sixth forms and average A-level points scores; [109126]

(2) what recent research he has commissioned on the relationship between local authorities' average GCSE and A-level points scores, their admissions policies at 11 plus and the structure of post-16 provision. [109127]

Mr. Wicks *[holding answer 15 February 2000]:* The Department has not recently commissioned any research of these types.

Computers in Schools

Dr. Cable: To ask the Secretary of State for Education and Employment if all the computers being installed in schools under the Government's initiative for computers in schools are able to provide access to the internet. [105157]

Mr. Wills: The Government are making available over £700 million over the four years 1998–2002 for the networking and equipping of schools in the UK. The Government are committed to ensuring that all schools are connected to the internet by 2002, but it is for schools to decide their own pattern of ICT purchasing, and whether they make use of services and systems supporting internet connection from each computer, in the light of their own needs and development plans.

The Department published last year the results of the latest annual survey of ICT in provision in schools. Subsequent surveys will indicate the growth in number of schools with internet connections.

Percentage schools connected	*DfEE survey*
March 1996	
Primary	5
Secondary	47
Special	8
March 1998	
Primary	17
Secondary	83
Special	31
March 1999	
Primary	62
Secondary	93
Special	60

PRESIDENT OF THE COUNCIL

Departmental Functions (Food)

Mr. Yeo: To ask the President of the Council if all food served at her Department's official functions meets the standards of production required of domestic producers. [109780]

Mrs. Beckett: On any occasion when I host departmental functions where food is served, food is obtained from domestic producers who are subject to the necessary legal requirements.

FOREIGN AND COMMONWEALTH AFFAIRS

Chechnya

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held

with representatives of the Russian Government about Russia's proposals for ending the war in Chechnya; and if he will make a statement. [110330]

Mr. Vaz *[holding answer 15 February 2000]:* We have had frequent discussions with the Russian Government since the outbreak of hostilities in Chechnya, but have seen no specific Russian proposals for ending the war, other than through military means. We have consistently emphasised to them that their military offensive has an unacceptable human cost and will not solve the problem in the long-term. We have urged Russia to seek a political solution in Chechnya and to make use of the good offices of the OSCE in order to bring this about. My right hon. Friend the Foreign Secretary will reiterate this message when he visits Moscow on 21–22 February.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government concerning the level of civilian casualties in the Chechen war. [110329]

Mr. Vaz *[holding answer 15 February 2000]:* We have repeatedly made representations to the Russian Government about the war in Chechnya. We have stressed to them that the human cost of their military offensive is unacceptable and that they must pursue a political settlement. My right hon. Friend the Prime Minister raised our concerns with Mr. Putin on 20 December 1999. My right hon. Friend the Foreign Secretary has also been in frequent touch with the Russian Foreign Minister about this, most recently on the telephone on 31 December 1999 and 11 January.

My right hon. Friend the Foreign Secretary expects to make further representations on Chechnya when he visits Moscow on 21–22 February.

Intergovernmental Conference

Mr. Norman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nomination of his representative for the intergovernmental conference preparatory group. [107365]

Mr. Vaz: The UK's representative to the intergovernmental conference preparatory group will be Sir Stephen Wall, the UK's Permanent Representative to the European Union.

Indonesia

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the *(a)* Indonesian and *(b)* Chinese Governments concerning treatment of ethnic Chinese inhabitants within Indonesia. [109677]

Mr. Battle: My right hon. Friends the Prime Minister and the Foreign Secretary and I raised our concerns about sectarian violence in Indonesia with President Wahid in London on 1 February. We have not made representations to the Chinese Government on this issue.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the religiously motivated violence in Maluku, Indonesia. [109522]

Mr. Battle: We remain deeply concerned about the violence and loss of life in Maluku. Religion is only one of a number of factors involved. My right hon. Friends the Prime Minister and the Foreign Secretary and I raised these concerns with President Wahid and his Foreign Minister when they were in London on 1 February. President Wahid reaffirmed his commitment to securing lasting peace between the two communities. We shall support him vigorously in his efforts and stand ready to help him in any way possible.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken to send a UN human rights rapporteur to Maluku, Indonesia. [109546]

Mr. Battle: My right hon. Friends the Prime Minister and the Foreign Secretary discussed the situation in Maluku with President Wahid in London on 1 February. President Wahid reaffirmed his commitment to find a fair and lasting solution through dialogue to the troubles in the province. The Joint Assessment Mission to Maluku of 22–27 January, by the Indonesian Government and international agencies including the United Nations, was an important first step in determining the best way forward.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those previously planned meetings, and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109895]

Mr. Vaz: There were no previously planned meetings, and therefore none that have been cancelled.

Mr. Jim Murphy: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidance he has given to the British Ambassador to Austria in respect of *(a)* official contacts and meetings with ministers of the new Government, *(b)* official contacts with officials of the new Government and *(c)* promoting Britain's interests in Austria. [109867]

Mr. Vaz: According to the measures of the 14 EU member states there are no restrictions on the contacts of the Ambassadors of the 14 in Vienna; contacts between officials also remain unrestricted. Her Majesty's Ambassador in Vienna will use his discretion in developing contacts with a new Government. He will continue to promote Britain's interests there.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Austria. [109815]

Mr. Vaz *[holding answer 11 February 2000]:* I have made clear the Government's deep concern and distaste at the inclusion in the Austrian Government of a far-right party which appeals to xenophobia. Together with our 13 other partners in the European Union we have implemented measures which will serve to limit the bilateral relationship between the UK and Austria. I have welcomed the fact that the new Austrian Government have committed themselves to abiding by the common obligations and values of EU membership, to combating all forms of discrimination, and to dealing constructively

with the country's Nazi past. We will be watching them closely and judging them on whether they fulfil the commitments they have made.

Israel

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of evidence presented to the European Commission concerning products processed in Israeli settlements in occupied territories which have been imported into the Community under the EC Trade Agreement with Israel in violation of that Agreement's Origin Rules Protocol; and if he will make representations to the Commission about acting on the evidence presented. [109539]

Mr. Vaz: Customs and Excise is participating in a European Commission initiative to establish the true origin of goods which have been exported to the United Kingdom and other member states under the provisions of the Interim Agreement on trade and trade-related matters between the European Community and the State of Israel. So far investigations have failed to substantiate the alleged non-compliance with the provisions of the Agreement. We will continue to assist the Commission in its investigations and to support the continuing dialogue between the Commission, the Israeli Government, and the Palestinian Authority on this issue.

Sri Lanka

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his Commonwealth counterparts concerning Sri Lanka's membership of the Commonwealth. [109513]

Mr. Hain: None.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment his Department has made of the civil war in Sri Lanka. [109515]

Mr. Hain: We are concerned about the continuing ethnic conflict in Sri Lanka and believe a lasting solution can be reached only through a political settlement. We welcome the Leader of the Opposition's recent offer of support for the President's devolution package. We have made it clear that we stand ready to help in the resolution of the conflict if both sides ask us to play a role.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the Sri Lankan Government's press reporting of the civil war there. [109538]

Mr. Hain: Concerns have been expressed about military censorship in Sri Lanka. We believe it is important for the Sri Lankan Government to maintain their commitment to press freedom, although this needs to take account of the need for military security.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his European counterparts concerning the civil war in Sri Lanka. [109514]

Mr. Hain: The ethnic conflict in Sri Lanka is discussed frequently in EU fora.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to encourage a political settlement between the Sri Lankan Government and the Liberation Tigers of Tamil Ealam. [109516]

Mr. Hain: We take every opportunity at bilateral meetings to stress the need for a political settlement to end the ethnic conflict in Sri Lanka. We have made it clear that we stand ready to help if both sides ask us to play a role.

Okinawa G8 Summit

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates of the preparatory meetings of officials for the Okinawa G8 Summit in July. [109529]

Mr. Hain: So far there have been two meetings of senior officials to prepare for the Okinawa Summit. G8 Heads' Representatives met on 23–24 January and Foreign Ministry officials met on 5–6 February. Between now and the Summit there will be further meetings of these and Finance Ministry officials to prepare the Summit agenda. In addition there are a number of expert level groups looking at different issues on the G8 agenda such as Nuclear Safety and Non-Proliferation. The Japanese Presidency of the G8 has not publicised the dates yet.

Meetings of Education, Environment, Finance and Foreign Ministers have also been arranged in advance of the Summit (on 1–2 April, 7–9 April, 8 July and 12–13 July respectively).

G7/8 2000 calendar

Date		
January		
22	Finance Ministers' Meeting (G7)	Tokyo, Japan
23–24	Sherpa Meeting	Kyoto, Japan
February		
5–6	Foreign Affairs' Sous-Sherpa Meeting	Nara, Japan
9	Education Ministers' Preparatory Meeting	Tokyo, Japan
28–29	Political Directors' Meeting	Kyoto, Japan
March		
4	Finance Sous-Sherpa Meeting	Kyoto, Japan
11–12	Foreign Affairs' Sous-Sherpa Meeting	Karuizawa, Japan
April		
1–2	Education Ministers' Meeting	Tokyo, Japan
4–5	Sherpa Meeting	Ireland
7–9	G8 Environment Ministers' Meeting	Japan
15	Finance Ministers' Meeting	Washington DC
May		
15	Finance Sous-Sherpa Meeting	Karuizawa, Japan
15–16	Sherpa Meeting	Karuizawa, Japan
27–28	Political Directors' Meeting	Miyazaki, Japan
28–29	Foreign Affairs' Sous-Sherpa Meeting	Miyazaki, Japan
June		
17	Finance Sous-Sherpa Meeting	Fukuoka, Japan
29–1	Plenary Sherpa Meeting	Okinawa, Japan
July		
8	Finance Ministers' Meeting	Fukuoka, Japan
12–13	Foreign Ministers' Meeting	Miyazaki, Japan
21–23	G7/8 Annual Summit	Okinawa, Japan

Remploy

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what Remploy products his Department has purchased in the last three years. [109935]

Mr. Hain: The Foreign and Commonwealth Office has not purchased any products from Remploy during the last three years.

Cameroon

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Cameroon in respect of the arrest of Justice Frederick Ebong, Chief Ayamba and James Sam Sabum; and what assurances he has been given concerning *(a)* their welfare, *(b)* their condition and *(c)* location of their detention. [110066]

Mr. Hain: Justice Ebong, Chief Ayamba and James Sabum were arrested on 8 and 9 January and are being held in Yaounde for firearm offences, following their alleged participation in demonstrations in the South West. Prison conditions are being monitored by the International Committee of the Red Cross (ICRC).

We regularly raise our concerns about human rights and prison conditions with the Government of Cameroon (GoC). We have urged them to respect human rights and their international obligations. We have also called on them to charge prisoners within 72 hours, as stipulated by Cameroonian law. We did this most recently on 1 February. We will continue to monitor the situation carefully.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received which estimate the total number of members of the Southern Cameroons National Council detained in Yaounde, Buea and Limbe following demonstrations held on 8 and 9 January. [110067]

Mr. Hain: The British High Commission in Yaounde has received reports that 25 SCNC members were arrested following these incidents. We are concerned about this as we are about the general deterioration in human rights in the Cameroon.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received which estimate the total number of English-speaking political prisoners in Nkondengui Prison, Yaounde, Cameroon. [110068]

Mr. Hain: We are aware that 25 English-speaking prisoners are being held in Nkondengui Prison, Yaounde. They were arrested for alleged firearms offences.

Common Foreign and Security Policy

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to ensure a continuation of democratic scrutiny by delegates from the national parliaments of the member and associate member states of the Western European Union following its being subsumed into the European Union. [109950]

Mr. Vaz: The European Union is still considering the modalities for the inclusion of those functions of the WEU necessary for the EU to fulfil its new responsibilities in international crisis management. No decisions have been taken in the EU or WEU on the future of the WEU Assembly.

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what political structures are planned to implement the common foreign and security policy provisions of the Helsinki European Council agreement. [109955]

Mr. Vaz: The report to the Helsinki European Council on strengthening the common European policy on security and defence called for a standing Political and Security Committee to be established, and, as an interim measure, for an interim political and security committee to be set up. It called for appropriate structures to be established for dialogue and information on issues related to security and defence policy and crisis management with European NATO members who are not members of the EU and other countries who are candidates for accession to the EU.

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes in European Union political institutions are planned in order to implement the common foreign and security policies agreed at the Helsinki European Council. [109951]

Mr. Vaz: The Helsinki European Council adopted conclusions and a report on strengthening the common European policy on security and defence. These do not address the roles of the institutions of the European Union.

NATO

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in setting up consultative mechanisms to integrate the non-EU member countries of the NATO alliance into the planning and conduct of future EU-led operations. [109976]

Mr. Vaz: The Portuguese presidency will report to the Feira European Council in June on proposals for modalities of consultation and/or participation that will allow third states to contribute to EU military crisis management.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms have been set up to ensure adequate consultation between NATO and the EU following the EU Presidency Progress report to the Helsinki European Council on strengthening the common European policy on security and defence. [109981]

Mr. Vaz: Initially, EU/NATO relations are being developed on an informal basis, through contacts between NATO's Secretary General and the EU's CFSP High Representative. The Portuguese presidency will report to the Feira European Council in June on recommendations for EU/NATO modalities.

South Africa

Mr. Fabian Hamilton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of South Africa regarding the case of Mzwakhe Mbuli. [110171]

Mr. Hain: The South African Independent Complaints Directorate (ICD) is still investigating the allegation that the South African police coached witnesses to implicate Mr. Mbuli in the armed robbery for which he was convicted. The High Commission in Cape Town is aware of the investigation and will continue to monitor it.

AGRICULTURE, FISHERIES AND FOOD

Cattle

Mr. Chaytor: To ask the Minister of Agriculture, Fisheries and Food how many of the cattle in the United Kingdom diagnosed as suffering from BSE in each of the last two years for which records are available were *(a)* female and *(b)* male. [109329]

Ms Quin: The table shows the number of confirmed cases of BSE reported in the UK in the calendar years 1998 and 1999[1], by sex:

Sex	*1998*	*1999*[1]
Male	5	4
Female	3,191	2,166
Total	3,196	2,170

[1] Preliminary figures for 1999 as at 9 February 2000

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food (1) what recent communications he has received from the European Commission regarding the inclusion of *(a)* 98/294/CE ELGINA Monsanto Bt maize, *(b)* 97/98/CE COMPA CB Novartis Bt/Ht maize, *(c)* 97/98/CE JORDI CB Novartis Bt/Ht maize and *(d)* 98/293/CE CHARDON LL Aventis Ht maize GM seeds in the EU Common Catalogue; and if he will make a statement; [110289]

(2) what recent advice he has received about the inclusion of *(a)* 98/294/CE ELGINA Monsanto Bt/Maize, *(b)* 97/98/CE COMPA CB Novartis Bt/Ht Maize, *(c)* 97/98/CE JORDI CB Novartis Bt/Ht Maize and *(d)* 98/293/CE CHARDON LL Aventis Ht Maize GM seeds in the EU Common Catalogue; and if he will make a statement; [110323]

(3) if EU marketing consent has been given for 97/98/CE JORDI CB Novartis Bt/herbicide tolerant maize; on which national seeds lists the seeds are currently included; and if they are subject to field trials in any EU state. [110292]

Ms Quin *[holding answer 15 February 2000]:* The EU Commission has written to member states informing them of their proposal to add these varieties to the Common Catalogue, and inviting comments on that proposal. Inclusion on the Common Catalogue is governed by the requirements of EU Directive 70/457 as amended recently by Directive 98/95. It is for the Commission to determine whether all of the requirements of the Directives have been met. We do not have information about field trials in other member states, but CHARDON LL is on the Dutch National List, ELGINA is on the Portuguese National List, COMPA CB is on the Portuguese and Spanish National Lists and JORDI is on the Spanish National List.

Inclusion on the Common Catalogue would not practically affect the position in the UK where the voluntary agreement with the seeds/biotec industry ensures that no marketing of these GM varieties will take place until the current programme of farm scale trials has been completed satisfactorily and independently evaluated.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food when he intends to lay the draft Seeds (National Lists of Varieties) Regulations 2000 before Parliament. [110322]

Ms Quin *[holding answer 15 February 2000]:* The consultation period on these draft Regulations ended on 31 January 2000. We are currently considering the responses we have received and will bring the Regulations before Parliament as soon as possible.

Regional Service Centres

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food what recent discussion he has had with trade unions about closures of his Department's regional service centres. [110180]

Ms Quin *[holding answer 15 February 2000]:* My right hon. Friend the Minister is due to meet the Departmental Trade Union Side on 24 February to discuss the report of the Review of CAP Scheme Administration.

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of his Department's regional service centre in Worcester. [110181]

Mr. Morley *[holding answer 15 February 2000]:* My right hon. Friend the Minister is currently considering the report of the review of CAP Scheme Administration which he commissioned from PriceWaterhouseCoopers (PWC) last autumn. The report recommends that the CAP scheme processing functions currently carried out in MAFF and the Intervention Board should be merged to create a new paying agency, and that the IT systems should be redeveloped to enable claim forms to be submitted and processed electronically. Farmers without access to the Internet would be able to submit their forms via third parties. On this basis PWC consider that it will be possible to deliver a significantly better service to claimants and to reduce the cost to the taxpayer of administering the CAP schemes.

The Department is also drawing up plans to align other aspects of its regional activities with the Government Office network, so as to ensure that it can participate effectively in the formulation of policy at regional level.

The future of the Department's Regional Service Centre at Worcester and of the other eight Regional Service Centres, will be decided in the context of these two reviews. Radical reorganisation of CAP scheme processing will only be possible if funding can be made available in the Spending Review 2000.

Regional Offices

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food if he will list his Department's regional offices that are included in the review of service delivery. [110222]

Ms Quin: The Regional Service Centres covered by the Review of CAP Scheme Administration are located in Bristol, Cambridge, Carlisle, Crewe, Exeter, Northallerton, Nottingham, Reading and Worcester. The Intervention Board's offices at Reading and Newcastle upon Tyne are also included in the Review.

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food when he received the report he commissioned regarding reorganisation of his Department's regional offices; and if he will make a statement. [110221]

Ms Quin: My right hon. Friend the Minister received the PriceWaterhouseCoopers report of their Review of CAP Scheme Administration on 25 January 2000. He is currently considering the recommendation to merge the CAP scheme processing functions carried out by MAFF's Regional Service Centres and the Intervention Board.

Farmers (Low Interest Loans)

Dan Norris: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce low interest rate loans for farmers. [110236]

Ms Quin: I refer my hon. Friend to the reply given to my hon. Friend the Member for Chorley (Mr. Hoyle) on 24 January 2000, *Official Report*, column 13W.

Bees

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what powers are available to him to control the importation of bees from New Zealand. [110122]

Ms Quin: Importation of bees into the UK is subject to the Importation of Bees Order 1997, which was made under the Bees Act 1980.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food how many consignments of bees from New Zealand have come to the United Kingdom in each of the last three years; and what authorisations he has issued for the importation of bees from New Zealand during 2000. [110123]

Ms Quin: Figures on the number of consignments are not available. However, the numbers of queen bees imported into the United Kingdom from New Zealand in the past three years are 1,305, 977 and 883 respectively. There have as yet been no imports of bees from New Zealand in 2000.

Genetic Modification

Mr. Webb: To ask the Minister of Agriculture, Fisheries and Food what plans he has to place genetically modified seeds on the National Seeds List; if any seeds so listed could thereby be used legally in animal feed; and if he will make it his policy not to list any GM seeds until the current programme of safety research has been completed. [109593]

Ms Quin *[holding answer 11 February 2000]:* Ministers are required by the Seeds (National Lists of Varieties) Regulations 1982 (as amended) to consider applications for the entry of plant varieties to the UK National List. Such applications are considered against the requirements of these regulations: namely that a variety is distinct, uniform and stable (DUS) and has a value for cultivation and use (VCU) over those varieties already on the National List. Where the statutory criteria are met, a variety may be proposed for addition to the National List, and where they are not, it is proposed for refusal for addition to the National List. People affected by the proposed decision may make representations and be heard before the decision is taken.

In addition, before a GM plant variety may be proposed for addition to the National List, a marketing consent must have been promulgated under Directive 90/220/EEC, and where appropriate, clearance obtained under the Novel Foods Regulation No.258/97/EEC. Where all of these criteria have been met, a proposal may be made for addition of a plant variety to the National List.A GM forage maize variety (CHARDON LL) has completed National List tests and trials. The trait involved has a marketing clearance under Directive 90/220/EEC, including use for animal feed. It also has clearance under the Novel Foods Regulation. The application for the addition of this variety to the National List is being considered and a decision is likely to be taken shortly about whether to propose the variety for addition to the National List.

The UK's farm scale evaluation programme is additional to the environmental and health assessments of GM crops referred to above. The recent agreement between Government and SCIMAC precludes the general commercialisation of GM maize until 2003 at the earliest—subject to the results of the farm-scale evaluation programme. The programme is intended to provide objective evidence of the effect of growing of these GM crops on a farm scale on biodiversity.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will list the antibiotic marker genes, and the antibiotics to which they convey resistance, that have been used in the genetic modification of crops which are used as animal feed in the United Kingdom. [109594]

Ms Quin *[holding answer 11 February 2000]:* Kanamycin and ampicillin resistance marker genes, in either complete or disrupted form, have been used in crops which could be used principally in the form of processed by-products in animal feed. These crops are not grown commercially in this country.

Farmers (Shropshire)

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food how many farmers there were in (a) Shrewsbury and Atcham and (b) Shropshire in (i) 1997 and (ii) 1998. [110127]

Ms Quin: The figures requested are given in the tables:

Analysis of the agriculture labour force with Shrewsbury and Atcham

Category	*1997*	*1998*
Total labour force	2,092	2,164
Total farmers, partners and spouses	1,275	1,281
Total all other workers	817	883

Analysis of the agricultural labour force within Shropshire

Category	*1997*	*1998*
Total labour force	11,782	12,069
Total farmers, partners and spouses	7,156	7,338
Total all other workers	4,626	4,731

Source:
Agricultural and Horticultural Census

In 1998 fundamental changes were introduced to the labour questions on the census. It appears that this change may have led to the recording of additional labour that was not previously included on the returns. The change on questions has also led to a redistribution of labour between the various categories. Caution is therefore advised when comparing the 1998 results with previous years.

Farmers Network

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to support the establishment of a national network of farmers' markets. [109807]

Ms Quin: We support the establishment of a national network of farmers' markets and we are working closely with the National Association of Farmers' Markets who have been set up to promote the development of farmers' markets.

BSE

Mr. Collins: To ask the Minister of Agriculture, Fisheries and Food if he will publish the latest figures for the incidence of BSE in Holstein cattle in the United Kingdom; and if he will make a statement. [105225]

Ms Quin *[holding answer 18 January 2000]:* From the start of the BSE epidemic until 1 January 2000, the numbers of BSE cases confirmed in the United Kingdom for Holstein cattle, Holstein cross cattle and similar breeds are given in the table.

Number of confirmed cases in Friesian/Holstein breeds by year of restriction

Breed	*pre*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Great Britain							
Canadian Holstein	—	—	—	—	—	—	—
Dutch Holstein	—	—	—	—	—	1	—
Friesian	414	1,859	5,958	11,641	20,885	29,326	26,308
Friesian X	50	98	204	408	713	1,172	1,393
Holstein	16	51	146	274	469	472	394
Holstein X	—	—	—	9	45	132	107
Red Friesian	—	2	8	28	50	72	46
Red Friesian X	—	—	—	—	—	2	—
Red Holstein	—	—	—	—	1	3	2
Red Holstein X	—	—	—	—	—	1	—
Total	480	2,010	6,316	12,360	22,163	31,181	28,250
Northern Ireland							
Friesian	—	4	25	93	138	293	367
Friesian X	—	—	—	1	4	12	12
Friesian/Holstein	—	—	1	3	2	—	—
Holstein	—	—	2	3	1	3	5
Total	—	4	28	100	145	308	384
Total United Kingdom	480	2,014	6,344	12,460	22,308	31,489	28,634

Number of confirmed cases in Friesian/Holstein breeds by year of restriction

Breed	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*Total*
Great Britain							
Canadian Holstein	—	—	—	1	—	—	1
Dutch Holstein	—	—	—	—	—	—	1
Friesian	18,297	10,767	6,011	3,083	2,228	1,438	138,215
Friesian X	1,278	865	520	337	346	328	7,712
Holstein	260	159	111	90	96	81	2,619
Holstein X	87	22	11	2	12	5	432
Red Friesian	47	20	9	7	3	2	294
Red Friesian X	—	1	—	2	—	—	5
Red Holstein	1	—	—	—	—	1	8
Red Holstein X	—	—	—	—	1	—	2
Total	19,970	11,834	6,662	3,522	2,686	1,855	149,289

Number of confirmed cases in Friesian/Holstein breeds by year of restriction

Breed	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*Total*
Northern Ireland							
Friesian	267	138	59	15	18	4	1,421
Friesian X	2	1	—	—	—	—	32
Friesian/Holstein	—	—	—	—	—	—	6
Holstein	7	4	3	—	—	—	28
Total	276	143	62	15	18	4	1,487
Total United Kingdom	20,246	11,977	6,724	3,537	2,704	1,859	150,776

Note:
Includes data from the Channel Islands and Isle of Man

Incidence of disease cannot be calculated as my Department does not hold data on the number of cattle resident in the UK by breed.

Pig Sector

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the pig industry. [105108]

Ms Quin *[holding answer 17 January 2000]:* Although pig market prices are 12 per cent. higher this year than last, they remain below the cost of production. As a result, pig producers are experiencing severe difficulties and the British pig breeding herd is contracting. Market prospects continue to be depressed, but there should be some further recovery in prices. Our policy is to continue to draw attention to the quality standards and high animal welfare standards in British pig production methods and to encourage retailers and caterers to take this into account when sourcing pigmeat products. The work of MAFF's verification officer is important in these respects. Frequent discussions are held with representatives of the industry.

Sulphuric Acid

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what studies he has *(a)* commissioned and *(b)* received on the effect on wildlife of spraying sulphuric acid on crops; and if he will publish the results of such studies. [103394]

Ms Quin: Sulphuric acid is approved as "commodity chemical"—a substance which has pesticidal uses but for which the major uses are non-pesticidal and which no company wishes to market as a pesticide. Commodity chemicals are assessed on the basis of information in the public domain and MAFF has not commissioned studies concerning effects on wildlife. However, under the Wildlife Incident Investigation Scheme, MAFF encourages the reporting of incidents suspected of being caused by pesticides and investigates all reports received. No incidents involving sulphuric acid have been reported in the past decade.

The most recent evaluation of sulphuric acid has been published and the underlying information is available for inspection at the Pesticides Safety Directorate in York.

WALES

Children in Care

10. **Mr. Win Griffiths:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about children in care in Wales. [108919]

Mr. Hanson: I meet the First Secretary regularly to discuss a number of issues and my hon. Friend has regular discussions with Jane Hutt the Assembly Health and Social Services Secretary with responsibility for children in care.

Rail Transport

11. **Mrs. Betty Williams:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about rail transport in Wales. [108921]

Mr. Paul Murphy: I meet with the First Secretary on a weekly basis and we discuss a range of issues, including transport in Wales generally and rail transport specifically.

21. **Mr. Donald Anderson:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about rail transport in Wales. [108932]

Mr. Paul Murphy: I meet with the First Secretary on a weekly basis and we discuss a range of issues, including transport in Wales generally and rail transport specifically. My hon. Friend the Under-Secretary of State also meets regularly with the Assembly Secretary for Local Government, Environment and Transport.

Cross-border Co-ordination

12. **Mr. Stephen O'Brien:** To ask the Secretary of State for Wales if he will establish a formal mechanism to ensure cross-border co-ordination of decisions affecting communities living close to the English/Welsh border. [108922]

Mr. Paul Murphy: The Assembly and its sponsored bodies already have effective arrangements for cross-border co-ordination of decisions with Departments and NDPBs dealing with England. An additional central mechanism would add nothing to these arrangements.

Local Government Finance

13. **Mr. Edwards:** To ask the Secretary of State for Wales when he expects to meet the First Secretary to discuss the funding of local government in Wales. [108923]

Mr. Hanson: My right hon. Friend meets the First Secretary regularly to discuss a range of issues including the funding of local government in Wales. The allocation of funding to local authorities is a matter for the National Assembly for Wales.

National Farmers Union

14. **Mr. Jack:** To ask the Secretary of State for Wales when he last received correspondence from the leadership of the National Farmers Union in Wales. [108924]

Mr. Paul Murphy: I last received correspondence from the leadership of the National Farmers Union in Wales in late December and I addressed their Welsh Surgery on 1 February.

Transport

15. **Mr. Nicholas Winterton:** To ask the Secretary of State for Wales if he has met the First Secretary to discuss the Government's legislative programme and its impact on transport in Wales. [108925]

Mr. Paul Murphy: I have regular meetings with the First Secretary to discuss a wide range of issues including the impact of transport in Wales and my hon. Friend the Under-Secretary of State also meets regularly with the Assembly Secretary for Local Government, Environment and Transport and has discussed the Transport Bill with him.

The Transport Bill was introduced on 1 December 1999 and plays a key role in the implementation of the integrated transport strategy for England and Wales. Responsibility for many aspects of transport in Wales was transferred to the National Assembly for Wales on 1 July 1999. The main exceptions are railways, air and sea transport, which remain a central Government responsibility, working in close co-operation with the Assembly on matters affecting Wales. I am keen to continue dialogue with the Assembly and Cabinet colleagues in order to determine how best to meet the transport needs of Wales.

Social Inclusion

16. **Mrs. Lawrence:** To ask the Secretary of State for Wales if he will make a statement about the development of policies to promote social inclusion in Wales. [108926]

17. **Mr. Martyn Jones:** To ask the Secretary of State for Wales if he will make a statement on the development of policies to promote social inclusion in Wales. [108927]

Mr. Hanson: This Government are committed to tackling Poverty and Social Exclusion. My right hon. Friend and I are keen to ensure that central Government and the devolved administration in Wales are working together in partnership to promote social inclusion.

I attended the launch of the Government's new Anti-Poverty Strategy in Wales with the Assembly Health Secretary, Jane Hutt, in September. The Assembly is committed to promoting social inclusion and ensuring that strategies, objectives and targets are integrated and give a high priority to the most disadvantaged.

The Joint Ministerial Group on Poverty, on which both the Assembly and the Wales Office are represented, had been set up to tackle poverty and social exclusion in a co-ordinated way.

New Deal (Young People)

18. **Mr. Bercow:** To ask the Secretary of State for Wales what assessment he has made of additionality in the New Deal for Young People in Wales. [108928]

Mr. Paul Murphy: I have made no such assessment. New Deal for young people is the responsibility of the Department for Education and Employment, on an England and Wales basis. I understand that the Department for Education and Employment have recently undertaken such an assessment covering England and Wales.

Job Creation

19. **Mr. Caton:** To ask the Secretary of State for Wales how many jobs have been created in Wales since May 1997. [108929]

Mr. Paul Murphy: Figures are not kept for numbers of jobs created in Wales. However, between May 1997 and December 1999 the seasonally adjusted count of claimants of unemployment-related benefit (i.e. Jobseeker's Allowance) has fallen from 81,800 to 59,200, a fall of 22,400 or 27 per cent.

Higher Education Funding

20. **Mr. St. Aubyn:** To ask the Secretary of State for Wales what recent discussions he has had with members of the Welsh Assembly on the funding of students at universities in Wales. [108931]

Mr. Hanson: I recently met with the National Assembly for Wales Secretary for Education and Training, when we discussed a number of issues including the funding of students at universities in Wales. Mr. Middlehurst has said that he will announce in due course increased help for students at higher education institutions in Wales through the Assembly's Higher Education Student Access funds.

Public Expenditure

22. **Mr. Flynn:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about overall public expenditure in Wales. [108933]

Mr. Paul Murphy: I usually meet the Assembly First Secretary on a weekly basis to discuss a range of issues, including this one.

Assembly Budget

23. **Sir Raymond Powell:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the budget for the National Assembly for Wales for 2000–01. [108934]

Mr. Paul Murphy: I normally meet the Assembly First Secretary on a weekly basis to discuss a range of issues, including this one.

Farming

24. **Mrs. Ann Winterton:** To ask the Secretary of State for Wales when he last met the First Secretary and the Agriculture Secretary of the National Assembly to discuss farming in Wales. [108935]

Mr. Paul Murphy: I meet the First Secretary on a weekly basis and we discuss farming in Wales and the whole spectrum of Welsh agriculture. My hon. Friend the Under-Secretary of State for Wales met the Agriculture Secretary of the National Assembly to discuss farming in Wales in late January.

Advertising Budget

Mr. Baker: To ask the Secretary of State for Wales what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110254]

Mr. Paul Murphy: My Department had no advertising budget at its inception on 1 July 1999 and it has no advertising budget proposed for 2000–01.

Block Grant

Mr. Llew Smith: To ask the Secretary of State for Wales if he will make a statement on the size of the block grant for Wales for the next financial year. [108910]

Mr. Paul Murphy: The total Welsh Budget for the National Assembly in 2000–01 is £7,927 million. This is a current figure which may be subject to some small changes reflecting transfers to and from other Government Departments.

Health (Cynon Valley)

Ann Clwyd: To ask the Secretary of State for Wales if he will discuss with the First Secretary health issues in the Cynon Valley. [108918]

Mr. Hanson: My right hon. Friend has regular meetings with the First Secretary to discuss issues affecting Wales, including health. I meet regularly with Jane Hutt, the Assembly Health and Social Services Secretary. Both my right hon. Friend and I would be happy to discuss any issues raised with us during these meetings.

Funding

Mr. Simon Hughes: To ask the Secretary of State for Wales what steps he is taking to maximise funding for Wales from abroad. [108920]

Mr. Paul Murphy: As part of the partnership between the National Assembly and central Government I do all I can to secure inward funding.

I am particularly pleased to note that in the period 1 May 1997 to 31 December 1999, the Welsh Development Agency has recorded 284 inward investment projects promising a total of 22,522 new jobs, 9,925 safeguarded jobs and capital investment of £1.9 billion.

CABINET OFFICE

Paper and Timber Products

Mr. Reed: To ask the Minister for the Cabinet Office (1) if she will ensure that paper and timber products purchased by her Department are independently certified by the Forest Stewardship Council as coming from a sustainable source; [110195]

(2) what steps she has taken to ensure that paper and timber products purchased by her Department come from a sustainable source. [110194]

Mr. Ian McCartney: The Cabinet Office purchases paper and timber products which come from sustainably managed sources, in line with environmental guidance prepared by HM Treasury and the Department of the Environment, Transport and the Regions.

The Forest Stewardship Council (FSC) label is accepted by buyers as demonstrating that timber and timber products have come from sustainably managed sources. However, it is not practicable to require that all paper and timber products purchased by the Cabinet Office are independently certified by the FSC because this might discriminate against any equally valid schemes and therefore be against public procurement. Specifying just the FSC label might also result in us failing to meet all our requirements as currently only a small percentage of timber products are currently FSC certified.

"Better Government for Older People"

Mrs. Brinton: To ask the Minister for the Cabinet Office what plans she has to increase the number of Better Government for Older People pilot programmes; and if she will establish a pilot programme in Peterborough. [109989]

Mr. Ian McCartney: The Better Government for Older People programme was launched in June 1998 with 28 local authority led pilots spread throughout the UK. The pilot phase ends in March. The evaluation and application phase will continue until the end of the year.

The Better Government for Older People Programme (BGOP) aims to improve service delivery; give older people more say; celebrate older people as achievers; and encourage improved partnerships. It is a key part of our modernising Government initiative. BGOP will provide a substantial amount of evidence on what works best in involving older people and better designing services to meet their needs. We aim to spread the lessons emerging from the programme as widely and as quickly as possible through the BGOP Network, which is open to all local authorities. Network events are being held throughout the UK, with the closest one to Peterborough being the Cambridge event on 9 March.

Research Contracts

Dr. Harris: To ask the Minister for the Cabinet Office, pursuant to her answer of 21 December 1999, *Official Report*, column 573W, on departmental research contracts, if she will *(a)* state total expenditure on research let by her

Department since May 1997 and *(b)* list the titles of all research contracts let by her Department during 1999 and costing £20,000 or more, stating what is the value of each contract, and in each case whether the contract included (i) departmental veto over publication of the research results, (ii) departmental control over the date of publication of the research and (iii) a requirement that the final research results incorporate departmental amendments; and if she will place a copy of the standard research contract currently in use by her Department in the Library. [107093]

Mr. Ian McCartney: Details of my Department's expenditure on research contracts let during 1999 and costing £20,000 or more are as follows:

Title	*Value (£)*	*Right of Veto*	*Date control*	*Departmental amendments*
Performance Management Working Group Report	24,555	Yes	Internal use only	Yes
People Survey	25,000	Yes	Yes	Yes
Equality Proofing Research	27,436	No	Yes	Yes
PCSPS 2000 Attitude Survey	28,000	Yes	Yes	Yes
Women's Incomes Over Lifetime Research	32,415	Yes	Yes	Yes
IT Infrastructure Library Redevelopment	36,500	Yes	Yes	Yes
Governance in the Digital Economy	36.806	No	No	Yes
Demand for 24 hour Public Service Delivery	54,200	Yes	Yes	Yes
Research for Information System Management Guides	60,000	Yes	Yes	Yes
Peoples' Panel Ethnic Minority Booster Research	61,500	Yes	Yes	Yes

Information for earlier years can be obtained only at disproportionate cost. A copy of the standard Cabinet Office terms and conditions has been placed in the Library.

SOCIAL SECURITY

Winter Fuel Payment

Mr. Prior: To ask the Secretary of State for Social Security what proportion of those entitled to the £100 winter fuel payment to pensioners have received it. [110341]

Angela Eagle: The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Prior, dated 15 February 2000:

The Secretary of State has asked me to reply to your recent parliamentary question asking what proportion of those pensioners entitled to a £100 Winter Fuel Payment have now received it.

I can now advise that of the 5,313,477 customers across all benefits identified as entitled to a £100 Winter Fuel Payment, 98% have now received their entitlement. The remaining 2% are those payments which have not been collected from the Post Office and which have been returned to the Benefits Agency (BA). They are returned for security reasons so that BA can investigate why it has not been collected by the intended recipient and determine whether any payment should be made.

I hope this is helpful.

Remploy

Mr. Caton: To ask the Secretary of State for Social Security what Remploy products his Department has purchased in the last three years. [109929]

Angela Eagle: Over the past three years the Department has purchased bespoke office furniture from Remploy which has been manufactured by its network of sites. The Department continues to buy furniture from Remploy. Over the last three years orders amounting to £169,000 in 1997–98, £230,000 in 1998–99 and £178,000 in the current year have been placed.

In addition, up to 1998, Remploy supplied printed forms to the Department. The contract for this work was re-tendered, using EU Procurement procedures. Remploy were unsuccessful in bidding for printed forms but were awarded the contract to supply business cards and other bespoke personal products to the Department. This contract is for three years, expiring in 2001. Orders totalling £21,000 in 1997–98 for printed forms were placed with Remploy. Business cards and other printed items have been purchased totalling £17,000 in 1998–99 and £6,000 to date in the current financial year. Orders this year have reduced, in part, due to a reduction in the movement of staff.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Social Security what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110198]

Mr. Bayley: The Government, through the Green Ministers Committee, has issued a model framework which departments have used as the basis for preparing their own environmental strategies. Among its key aims is to: conserve resources and minimise waste by reducing our reliance on virgin materials and ensuring that any products derived from wildlife—such as paper and timber—are from sustainable sources and comply with EU and international trading agreements such as the Convention on International Trade in Endangered Species (CITES).

This Department's policy statement/improvement programme which closely follows the model requires that all virgin paper used in products supplied to the Department, whether in its own right or as a consequence of recycled material, is obtained from sustainable managed forest sources. It also provides for timber, wood and plywood to be obtained from sustainable sources. With ownership of the Department's estate having been transferred to the private sector under the Prime contract

the Department ensured that these commitments are enshrined in the outsourcing arrangements. The contract states:

"the Prime contractor's purchasing policy will exclude the use of unsustainable timber".

The Department and its contractors monitor performance on these and other aspects of its operations and reports on progress made.

Mr. Reed: To ask the Secretary of State for Social Security if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110199]

Mr. Bayley: The FSC label is accepted by buyers as demonstrating that timber and timber products have come from sustainably managed sources.

However it is not practicable to require that all paper and timber products purchased by the Department are independently certified by the Forest Stewardship Council because this might discriminate against any equally valid schemes and therefore be against public procurement rules.

Specifying just the FSC label might also result in us failing to meet all our requirements as only a tiny percentage of timber products are currently FSC certified. This is why the Department's policy statement for greening its operations contains a requirement to ensure that suppliers of paper and paper products have in place an acceptable Environmental Policy and requires satisfactory evidence of compliance with published trade or other acceptable environmental standards and guidelines. It also provides for documented proof or, if available, adequate validation under an internationally recognised certification or ecolabelling scheme to ensure that timber, wood or plywood acquired by the Department, or its contractors come from sustainable resources.

Advertising Budgets

Mr. Baker: To ask the Secretary of State for Social Security what was the average cost of issuing a media release from his Department in 1999. [110271]

Mr. Rooker: The average cost of issuing a media release by this Department in 1999 was £51. This figure includes the costs incurred by Headquarters and Agencies. The figure given is the cost charged to us by the Central Office of Information who distribute media releases on our behalf to the national media.

The circulation spread covers all national and regional newspapers; broadcast—both visual and radio; and specialist magazines including the specialist ethnic and disability press. In addition, Benefits Agency releases are also distributed to local newspapers including free news sheets.

Mr. Baker: To ask the Secretary of State for Social Security what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110258]

Mr. Rooker: Information is not available in the format requested as the Department does not allocate an annual budget specifically for advertising. Any expenditure on advertising is included in the publicity budget. Such information as is available is as follows.

For the current financial year the budget for Headquarters and the Benefits Agency was £10,155 million. This amount covers the publicity for the whole range of Social Security benefits in addition to information about pensions and fraud. The amount includes the production of information leaflets, helplines, advertising, exhibitions, research and other marketing activity.

The publicity budget for 2000–01 is still under discussion and not yet finalised.

HEALTH

Comparative Statistics

Mr. Lilley: To ask the Secretary of State for Health if he will publish figures showing the index for patients who waited less than two hours for emergency admission in *(a)* 1997–98 and *(b)* 1998–99 for (i) England, (ii) East and North Hertfordshire, (iii) West Hertfordshire and (iv) the health authority in the prospering growth area with the (1) lowest figure and (2) highest figure. [109747]

Ms Stuart: The 1998–99 figures showing the index for patients who waited less than two hours for emergency admissions were published in "Quality and Performance in the NHS: High Level Performance Indicators" in June 1999, copies of which are available in the Library. 1998–99 was the first year for which information on emergency admissions was published using this format.

Care (Elderly)

Mr. Field: To ask the Secretary of State for Health if he will publish the latest available data on the indicators relating to *(a)* intensive home care for people aged over 65 years in England and *(b)* community based care for people over 65 years in England, in the Personal Social Services Performance Assessment Framework. [109848]

Mr. Hutton *[holding answer 11 February 2000]:* The data for indicators in the Personal Social Services Performance Assessment Framework were published on 24 November 1999 in a summary form in "Social Services Performance 1998–99" and in detail in the form of computer tables on the Department of Health's internet site (reference: www.doh.gov.uk/paf/). Final revisions to this data notified to the Department by local authorities will be incorporated into the computer tables by the early summer of this year. Data for 1999–2000 will be published in autumn 2000.

Departmental Expenditure Limits

Ms Coffey: To ask the Secretary of State for Health what plans he has to amend the Department of Health departmental expenditure limit/running cost limit for 1999–2000. [110675]

Mr. Milburn: Subject to Parliamentary approval of the necessary Supplementary Estimates for Class II, Votes 1 and 2 the Department of Health Departmental Expenditure Limit for 1999–2000 will be increased by £302,308,000 from £40,455,019,000 to £40,757,327,000. The increase is the net effect of changes to Class II, Vote 1 (Hospital, community health, family health and related services, England) of £261,646,000 made up of £113,671,000 in respect of the take up of end year flexibility for NHS

trusts, £134,000,000 from the reserve for the cost of generic drugs and clinical negligence claims and £14,000,000 from the capital modernisation fund. In addition the following transfers will take place; £1,094,000 from Northern Ireland for out of area treatments, £177,000 from the National Assembly for Wales general practitioner drug costs and £155,000 from Class III, Vote 1 (Environment, Transport and the Regions: Housing, construction, regeneration, countryside and wildlife, England) for the Victoria Pilot Project. The overall increase is partially offset by transfers of £1,250,000 to Class XII, Vote 3 (Department of Social Security: administration) for the road traffic accident element of the Compensation Recovery Unit; £190,000 to Class XIII, Vote 1 (Scottish Executive) for student bursaries and £11,000 to Class XIV, Vote 1 (National Assembly for Wales) for the Dental Service Increment for Teaching.

The increase of £40,662,000 for Class II, Vote 2 (Department of Health, administration, miscellaneous health and personal social services, England) is the net effect of transfers (detailed below) and £16,460,000 take-up of end year flexibility (as announced by the Chief Secretary to the Treasury on 27 July 1999, *Official Report*, column 393 and £25,000,000 for claims in respect of asylum seekers grant; £580,000 (£60,000 running costs) from Class IV, Vote 1 (Home Office: administration, police, immigration and other services, England and Wales) for teenage pregnancy unit, publicity and drug project development work; £60,000 (running costs) from Class I, Vote 1 (Department for Education and Employment: programmes and central services), £60,000 (running costs) from Class III, Vote 5 (Department of the Environment, Transport and the Regions: administration) and £60,000 (running costs) from Class XII, Vote 3 (Department of Social Security: administration) for the teenage pregnancy unit; £67,000 (running costs) from Class XIII, Vote 1 (Scotland and transfers to the Scottish Consolidated Fund) for the National Screening Committee; £4,000 (running costs) from Department of Health and Social Services, Northern Ireland for the National Screening Committee and Human Genetics Commission. The overall increase is partially offset by transfers of £1,629,000 (£138,000 running costs) to Class X, Vote 2 (Ministry of Agriculture, Fisheries and Food) for BSE Inquiry costs.

The Department's gross running cost limit will be decreased by £117,000 from £280,450,000 to £280,333,000 made up of an increase of £173,000 (detailed above) offset by and a transfer within DH DEL to programme expenditure of £290,000 for surveys and research.

The external finance limit for NHS trusts has decreased by £122,596,000 (£50,000,000 non-Voted) from £166,596,000 to £44,000,000.

All increases will either be offset by transfers to or from other Departmental Expenditure Limits (detailed above) or charges to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Hospital Waiting Lists (Essex)

Mr. Burns: To ask the Secretary of State for Health how many patients in the Mid Essex Hospital Trust area have been treated privately but paid for by the NHS to help reduce waiting lists in the last 12 months for which figures are available; how much this has cost the NHS; how much it would have cost the NHS if an NHS hospital had carried out the treatment; and what were the transport costs for the patients. [109971]

Mr. Denham: The information requested is not available centrally.

Dental Laboratories

Mr. Menzies Campbell: To ask the Secretary of State for Health what criteria dental laboratories have to fulfil before being allowed to be used for NHS dental work. [†10392]

Mr. Hutton: Dental laboratories, as manufacturers of custom made appliances, must meet the requirements of the Medical Devices Regulations (SI 1994 No 3017) which include registering with the Medical Devices Agency.

TREASURY

Nancekuke

Ms Atherton: To ask the Chancellor of the Exchequer if he will list the documents relating to Nancekuke which have been made public that had previously been restricted under the 30 year rule. [109946]

Dr. Moonie: I have been asked to reply.

Following a request from a journalist in July 1999, the Office for National Statistics authorised the early release of a file containing details of a study they had undertaken for the Ministry of Defence, looking at the incidence of industrially related illnesses at the Nancekuke establishment. A number of other papers, unrelated to Nancekuke, were authorised for release at the same time. The file containing the Nancekuke study, with the exception of one document containing individuals' names and medical records, was transferred to the Public Record Office in December 1999 and should now be available for public inspection under their reference RG 26.449.

Registration

Mrs. Lawrence: To ask the Chancellor of the Exchequer if the Registrar General has reported his findings of the outcome of consultation following the publication of "Registration: Modernising a Vital Service", on 8 September 1999; and if he will make a statement. [110893]

Miss Melanie Johnson: The consultation period for "Registration: Modernising a Vital Service" ended on 6 December 1999. Over 3,500 copies of the consultation paper and 25,000 summary leaflets were distributed. The consultation paper was also available on the Office for National Statistics web-site.

There were around 1,000 responses to the consultation paper from a wide variety of organisations, local authorities, members of the public and registration officers. There was widespread support for providing registration services in new ways, for better integration with other public services, for improving the use of technology to capture, store and share registration information and for determining national standards. These findings support the Government's commitment to the modernisation of public services in extending the scope of services and information available from civil registration and invoking better use of technology to share information in order, for example, to counter fraud.

I have asked the Registrar General to open discussions to take forward the modernisation of civil registration. Plans for such reforms will be published by the Government in a policy document.

Bonds

Mr. Drew: To ask the Chancellor of the Exchequer what assessment he has made of the advantages and disadvantages of allowing for third party monitoring where individuals enter into agreements for the issuing of bonds. [110295]

Miss Melanie Johnson: There has been no specific consideration of third party monitoring. However, issues of bonds and other debt securities in the UK, whether by individuals or corporate entities already need to conform with various requirements. In the case of bonds to be admitted to the Official List, issues need to comply with the Listing Rules. In the case of unlisted bonds, the relevant legislation is the Public Offers of Securities Regulations 1995.

Mr. Drew: To ask the Chancellor of the Exchequer what steps he is taking to ensure that individuals who invest in bonds receive proper advice and guidance. [110294]

Mr. Timms: The UK has a very robust investor protection system. The Financial Services and Markets Bill will enhance and streamline this further, with the introduction of a single regulator supervising a more integrated and efficient approach.

Investors can choose to make decisions on their own, without taking professional advice, but they have a right to receive accurate information that they need to decide whether the investment is right for them, in their circumstances.

Investors who do receive advice must be told about the status of the person they deal with; be asked about their circumstances; be told why an investment is suitable for them in those circumstances; and must be given clear information about commission and charges, the risk, and the aims and benefits of the investment, confirmed in writing.

IR35

Mr. Brady: To ask the Chancellor of the Exchequer from what date the Inland Revenue will be in a position to inform an independent contractor whether his tax position for 2000–01 will be changed under the IR35 proposals. [110184]

Dawn Primarolo *[holding answer 15 February 2000]:* Detailed guidance on the application of the law on employment status to workers using service companies was published on 7 February and is available in the House of Commons Library. The Inland Revenue will give advice on whether the proposed legislation will apply to current contracts which extend beyond 6 April. The guidance, and information on how to get advice from the Inland Revenue, is available on the Inland Revenue website at www.inlandrevenue.gov.uk/ir35.

National Insurance Fund

Mr. Flynn: To ask the Chancellor of the Exchequer what is the expected balance in the National Insurance Fund at the end of the years 2000–01 and 2000–02, after taking into account proposed changes in contribution rates and the effects of the provisions of the Welfare Reform and Pensions Act 1999 and the Child Support, Pensions and Social Security Bill; and by how much the balance is expected to exceed the minimum level recommended by the Government Actuary. [108315]

Dawn Primarolo *[holding answer 3 February 2000]:* Estimates for Great Britain are shown in the table:

£ million

	Fund balance[1]	*Minimum level*	*Excess*
2000–01[2]	16,660	7,870	8,790
2001–02[2]	18,820	8,280	10,540

[1] At the end of the year

[2] The estimates for these years are based on the difference between forecasts or receipts and expenditure. Changes in these forecasts could have a substantial impact on the balance

Unemployment Statistics

Mr. Maclean: To ask the Chancellor of the Exchequer (1) if he will provide a breakdown of the average monthly flow from the unemployment count for claimants aged 18 to 24 and unemployed for over six months for *(a)* each year from 1990 to 1999, *(b)* April 1993 to May 1997, *(c)* October 1997 to March 1998 and *(d)* April 1998 to the latest available month; [109273]

(2) if he will provide a breakdown of the average monthly flow from the unemployment count for claimants aged over 25 and unemployed for over two years for the periods *(a)* April 1993 to May 1997, *(b)* May 1997 to June 1998 and *(c)* June 1998 to the latest available month. [109274]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Maclean, dated February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary questions on the average monthly flow from the unemployment count for claimants aged 18 to 24 and unemployed for over six months, and for claimants aged over 25 and unemployed for over two years.

The ONS publishes a monthly count of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for, and actively seeking work during the week in which the claim is made.

Information on the numbers of people entering and leaving the claimant count by age and duration on the unadjusted basis can be obtained from the Nomis database at the House of Commons Library.

Between April 1993 and May 1997 in Great Britain on average there were 18,325 (4.6%) claimants aged 25 and over who had been claiming unemployment-related benefit for 2 years or more (computerised claims only) leaving the claimant count each month. The corresponding figure was 16,579 (7.3%) between May 1997 and June 1998 and 8,498 (5.8%) between June 1998 and December 1999. Computerised claims by age and duration data for Northern Ireland is only available from February 1994, therefore the data refer to Great Britain.

NIRS2

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the amount of interest received by the Government as a result of the late payment of benefits to pensioners due to the NIRS2 computer problem *(a)* to date and *(b)* by the end of 2000. [109849]

Dawn Primarolo *[holding answer 11 February 2000]:* I regret the information requested can be obtained only at disproportionate cost.

Household Incomes

Mr. Ruane: To ask the Chancellor of the Exchequer (1) if he will list the average household income for each region in descending order for each of the past 10 years; [110207]

(2) if he will list the percentage of household incomes derived from social security benefits in each region of the UK in descending order. [110211]

Miss Melanie Johnson *[holding answer 15 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Chris Ruane, dated 16 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary questions on average household incomes and the percentage of household incomes derived from social security benefit.

The attached table shows information from the Family Expenditure Survey (FES) for the period 1992 to 1998–99. Data for earlier years are not readily available and are for two-year periods.

Like all estimates from sample surveys, these figures are subject to sampling variability, so while general trends can be seen, care should be taken in interpreting short-term changes in the data. In 1998–99, for example, in most regions the true average is unlikely to differ from the estimate by more than 7 per cent either way, but in Northern Ireland it may be 15 per cent either way and in the North West 13 per cent, both areas having small samples. In the Rest of the South East, however, the range is only 5 per cent either way. Standard Statistical Regions (SSRs) are used for England because data are not available for Government Office Regions for the earlier years.

The FES shows the proportions of household income derived from social security benefit for 1996–1999 as follows:

SSRs and UK countries	*Proportion of gross income deriving from social security benefits*
Northern Ireland	22
Wales	19
North	18
Scotland	16
North West	15
Yorkshire and Humberside	15
West Midlands	14
East Midlands	13
United Kingdom	13
England	12
South West	12
East Anglia	12
Greater London	10
Rest of South East	9

These figures are also subject to sampling variability. Data for 1996–97, 1997–98 and 1998–99 have therefore been combined to reduce this variability. In most regions the true figure for each percentage is unlikely to differ from the estimate by more than 1½ percentage points either way. In Northern Ireland the range is 3½ percentage points each way but in the Rest of the South East less than 1. SSRs are used for England because data are not available for Government Office Regions for the earlier years requested in the average household income question.

Technical note

The ranges quoted are the 90% confidence intervals. There is only a one-in-ten chance that the true figure lies outside this estimated range.

Average gross weekly household income by Standard Statistical Region and UK country ranked in descending order, 1992 to 1998–99

£

	Gross Income
1992	
Rest of South East	420
Greater London	390
England	350
East Anglia	350
South West	350
East Midlands	340
United Kingdom	340
North West	320
Scotland	310
West Midlands	300
Yorks and Humber	300
Wales	290
North	290
Northern Ireland	270
1993	
Greater London	430
Rest of South East	420
England	360
United Kingdom	350
East Anglia	350
East Midlands	340
North West	340
Scotland	330
South West	330
Northern Ireland	330
Yorks and Humber	320
Wales	310
West Midlands	300
North	290
1994–95	
Rest of South East	440
Greater London	440
South West	380
England	380
United Kingdom	370
East Midlands	370
Scotland	360
Northern Ireland	350
East Anglia	350
Yorks and Humber	340
North West	340
West Midlands	320
North	300
Wales	280
1995–96	
Greater London	450
Rest of South East	440
East Midlands	390
South West	390
England	390
United Kingdom	380

. Average gross weekly household income by Standard Statistical Region and UK country ranked in descending order, 1992 to 1998–99

£

	Gross Income
Wales	360
North West	360
East Anglia	350
West Midlands	350
Yorks and Humber	340
North	340
Scotland	340
Northern Ireland	300
1996–97	
Rest of South East	480
Greater London	450
England	400
South West	400
East Anglia	400
United Kingdom	400
North West	380
East Midlands	370
Scotland	370
Yorks and Humber	360
West Midlands	360
Wales	360
North	330
Northern Ireland	320
1997–98	
Rest of South East	510
Greater London	490
England	430
South West	420
United Kingdom	420
East Midlands	420
West Midlands	410
North West	400
East Anglia	390
Scotland	370
Yorks and Humber	360
Wales	350
North	350
Northern Ireland	340
1998–99	
Greater London	540
Rest of South East	540
England	460
East Anglia	450
United Kingdom	450
West Midlands	430
Yorks and Humber	430
South West	410
North West	410
East Midlands	410
North	410
Scotland	380
Wales	360
Northern Ireland	360

Note:

ONS, Family Expenditure Surveys 1992 to 1998–99

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Consumer Debt

Mr. Ruane: To ask the Chancellor of the Exchequer if he will list the average level of consumer debt owed by families for each of the last 10 years; and what his forecast is for each of the next three years. [110210]

Mr. Timms *[holding answer 15 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Chris Ruane, dated 16 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on consumer debt.

The consumer borrowing series that are readily available, consumer credit and mortgage lending, are published in Table 3.2B of Financial Statistics, a copy of which is in the House of Commons library. The database identifiers are VZRD and AMWT respectively.

Information is not available on the number of families, from which to derive an average. Data on the number of households in Great Britain are published in the annual volume Housing and Construction Statistics, published by the Department of the Environment, Transport and the Regions. Using estimates of the number of households in the United Kingdom (UK), the average level of consumer borrowing per household was approximately £22,800 in 1998, the latest data available.

We do not make forecasts of these series.

Savings

Mr. Ruane: To ask the Chancellor of the Exchequer if he will list the average savings per person expressed as a percentage of take-home pay for each of the past 10 years. [110168]

Mr. Timms *[holding answer 15 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Chris Ruane, dated 16 February 2000:

As Director of the Office for National Statistics, I have been asked to reply to your question on average savings per person expressed as a percentage of take home pay.

The precise information requested is not available. However, the households' saving ratio is considered to provide the best available indicator of trends in changes in saving rates. This is derived as the ratio of savings to the total of resources available (more commonly known as disposable income) of the combined households and non-profit institutions serving households (NPISH) sector.

The households' saving ratio is published quarterly in the ONS First Release, "Quarterly National Accounts". The series is held on the ONS database. All sources are available in the House of Commons library.

Household Debt

Mr. St. Aubyn: To ask the Chancellor of the Exchequer what is the latest estimate of total household debt *(a)* including housing debt and *(b)* excluding housing debt; and what were the comparable figures for each May since May 1997. [110092]

Mr. Timms *[holding answer 14 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Nick St. Aubyn, dated 16 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on household debt.

The figures you requested are tabulated below. National accounts are prepared quarterly and the closest period to May 1997 for which there are data is end-June 1997.

Information on the financial liabilities of the household sector is published in the ONS "Financial Statistics", and is held on the ONS databank. All sources are available in the library.

Household sector financial liabilities (debt)

£ billion, at end period

	Total	*Excluding loans secured on dwellings*
June 1997	574.0	153.7
June 1998	608.1	166.7
June 1999	651.8	179.8
September 1999	666.7	183.0
Database identifier	NNPP	NNPP-NNRQ-NNRR-NNRS

Household Savings

Mr. St. Aubyn: To ask the Chancellor of the Exchequer what is his most recent estimate of household savings *(a)* as a percentage of gross domestic product and *(b)* in nominal cash terms; and what were the comparable figures for each year since May 1997. [110091]

Mr. Timms *[holding answer 14 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Nick St. Aubyn, dated 16 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on household savings.

The figures you requested are tabulated below. The latest year available is the twelve month period to September 1999. National accounts are prepared quarterly and the closest period to May 1997 for which there are data is the period April 1997 to March 1998.

Estimates for household saving and GDP are published quarterly in the ONS First Release "Quarterly National Accounts", and the data are held on the ONS database—all sources being available in the library.

	Household saving[1] (at current prices) £ billion	*Household saving[1] as a percentage of gross domestic product Percentage*
Database identifier:	RPQL	RPQL/YBHA
April 1997 to March 1998	50.3	6.2
April 1998 to March 1999	32.9	3.8
October 1998 to September 1999	34.8	4.0

[1] Household saving includes saving of non-profit institutions serving households. Separate data for the household sector are not available.

Paper and Timber Products

Mr. Reed: To ask the Chancellor of the Exchequer (1) what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source; [110159]

(2) if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110160]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to him by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on 14 February 2000, *Official Report*, columns 357–58W.

Gold Sales

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what is the present sterling value of the euros which were purchased from the proceeds of the gold sold from the United Kingdom national reserves in 1999; what value that amount of gold would represent in sterling in today's market; and if he will provide similar statistics for the gold sold in 2000 to date. [110218]

Miss Melanie Johnson: The results of the gold auctions held on 7 July 1999, 21 September 1999, 29 November 1999 and 25 January 2000 are published in Bank of England Press Notices issued on those days. Copies of the Press Notices have been placed in the House of Commons Library. The proceeds from sales of gold have been invested in interest bearing foreign currency assets in broadly the same proportion as currently held in the net foreign currency reserves (40 per cent. dollars; 40 per cent. euro; and 20 per cent. yen).

Charities

Mr. St. Aubyn: To ask the Chancellor of the Exchequer what has been the change in registered charities' receipts since the ending of the dividend tax credit in each year since 1997–98; and what is the estimated average in the current financial year and each of the next three financial years. [110110]

Miss Melanie Johnson *[holding answer 14 February 2000]:* The withdrawal of payable tax credits on charities' dividend income did not come into effect until April 1999. In recognition of their special position, charities will receive generous compensation through public expenditure in the form of a payment of a percentage of the dividends they receive. This will apply for five years from 6 April 1999 on a tapering basis.

The Charity Commission reports £19.75 billion of total annual income at the end of December 1998 in England and Wales (an average of £122 thousand, although nearly three-quarters of registered charities have an income of £10,000 or less).

The latest available figures from the Register show that at the end of September 1999 total annual income had risen to £22.4 billion (an average of £139 thousand). Forecasts of annual income are unavailable.

Debt Rescheduling (Russia)

Mr. Cohen: To ask the Chancellor of the Exchequer if he will make a statement on the arrangements made for debt rescheduling with Russia by the London Club of major creditor banks. [110421]

Mr. Timms: The Russian government has reached a Framework agreement with the London Club of private sector creditors on restructuring its debt. The Government welcome this agreement as it does all efforts by debtors and creditors to resolve their differences amicably.

Advertising Budget

Mr. Baker: To ask the Chancellor of the Exchequer what was the average cost of issuing a media release from his Department in 1999. [110273]

Mr. Timms: For the year 1999 the Treasury was billed a total of £23,899.50 for the services of the Central Office of Information, who distribute press releases electronically and by fax. During 1999 the Treasury issued 283 press releases and the total average price was therefore £84.45.

Written Answers to Questions

Thursday 17 February 2000

NORTHERN IRELAND

Nationalist and Republican (Definition)

Mr. Blunt: To ask the Secretary of State for Northern Ireland, pursuant to his oral statement of 8 February 2000, *Official Report*, column 133, what is his definition of *(a)* a Nationalist and *(b)* a Republican. [109589]

Mr. Mandelson *[holding answer 11 February 2000]:* Nationalists are those who support the SDLP, and Republicans are those who support Sinn Fein.

Terrorist Violence

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have been *(a)* shot and *(b)* mutilated by terrorists since the Good Friday Agreement. [110057]

Mr. Ingram *[holding answer 14 February 2000]:* The following table shows the number of persons injured as a result of terrorist attacks during the period 10 April 1998 to 10 February 2000.

	Persons injured
Gunshot wound	155
Explosion	456
Other	1,811
Total	2,422

Notes:
1. 'Gunshot wound' includes casualties as a result of paramilitary style shootings.
2. 'Other' includes casualties as a result of paramilitary style assaults, serious public disorder, etc.
3. The figure of 155 shown in the table includes the 125 paramilitary style shootings shown in PQ 142 plus 30 other terrorist shootings ie those not recorded as paramilitary style.

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have been murdered by terrorists since the Good Friday Agreement. [110058]

Mr. Ingram *[holding answer 14 February 2000]:* During the period 10 April 1998 to 10 February 2000, there have been a total of 49 deaths recorded as being attributable to the security situation in Northern Ireland.

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have been hospitalised following beatings by terrorists since the Good Friday Agreement. [110056]

Mr. Ingram *[holding answer 14 February 2000]:* It is not possible to state how many were hospitalised but the following table shows the number of casualties as a result of paramilitary style attacks in Northern Ireland during the period 10 April 1998 to 10 February 2000.

	By Loyalist	*By Republican*
Shootings	79	46
Assaults	172	88
Total	251	134

Royal Ulster Constabulary

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many attacks have been made on the RUC since the Good Friday Agreement. [110053]

Mr. Ingram *[holding answer 14 February 2000]:* The following table shows the number of attacks on police during the periods 10 April 1998 to 10 February 2000 and includes all attacks as a result of terrorist activity and serious public disorder.

Type of attack	*Number*
Firearms	23
Explosive	45
Missile[1]	2,348
Assault	6
Other[2]	279
Total	2,901

[1] "Missile" includes petrol bombs, stones, bottles, etc.
[2] "Other" includes minor assaults (not resulting in injury)

HOME DEPARTMENT

Disqualifications Bill

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what *(a)* oral and *(b)* written representations he has received from members of each party represented in the House and the Northern Ireland Assembly on the subject of the Disqualifications Bill indicating in each case the date on which representations were received; and if he will place a copy of each representation in the Library. [107629]

Mr. Mike O'Brien *[holding answer 31 January 2000]:* I refer the hon. Member to the reply given to him on 10 February 2000 by my right hon. Friend the Secretary of State for Northern Ireland, *Official Report*, column 240W.

Police Pensions

Mr. Gill: To ask the Secretary of State for the Home Department what plans he has to reform the long-term funding arrangements for police pensions. [109831]

Mr. Charles Clarke: We are closely examining the practicability of establishing a fully funded police pension scheme. This is part of our wider consideration, following a major review, of what long-term changes, if any, are required to the Police Pension Scheme.

Bus Lanes

Mr. Cox: To ask the Secretary of State for the Home Department how many motorists were convicted and fined during 1999 for driving in a bus lane in the Greater London area during the restricted hours of bus lane usage. [110215]

Mr. Charles Clarke: Convictions for driving in a bus lane cannot be distinguished from other offences connected with neglect of traffic directions in the statistics collected centrally.

Police Authority Funding

Mr. Gill: To ask the Secretary of State for the Home Department when he will announce plans to restructure the formula governing police authority funding. [110178]

Mr. Charles Clarke: The police funding formula has been subject to continuous refinement since its introduction. The Government do not intend to make substantive changes to the formula during the more general review of the local government grant distribution system that is being taken forward in consultation with the Association of Chief Police Officers and the Association of Police Authorities.

Clear-up Rates

Mr. Miller: To ask the Secretary of State for the Home Department what the crime clear-up rate was by *(a)* force and crime type and *(b)* basic command unit and crime type, for the year ending September 1999. [110306]

Mr. Charles Clarke: Clear-up rates by police force and crime type are published annually. The next set of figures, for the year ended March 1999, will be included in "Criminal Statistics England and Wales 1998", which is due to be published in late March. Clear-up rates for basic command units are not currently available.

Information Systems

Mr. Miller: To ask the Secretary of State for the Home Department (1) for which National Strategy for Police Information Systems applications contracts have been awarded; who will supply them; what are the projected delivery completion dates; and what are the expected benefits; [110307]

(2) which National Strategy for Police Information Systems applications have been designed to address cross-border crime between police authority areas; [110309]

(3) for which National Strategy for Police Information Systems applications contracts have not been awarded. [110308]

Mr. Charles Clarke: The Chief Executive of the Police Information Technology Organisation (PITO) informs me that all of the National Strategy for Police Information Systems (NSPIS) applications contracts have been awarded.

The NSPIS applications are linked Information Technology systems enabling sharing of information within individual forces and with other police forces. The applications are also linked to the Police National Computer (PNC).

The table, provided by PITO, details the contract status, supplier, expected delivery date and benefits for the individual NSPIS applications.

NSPIS applications

Application	*Benefits*	*Contract status*	*Supplier*	*Expected delivery date*
Custody	All custody information requirements met, with links to Case Preparation and PNC to provide data to all criminal justice organisations	Awarded	Securicor Information Systems	Mid summer 2000
Case Preparation	Reduces police paperwork, improves file quality, support to witnesses and victims, electronic links to the Crown Prosecution Service, courts and others to speed the criminal justice system	Awarded	Securicor Information Systems	Autumn 2000
Crime and Incident reporting	Reduced paperwork, improved crime analysis and crime and disorder reduction strategies	Awarded	Securicor Information Systems	Autumn 2001
Command and Control	Improved responses to calls for assistance from the public	Awarded	Securicor Information Systems	Early 2001
Human Resources	Improved deployment of available resources	Awarded	ORBIS Ltd.	Spring 2000
Vehicle Procedures and Fixed Penalty Office	Better traffic law enforcement, lower costs, reduced paperwork for police and courts	Delivered	McDonnell Douglas Information Systems	—
National Management Information Service (NMIS)	Proactive management of resources to meet national and local performance targets	Awarded	Redfern Ltd.	Summer 2000
HOLMES II	Direct support to detectives in solving crimes, reduced costs and improved use of resources	Delivered	UNISYS Ltd.	—

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for the Home Department what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110165]

Mr. Straw: My Department aims to purchase only sustainably produced timber and timber products. The Department's current Greening Operations policy (in place since June 1998) contains a specific aim in respect of purchasing wood. This states that as far as possible, wood products purchased by the Home Office should

come from forests and plantations that have been independently verified as being well managed. We are continuing to develop and promulgate our Green Procurement policy and emphasise our commitment to considering the environment when making purchases. Our Environmental Action Plan in respect of paper focuses on reducing its overall use and on increasing the percentage of recycled paper used.

Mr. Reed: To ask the Secretary of State for the Home Department if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110166]

Mr. Straw: In keeping with my Department's policy to minimise any adverse environmental impact of its activities, the Home Office welcomes the availability of independent certification schemes such as that of the Forest Stewardship Council.

Our Greening Operations Policy (agreed in June 1998) encourages the use of ecolabels in procurement and asks purchasers to check environmental claims as thoroughly as possible, particularly with a view to verifying any vague environmental statements.

Nevertheless, it would be impractical for us to commit to ensuring that all paper and timber products that we purchase have the Forest Stewardship Council certificate. Our understanding is that the scheme does not yet cover the broad range of products that we are likely to require. Also, we would not want to find ourselves in breach of public procurement rules by being seen to favour the Forest Stewardship Council's scheme over and above any other equally valid certification scheme.

Contested Cases

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department if he will list for each of the years 1995 to 1999 (1) the average length of time between charge and final disposal of contested cases involving either way offences tried in the magistrates' courts; [110426]

(2) the average length of time between committal and final disposal of contested cases involving either way offences which are tried before jury after election for jury trial; [110427]

(3) the number and percentage of those who elected trial by jury who pleaded guilty to different offences from those on which they were committed. [110428]

Mr. Charles Clarke: This information is not collected centrally. Information on the time taken in magistrates courts proceedings is collected by the Lord Chancellor's Department's Time Intervals Survey. In 1999 and earlier years, the survey collected data on indictable (including triable either way) cases completed in a sample week of each February, June and October. From 2000 onwards, there will be four surveys during each year.

The average time taken from charge to completion for defendants in contested triable either way cases which were tried in magistrates courts was 147 days in February 1999 and 132 days in both June 1999 and October 1999. These figures include charged defendants but exclude summonsed defendants. For defendants committed for sentence to the Crown Court, time before committal is included but time spent in the Crown Court after committal is not available and therefore is not included.

These figures use information collected for the first time in 1999 following an enhancement to the survey. Equivalent figures for previous years are not available.

Crown Court

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department what estimate he has made of the cost of appeals to the Crown Court per annum as a result of the provisions of the Criminal Justice (Mode of Trial) Bill (Lords). [110467]

Mr. Charles Clarke: I refer my hon. Friend to the reply given to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), by my right hon. Friend the Home Secretary on 27 January 2000, *Official Report*, column 250W.

Sentencing

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department what plans he has (1) to end the power of magistrates to commit for sentence to the Crown Court; [110424]

(2) to reduce the sentencing power of magistrates to those available to the Sheriff's Court in Scotland. [110520]

Mr. Charles Clarke: None.

Pleadings

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the requirement to plead before venue for each of the years 1997, 1998 and 1999. [110425]

Mr. Charles Clarke: Section 49 of the Criminal Procedure and Investigations Act 1996 ("plea before venue") provides for defendants in either-way cases to be asked to indicate their plea before the magistrates decide whether to accept or decline jurisdiction. Its purpose is to allow cases in which a guilty plea is indicated, and which might previously have been committed for trial, to be dealt with by the magistrates themselves where the appropriate sentence (after any discount for the guilty plea) is within the court's powers, or if not through being committed to the Crown Court for sentence. The provision was implemented in October 1997, since when (as expected) substantially fewer cases have been committed for trial, but there has been a significant increase in the numbers committed for sentence. Statistics collected by the Crown Prosecution Service show that the percentage of either-way cases committed for trial reaching the Crown Court by way of the defendant's election was 28 per cent. in 1997 and 1998, and 32 per cent. in 1999.

Number of defendants at magistrates' courts committed for trial or sentence for a triable either-way offence [1] in 1997, 1998 and January to June 1999 [2]

Year	Committed for trial	Committed for sentence
1997	66,456	6,823
1998	51,952	18,185
January-June 1999[2]	25,777	9,533

[1] Where the triable either-way offence is the principal offence
[2] Data for this period are provisional

Young Offender Institutions

Miss Widdecombe: To ask the Secretary of State for the Home Department what plans he has to re-role existing adult prisons as *(a)* young offender institutions or *(b)* young offender institutions holding 16 and 17-year-olds. [110436]

Mr. Boateng: The Prison Service is considering a proposal to re-role Blantyre House, an adult male prison to a young offender institution for under 18-year-old juvenile males. This forms part of a strategy drawn up by the Prison Service and the Youth Justice Board for securing further improvements to the under 18 secure estate. The proposal is contingent upon the availability of resources and trends in the prison population. No other adult prisons are being considered for re-role to a young offender institution, or young offender institution holding 16 and 17-year-olds. However, changes in the composition of the prison population may require the Prison Service to consider other strategic re-role options in future.

Blantyre House Prison

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement about the future of Blantyre House Prison. [110438]

Mr. Boateng: I refer the right hon. Member to the reply I gave to my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on 7 February 2000, *Official Report*, column 48W.

Emergency Services

Mr. Sheerman: To ask the Secretary of State for the Home Department what the current penalties are for malicious calls to emergency services; and what plans he has to increase the penalties. [110314]

Ms Hewitt: I have been asked to reply.

The penalties for malicious calls to the emergency services, as to any other party, are a maximum fine of £5,000, level 5 on the standard scale, or six months' imprisonment, under section 43 of the Telecommunications Act 1984 as amended by section 92 of the Criminal Justice and Public Order Act 1994. Currently there are no plans to increase these. The penalties came into force on 3 February 1995, and include the option of a custodial sentence for the first time.

Charity Commission

Mr. Hope: To ask the Secretary of State for the Home Department what plans he has to change the arrangements for the publication of the Charity Commission's Annual report. [111225]

Mr. Boateng: I have agreed that in future, the Charity Commission's Annual Report should be prepared on a financial year basis, rather than a calendar year basis. As a transitional measure, the next Annual Report will cover the 15 month period, 1 January 1999 to 31 March 2000 and should be published this Autumn.

Boundary Commission

Ms Rosie Winterton: To ask the Secretary of State for the Home Department when the Boundary Commission for England intends to start the next general review of constituencies in England. [111226]

Mr. Straw: The Commission has given notice of its intention to commence a general review forthwith. It is required to report between April 2003 and April 2007.

Departmental Expenditure Limit

Maria Eagle: To ask the Secretary of State for the Home Department what proposals he has for changes to the 1999–2000 Departmental Expenditure Limits and running costs limits within his responsibility. [111227]

Mr. Straw: Subject to Parliamentary approval of the necessary Supplementary Estimates, the Departmental Expenditure Limit (DEL), which covers Class IV Vote 1 (Home Office administration, police, probation, immigration and other services, England and Wales) and Vote 2 (Prisons, England and Wales), will be decreased by £71,496,000 from £7,763,444,000 to £7,691,948,000. The running cost limit will be decreased by £1,141,000 from £2,137,953,000 to £2,136,812,000. A separate running cost limit of £163,000 has been established for expenditure on Welfare to Work.

The changes are the net effect of the following transfers: £60,000 to the Department of Health (Class II Vote 2) towards the cost of the Teenage Pregnancy Implementation Unit; £500,000 to the Department of Health (Class II Vote 2) for the publicity campaign costs on teenage pregnancy; £200,000 from the Lord Chancellor's Department (Class V Vote 1), £93,000 from the Crown Prosecution Service (Class V Vote 4) in relation to contributions towards the costs of the Integrated Business and Information Systems Unit; £1,000,000 from the Department for Education and Employment (Class I Vote 1) and £1,500,000 from the Department for the Environment, Transport and the Regions (Class III Vote 1) in support of the Youth Inclusion Programme; £411,000 from the Welsh Assembly (Class XIV Vote 1) to support Closed Circuit Television projects in Wales; £20,000 to the Department of Health (Class II Vote 2) for the development of a handbook for drug service commissioners; £25,000 from the Cabinet Office (Class XVII Vote 1) in relation to the transfer of posts from the security facilities division; £600,000 to the Foreign and Commonwealth Office (Class VII Vote 1) as contribution towards two overseas drug prevention projects; £9,612,000 from the DEL Reserve in respect of costs arising from the Kosovan humanitarian evacuation programmes; £176,000,000 from the DEL Reserve in respect of asylum support costs; £3,980,000 to the Scottish Executive for asylum seekers support arrangements; £233,000 to the Northern Ireland Office (Class XV Vote 1) in respect of legal services provided to the Northern Ireland Office; £56,000 from the Foreign and Commonwealth Office (Class VII Vote 1) to cover the short-term attachment of the former Director of Operations (North) to the South African

Department of Correctional Services; £45,000,000 from the DEL Reserve to fund the payment of special grant to local authorities for Kosovan evacuees. In addition, £300,000,000 in the DEL for asylum support costs has been reclassified as Annually Managed Expenditure.

The decrease in the department's running costs limit is the net effect of the following transfers: £60,000 to the Department of Health towards the costs of the Teenage Pregnancy Implementation Unit; £200,000 from the Lord Chancellor's Department and £93,000 from the Crown Prosecution Service in relation to contributions towards the costs of the Integrated Business and Information Systems Unit; £25,000 from the Cabinet Office in relation to the transfer of posts from the security facilities division; £8,500,000 from the DEL Reserve in respect of asylum support costs; £233,000 to the Northern Ireland Office in respect of legal services provided to the Northern Ireland Office; £56,000 from the Foreign and Commonwealth Office to cover the short term attachment of the former Director of Operations (North) to the South African Department of Correctional Services; £6,000,000 from the Prison Service's running costs to fund the issue of long term loans to the Forensic Science Service; £3,722,000 from the Departmental Unallocated Provision (running costs element) to other current expenditure to fund the purchase of DNA services from the Forensic Science Service.

These changes will be offset by transfers or a charge on the Reserve and will not, therefore, add to the planned total of public expenditure.

CABINET OFFICE

Research Contracts

Dr. Harris: To ask the Minister for the Cabinet Office, pursuant to her answer of 21 December 1999, *Official Report*, column 573W, what restrictions were placed on contractors carrying out research projects funded by her Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108195]

Mr. Ian McCartney: All research contracts placed using Cabinet Office standard terms and conditions of contract include the requirement for departmental consent to be granted prior to the disclosure of any information to journalists, both before and after publication. A copy of the standard Cabinet Office terms and conditions, which include the relevant conditions, has been placed in the Library.

CULTURE, MEDIA AND SPORT

Subtitling

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if it is his policy to ensure parity of subtitling across BBC1 and BBC2 and the new BBC digital channels before analogue switch-off. [106972]

Janet Anderson *[holding answer 26 January 2000]:* The provision of subtitling on BBC services is a matter for the BBC Governors and their policy is at least to match the targets set for any other broadcaster. I understand from the BBC that they have concentrated on subtitling their most popular analogue services and this has inevitably led to a disparity between BBC1 and BBC2. As a result, 63 per cent. of BBC1 is currently subtitled and 53 per cent. of BBC2. On digital services, 60 per cent. of output on digital BBC1 and BBC2 and 30 per cent. on BBC Choice is subtitled. The BBC has recently increased its targets for its new digital channels to 50 per cent. of subtitling within five years and 100 per cent. within ten years.

Exercise England

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the future role of Exercise England in setting standards and regulations. [110088]

Kate Hoey: I understand that Exercise England is currently in the hands of the liquidator. Sport England is now looking to safeguard standards by buying out Exercise England's register of members and the rights to its standards and regulations database. Sport England is also considering which organisation would be most suitable to take on this responsibility in future.

Remploy

Mr. Caton: To ask the Secretary of State for Culture, Media and Sport what Remploy products his Department has purchased in the last three years. [109937]

Mr. Chris Smith: My Department has no records of purchasing any Remploy products in the last three financial years.

National Lottery

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport what was the average amount of National Lottery grant awarded *(a)* per region and *(b)* per parliamentary constituency in each year since 1995; and if he will make a statement. [109923]

Kate Hoey: The tables show the average amount of National Lottery grant awarded *(a)* by English region and *(b)* by UK parliamentary constituency in each year since 1995. These figures have been taken from the National Lottery Awards database which has been compiled using information supplied by the lottery distributing bodies. The tables exclude lottery awards not attributed by the distributing bodies to a particular constituency or region. The constituency or regional information relates to the address to which the lottery award was sent.

£

Year	*Average amount of grant awarded per English region*
1995	108,548,057
1996	185,166,968
1997	267,196,685
1998	139,391,778
1999	102,335,368
2000[1]	5,224,042

[1] Correct to 11 February 2000

Year	£ Average amount of grant awarded per parliamentary constituency
1995	1,480,532
1996	2,529,394
1997	3,647,867
1998	1,902,230
1999	1,387,355
2000[1]	69,723

[1] Correct to 11 February 2000

Welsh and Gaelic Language Television

Mr. Simon Thomas: To ask the Secretary of State for Culture, Media and Sport what representations he has received on broadcasting Welsh and Gaelic language television programmes throughout the United Kingdom; and what proposals his Department has in this area. [110285]

Janet Anderson: My Department does not keep a separate record of such representations. S4C has already made its Welsh programmes more widely available on its digital satellite platforms while, in relation to Scottish Gaelic broadcasting, a task force established by the Scottish Executive is currently considering future provision; my Department is keeping in touch with its work.

Works of Art (Nazi Era)

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport when he will make an announcement about the establishment of a panel to advise on works of art which may have been looted during the Nazi era. [111224]

Mr. Alan Howarth: I am very pleased to be able to announce that the right hon. Sir David Hirst has agreed to chair a Spoliation Advisory Panel to consider and advise on claims from anyone who lost possession of a cultural object during the Nazi era where such an object is now in the possession of a UK national collection or in the possession of another UK museum or gallery established for the public benefit.

The draft terms of reference for the Panel are set out below and I am now inviting interested organisations and individuals to let me have their views before these are finalised.

Spoliation Advisory Panel

Draft Constitution and Terms of Reference

Members of the Panel

1. The members of the Spoliation Advisory Panel ("the Panel") will be appointed by the Secretary of State on such terms and conditions as he thinks fit. The Secretary of State shall appoint one member as Chairman of the Panel.

Resources for the Panel

2. The Secretary of State will make available such resources as he considers necessary to enable the Panel to carry out its functions, including administrative support provided by a Secretariat ("the Secretariat").

Functions of the Panel

3. The task of the Panel is to consider claims from anyone (or from any one or more of their heirs), who lost possession of a cultural object ("the object") during the Nazi era, where such object is now in the possession of a UK national collection or in the possession of another UK museum or gallery established for the public benefit ("the institution"). The Panel shall advise the claimant and the institution on what would be appropriate action to take in response to such a claim. The Panel shall also be available to advise about any claim for an item in a private collection at the joint request of the claimant and the owner.

4. In an appropriate case the Panel may also advise the Secretary of State

(a) on what action should be taken in relation to general issues raised by the claim, and/or

(b) where it considers that the circumstances of the particular claim warrant it, on what action should be taken in relation to that claim.

Performance of the Panel's functions

5. In performing the functions set out in paragraphs 3 and 4, the Panel's paramount purpose shall be to achieve a solution which is fair and just both to the claimant and to the institution.

6. For this purpose the Panel shall:

(a) make such factual and legal inquiries, (including the seeking of advice about legal matters, about cultural objects and about valuation of such objects) as the Panel consider appropriate to assess each claim as comprehensively as possible;

(b) assess all information and material submitted by or on behalf of the claimant and the institution or any other person, or otherwise provided or known to the Panel;

(c) examine and determine the circumstances in which the claimant was deprived of the object, whether by theft, forced sale, sale at an undervalue, or otherwise;

(d) evaluate, on the balance of probability, the validity of the claimant's original title to the object, bearing in mind the difficulties of proving such title after the destruction of the Second World War and the Holocaust and the duration of the period which has elapsed since the claimant lost possession of the object;

(e) give due weight to the moral strength of the claimant's case;

(f) evaluate, on the balance of probability, the validity of the institution's title to the object;

(g) consider whether any moral obligation rests on the institution taking into account in particular the circumstances of its acquisition of the object, and its knowledge at that juncture of the object's provenance;

(h) take account of any relevant statutory provisions, including stipulations as to the institution's objectives, and any restrictions on its power of disposal;

(i) take account of the terms of any trust instrument regulating the powers and duties of the trustees of the institution, and give appropriate weight to their fiduciary duties;

(j) where appropriate assess the current market value of the object, and

(k) formulate and submit to the claimant, the institution and the Secretary of State, its advice in a written report, giving reasons.

Scope of Advice

7. If the Panel upholds the claim in principle, it may recommend either:

(a) the return of the object to the claimant, or

(b) the payment of compensation to the claimant, the amount being in the discretion of the Panel having regard to all relevant circumstances, and not tied to the current market value, or

(c) an ex gratia payment to the claimant, or

(d) the display alongside the object of an account of its history and provenance during and since the Nazi era, with special reference to the claimant's interest therein; and

(e) that negotiations should be conducted with the successful claimant in order to implement such a recommendation as expeditiously as possible.

8. Where the Panel considers it appropriate to advise the Secretary of State under paragraph 4(a), it may make such recommendations in relation to general issues raised by the claim as it considers fit.

TRADE AND INDUSTRY

Sellafield

Mr. Leslie: To ask the Secretary of State for Trade and Industry when he expects the Health and Safety Executive and BNFL to report on the situation at Sellafield; and if he will make a statement. [111334]

Mrs. Liddell: Three HSE reports on the Sellafield site will be published by HSE tomorrow, Friday 18 February. BNFL's report into the data falsification incident at its MOX demonstration facility at Sellafield will also be published tomorrow. I will make arrangements for copies of the three HSE reports and the BNFL report to be placed in the Libraries of both Houses.

Hawk Exports (Zimbabwe)

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry if the Government of Zimbabwe has paid for *(a)* the Hawk aircraft and *(b)* the spare parts for these aircraft for which export credits guarantee support has been given. [109729]

Mr. Caborn *[holding answer 14 February 2000]:* ECGD supported bank loans to finance the sale of Hawk Aircraft and associated equipment to Zimbabwe in 1981 and 1989. These loans have been repaid.

Objective 2

Mr. Blizzard: To ask the Secretary of State for Trade and Industry what steps he is taking to enable GO-East to manage the Objective 2 Programme in the Eastern Region. [110137]

Mr. Caborn: In deciding on my Department's contribution to GO East's running costs for the financial year 2000–01 I shall have regard to the additional administrative demands which will arise if the European Commission agrees to a substantial Objective 2 Programme in the East of England.

Ilisu Dam

Mr. Brake: To ask the Secretary of State for Trade and Industry what discussions he has had with Turkey about the impact of the plans for the Ilisu Dam on neighbouring countries; and if he will make a statement. [110029]

Mr. Caborn: My right hon. Friend the Secretary of State personally has had no discussions with Turkey about this matter. ECGD and FCO officials are continuing discussions with the other export credit agencies involved and the Turkish authorities on a number of issues, of which this is one.

Defence Exports (Bahrain)

Mr. Corbyn: To ask the Secretary of State for Trade and Industry if he will list the export licences for defence equipment to Bahrain for each of the past five years, indicating the amount underwritten by the ECGD. [109488]

Dr. Howells *[holding answer 14 February 2000]:* The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 January 1995 and 1 May 1997, 71 Standard Individual Export Licences (SIELs) and 19 Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Bahrain of goods subject to control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List.

As regards export licences granted for the export of military goods to Bahrain between 2 May 1997 and 31 December 1998, details of export licensing decisions in this period were set out in the Government's Annual Reports published by the Foreign and Commonwealth Office in March and November 1999. The Reports give details of the military equipment licensed for export during the periods as well as the ratings of these goods. Similar details of the military equipment licensed in later years will be set out in the relevant Annual Reports.

As regards licences granted since 1 January 1999, the Export Control Organisation's computer databases have been interrogated. Between 1 January 1999 and 31 January 2000, 17 SIELs and 14 OIELs have been issued covering the export of the relevant goods to Bahrain. A breakdown of the licences issued between 1 January 1995 and 1 May 1997 and between 1 January 1999 and 31 January 2000 are set out in the tables.

Individual licences may cover a range of goods with various ratings (and OIELs may also cover a range of countries). Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Standard Individual Export Licences issued for the export to Bahrain of goods on the Military List

Rating	*1995*	*1996*	*1 January 1997 to 1 May 1997*	*1 January 1999 to 31 January 2000*
ML1	10	9	3	9
ML2	2	0	0	3
ML3	2	5	1	2
ML4	1	3	0	0
ML5	1	1	0	4
ML6	0	2	0	0
ML7	4	2	1	0
ML9	0	1	0	0
ML10	1	1	0	2
ML11	2	6	2	0
ML13	0	2	1	0
ML15	4	3	0	1
ML24	0	1	0	0
PL5006	1	1	0	0
PL5017	0	0	0	3
PL5018	1	1	0	1
PL5021	0	1	0	0
PL5032	0	1	0	0

Open Individual Export Licences issued for the export to Bahrain of goods on the Military List

Rating	1995	1996	1 January 1997 to 1 May 1997	1 January 1999 to 31 January 2000
ML1	0	0	0	1
ML2	0	0	0	1
ML3	0	0	0	1
ML4	0	2	0	2
ML5	0	3	0	7
ML6	0	2	0	3
ML11	2	5	0	6
ML13	1	5	0	1
PL5006	0	0	0	1
PL5017	1	1	0	1
PL5030	0	0	0	1

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, Bahrain is a permitted destination on certain Open General Export Licences, covering the export of goods on the Military List; copies of all Open General Export Licences valid at any time during the period are in the Library of the House.

As regards export credit, ECGD has not provided cover in support of the export of any defence related equipment to Bahrain in any of the last five years.

Arms Exports

Ms Oona King: To ask the Secretary of State for Trade and Industry if he will list the circumstances in which it is possible to revoke arms export licences. [110167]

Dr. Howells: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on 14 July 1999, *Official Report*, columns 155–56W.

Post Offices

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how many of the ATMs earmarked for post offices have been installed; and if he will list their whereabouts. [110175]

Mr. Alan Johnson: I understand from the Post Office that the first of the ATMs under the new partnerships will be installed during the summer. The sites are still being agreed but they will be located at post offices across the whole of the UK, in both rural and urban areas.

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry what criteria will be used to decide the location of the ATMs to be sited at sub-post offices. [110174]

Mr. Alan Johnson: I understand from the Post Office that all offices in the Post Office network will be considered for an ATM. The selection process and criteria used for selection are commercial and operational matters for the Post Office and its partners.

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry what discussions he has had with the Post Office and banks concerning *(a)* the criteria to be used for locating ATMs in post offices and *(b)* the additional income to sub-postmasters and sub-postmistresses ATMs are planned to generate. [110176]

Mr. Alan Johnson: These are commercial and operational matters for the Post Office.

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry in each year since 1979, how many sub-post offices have closed; and how many of that number closed because no-one was prepared to take the business over following the *(a)* death and *(b)* retirement of the sub-postmaster or sub-postmistress. [110177]

Mr. Alan Johnson: I understand from the Post Office that the numbers of sub-post offices which have closed in each financial year since 1978–79 are as follows:

	Number of sub-post offices	Closures in the year
1978–79	21,213	21
1979–80	21,056	157
1980–81	20,894	162
1981–82	20,832	62
1982–83	20,734	98
1983–84	20,499	235
1984–85	20,110	389
1985–86	19,796	314
1986–87	19,708	88
1987–88	19,572	136
1988–89	19,537	35
1989–90	19,532	5
1990–91	19,471	61
1991–92	19,141	330
1992–93	19,041	100
1993–94	18,982	59
1994–95	18,826	156
1995–96	18,761	65
1996–97	18,645	116
1997–98	18,407	238
1998–99	18,175	232

No detailed records are kept on reasons for closure. In many cases closure would have been the result of no one being prepared to take over the business.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Trade and Industry what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110149]

Dr. Howells: The Department's Estates and Facilities Management Directorate has established an Environmental Management System. This system requires all timber products to be purchased from a sustainable source.

The Department encourages staff to purchase recycled paper where practicable; at present recycled paper accounts for some 44 per cent. of consumption.

Small Businesses

Mr. Salmond: To ask the Secretary of State for Trade and Industry what steps he has taken since 1997 to reduce the administrative burden on small businesses. [109562]

Ms Hewitt *[holding answer 14 February 2000]:* One of the key steps has been to establish the Small Business Service, which is to be formally launched in April this year. One of the primary functions of the Small Business Service will be to find ways of reducing the regulatory burden encountered by small business, by eliminating unnecessary regulations wherever possible and ensuring that the "Think Small First" principle is applied across Whitehall to all new regulations. The Small Business Service will also encourage Government Departments to make information on regulations more comprehensible and accessible, including through an SBS gateway.

Other important measures taken by the Department include exempting small shops from the EU requirement to unit price pre-packaged goods in fixed quantities and exempting employers with 20 or fewer employees from the trade union recognition procedures in the Employment Relations Act 1999. In addition we have recently consulted on proposals to increase the threshold below which companies are not required to have their accounts independently audited.

Nuclear Fuel (South Korea)

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what quantity of nuclear fuel containing reprocessed uranium has been *(a)* licensed for export and *(b)* subsequently exported by BNFL to South Korea for use in the Hanaro research reactor at Daeduk; and what bilateral nuclear co-operation agreements are in force between the United Kingdom and South Korea. [109908]

Mrs. Liddell: An export licence was granted on 11 November 1997 for the export of up to 50kg of recycled low enriched uranium powder to the Republic of Korea for research and development on nuclear fuel. My officials have been informed by the company that a shipment of 43.7kg of uranium was made under this licence in 1998. I am disclosing this information in accordance with the Code of Practice on Access to Government Information.

The UK has an agreement with the Republic of Korea for Co-operation in the Peaceful uses of Nuclear Energy which was presented to Parliament in June 1992 (cmnd 1961).

BRITECH Initiative

Dr. Starkey: To ask the Secretary of State for Trade and Industry if he will list those firms participating in the BRITECH initiative in *(a)* Israel and *(b)* Britain. [109540]

Ms Hewitt: The BRITECH Foundation Ltd., which administers the BRITECH Fund, has recently been established. The Foundation has not yet made any grants from the Fund to UK or Israeli firms.

Home Work Convention

Mr. Ian Stewart: To ask the Secretary of State for Trade and Industry what plans the Government have to ratify ILO Convention No. 177 on Home Work; and if he will make a statement. [110381]

Mr. Alan Johnson: The Government are committed to fair and decent minimum standards for all workers, including those who work from home. Our approach is fully in line with the principles of the ILO Convention which calls for policies to promote equality of treatment between homeworkers and other workers. The Government White Paper published in December 1997 makes it clear that we are working towards ratification of the Convention, on a basis which does not impose excessive burdens on business.

Competition Act 1998

Mr. Gibb: To ask the Secretary of State for Trade and Industry how many requests there have been for the Director General of Fair Trading to examine agreements under section 12 of the Competition Act 1998. [110365]

Dr. Howells: None. Parties cannot make use of the notification provisions in Part I of the Act until the Act itself comes fully into force on 1 March 2000. The transitional arrangements in schedule 13 of the Act allow parties to agreements made between the time the Act received Royal Assent (9 November 1998) and 1 March 2000 to notify those agreements to the Director General for guidance. To date (15 February) there have been 10 such notifications.

Hydro-Agri

Shona McIsaac: To ask the Secretary of State for Trade and Industry if he will make a statement on Hydro-Agri's plans to restructure their UK operations. [110209]

Mr. Caborn *[holding answer 15 February 2000]:* I am aware that discussions are taking place concerning the future of Hydro-Agri's fertiliser manufacturing plant at Immingham. However, as it is a commercial matter for the company, it is not an issue on which it would be appropriate for me to comment.

Millennium Bug

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what identifiable operational difficulties were caused to *(a)* nuclear power stations and *(b)* other nuclear facilities as a result of computer and other malfunctions arising from the Year 2000 millennium bug. [110651]

Mrs. Liddell: No identifiable operational difficulties occurred at any of the nuclear installations in the UK because of Y2k difficulties.

Ukraine

Mrs. Gillan: To ask the Secretary of State for Trade and Industry if, under the G8 memorandum of understanding, Ukraine is intended to receive international funding for the continuing Chernobyl clean-up operation *(a)* before and *(b)* after the closure of reactor number three. [110573]

Mrs. Liddell: The G7/EU Memorandum of Understanding (MOU) with Ukraine covers a wide range of support to Ukraine to allow them to close Chernobyl by 2000—including assistance in areas of nuclear safety, energy efficiency, energy investments and the social impact resulting from closure. The MOU does not stipulate whether this support is to be given before or after closure of Chernobyl 3. In practice, much assistance has already been given and will continue after the anticipated closure of Chernobyl this year.

Mrs. Gillan: To ask the Secretary of State for Trade and Industry how much Britain has pledged as part of the G8 funding for the Chernobyl clean-up operation. [110574]

Mrs. Liddell: The UK has pledged $16.82 million to the European Bank for Reconstruction and Development (EBRD) managed Chernobyl Shelter Fund (CSF), set up to finance work to repair the sarcophagus surrounding the damaged reactor 4 at Chernobyl, and a contribution of £18.25 million has been made to the EBRD managed Nuclear Safety Account (NSA), which is helping to fund a range of nuclear safety projects, including two pre-decommissioning facilities at Chernobyl. Further G8 contributions to the CSF are under consideration.

Mrs. Gillan: To ask the Secretary of State for Trade and Industry if he will list the UK and EU tariffs applicable to products imported from Ukraine. [110578]

Mr. Caborn: Goods imported from the Ukraine into the EU are charged either the tariffs laid down in the Common Customs Tariff of the European Communities, or, if they qualify, the preferential rates applicable to Ukrainian goods under the Community's Generalised Scheme of Preference.

Full details are published in Her Majesty's Customs and Excise Integrated Tariff of the United Kingdom, a copy of which is available in the Library of the House.

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110718]

Dr. Howells: The Department's current policy is not to use peat compost.

Recycling

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what proportions of the material in *(a)* cars, *(b)* computers, *(c)* refrigerators and *(d)* televisions are recycled. [110349]

Ms Hewitt: There are no published "average" figures for the recycled content of any of these products. However, there are industry estimates available for the amounts of each product which are recycled at the end of their lives, except for televisions, where the level of recycling is low and no firm figures are available.

(a) Cars—according to figures from the industry's Automotive Consortium on Recycling and Disposal report, 1.8 million vehicles (two million tonnes) came to the end of their lives in 1998. Around 75 per cent. of the material from these vehicles was recovered for reuse.

(b) Computers—the Industry Council for Electronic Equipment Recycling (ICER) estimates waste arisings of 125,000 tonnes of IT equipment per year. In 1997, recyclers handled around 30,100 tonnes of this equipment of which about 35 per cent. was reused and 58 per cent. was recycled, which equates to a recycling rate of 14 per cent. for IT equipment.

(c) Refrigerators—ICER estimate that approximately 90 per cent. of large white goods, including refrigerators, are entering the recycling market. The former Warren Spring Laboratory estimated in 1993 that around 59 per cent. of material in refrigerators is recycled when processed by a shredder.

(d) Televisions—televisions fall into the category generally known as brown goods. ICER estimate annual waste arisings in this category of around 53,300 tonnes, and televisions are thought to make up around 50 per cent. of this total. The recycling of televisions is not as commercially attractive as the recycling of computer equipment. As a result, the level of recycling is low and no firm figures are available.

Custodian of Enemy Property, Palestine

Mr. Borrow: To ask the Secretary of State for Trade and Industry if his Department has completed the report into the affairs of the Custodian of Enemy Property, Palestine. [111238]

Mr. Byers: Yes. I have arranged for copies of the report to be placed in the Libraries of both Houses.

LORD CHANCELLOR'S DEPARTMENT

Departmental Functions (Food)

Mr. Yeo: To ask the Parliamentary Secretary, Lord Chancellor's Department if all food served at his Department's official functions meets the standards of production required of domestic producers. [109783]

Mr. Lock *[holding answer 11 February 2000]:* The Department has contracted out catering. All food served at official functions by the caterers fully complies with current Environmental Health Authority legislation. The caterers are also ISO 9002 accredited.

Our caterers confirm under their specification that all pig and cow meat purchased by their supplier is born and bred in either the UK or Ireland, that the livestock are free range, and not fed meat and bonemeal foodstuffs. Their supplier is audited and verified regularly to ensure compliance with these specifications.

Paper and Timber Products

Mr. Reed: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110163]

Mr. Lock: The Lord Chancellor's Department includes a requirement in specifications for plain paper, and paper for publications, that any virgin wood pulp is to be sourced from sustainably managed forests. My Department also specifies that all timber products be sourced from independently verified sustainable sources and that no products supplied to us are made from rare woods as classified by the Convention on International Trade in Endangered Species (CITES).

Mr. Reed: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110164]

Mr. Lock: The Lord Chancellor's Department already requires all timber and timber products to come from independently verified sustainable sources. No accreditation body is currently specified for certificates, but the supplier of our plain paper is part of a group supporting the verification of forestry management standards via the Forest Stewardship Council accreditation process.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Budget Requirements (London)

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions what budget requirements he has set for the Greater London Authority, Transport for London, the London Development Agency, the Metropolitan Police Authority and the London Fire and Emergency Planning Authority for 2000–01; and what will be the Greater London Authority's precepts for that year. [111119]

Mr. Hill: After considering responses to the consultation paper announced on 27 January 2000, *Official Report*, column 270W, I have today decided not to alter the proposed consolidated budget requirement for the GLA and functional bodies for 2000–01 of £2,178,800,000. The component budget requirements will also remain unchanged. These are:

	£
Greater London Authority	32,500,000
Transport for London	9,900,000
London Development Agency	0
Metropolitan Police Authority	1,830,000,000
London Fire and Emergency Planning Authority	306,400,000

I have determined General GLA Grant at £22,300,000 and today will be issuing on behalf of the GLA precepts totalling £335,702,801. For a Band D council tax payer, this is equivalent to £122.98 a year in the London boroughs and £32.03 a year in the City, of which £1.72 or about 3p a week, is to fund the new GLA services.

Regional Eurostar Services

Mr. Doug Henderson: To ask the Secretary of State for the Environment, Transport and the Regions if he has received the consultants report he commissioned on regional Eurostar services; and if he will make a statement. [111272]

Mr. Hill: Arthur D. Little's report on regional Eurostar services is published today. I have placed copies in the Libraries of both Houses.

The report considers whether Eurostar services directly serving the English regions and Scotland would be financially viable, and what wider transport and social benefits they would bring. The consultants consulted widely with local and regional authorities and groups. The report provides an independent assessment of the costs and impacts of a range of options.

Under Section 40 of the Channel Tunnel Act 1987, the British Railways Board, now part of the Shadow Strategic Rail Authority, has a duty to prepare a plan for regional international rail services. The Board is now reviewing its 1989 plan. It will no doubt wish to consider the Arthur D. Little report in that review, which it expects to conclude in early summer. In the longer term, the Strategic Rail Authority will have a duty to produce a strategy for services in various parts of Great Britain for facilitating the carriage of passengers by way of the Channel Tunnel.

I am today giving the go ahead for Eurostar UK Limited to lease some of the regional trains to GNER for a limited period, for additional services on the East Coast Main Line. This will allow regional passengers to enjoy an immediate benefit from the investment made in these trains, while leaving open future options for the use of the trains for regional Eurostar services. This arrangement accords with the recommendation of the Select Committee on the Environment, Transport and Regional Affairs that leasing to a domestic rail operator should be considered while decisions on regional Eurostar services were under review.

Free Parking

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with each of the London borough councils as to their policy of providing free parking facilities within their borough; and if he will make a statement. [108016]

Mr. Hill: The Secretary of State's "Traffic Management and Parking Guidance for London", published in February 1998, a copy of which is in the Library, gives advice to the London boroughs on the development of a parking strategy and the level of parking charges, which must be set for traffic management reasons. I am in contact with the London boroughs (including regular meetings with the Association of London Government) on all their transport and traffic management issues.

Departmental Staff

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [108832]

Ms Beverley Hughes: My hon. Friend the Parliamentary Secretary for the Cabinet Office set out in his reply of 15 February 2000, *Official Report*, columns 518–20W, the importance of family friendly policies to the Civil Service Reform programme, and action in respect of the pilot studies.

In this Department (i) DETR(C) provides 11 subsidised workplace nursery places. The DETR(C) subsidy for nursery places is 48 per cent. The weekly cost to parents for each place for financial year 1998–99 ranged from £79.00 to £84.50. A total of 10 parents used the nurseries during that period.

DETR(C) participates in a Holiday Playscheme open to permanent members of staff with children between the ages of five and 12 years. The Department funds

50 per cent. of the cost of places. The daily cost to parents in financial year 1998–99 was £8.06. A total number of 28 parents used the playscheme.

Provision of child care differs across the Executive Agencies. Most provide holiday playschemes and subsidised nursery places. The cost to parents for the financial year 1998–99 ranged from £52.00 to £80.00 per week for a nursery place, and between £5.00 to £9.00 a day for a playscheme place. The total number of parents in the Executive Agencies making use of child care provision ranged from five to 40.

The Department and its Executive Agencies will reimburse child care costs incurred when work requirements demand a change to a member of staff's normal working hours eg to attend a training course.

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108849]

Ms Beverley Hughes: My hon. Friend the Parliamentary Secretary for the Cabinet Office set out in his reply of 15 February 2000, *Official Report*, columns 519–22W, corporate actions that we are taking as part of the civil service reform programme to improve the balance between work and private life. In this Department (including its Agencies) staff with one year of service or more are entitled to 18 weeks maternity leave on full pay plus up to 34 weeks unpaid maternity leave in the period of 11 weeks before and 41 weeks after childbirth. Staff with more than 26 weeks, but less than one year, of service are entitled to 18 weeks maternity leave with Statutory Maternity Pay and 22 weeks unpaid leave in the period of 11 weeks before and 29 weeks after childbirth. Staff with less than 26 weeks service are entitled to 18 weeks unpaid maternity leave which may be extended by a further 11 weeks.

Across the Department, paternity leave ranges from between five and 10 days on full pay. This leave may be taken either at the time of the birth or during the following weeks. Unpaid paternity leave of varying lengths is offered in some parts of the Department. Parental leave applies across the Department as set out in the Maternity and Parental Leave etc. Regulations 1999. Departmental staff are covered by arrangements based on the default provisions as set out in the Maternity and Parental Leave etc. Regulations 1999.

Flexible working hours are, subject to management requirements, available to staff across the Department. A variety of arrangements and opportunities for part-time working and job sharing are available throughout the Department with some parts now opening up all posts to part-time and job sharing unless it is operationally vital that they be full time only. Across the Department paid leave up to five days may be granted to DETR(C) staff to take care of or make arrangements for dealing with the illness of a sick child. Additionally a period of unpaid leave may be granted if the illness continues.

Homeworking is available throughout the Department subject to the cost and business implications. Requests to work from home are generally taken on a case-by-case basis. Requests to work to term time or annual hours contracts will be considered throughout the Department. Child care support throughout the Department ranges from participation in subsidised workplace nurseries and holiday playschemes and reimbursement of additional child care costs incurred by attending training or other work events.

Career breaks of up to five years unpaid are open to staff throughout the Department. In all the above cases the criteria used to judge eligibility is based on statutory requirements and/or on staff handbooks and particular Agency guidelines. In some cases management discretion will apply.

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions in each of the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [108971]

Ms Beverley Hughes: My hon. Friend the Parliamentary Secretary for the Cabinet Office set out in his reply of 15 February 2000, *Official Report*, column 519W, corporate actions that we are taking as part of the Civil Service reform programme to improve the balance between work and private life. In this Department (including its Agencies) the number of women who have returned to work after childbirth in the last five years are as follows:

	Women returning after childbirth	*Number of which returned before end of maternity leave*
1995	129	15
1996	116	22
1997	150	35
1998	141	28
1999	118	25

We are unable to provide reliable information on the time range and mean time for staff returning to work after childbirth and before the end of maternity leave.

As regards the number of women returning to work after childbirth on reduced working hours, we do not have figures for 1995 and 1996; however, the figures for 1997 to 1999 are:

13 in 1997
22 in 1998
15 in 1999.

The average hours worked ranged from between 21.3 to 23.9. Finally, the number of women who returned to work after childbirth full-time and subsequently reduced their hours are:

16 in 1995 and 1996;
23 in 1997;
38 in 1998; and
23 in 1999.

Unfit Drivers

Mr. O'Hara: To ask the Secretary of State for the Environment, Transport and the Regions what further measures he plans to prevent persons who are unfit to drive from being licensed to drive vehicles on public roads. [109814]

Mr. Hill: The present legislative and administrative systems are intended to allow only those who qualify to be granted a driving licence. It is not at present planned to introduce further measures. However, the statutory requirement to declare medical conditions that may affect a person's fitness to drive will continue to be reinforced through publicity and, with their co-operation, through the medical profession.

Car Insurance

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to combat the avoidance of car insurance. [109579]

Mr. Hill: Evidence of valid insurance must be produced when a vehicle is licensed and the Vehicle Excise Duty is paid. Police have wide powers to stop vehicles and check insurance. As a result more than 250,000 motorists are convicted of insurance evasion each year. When vehicles are clamped and impounded for not displaying a tax disc an insurance certificate must be produced in order to buy the disc and reclaim the vehicle. The department is supporting the Association of British Insurers in setting up a computerised insurance database with links to the vehicle register. This should be operational by autumn next year.

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce measures to make the displaying of a car insurance certificate on the car compulsory. [109580]

Mr. Hill: Display of a certificate would provide no assurance that the driver was covered by an insurance policy or was complying with policy conditions. Although the Government have not discarded the possibility of a requirement to display evidence of insurance, it appears at present that other measures, such as a computerised insurance database, would offer a better approach to the problem of the irresponsible minority of drivers who fail to take out insurance.

Chief Nuclear Inspector

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what was the reason for the Chief Nuclear Inspector's recent visit to Japan; and what discussions he held about the purpose of his visit with departmental Ministers and Officials in advance of his visit. [109907]

Mr. Meacher: HM Chief Inspector of Nuclear Installations, Mr. Laurence Williams, visited Japan on 7–11 February to brief his opposite number on the conclusions of HSE's forthcoming report "An Investigation into the falsification of pellet diameter data in the MOX Demonstration Facility at the BNFL Sellafield site and the effect of this on the safety of MOX fuel in use". He was not part of the Department of Trade and Industry team visiting Japan at the same time.

My Department was briefed by HSE officials about the purpose of the visit. In view of her accountability to Parliament for nuclear safety, the Minister of State for Energy and Competitiveness in Europe met the Chief Inspector and HSE officials on 2 February, following which she wrote to the Chair of the Health and Safety Commission to stress the independence of the HSE. I am placing in the Library a copy of this letter, together with a letter to the Japanese Minister for International Trade and Industry on 26 January about the Chief Inspector's visit.

Asbestos

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many cases were heard in 1999 against employers who had exposed their workforce to asbestos; how many employers were found guilty of this offence; and what fines were imposed. [109998]

Mr. Meacher: Information for December 1999 is not yet available.

Between 1 January and 30 November 1999, 39 cases were heard for breaches of the Control of Asbestos at Work Regulations 1987 (as amended). This figure includes cases against both employers and the self-employed, and comprises 100 informations laid, or charges preferred (Scotland). It includes all breaches of the Regulations, not all of which may have been for permitting the exposure of employees to asbestos.

The provisional results, recorded so far, indicate that there were 31 guilty verdicts on individual informations laid or charges preferred. One case was referred to a higher court on indictment, 67 cases were adjourned, and a result of not guilty was found on one charge preferred.

The fines imposed as a result of the 31 guilty verdicts on individual informations laid or charges preferred were as follows:

1 fine of £100,000
2 fines of £60,000
3 fines of £6,000
5 fines of £5,000
2 fines of £4,000
3 fines of £3,500
3 fines of £2,500
2 fines of £2,000
1 fine of £1,500
4 fines of £1,000
1 fine amount unrecorded.

In addition three cases resulted in a Community Service order and one defendant was conditionally discharged.

Health and Safety Prosecutions

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what was the average fine imposed in cases heard in 1999 against employers for health and safety offences involving their workforce; and if he will make a statement. [109999]

Mr. Meacher: The average fine imposed on employers and others convicted in Health and Safety Executive cases heard in 1998–99 was £6,654, per defendant. The average fine in such cases, per individual offence, was £5,038. These are provisional figures. The average fine per individual offence following local authority prosecutions in health and safety at work cases was £2,224 in 1997–98. Providing a figure for the average fine in cases against employers for offences involving their workforce would entail disproportionate cost.

The general level of fines imposed by the courts for health and safety at work offences has been far too low to properly reflect their true seriousness. In November 1998, the Court of Appeal said in a judgment that health and safety fines were too low and set out factors which should guide future health and safety sentencing. I welcome the Health and Safety at Work (Offences) Bill introduced to Parliament by my hon. Friend the Member for Aberdeen, North (Mr. Savidge) which is taking forward the Government's intention to raise the maximum penalties for health and safety offences, especially making imprisonment available for a wider range of these offences. I hope this measure will send a clear message to all employers that society will not tolerate failures to safeguard health and safety.

Motor Vehicle Ban

Mr. Dobbin: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages and disadvantages of banning motor vehicles from UK cities for a period of one day as part of an experimental environmental awareness programme. [110000]

Mr. Hill: Our view is that it is for local authorities to assess the case for banning motor vehicles, if they wish to, taking into account local circumstances. I understand that several UK local authorities are interested in taking part in the European Car Free Day on 22 September 2000.

Urban Waste Water Directive

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the Anglian region to meet the requirements of the Urban Waste Water Directive for primary and secondary sewage treatment. [109948]

Mr. Mullin: Following our decision in September 1998 to reverse the previous Government's policy of seeking to apply primary treatment only, for coastal discharges into areas of high natural dispersion, water companies are required to install secondary treatment at all major discharges as soon as practicable. Wherever possible they are expected to meet the initial deadlines set out in the Urban Waste Water Treatment Directive. The majority of large works in Anglian region already have secondary treatment and we expect these to be compliant at or before the end of December 2000. Seven coastal discharges, into areas previously designated as areas of high natural dispersion, will have secondary treatment installed at or before December 2001. Some of these works already have primary treatment. In other cases, primary treatment will be installed as part of the total scheme to deliver treatment to secondary level.

Secondary treatment for smaller works will be delivered as part of the investment programme for Anglian water provided for in the recent determination by OFWAT of price limits for the period 2000 to 2005. These schemes are scheduled to be delivered by the end of March 2005, within the timescale required by the Directive.

The Environment Agency has agreed completion dates for each of these schemes with Anglian water. We expect the Agency to make prompt use of its enforcement powers, if the dates are not met.

Newspaper Recycling

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what assistance his Department gives to the UK newsprint industry to encourage newspaper recycling *(a)* at a local level and *(b)* at a national level. [110101]

Mr. Mullin: At present, my Department gives no assistance to the UK newsprint industry.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the environmental implications of newspaper recycling. [110103]

Mr. Mullin: I have taken into account a range of reports and investigations into the implications of newspaper recycling from a variety of sources. At this stage, there is no common agreement on the precise impacts of newspaper recycling in comparison with other end-of-life options.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will calculate the proportion of newsprint currently consisting of recycled material. [110105]

Mr. Mullin: According to information supplied by the Newspaper Publishers Association, newspaper publishers in the UK use newsprint containing both virgin and recycled paper in varying proportions, and on average recycled paper made up 52.4 per cent. of the raw material for UK newspapers in 1998.

Euratom

Mr. Livsey: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for further consultation on the European Union Directive 96/29 on Euratom. [110172]

Mr. Meacher: I refer the hon. Member to the answer given to my hon. Friend the Member for Shipley (Mr. Leslie) on 14 February 2000, *Official Report*, columns 356–57W.

Public Transport Employees (Attacks)

Dan Norris: To ask the Secretary of State for the Environment, Transport and the Regions how many recorded attacks there were upon public transport employees in each of the years from 1992 to date. [110239]

Mr. Meacher: The only statutory reporting system for attacks on employees in public sector transport is the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), which came into effect on 1 April 1996. RIDDOR defined, for the first time, an "accident" as including

"an act of non-consensual violence done to a person at work".

RIDDOR requires the reporting of all incidents which cause a fatality or major injury, or result in the employee being unable to work or to undertake the full range of their normal duties, for more than three days.

Reported assaults on employees in public transport sectors subject to RIDDOR are as follows:

	Number
1996–97	522
1997–98	577
1998–99	[1]651

[1] Provisional figure

Manor Farm Estate, Scunthorpe

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that the residents of the Manor Farm Estate in Scunthorpe receive a definite offer of 100 per cent. compensation immediately. [110311]

Mr. Mullin: On 30 November 1999, my hon. Friend the Minister for Housing and Planning and officials of the Department met representatives of North Lincolnshire Council, my hon. Friend the Member for Scunthorpe (Mr. Morley) and also a local estate agent acting on behalf of the property owners, to discuss the issue of compensation. At that meeting a number of options were explored, with a view to seeking the best possible solution and a fair deal for those concerned.

From that we believe that a positive way forward, involving the use of "buy back" provisions, has been identified. This, including the proposed compensation arrangements, is now subject to further discussions between North Lincolnshire Council and the owner-occupiers concerned. My Department and North Lincolnshire are hopeful that this will lead to a positive outcome for all concerned.

Advertising Budgets

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110259]

Ms Beverley Hughes *[holding answer 16 February 2000]:* The Department's advertising budget for 1999–2000 is £13,160,000 and for 2000–01 is £16,150,000. The Department uses advertising, in conjunction with a range of other publicity activities, to promote its key road safety messages (on subjects such as drinking and driving, speed, using mobile phones while driving and rear seat belts) and environmental awareness messages (through the Are You Doing Your Bit? campaign). The figures provided do not include the cost of statutory and recruitment advertising.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the average cost of issuing a media release from his Department in 1999. [110272]

Ms Beverley Hughes *[holding answer 16 February 2000]:* The average cost of issuing a press release in 1999 was £104.

Devolved Assemblies

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for holding referendums to establish elected devolved assemblies in the regions of England. [110440]

Ms Beverley Hughes: We said in our manifesto that, in time, we would introduce legislation to allow people, region by region, to decide in referendums whether they wanted directly elected regional government. We remain committed to this. However, finding the right arrangements may take time, just as the arrangements for Scotland, Wales and London have taken time.

Rail Safety

Mr. Moore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of Sir David Davies' assessment of rail safety systems. [110384]

Mr. Hill *[holding answer 16 February 2000]:* Sir David Davies' report on train protection systems will be published shortly.

Secondment Policy

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the secondment policy in his Department. [110672]

Ms Beverley Hughes: The Department has a long history of seconding staff to organisations outside the civil service and of taking inward secondees. There have been secondments with the wider public sector, the private sector and the voluntary sector. The Department intends to build on these links as part of the Modernising Government initiative on bringing in talent and creating a more open civil service.

Second Homes

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions how many second homes entitled to the 50 per cent. council tax discount there are in each district and county/unitary authority area; and what percentage they represent of domestic housing stock in each such area. [110204]

Ms Beverley Hughes *[holding answer 15 February 2000]:* I have placed in the Library of the House today a table showing the latest available information on the number of dwellings in each English district and county/unitary authority area which are entitled to the 50 per cent. council tax discount. Not all of the dwellings that receive the discount are second or holiday homes.

The Department does not collect separate information on these dwellings. The 50 per cent. discount applies to all unoccupied dwellings and certain occupied dwellings such as those where all of the residents are disregarded—for example, households consisting of someone who is severely mentally impaired and their carer.

National Air Traffic Services

Mr. Galbraith: To ask the Secretary of State for the Environment, Transport and the Regions how many people are employed by the National Air Traffic Services at *(a)* Prestwick in Scotland and *(b)* in total throughout the United Kingdom. [111005]

Mr. Mullin: The air traffic control facilities at Prestwick comprise the Scottish Area Control Centre (ScACC), which handles traffic over Scotland and Northern Ireland, and the Oceanic Area Control Centre (OACC), which handles traffic over the north Atlantic to the west of the UK and Ireland. The combined facilities, sometimes referred to as ScOACC, currently employ a total of 532 staff, including 217 controllers. The overall number of UK staff employed by National Air Traffic Services totalled 5,372 at 31 March 1999.

Leasehold Reform

Mr. Portillo: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to introduce legislation to enfranchise leaseholders. [110465]

Mr. Raynsford: Leaseholders of houses already enjoy rights to enfranchise their property under the Leasehold Reform Act 1967, and leaseholders of flats enjoy collective enfranchisement rights under the Leasehold Reform, Housing and Urban Development Act 1993. We intend to make these existing rights easier to exercise. The first stage in this will be the publication of a draft Commonhold and Leasehold Reform Bill for consultation during this session, as was announced in the Gracious Speech given on 17 November 1999, *Official Report*, columns 4–7. Following that consultation, we intend to bring forward legislation as soon as parliamentary time allows.

Bus and Train Companies (Liquidation)

Mr. Austin: To ask the Secretary of State for the Environment, Transport and the Regions what are the responsibilities of his Department in the event of a *(a)* bus and *(b)* train operating company going into liquidation. [110251]

Mr. Hill *[holding answer 16 February 2000]:* My right hon. Friend has no specific responsibilities if a train operating company or a bus company goes into liquidation. The Franchising Director has a responsibility to take over the operation of any franchised train operator in the event of premature termination of a franchise, as a result of liquidation of the company or for any other reason, and he has arrangements in readiness to do this at short notice, if necessary. London Transport Buses are responsible for the provision of bus services in London.

DEFENCE

Bloody Sunday

Mr. McNamara: To ask the Secretary of State for Defence on what *(a)* date he was informed of the establishment of a judicial inquiry into the events of Bloody Sunday and the appointment of Lord Saville, *(b)* how many self-loading rifles were submitted for ballistic testing to the Widgery Inquiry, *(c)* how many of those rifles are available with their original barrels for examination, *(d)* on what dates were batches of those rifles sent for the fitting of new barrels and for destruction and *(e)* who was responsible for the decision in each instance; and if he will make a statement. [108485]

Mr. Hoon: The Government decision to set up a new inquiry into Bloody Sunday and the appointment of Lord Saville of Newdigate to chair the Tribunal of Inquiry was announced by the Prime Minister in the House of Commons on 29 January 1998.

The Bloody Sunday Inquiry believe 29 self-loading rifles (SLRs) were submitted for ballistic testing during the Widgery Inquiry to the Department of Industrial and Forensic Science. It is not possible to say how many have retained their original barrels; it is highly probable that they would have been re-barrelled at some point during their operational lives, in which case their forensic value would be substantially reduced. Detailed records were not kept of repairs to SLRs and no record was kept of whether a rifle had been re-barrelled, or how many times this may have occurred. The SLR was declared obsolete in November 1997 and authority to commence destruction was given in January 1998. SLRs were therefore recalled for disposal in line with this policy. By the end of January 2000 approximately 116,000 rifles had been disposed of out of a total of 144,000.

A list of 29 partial serial numbers, relating to the rifles fired on Bloody Sunday, was sent by the Inquiry to the MOD on 1 September 1999. From the information available it was not possible to identify the rifles until 29 September 1999. Of the 29, 14 were identified as having been issued for destruction on the following dates: 26 January 1998, 13 February 1998, 8 April 1998, 29 April 1998, 30 April 1998, 3 June 1998, 29 June 1998, 10 August 1998, 17 August 1998, 22 February 1999, 29 March 1999, 23 August 1999 and two on 24 September 1999. Ten rifles were identified as having been sold to private companies, leaving the five in the possession of the MOD. Despite an embargo on the movement of the remaining five, two of these rifles were destroyed on 26 and 28 January 2000.

Thus 24 of the rifles were disposed of as part of the routine disposal programme at a time when they could not be identified as Bloody Sunday rifles from available MOD records. That two rifles have been destroyed since is a matter of deep regret and an investigation has been launched by the Chief Constable of the Ministry of Defence Police to which officers from the West Mercia Constabulary will be seconded. The Bloody Sunday Inquiry will be invited to send an observer. The remaining three rifles have been secured and the Bloody Sunday Inquiry has been given assurances about their safe keeping.

Mr. McNamara: To ask the Secretary of State for Defence what recent representations have been made to the Northern Ireland Office regarding proposals for a fresh inquiry into the events of Bloody Sunday; and what response his Department has made. [108486]

Mr. Hoon: My Department was closely involved in considering the need for a fresh inquiry into Bloody Sunday and it has co-operated fully with the Tribunal of Inquiry chaired by Lord Saville. I am withholding details of internal discussion and advice under Exemption 2 of the Code of Practice on Access to Government Information.

Warships (South Atlantic)

Mr. Gill: To ask the Secretary of State for Defence what is the cost of the deployment of warships in the South Atlantic in *(a)* the current financial year and *(b)* each of the next five years. [109864]

Mr. Spellar: The costs incurred by warships on manpower, fuel, port visits and associated minor costs, while deployed in the South Atlantic in the current financial year are approximately £10 million. Annual costs in future years are expected to be broadly similar.

Sierra Leone

Mr. Key: To ask the Secretary of State for Defence what UK military units are deployed in support of the UN force in Sierra Leone; what further units he will deploy to the operation; and when. [110516]

Mr. Hoon: None. The UK currently has 15 military observers and six logistics personnel deployed in support of UNAMSIL. There are no plans to deploy formed units.

Defence Medical Services

Mr. Menzies Campbell: To ask the Secretary of State for Defence what was the budget of the Defence Medical Services in 1998–99 and 1999–2000; what was the budget allocation to the *(a)* DSCA, *(b)* DDA, *(c)* DMTO and *(d)* MSA in the same period; and if he will make a statement. [109495]

Dr. Moonie: Information on budget allocations within the DMS is set out in the table.

£ million

	Allocation	
	Financial year 1998–99	*Financial year 1999–2000*
DMS total, of which:	276.5	301.7
(a) DSCA	113.4	117.0
(b) DDA	33.8	35.9
(c) DMTO	16.4	21.4
(d) MSA	37.2	48.6

Note:
The figures exclude devolved primary care costs, other than those for Germany, and various other posts filled by DMS personnel.

Army Tanks and Vehicles (Maintenance)

Mr. Menzies Campbell: To ask the Secretary of State for Defence what was the average time spent in maintenance for *(a)* Warrior variants, *(b)* Challenger One, *(c)* Challenger Two, *(d)* Saxon variants, (f) AVF 430 variants, (g) Sabre, (h) Striker, (i) Scimitar, (j) Spartan, (k) Sultan, (l) Samaritan and (m) Samson in each of the last five years; what proportion was planned maintenance; what proportions was reactive repair maintenance; and if he will make a statement. [109498]

Mr. Spellar: Maintenance of Army tanks and vehicles is carried out at four levels ranging from low level upkeep (eg tyres, batteries, lights) (Level 1) to major work conducted by the Army Base Repair Organisation or Industry (Level 4). This work, covering some 5,500 vehicles, is undertaken at over 150 locations both in the UK and overseas. Maintenance records are held by the Unit where the work is conducted and a networked information system is being developed to give greater overall visibility of the work undertaken. At present, however, the information is not collated centrally and could be provided only at disproportionate cost.

Imphal Barracks

Miss McIntosh: To ask the Secretary of State for Defence what estimate he has made of the numbers of *(a)* officers and men and *(b)* civilian workers, there will be at Imphal Barracks, York, following the transfer of 2 Division HQ to Edinburgh. [109446]

Mr. Spellar: The number of people working in Imphal Barracks is currently changing as the Headquarters of the 2nd Division departs and the Defence Vetting Agency and the Queen's Gurkha Signal Squadron build up in strength. It is estimated that there will be 430 civilian staff in the Barracks by early 2001 and 546 military personnel by 2003.

EDUCATION AND EMPLOYMENT

Education and Training (Deprived Areas)

15. **Dr. George Turner:** To ask the Secretary of State for Education and Employment what steps he is taking to raise the educational and training aspirations of young people from deprived areas. [109145]

Mr. Wicks: The new Connexions Service will raise the expectations and aspirations of all young people, wherever they live, by ensuring they receive the advice they need, when they need it, to make a success of their lives. In addition, we have introduced the £350 million Excellence in Cities programme and £60 million Neighbourhood Support Fund to focus specifically on the issues faced by young people in deprived areas.

Information and Learning Technology (Access)

16. **Mr. Peter Bradley:** To ask the Secretary of State for Education and Employment what plans his Department has to extend access to information and learning technology among those who do not own computers. [109146]

Mr. Wills: We are taking a number of initiatives to ensure that the benefits of information and communication technologies are made available as widely as possible. These include the development of City Learning Centres, community ICT Learning Centres and also a scheme to support job seekers and families on low incomes in getting ready access to computers.

New Deal

17. **Mr. David Stewart:** To ask the Secretary of State for Education and Employment if he will make a statement on the progress of the New Deal, specifying the total number of businesses that have participated to date. [109147]

Ms Jowell: The New Deal is progressing well, with 179,000 people into work through the New Deal for Young People and over 32,850 into work through the New Deal for Long Term Unemployed People by the end of November. To date 64,900 employers have signed New Deal agreements.

Mr. Maclean: To ask the Secretary of State for Education and Employment for what reason information relating to whether employment is sustained is not provided in the Government's statistics concerning participants leaving the New Deal for Lone Parents to enter work; and if he will make a statement. [109275]

Ms Hodge: At present we are unable to say how many of the people who left the New Deal for Lone Parents for work are still in employment. If a lone parent were to leave their employment they may claim Income Support or Jobseekers Allowance (among other possible benefits). Legislation allowing the Employment Service access to DSS data on Income Support claimants has only recently been passed in the Welfare Reform and Pensions Bill. Without this information it has been impossible for the Employment Service to know if a client has ceased employment and claimed Income Support. Work to measure the sustainability of jobs entered through New Deal for Lone Parents is under way as part of the continuous improvement strategy for New Deal.

This issues is also covered in the evaluation of NDLP where a survey of lone parents (both participants and non-participants in NDLP) will take place in 2001.

Mr. Maclean: To ask the Secretary of State for Education and Employment what proportion of those participants who had left the New Deal for Lone Parents for jobs were still in employment at the latest date for which information is available. [109278]

Ms Hodge: At present we are unable to say how many of the people who left New Deal for Lone Parents for work are still in employment. If a lone parent were to leave their employment they may claim Income Support or Jobseekers Allowance (among other possible benefits). Legislation allowing the Employment Service access to Department for Social Security data on Income Support claimants has only recently been passed in the Welfare Reform and Pensions Bill. We are now looking into the possibility of tracking the employment status of clients after they leave New Deal for Lone Parents. We will also cover this issue through a separate evaluation survey in 2001.

Mr. Maclean: To ask the Secretary of State for Education and Employment what has been the total cost of issuing letters to lone parents inviting them to participate in the New Deal for Lone Parents. [109276]

Ms Hodge: The total cost of issuing letters to lone parents inviting them to participate in the New Deal for Lone Parents to December 1999 is £196,498.15.

The breakdown of the total cost is as follows:

	£
Print costs	56,180
Initial set up costs	29,061
Postage costs	111,257.15

Learning and Skills Councils

18. **Mr. Hilary Benn:** To ask the Secretary of State for Education and Employment if he will make a statement on the proposed learning and skills councils. [109148]

Mr. Wicks: We are making good progress in our plans to establish the Learning and Skills Council. We are on course to have the Council in place by April 2001. I will shortly be announcing the locations of the local arms of the Council.

Class Sizes

19. **Miss Kirkbride:** To ask the Secretary of State for Education and Employment if he will make a statement on the average size of secondary school classes in *(a)* 1998 and *(b)* 1999. [109149]

Ms Estelle Morris: The most recent figures show that in January 1999 the average secondary class had 21.9 pupils. The corresponding figure for January 1998 was 21.7. January 1999 saw the first fall in overall average class size for 10 years, from 24.9 in January 1998 to 24.8.

35. **Mr. Gerald Howarth:** To ask the Secretary of State for Education and Employment if he will make a statement on class sizes in primary and secondary schools since May 1997. [109166]

Ms Estelle Morris: Between January 1998 and January 1999 the size of the average primary school class in England fell from 27.7 to 27.4, the first fall in 10 years. Average classes in secondary schools are much lower than in primary schools. The most recent figures show that in January 1999 the average secondary class had 21.9 pupils. The corresponding figure for January 1998 was 21.7. January 1999 also saw the first fall in overall average class size for 10 years, from 24.9 in January 1998 to 24.8.

Post-16 Education (Lancashire)

20. **Mr. Borrow:** To ask the Secretary of State for Education and Employment if he will make a statement on post-16 education in Lancashire. [109150]

Mr. Wicks: The new Learning and Skills Council will, for the first time ever, bring post-16 funding into a single body to invest in learning and skills. It will cut out the waste and bureaucracy of the current system. This is good news for the people of Lancashire.

School Funding

21. **Mr. Cash:** To ask the Secretary of State for Education and Employment if he will make a statement on the funding of schools. [109151]

Ms Estelle Morris: The Government are determined to see increases in funding for schools. For 2000–01 we have increased the funding available to local authorities by £1.8 billion. We are urging local authorities to pass on the

£1.1 billion increase in education SSA to their education budgets; and we have set LEAs three targets which will further increase the funding delegated to schools.

Mr. Todd: To ask the Secretary of State for Education and Employment what steps he will take to increase the equity of funding for school education. [109143]

Ms Estelle Morris: The Government announced in November 1998 a three-year review in partnership with local government to look for a way of distributing revenue support grant which is simpler, more stable, more robust and fairer than the present arrangements for SSAs.

Summer Schools

22. **Mr. Grogan:** To ask the Secretary of State for Education and Employment if he will make a statement regarding his plans for summer schools aimed at encouraging young people to apply for higher education. [109152]

Jacqui Smith: The Government are committed to helping gifted young people from inner cities to make full use of their abilities. This summer we are spending £4 million to finance university summer schools which will raise the confidence and aspirations of these young people and give them a taste of university life.

This programme is part of the Excellence in Cities (EiC) initiative, which addresses: concerns over the standards of achievement which are lower in inner cities than in other areas of the country; truancy is higher and rates of exclusion higher; the fact that pupils in city areas often face multiple and reinforcing disadvantages that require multiple and reinforcing solutions; the need for continuity of support from pre-school to post-compulsory education for vulnerable pupils at all the points of institutional transition in their education to ensure that early intervention is continually consolidated and reinforced; and providing a safety net for those who experience disadvantage later. Excellence in Cities (EiC) was launched on 22 March 1999 by the Prime Minister and the Secretary of State. Summer schools are an integral part of this continuing support through the education system. The Summer Schools programme is an extension of these initiatives and was announced on 23 November 1999.

In all there will be places for 5,000 gifted and talented 16–17 year olds from EiC areas this summer. The £4 million will cover all academic and accommodation costs and the costs of teaching and parental or teacher pastoral care, as well as the start-up costs of this scheme.

The summer schools are drawing on the pioneering work that has already been done by Institutions and we are building on their expertise and experience and the work of the Sutton Trust. The Sutton Trust is sponsoring six university summer schools this year at Oxford (2); Cambridge (2); Nottingham and Bristol. The schools will run this summer and will be open to able year 12 students throughout the UK who fulfil criteria recommended to universities by the Sutton Trust. The selection criteria will help ensure that many successful applicants are from inner-city secondary schools and colleges. The Minister for School Standards has agreed to offer a grant of £30,000 to contribute to the running of the schools.

Too many young people from the inner cities do not get the encouragement they need to make full use of their abilities. The Government are helping to put that right by giving them a chance to attend summer schools in our leading universities. This will raise their confidence and aspirations and give them a taste of university life.

Further Education Students

23. **Mr. St. Aubyn:** To ask the Secretary of State for Education and Employment if he will make a statement on the increase in the number of full-time equivalent students at further education colleges in England and Wales *(a)* in 1992 to 1997 and *(b)* since May 1997. [109153]

Mr. Wicks: The number of full-time equivalent students at further education colleges in England funded by the Further Education Funding Council increased from 862,000 in 1992–93 to 1,084,000 in 1996–97. Actual numbers for later years are not yet available, but we are projecting an increase to 1,186,000 by 2001–02 financial year.

Figures for Wales are a matter for the National Assembly for Wales.

Millennium Volunteer Projects

24. **Mrs. Ann Cryer:** To ask the Secretary of State for Education and Employment how many millennium volunteer projects have been approved; and if he will make a statement on progress. [109154]

Ms Hodge: There are currently 95 projects which have been contracted for under the Millennium Volunteers Programme in England. I announced on 19 January that a further 88 projects had been approved from the second bidding round, which will build on the success of the earlier projects. There will be further activity supported during 2000 to extend the scope of Millennium Volunteers coverage and to ensure a sufficient variety of opportunities to attract a broad range of young people to Millennium Volunteers.

Specialist Schools

25. **Mr. Blizzard:** To ask the Secretary of State for Education and Employment what plans he has to develop more specialist schools. [109155]

Ms Estelle Morris: In March last year we announced the expansion of the Specialist Schools programme under the "Excellence in Cities" initiative to 800 specialist schools by September 2003.

Neighbourhood Support Fund

26. **Mrs. Organ:** To ask the Secretary of State for Education and Employment if he will make a statement on the Neighbourhood Support Fund. [109156]

Mr. Wicks: We have invested £60 million over three years on the Neighbourhood Support Fund. These innovative projects, run by local and voluntary community organisations, will connect young people back into education, training and work in the most deprived areas as part of the wider Connexions strategy launched on the 3 February 2000. The first projects will be up and running by March this year.

Secondary Schools (Gloucestershire)

27. **Mr. Drew:** To ask the Secretary of State for Education and Employment what plans he has to increase the funding of secondary schools in Gloucestershire. [109158]

Ms Estelle Morris: For 2000–01, Gloucestershire's education SSA has increased by £11.21 million to £226.01 million. While it is for local authorities to set their education budgets, my right hon. Friend has written on behalf of the Government to urge all council leaders to ensure that all the additional provision we have made available is actually spent on education. Gloucestershire's Standards Fund allocation for 2000–01 is £15.21 million, an increase of £4.76 million. I hope it will take up all of this allocation. In addition, Gloucestershire will receive £572,000 as its share of the extra £50 million grant for education on condition that it is used for education and added to schools' delegated budgets. My right hon. Friend shall look for prior confirmation that the whole of the increase in Gloucestershire's education SSA has been passed on to education before deciding whether to release its share of the grant.

Performance-related Pay

28. **Dr. Cable:** To ask the Secretary of State for Education and Employment if he will make a statement on his latest discussions with teachers' professional bodies on performance-related pay. [109159]

Ms Estelle Morris: The Department for Education and Employment submitted detailed evidence on pay reform to the School Teachers' Review Body (STRB) last September. The STRB's Ninth Report was published on 1 February. The Secretary of State has initiated consultation with key stakeholders including teacher unions and employers on the STRB's recommendations. The consultation ends on 7 March and a further announcement will be made following this.

Work-based Learning

29. **Mr. Kidney:** To ask the Secretary of State for Education and Employment how he intends to ensure that young people have access to work-based learning. [109160]

Mr. Wicks: The Connexions Document issued by the Government on 3 February (copies placed in the Vote Office in the Commons on Thursday 3 February and in the Library in the Commons) set out a comprehensive strategy to ensure that all young people are enabled to stay on in learning after the age of 16 in school, college or on the work-based route.

Labour Market Access

30. **Laura Moffatt:** To ask the Secretary of State for Education and Employment what assessment his Department has made of the measures required to improve labour market access for the most disadvantaged groups; and what policies are in place to address this situation. [109161]

Ms Jowell: My Department assesses continuously the progress of groups at a disadvantage in the labour market. All of our policies and programmes are underpinned by a clear focus on equality of opportunity.

Improving access for those at a disadvantage is an important element of all of our New Deals with early help for those facing particular problems. The Policy Action Team on Jobs identified a range of proposals to help people living in deprived areas and from ethnic minority backgrounds as part of the Social Exclusion Unit's work on neighbourhood renewal. Some are already being acted upon, such as the piloting of the use of intermediary organisations in New Deal.

Improving participation in learning by people from the most disadvantaged groups will be a key objective for the Learning and Skills Council. The Connexions Service, for all young people, will target intensive advice and support on those with greatest need. And our drive to improve standards in schools will also ensure that young people from disadvantaged communities are properly equipped to compete for jobs.

Early-years Education

31. **Charlotte Atkins:** To ask the Secretary of State for Education and Employment what measures the Government have taken to raise the status of those who work in early-years education since May 1997. [109162]

Ms Hodge: The Government are committed to raising the status of early-years workers and improving the quality of early education. We have listened to early-years practitioners who have said that early education should be recognised as a distinct phase of education. The Foundation Stage of the National Curriculum will be launched in September, with the new Early Learning Goals which most children should achieve at the end of the reception year. And we will be providing significant extra training and support to help deliver that.

A highly trained and qualified workforce is the key to attracting and retaining good people. Our aim is to introduce minimum levels of qualifications for leaders of early-years settings and for the practitioners that work in them. In October 1999, we introduced "A Framework of Nationally Accredited Qualifications in Early Years Education, Childcare and Playwork". The framework provides for the first time clear, comprehensive and integrated information about the skills, competencies, training and qualifications that are needed for the wide range of jobs in the sector. It will be updated this spring. We are developing occupational standards for the sector which will form the basis for further qualifications. This work is being led by the Early Years National Training Organisation, which was established in November 1998.

I believe the steps we are taking will provide people working in early-years education with a more clearly defined career structure and better recognition of the contribution they make to children's development.

Sure Start

32. **Mr. Nigel Griffiths:** To ask the Secretary of State for Education and Employment if he will make a statement on progress in implementing the sure start programme. [109163]

Yvette Cooper: Forty-seven of the 60 trailblazer programmes in England have now been approved and are starting to help children. The remaining 13 will follow shortly. In November 1999 we launched the second wave of Sure Start by inviting a further 69 areas to start work

to develop local programmes. All of these are now working on drawing up outline plans. My Ministerial colleagues in Northern Ireland, Wales and Scotland have responsibility for implementing Sure Start in their areas of responsibility.

Training and Further Education Spending

33. **Mr. Quinn:** To ask the Secretary of State for Education and Employment what plans he has to re-direct resources for training and further education from spending on administration to vocational and academic education. [109164]

Mr. Wicks: Our plans to create a Learning and Skills Council will bring together, for the first time into a single coherent system, the current range of learning opportunities for individuals and workforce development. The new arrangements will cut through the present duplication and bureaucracy, and will secure savings of at least £50 million a year across post-16 learning.

These savings will be redirected to improving the quality of learning for individuals, raising standards, widening participation and tackling the skills deficit.

Disability Rights Task Force

34. **Mrs. Curtis-Thomas:** To ask the Secretary of State for Education and Employment what steps his Department plans to take to implement disability rights task force proposals as they affect education. [109165]

Ms Hodge: We announced our intention on 13 December to bring forward legislation to give people with disabilities equal access to schools and further, higher and adult education. The proposed legislation will address the key education recommendations of the final report of the Disability Rights Task Force.

Illegal Drugs

36. **Mr. Chope:** To ask the Secretary of State for Education and Employment when he last met the UK anti-drugs co-ordinator to discuss the use of illegal drugs in schools and places of work. [109167]

Jacqui Smith: I met the UK anti-drugs co-ordinator at the end of November last year, to discuss the DfEE's contribution to the Government's Anti-Drugs Strategy. We have agreed to meet quarterly in future.

As DfEE Drugs Minister, I also have met Mr. Hellawell regularly in meetings of the Ministerial Steering Group on Drug Misuse.

Maths Year 2000

Mr. Gardiner: To ask the Secretary of State for Education and Employment what support his Department is giving to the Maths Year 2000. [109138]

Jacqui Smith: We have invested £6.75 million in Maths Year 2000 to promote a "can-do" attitude towards maths throughout the community. Only this morning my right hon. Friend the Secretary of State for Education and Employment launched the first supermarket Maths Corner as part of the ASDA Big Sum Campaign. The funding for Maths Year 2000 is in addition to the £64 million which we have invested in the National Numeracy Strategy this year to raise standards of mathematics in primary schools.

Remedial Education

Mr. Bill Michie: To ask the Secretary of State for Education and Employment what studies his Department has commissioned or evaluated on the effectiveness of remedial education in primary schools. [109741]

Ms Estelle Morris: The Literacy and Numeracy Strategies form the core of our programme to raise standards in all primary schools for all pupils including those with special educational needs. These strategies are being formally evaluated by a team from the University of Toronto.

Tuition Fees

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment if he will estimate the total cost of abolishing tuition fees in England and Wales for each of the years 2001–02 to 2005–06; and if he will make a statement. [110024]

Mr. Wicks: I refer the hon. Member to my reply of 14 February 2000, *Official Report*, column 393W. Figures for beyond 2001–02 depend on student numbers on which decisions have not yet been made.

Employment Service

Mr. Pickthall: To ask the Secretary of State for Education and Employment what impact the fundamental review of Employment Service Annual Performance Agreement will have on the Annual Performance Agreement for 2000–01. [111060]

Mr. Blunkett: I am today announcing the outcome of a fundamental review of the Employment Service Annual Performance Agreement (APA) which was launched in May 1999. The review included a wide-ranging public consultation involving employers, voluntary, public and private sector organisations and other Government Departments.

The review has been an important staging post in the modernisation of the Employment Service. I want the ES to provide an outward looking, accessible and efficient service, using the latest generation of technology, which can meet the demands of its customers, whether they are jobseekers or employers, by working in close partnership with a wide range of public, private and voluntary sectors. I also want greater emphasis on equal opportunities.

As a result of the review, the Employment Service will have a brand new Vision and Purpose for 2000–01 which describes the key elements for modernising the service. I am also announcing a new Aim and Objectives, which can be easily understood by ES staff and will help them to focus on the service that they provide to employers in helping to fill their vacancies. I believe that these proposals, together with a new set of targets, will help ES to be an inclusive service which helps all people without work and particularly the most disadvantaged jobseekers. During the year I will be exploring alternative ways of weighting targets. I hope to announce target numbers before the end of March 2000.

Vision and Purpose

"The Employment Service aims to make a major contribution to an efficient and flexible labour market and to the Government's objectives of high and stable employment and growth, equality of opportunity and social inclusion. ES works closely with

employers and with its private, voluntary and public sector partners to provide a quality service for all people without a job and to promote employment opportunities for all who can work. It aims to attract a diverse range of vacancies and to fill those vacancies quickly by matching the right people and skills with the right jobs. Its chief priority is to help individuals facing particular difficulty in the labour market to move from welfare and economic inactivity into sustainable employment. It does this through correct application of the JSA regime, delivery of the New Deals and the pilot ONE service, and provision of appropriate information, advice, training and support. The Agency has achieved much over the past three years. The challenge and opportunity now facing it is to sustain continuous improvement in its services to jobseekers and employers and to make those services more accessible and relevant to customer needs, through effective use of modern technology and close working with a wide range of partners"

Aim

"To help people without jobs to find work and employers to fill their vacancies"

Objective A

To help all people without jobs, and particularly those on welfare and at a disadvantage in the labour market, to find and keep work by providing appropriate information, advice, training and support and by encouraging employers to open more opportunities to them

Objective B

To ensure that the rights and relevant labour market responsibilities of people on JSA and other benefits are fulfilled, while helping to combat fraud and abuse of the benefit system

Objective C

To harness new technology, the pursuit of excellence and continuous improvement to deliver effective, efficient and accessible services to all people without jobs and to employers in Jobcentres and, increasingly through other locations and means of communication

Objective D

To deliver services to all ES customers in a way which respects individual differences, helps to overcome disadvantages due to ethnicity, gender, age or disability and achieves the best possible outcome for each of them

Targets (linked to Objectives A, B and C above)

A1: To help x participants in the New Deals and Employment Zones into work, directly or in partnership with others (includes all New Deals and relevant EZs)

A2: To help x people with disabilities into work, directly or in partnership with others (includes all people with disabilities, including NDDP participants)

A3: To help x disadvantaged jobseekers into work, directly or in partnership with others (includes A1, A2 plus other disadvantaged people in receipt of benefit)

A4: To help x people from welfare into work, directly or in partnership with others (includes A1-A3, plus unemployed people claiming JSA for 0–6 months)

A5: To help x jobless people into work, directly or in partnership with others (includes A1-A4, plus others without work not claiming relevant benefits)

A6: Pilot target: For x per cent. of long term JSA claimants to be off benefit 13 weeks after starting a job

B: To ensure that the relevant labour market responsibilities of people on JSA are fulfilled in x per cent. of cases checked

C1: To achieve an x customer service level for jobseekers

C2: To achieve an x customer service level for employers

Milestone Target(s) [eg. Programme x to be introduced successfully by date y-to be specified]

Disability Rights Commission

Mr. Gareth R. Thomas: To ask the Secretary of State for Education and Employment what progress has been made in establishing the Disability Rights Commission. [109139]

Ms Hodge: There has been good progress in establishing the Commission since the Bill to set it up received Royal Assent in July 1999. I expect it to open its doors for business on 25 April this year. The chair, the commissioners and the chief executive of the Commission have all been appointed. Recruitment of the Commission's staff is under way. The DRC's main office in Manchester is being fitted out.

Higher and Further Education

Mr. Gerrard: To ask the Secretary of State for Education and Employment what steps he is taking to expand access to higher and further education. [109134]

Mr. Blunkett: The Government are committed to widening access to post-secondary education as part of their strategy to create a ladder of lifelong learning. We have already funded an additional 800,000 places in further and higher education through the current Comprehensive Spending Review.

This week I announce the development of the new two year foundation degrees and a new framework for vocational qualifications, both in institutions and in the workplace.

Ministerial Visits

Mr. Jack: To ask the Secretary of State for Education and Employment when an official from his Department last visited the Lytham St. Anne's High Technology School. [109133]

Ms Estelle Morris: Officials from the Department last visited the school on 18 September 1996.

SOCIAL SECURITY

Disability Living Allowance

Mr. Breed: To ask the Secretary of State for Social Security what change there has been in processing times for Disability Living Allowance claims in the past year. [108746]

Mr. Bayley: The administration of the Disability Living Allowance is a matter for Mr. Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Colin Breed, dated 16 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question. You asked what change there has been in processing times for Disability Living Allowance (DLA) claims in the past year.

For your information the average processing time for the past year (1999) has been 40 days as against the average for 1998 of 35 days.

I hope that this is helpful.

New Deal

Mr. Willetts: To ask the Secretary of State for Social Security, pursuant to his written answer of 4 February 2000, *Official Report*, columns 748–49W, how many lone parents under the New Deal for Lone Parents broken down into (i) targeted and (ii) non-targeted groups, *(a)* were issued with initial invitation letters, *(b)* booked initial interviews with personal advisers, *(c)* attended initial interviews, *(d)* agreed to participate in the programme, *(e)* were referred to Employment Service programmes or other training, *(f)* obtained jobs following participation and *(g)* have increased their hours of work following participation. [109503]

Angela Eagle: Information is not available in the format requested. Such information as is available is in the table.

	Prototype phase 1 (July 1997-October 1998)		*Phase 2 (April 1998-October 1998)*	*Results for the National Programme (October 1998-November 1999)*	
	Target group	*Non-target group*	*All lone parents*	*Target group*	*Non-target group*
Initial invitation letters issued	[1]50,612	0	[1]—	443,710	0
Initial interviews booked	7,198	1,981	21,647	[2]69,982	62,149
Initial interviews attended	6,289	1,818	15,193	61,033	51,536
Number agreeing to participate	5,561	1,741	12,889	54,659	45,838
Number entering education	300	75	2,569	4,405	3,961
Jobs obtained	2,473	920	2,878	18,949	13,756
(Number of these obtained by part-time workers increasing their hours)	[3](355)	—	(487)	(829)	(401)

[1] The number of letters issued during phase 1 and 2 cannot be divided into separate figures because these phases ran concurrently from April 1998 to October 1998. Letters were only issued to target group lone parents.
[2] This figure is taken from internal management information and so has not been validated in the same way as other figures for the National Programme.
[3] The number of lone parents who were working part-time before obtaining work of over 16 hours cannot be split into target and non-target group for phase 1.
Notes:
1. The results for phase 2 of NDLP are not available split into the target and non-target groups on/training.
2. In some cases it was not recorded whether the lone parent was either from the target or non-target group. The figures shown in the table are only those definitely recorded as in one group or the other. Consequently the sum of these figures do not always equal the total number of lone parents at each stage.

Mr. Willetts: To ask the Secretary of State for Social Security how many lone parents, under the New Deal for Lone Parents, have *(a)* been issued with initial invitation letters, *(b)* booked initial interviews with personal advisers, *(c)* attended initial interviews, *(d)* agreed to participate in the programme, *(e)* been referred to Employment Service programmes or other training, *(f)* obtained jobs following participation and *(g)* have increased their hours of work following participation. [108001]

Angela Eagle *[pursuant to her reply, 4 February 2000, c. 748–50W]:* The information is in the table.

	Results for the National Programme (October 1998-November 1999)	*Prototype phases 1 and 2 (July 1997-October 1998)*
Initial invitation letters issued	443,710	50,612
Initial interviews booked	[1]134,948	30,826
Initial interviews attended	112,570	23,300
Number agreeing to participate	100,500	20,191
Number entering education/training	10,630	2,944
Jobs obtained	32,710	6,271
(Number of these obtained by part-time workers increasing their hours)	(1,230)	(842)

Note:
[1] This figure is taken from internal management information and so has not been validated in the same way as other figures for the National Programme.

Minimum Income Guarantee

Dr. Lynne Jones: To ask the Secretary of State for Social Security what is his estimate of the additional annual cost of the Minimum Income Guarantee in *(a)* 2005, *(b)* 2010, *(c)* 2020 and *(d)* 2050 if annual increases are in line with earnings assuming (i) one in three, (ii) one in four and (iii) one in five pensioners qualify for income support. [109588]

Mr. Rooker: Estimates for the cost of the Minimum Income Guarantee (MIG) for the years shown are not available. This is because it is extremely difficult to obtain accurate projections of the future level and distribution of income and assets.

Housing Benefit

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what is his estimate of the cost of abolishing the shared residency requirement for housing benefit; what assumptions underlie his estimate; and if he will make a statement. [110063]

Angela Eagle: We are unable to estimate with any accuracy the cost of abolishing the Single Room Rent restriction. There is insufficient quantitative information on how this group responded to the change, and without this information we cannot estimate the behavioural effects of reversing the change.

Pensions

Mr. Maclennan: To ask the Secretary of State for Social Security what would be the *(a)* cost in real terms and *(b)* resulting increase in pensions, of raising pensions to the level they would have reached if the link between pensions and the rise in earnings had never been broken. [110415]

Mr. Rooker: If the link uprating the basic State pension by the higher of earnings or prices had not been broken the rate for a single pensioner would be £97.45 per week from April 2000. The gross cost of increasing the basic retirement pension to this level in 2000–01 would be £17.2 billion. The net cost would be £13.5 billion.

Notes:

1. The Retail Prices Index (all items) and the Average Earnings Index Whole Economy (Non Seasonally Adjusted) have been used as published by the Office for National Statistics.

2. From April 1994 the basic rate of Retirement Pension has been increased by 50p to reflect VAT on fuel.

3. Figures have been rounded to the nearest 5 pence at each uprating.

4. Costs are rounded to the nearest £100 million.

5. Costs include benefits whose rates are linked by statute to the rate of basic Retirement Pension (RP).

6. The figure of £97.45 per week refers to the full Category A rate; other rates of basic RP have been assumed to increase pro-rata.

7. Gross costs are estimated by the Government Actuary's Department. Net costs have been estimated using the Policy Simulation Model.

Benefit Entitlements

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what is his estimate of the total annual net cost of restoring benefit entitlements to 16 and 17-year-olds; what assumptions underlie this estimate; and if he will make a statement. [110061]

Angela Eagle: We believe that every young person should have the opportunity to achieve their potential. That is why our aim is to engage 16 and 17-year-olds in education, training or work with training, rather than starting their adult lives dependent on the benefits system.

Departments are working together to develop and implement the proposals in the Government White Paper "Learning to Succeed" and the Social Exclusion Unit's report "Bridging the Gap". The recently announced Connexions Service will help, support and guide young people through their teenage years including those most at risk from disadvantage.

The estimated annual cost of restoring full entitlement to Social Security benefits to 16 and 17-year-olds would be £100 million at present rates. These costs do not make any allowance for possible changes in labour market behaviour as a result of these changes.

Notes:

1. Figure is rounded to the nearest £50 million.

2. Figure is based on data taken from the 1997–98 Family Resources Survey.

3. Figure assumes benefit would be paid at benefit rates for 16 and 17-year-olds.

Software Releases

Mr. Burstow: To ask the Secretary of State for Social Security if he will set out the number of software releases he plans to make available within his Department in each of the next three years; and what changes to the benefit system each release will produce. [107295]

Angela Eagle *[holding answer 28 January 2000]:* Software releases are a matter for the Chief Executive of the Information Technology Services Agency, George McCorkell. He will write to the hon. Member.

Letter from Peter Shanley, on behalf of George McCorkell, to Mr. Paul Burstow, dated 11 February 2000:

Further to your recent Parliamentary Question to the Secretary of State for Social Security about Departmental software releases. You specifically asked about the changes that these releases would make to the benefit system.

Upgrades and enhancements to the Department's Information Technology (IT) systems are agreed and planned jointly between the Information Technology Service Agency, Departmental Agencies and other units and Stakeholders. The attached annex outlines the benefit system software releases planned for the next three years and concentrates on the benefits these releases will introduce for their recipients.

The work planned over the next three years has accounted for several legislative changes. Any further legislative changes announced will have an effect on the contents of the releases planned.

I hope that you find this reply helpful.

Annex

Over the next three financial years the following releases have been planned:

Job Seekers Allowance (JSA) has three proposed releases which plan to implement enhancements to:

- New Deal for Partners of the Unemployed providing equal treatment as a joint claim for partners in 18–24 age
- support payment of a revised range of benefits and allowances to both Widows and Widowers;
- apply a penalty to a Jobseeker's benefit where (s)he has failed to comply with Probation or Community Punishment Order;
- improve allowances where a higher-rate of Carer's Component of Disability Living Allowance is in payment;
- to improve system notifications issued to customers.

Income Support (IS) has four proposed releases which plan to implement the following enhancements:

- an extension of the New Deal for Lone Parent scheme to lone parents with children between 3 years and 5 years 3 months;
- introduction of new premiums as part of the 'Disability Income Guarantee' initiative;
- the provision of certain forms directly to Social Service locations;
- to account for the introduction of the Child Support Reforms;
- to improve system notifications issued to customers.

Social Fund (SF) has four proposed releases which plan to implement the following enhancements:

- to improve the system notifications issued to customers;
- extension of Budgeting Loans to low income groups by allowing Council Tax Benefit recipients access to the scheme;

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improvements to the repayment of loan interface with the Income Support Computer System;

introduction of Automated Credit Transfer for Social Fund customers.

Disability Living Allowance/Attendance Allowance (DLA/AA) has four proposed releases which plan to implement the following enhancements:

automation of some notifications to improve consistency of customer information;

identification of certain renewal cases to allow for further medical enquiries;

a range of system administration enhancements.

Working Families' Tax Credit (WFTC)/Disabled Person's Tax Credit (DPTC) has three proposed releases to implement the following enhancements:

support changes intended to bring WFTC into line with DPTC;

support changes for new rules for DPTC;

Support changes where the system will calculate entitlement to remission from NHS charges, and issue a certificate with the award notification;

support changes to the award amount to certain WFTC applicants;

a range of system administration enhancements.

Invalid Care Allowance (ICA) has two proposed releases which plan to implement the following enhancements:

production of restricted orderbooks which account for the recipient reaching retirement age or changes to their receipt of DLA/AA;

a range of system administration enhancements.

Industrial Injuries has two proposed releases which plan to implement a range of system administration enhancements.

War Pensions (WP) has six proposed releases, which plan to implement the following enhancements:

to reflect decisions made at the European Court of Human Rights;

a range of system administration enhancements.

Pensions and Incapacity Benefit (PSCS/INCAP) has five proposed releases which plan to implement the following enhancements to:

support changes in the award of Maternity Allowance from April 2000;

support changes relating to Pensions Sharing on Divorce;

support changes relating to the provision of support in bereavement;

support changes in Incapacity Benefit for helping young disabled people;

support changes to cater for where a claimant has a personal or occupational pension;

support the Child Support Reforms;

support a State Second Pension Scheme;

support Teleclaims processing for new Retirement Pension claimants in Great Britain.

Child Benefit (ChB) has three proposed releases which plan to implement the following enhancements:

new processing of late claims to Child Benefit;

new communications with Welsh customers;

introduction of new and improved communications for Child Benefit customers.

Child Support Computer System (CSCS) has two proposed releases which plan to implement the following enhancements:

to provide new customer payment statements;

to provide changes to the way information from Job Seeker Allowance (JSA)/Income Support (IS) is handled;

to improve system notifications issued to customers;

to the debt management system.

AVAILABLE

Discretionary Social Fund

Maria Eagle: To ask the Secretary of State for Social Security what changes he intends to make to the discretionary social fund. [111228]

Angela Eagle: My right hon. Friend the Secretary of State will be making changes to the discretionary social fund, with effect from 3 April 2000, to take account of new legislation in other benefit areas being introduced on that date. A range of other minor improvements, identified during the course of routine monitoring will also be included in the amendment to directions and guidance.

Details of these changes have been placed in the Library.

HEALTH

NHS Charges

Mr. Rapson: To ask the Secretary of State for Health what plans he has to increase charges in the NHS; and if he will make a statement. [111237]

Mr. Denham: We shall lay before the House regulations to increase National Health Service charges in England from 1 April 2000. There will be a cash increase in the charge of 10p, (1.69 per cent.) from £5.90 to £6.00 for each quantity of a drug or appliance dispensed.

The cost of prescription prepayment certificates will rise to £31.40 for a four-month certificate and £86.20 for an annual certificate. These offer savings for those needing more than 5 items in four months or 14 in one year.

Prescription charges are expected to raise some £380 million for the NHS in 2000–2001.

Charges for elastic stockings and tights, wigs and most fabric supports supplied through the Hospital Service will be increased similarly.

The maximum patient charge for a single course of dental treatment begun on or after 1 April 2000 will increase from £348 to £354. Only about 1 in every 1,000 courses of treatment will attract the new maximum charge.

The increases are in line with the movement of the retail prices index from January 1999 (the benchmark for the current charge) to November 1999 of 2 per cent., but rounded to the most convenient unit. Movements in the retail prices index from November to November will become the benchmark for any subsequent charges increases within the three year period following the Comprehensive Spending Review.

Optical voucher values in England will increase overall by 2 per cent. to help children, people on low income and certain people with complex sight problems with the cost of spectacles or contact lenses.

NHS charges and optical voucher values in Scotland and Wales are a matter for the devolved administrations. However, I can inform my hon. Friend that these proposals have been considered jointly with the Secretary for Health and Social Services to the National Assembly for Wales who tells me she will be putting forward parallel proposals for consideration by the Assembly.

Details of the revised charges have been placed in the Library.

Waiting Times

Mr. Lilley: To ask the Secretary of State for Health if he will publish figures showing the percentage of patients seen for first appointment within 13 weeks of referral by a GP in *(a)* 1997–98 and *(b)* 1998–99 for (i) England, (ii) East and North Hertfordshire, (iii) West Hertfordshire and (iv) the health authority in the prospering growth area with the (1) lowest figure and (2) highest figure. [109683]

Mr. Denham: The figures are given in the table.

Percentage of patients seen for a first outpatient appointment within 13 weeks of referral by a general practitioner

	1997–98	1998–99
England	82	79
East and North Hertfordshire health authority	85	80
West Hertfordshire health authority	83	80
Health authority with lowest percentage in prospering growth area	[1]73	[2]71
Health authority with highest percentage in prospering growth area	[3]92	[3]89

[1] Cambridge and Huntingdon
[2] Portsmouth and South East Hampshire
[3] Solihull
Note:
All figures are resident-based

Insulin Pens

Mr. Singh: To ask the Secretary of State for Health what plans he has to introduce free needles for diabetics who require insulin. [109530]

Mr. Denham: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Harrow, West (Mr. Thomas) on 9 February 2000, *Official Report*, column 199W.

Worcestershire and Alexandra NHS Trusts

Miss Kirkbride: To ask the Secretary of State for Health if the Chairman of Worcestershire NHS Trust and the Alexandra NHS Trust is receiving salaries for both posts; and what his total annual salary is. [110391]

Mr. Denham *[holding answer 16 February 2000]:* Mr. Harold Musgrove will continue to receive remuneration of £17,625 a year as chair of the Alexandra Healthcare National Health Service Trust until 31 March 2000. He will not receive remuneration as chair of Worcestershire Acute Hospitals National Health Service Trust until this newly merged trust becomes operational on 1 April 2000.

Hospital Waiting Lists (Essex)

Mr. Burns: To ask the Secretary of State for Health what are the latest figures in the Mid Essex Hospital Trust area for the *(a)* total number of patients waiting for hospital treatment, *(b)* total number of people waiting 12 months or more for treatment, *(c)* total number of people waiting over 18 months for treatment and *(d)* number of people waiting 13 weeks or more to see a consultant on the out patient waiting list. [109972]

Mr. Denham: The information requested is given in the tables.

Total number of patients waiting, the number of patients waiting over 12 months and over 18 months for hospital treatment at Mid Essex Hospital Services National Health Service Trust in December 1999

Month	Total waiting	Number waiting over 12 months	Number waiting over 18 months
December 1999	9,851	1,060	0

Source:
Form KH07—completed by the Trust quarterly

Number of patients waiting over 13 weeks for an outpatient appointment at Mid Essex Hospital Services National Health Service Trust at Quarter 3 (quarter ending 31 December 1999)

Quarter	Patients waiting over 13 weeks
Quarter 3 1999–2000	3,699

Source:
Form QM08—completed by the Trust quarterly

AGRICULTURE, FISHERIES AND FOOD

BSE and CJD

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what criteria determine whether the European Commission intervenes in respect of the problem of BSE and CJD in a member state. [109852]

Ms Quin *[holding answer 14 February 2000]:* The European Commission has powers to take action in respect of BSE under Council Directives 89/662 and 90/425. When considering whether to take action, it acts in accordance with the precautionary principle of avoiding risk in order to protect human and animal health.

Advertising Budgets

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110261]

Mr. Morley: The current budget allocation for advertising in the financial year for 1999–2000 is £835,000. The budget for 2000–01 is in the process of being decided.

HOUSE OF COMMONS

Ethnic Minority Staff

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, pursuant to his answer of 7 February 2000, *Official Report*, columns 25–26W, on staff, *(a)* which departments of the House employ no ethnic minority staff, *(b)* what targets the House of Commons Commission has for ethnic minority recruitment and *(c)* if the Commission will publish a statement of aims on equal opportunity employment. [109602]

Mr. Kirkwood *[holding answer 15 February 2000]:* *(a)* All departments of the House employ staff from an ethnic minority.

(b) The House of Commons Commission has set no targets for ethnic minority recruitment.

(c) The House of Commons Commission has recently considered equality of opportunity among employees at the House and has approved a programme of initiatives designed to encourage working practices which will allow every member of staff to contribute his or her best, regardless of race, sex, marital status, religion, age, disability, sexual orientation or any other irrelevant factor. This programme includes training for all our staff, improvements to procedures and better monitoring.

TREASURY

Working Families Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the effect on the net income of each decile group of *(a)* benefit units and *(b)* households, of extending the working families tax credit to (i) couples without dependent children and (ii) single people without dependent children; and if he will estimate the gross cost in each case. [110219]

Dawn Primarolo: The impact of extending the Working Families Tax Credit to couples and singles without children is contingent on the detailed parameters and assumptions used, for example the credit rates for people without children and the earnings thresholds.

Taxation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the combined net annual change in Exchequer revenues which would result from reducing the top rate of income tax from 40p to 30p and removing the ceiling on employees' national insurance contributions; and if he will make a statement. [110022]

Dawn Primarolo: The estimated Exchequer cost of reducing the top rate of income tax from 40p to 30p and removing the ceiling on employees' national insurance contributions is around £3.7 billion in 2000–01.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will make it his policy to more closely align the income tax and national insurance systems; and if he will make a statement. [110023]

Dawn Primarolo: By bringing policy responsibility for tax and NICs together in the Inland Revenue, we have provided a single focus for employers' representatives to discuss improvements in legislation and processes across both income tax and national insurance contributions. From April 1999 we have aligned the point at which employers start to pay national insurance contributions with the income tax personal allowance. From April 2001, we will align fully the point at which employees start to pay National Insurance contributions with the income tax personal allowance. Provisions in the Child Support, Pensions and Social Security Bill currently before Parliament go a long way towards aligning, in the interests of fairness, the tax and NICs treatment of benefits in kind. The Chancellor announced in the Pre-Budget Report that the Inland Revenue will work with employers' representatives and others to reduce technical differences between tax and National Insurance, while having due regard to individuals' benefit entitlement.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many people were paying income tax at the higher rate in *(a)* 1989–90, *(b)* 1996–97 and *(c)* 1999–2000; and if he will make a statement. [110025]

Dawn Primarolo: The numbers of taxpayers paying some income tax at the higher rate were as follows:

million

Year	*Numbers*
1989–90[1]	1.50
1996–97	2.08
1999–2000[2]	2.40

[1] Prior to 1990–91 most married couples were counted as one taxpayer

[2] This estimate is based on the 1997–98 Survey of Personal incomes and consistent with the November 1999 Pre-Budget Report

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the total annual net cost of *(a)* raising the income threshold at which the upper rate of income tax is paid by £3,000 per annum and *(b)* aligning this threshold with the ceiling on making employee national insurance contributions; and if he will make a statement. [110059]

Dawn Primarolo: For the year 2000–01 the estimated full year cost of raising the higher rate threshold by £3,000 is £1.3 billion and the estimated yield from aligning the threshold with the Upper Earnings Limit is £3 billion. These estimates are based on the 1997–98 Survey of Personal Incomes and are consistent with the November 1999 Pre-Budget Report.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is his estimate of the cost savings which would result if the national insurance system were abolished and integrated into the income tax system; and if he will make a statement. [110062]

Dawn Primarolo: It is not possible to calculate the effects without more detail on how the integrated charge would work. In particular, income tax is charged on a wider base than national insurance contributions, covering in addition savings and investment income, pensions and contributory benefits. Income tax has no cap on employees' liability, no charge on the employer and no cessation of liability at retirement age, unlike National Insurance contributions, and payment of National Insurance contributions maintains access to contributory benefits.

Monetary Policy Committee

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will make a statement on the present terms of employment of members of the Monetary Policy Committee of the Bank of England. [110060]

Miss Melanie Johnson: The terms of employment of members of the Monetary Policy Committee of the Bank of England are set out in the Bank of England Act 1998. Additional details may be found in the Bank of England's latest Annual Report, a copy of which is available in the Library of the House.

PRIME MINISTER

Disqualifications Bill

Mr. Simon Hughes: To ask the Prime Minister what *(a)* oral and *(b)* written representations he has received from (i) hon. Members of and (ii) parties represented in the House of Commons and the Northern Ireland Assembly on the subject of the Disqualifications Bill, indicating in each case the date on which representations were received; and if he will place written representations in the Library. [107854]

The Prime Minister *[holding answer 1 February 2000]:* I refer the hon. Member to the answer given to him on 10 February 2000 by my right hon. Friend the Secretary of State for Northern Ireland, *Official Report*, column 240W.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Prime Minister on how many occasions he and his predecessor held bilateral meetings with his Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109870]

The Prime Minister: From taking office in May 1997 until December 1999, I have had three bilateral meetings with my Austrian counterpart, Chancellor Klima. We have also seen each other at many multilateral meetings. We have discussed a wide range of issues, mostly on EU related business.

Steven John Hayden

Mr. Hague: To ask the Prime Minister if he has received the report of the Security Commission on the case of Steven John Hayden. [111061]

The Prime Minister: I announced on 30 April 1999 that, after consultation with the Chairman of the Security Commission and the right hon. Gentleman, I had asked the Security Commission to investigate the circumstances in which breaches of security had or might have occurred arising out of the case of Chief Petty Officer Steven Hayden, who was convicted on 23 October 1998 of offences under section 1 of the Official Secrets Act 1989; and to advise in the light of that investigation whether any change in security arrangements was necessary or desirable.

The Commission has now submitted its report to me and it is being published this afternoon as a Command paper, with the exception of some details which it would not be in the public interest to publish on national security grounds. I am most grateful to the Chairman, Lord Lloyd, and to Dame Elizabeth Butler-Sloss, Sir John Foley and Sir Clive Whitmore.

It became apparent to the Commission at the start of the inquiry that the main issues at stake were in the area of personnel security. The Commission has fully examined the history of the Ministry of Defence's security assessment of Hayden. The Commission was critical of the decisions to continue to allow Hayden a security clearance and surprised at the lack of communication between the vetting authorities, the personnel authorities and line management about the management of the risk presented by him. In particular they considered whether the correct balance was being struck between maintaining vetting confidentiality on the one hand and the effective involvement of line and personnel management in the active aftercare of vetting risk cases on the other.

It was also concerned that recommendations made in earlier Security Commission inquiries had sought to address similar situations to those in the Hayden case which suggested that they had not been fully implemented.

However, the Commission acknowledges the Ministry of Defence's acceptance that Hayden's case represents a clear failure in personnel security and welcomes the changes to vetting processes and procedures that the Ministry of Defence have already implemented based on the lessons learned. The Commission has made a number of recommendations. These, in summary, are that:

(i) It should be standard practice for vetting authorities to consider whether to consult an individual's personnel or line managers, in order to ensure that the latter are aware of any particular vulnerabilities.

(ii) In cases where doubts emerge, it should be normal practice for regular consultations to take place between all those involved in assessing a clearance. Where the recommendations of Investigating Officers seem likely to be overridden for wider policy considerations of a non-security kind, there should invariably be a discussion between them and those responsible for making the assessment, so that options can be explored before final decisions are reached.

(iii) In risk cases where confidential medical reports exist on an individual, someone at an appropriately senior level should have the authority to see all the papers including a medical report on the individual's suitability to hold a DV clearance and thus be in a position to reach a proper assessment based on all relevant information.

(iv) More emphasis should be given to threats outside the traditional risk of an individual being vulnerable to approaches from a hostile foreign intelligence service. Threats from "cheque-book journalism" and industrial espionage should be given more emphasis in the current Field Investigation Officers Guide issued by the Cabinet Office, and in departmental guidance based upon it.

(v) The question of follow-up to Security Commission recommendations should be revisited to ensure that effective implementation of agreed recommendations takes place.

The recommendations of the Security Commission have been accepted in principle by the Government subject to further consideration of some detailed points and in the case of (iii), subject to discussion with the appropriate medical authorities. Work is now in hand to ensure that they are effectively implemented.

Countryside Reception

Mr. Yeo: To ask the Prime Minister if he will list those people who were invited to the Countryside reception at 10 Downing Street on 2 February. [110503]

The Prime Minister: It is not my practice to list individual names of guests invited to receptions at 10 Downing Street. The 200 people who were invited to the Countryside reception on 2 February came from a wide range of backgrounds, including the health service, schools, farming, forestry, rural businesses, rural post offices, youth hostels, churches, holiday villages and tourism.

WALES

Objective 1

Mr. Wigley: To ask the Secretary of State for Wales what steps he is taking to ensure adequate finance from the Treasury on a contingency basis, to cover the eventuality that expenditure on Objective 1 schemes in Wales in the year 2000–01 exceeds the sums covered in the budget of the National Assembly, while still being within the limit laid down by the EU for that year. [109105]

Mr. Paul Murphy: The provisions for seeking additional finance from Treasury on an exceptional basis are detailed in "A Statement of Funding Policy", which was published by HM Treasury on 31 March 1999.

Departmental Budgets

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his reply of 27 January 2000, *Official Report*, column 327W, on departmental budgets, how much of the increase in the total budget for his Department and the National Assembly between the expected outturn for 1999–2000 and the budget for 2000–01 is for the effects of inflation. [109094]

Mr. Paul Murphy: During Spending Reviews, forecasts for inflation are reflected in the settlement, but form only one component of that settlement.

Changes to the size of the Welsh block are mainly determined by applying the population-based Barnett formula to changes in planned spending on comparable services in Departments of the United Kingdom Government, with some exceptions where this is not appropriate.

As a result it is not possible to identify an element of the increase to the block which is solely an allowance for the effects of inflation.

Waterhouse Report

Charlotte Atkins: To ask the Secretary of State for Wales when the Waterhouse report into abuse in North Wales Children's homes will be published. [110214]

Mr. Hanson: The report of the Tribunal of Inquiry into the abuse of children in care in North Wales was published on Tuesday 15 February. Copies of the report have been placed in the Vote Office and Libraries of the House.

INTERNATIONAL DEVELOPMENT

Arms Exports

Mr. Streeter: To ask the Secretary of State for International Development how many arms export licence applications relating to Zimbabwe examined by her Department her Department has *(a)* supported and *(b)* opposed since May 1997. [109106]

Clare Short: From 1 September 1997 until 28 January 2000, we have received 69 applications for a Standard Individual Export Licence and 51 applications for an Open Individual Export Licence. These licences cover the export to Zimbabwe of goods subject to control by being listed in Part III of Schedule I to the Export of Goods (Control) Order 1994, commonly known as the Military List. Applications were not circulated to the Department for International Development before 1 September 1997.

Regarding advice given by this Department on individual licence applications, I refer the hon. Gentleman to the answer given by the Secretary of State for International Development on 26 April 1999, *Official Report*, column 18W.

Mr. Streeter: To ask the Secretary of State for International Development how many licence applications for arms exports to Indonesia her Department has examined since August 1997; if she will list them; and how many her Department *(a)* supported and *(b)* opposed. [109174]

Mr. Foulkes: From 1 September 1997 until 28 January 2000, we have received 78 applications for a Standard Individual Export Licence and 70 applications for an Open Individual Export Licence. These licences cover the export to Indonesia of goods subject to control by being listed in Part III of Schedule I to the Export of Goods (Control) Order 1994. This is commonly known as the Military List. Applications were not circulated to the Department for International Development before September 1997.

Regarding advice given by this Department on individual licence applications, I refer the hon. Gentleman to the answer given by the Secretary of State for International Development on 26 April 1999, *Official Report*, column 18W.

Mr. Streeter: To ask the Secretary of State for International Development how many licence applications her Department has examined for arms exports to Pakistan since May 1997; if she will list them; and how many her Department *(a)* supported and *(b)* opposed. [109104]

Mr. Foulkes: From 1 September 1997 until 28 January 2000, we have received 208 applications for a Standard Individual Export Licence and 80 for an Open Individual Export Licence. These licences cover the export to Pakistan of goods subject to control by being listed in Part III of Schedule I to the Export of Goods (Control) Order 1994, commonly known as the Military List. Applications were not circulated to the Department for International Development before 1 September 1997.

Regarding advice given by this Department on individual licence applications, I refer the hon. Gentleman to the answer given by the Secretary of State for International Development on 26 April 1999, *Official Report*, column 18W.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for International Development how many locally employed staff are employed by her Department in Zimbabwe at pay levels below the British national minimum wage. [105687]

Mr. Foulkes: I refer the hon. Member to the reply from the Secretary of State on 14 February 2000, *Official Report*, column 430W.

Funding

Mrs. Gillan: To ask the Secretary of State for International Development if she will list, by country, the

percentage of her Department's funding that goes *(a)* directly to foreign Governments, *(b)* to NGOs and charities and *(c)* directly to the private sector. [110565]

Mr. Foulkes: Detailed information on a country basis is not available and could not be obtained except at disproportionate cost.

However, for the 1998–99 financial year, the last year for which figures are available, we estimate that bilateral aid expenditure overall was as follows:

Channel	*Percentage of 1998–99 bilateral expenditure*
Governments	37
Private sector	47
NGOs	16

Further detailed information on a country basis, divided into Project or sector aid, Programme aid, Technical Co-operation, Aid and Trade Provision, Grants, Humanitarian Assistance, and Debt Relief, is available in the publication "Statistics on International Development", a copy of which is available in the Library of the House.

Chernobyl

Mrs. Gillan: To ask the Secretary of State for International Development what has been the amount of *(a)* UK bilateral aid to Ukraine for use in the clean-up following the Chernobyl nuclear reactor accident, *(b)* aid relating to Chernobyl from the UK Government channelled through international organisations and *(c)* UK aid specifically targeted to the victims of the Chernobyl accident, expended in (i) Ukraine and (ii) Belarus. [110581]

Mr. Foulkes: The UK Government have pledged a contribution of £10.5 million towards the Chernobyl Shelter Fund. In addition, some £62.5 million has been pledged by the European Community, of which around 16 per cent. is the UK share. Since 1997, we have provided some £300,000 for measures specifically targeted at the victims of the Chernobyl accident in Belarus. There has been no support specifically targeted at the victims of the accident in Ukraine.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for International Development what steps she has taken to ensure that paper and timber products purchased by her Department come from a sustainable source. [110196]

Mr. Foulkes: The Government, through the Green Ministers Committee of which I am a member, have issued a model framework which Departments have used as the basis for preparing their own environmental strategies. Among its key aims are the conservation of resources and minimisation of waste by reducing our reliance on virgin materials and ensuring that any products derived from wildlife—such as paper and timber—are from sustainable sources and comply with EU and international trading agreements such as the Convention on International Trade in Endangered Species (CITES).

Our policy statement declares:

"We will seek to conserve energy and natural resources and reduce our production of waste, emissions to air and discharges to land and water".

The Department for International Development monitors its performance on the above and other aspects of its operations with respect to green housekeeping and reports on progress made. As part of our continuing efforts to constantly improve our performance, an environmental management system is currently being implemented.

Mr. Reed: To ask the Secretary of State for International Development if she will ensure that paper and timber products purchased by her Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110197]

Mr. Foulkes: The Department for International Development is currently involved with providing support, through the Natural Resources Institute and bilateral aid funded projects, for the FSC as part of its efforts to set up the certification program.

The Forest Stewardship Council (FSC) is accepted by buyers as demonstrating that timber and timber products have come from sustainably managed sources.

That said, it is not however viewed as being practicable to require that all paper and timber products purchased by this Department are independently certified by the FSC because this might discriminate against any equally valid schemes and therefore be contrary to public procurement rules.

Specifying the FSC label alone might also result in us failing to meet all our requirements, as currently only a tiny percentage of timber products are certified by the FSC.

My Department's policy statement for greening its operations states:

"We will encourage our suppliers to minimise the impacts of their operations, products and services on the environment through a procurement policy based on the standards in the Government's Green Claims Code".

FOREIGN AND COMMONWEALTH AFFAIRS

Advertising Budget

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110263]

Mr. Hain *[holding answer 16 February 2000]:* The Foreign and Commonwealth Office (FCO) does not have any budgets dedicated solely to advertising. However, as part of the recruitment process, advertising is included in the overall costs.

For the financial year to date the FCO has spent £438,282 on recruitment advertising. This covers recruitment to all grades in the generalist and specialist cadres. Owing to the demand led nature of recruitment it is not possible to predict advertising costs for 2000–01.

Kosovo

Mr. Ivan Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the export of demining equipment to the HALO Trust in Kosovo. [111120]

Mr. Vaz: We have granted a licence for the export to the Federal Republic of Yugoslavia (FRY) of a rocket wrench, de-arming kit and power charges for use by the HALO Trust, an organisation engaged in humanitarian demining activities in Kosovo on behalf of the United Nations Interim Administration Mission in Kosovo (UNMIK). These goods are on the UK's Military List.

UN Security Council resolution (UNSCR) 1160 imposed an arms embargo on the FRY. The only exception to this embargo is that in UNSCR 1244, which provides that prohibitions imposed by UNSCR 1160 shall not apply to the sale or supply of arms and related material for use by the international civil and security presence in Kosovo. We have notified the UN Sanctions Committee of this export and they have raised no objection. The export of the equipment required for demining purposes is not prohibited by the EU arms embargo.

Western Sahara

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken by United Kingdom representatives at the United Nations to help ensure the speedy implementation of the proposed referendum on the future of the Western Sahara. [110478]

Mr. Hain: UK representatives in New York give their full support to efforts to implement the UN-sponsored referendum in the Western Sahara. UK representatives are also active members of the Friends of the Western Sahara grouping at the UN. The Permanent Representative to the UK Mission, Sir Jeremy Greenstock, recently met the Secretary-General of the Polisario Front and assured him that the UK would continue to support all efforts to find a just and durable peace in the Western Sahara acceptable to the Saharawi people.

Afghanistan

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring of human rights is undertaken by his Department in Afghanistan; and if he will make a statement. [110477]

Mr. Hain: Our High Commission in Islamabad monitors human rights in Afghanistan and is in regular contact with NGOs and UN agencies on this subject.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to re-open the British Embassy in Kabul. [110568]

Mr. Hain: We have no plans at present to re-open the British Embassy in Kabul.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when his Department last *(a)* received representations from and *(b)* made representations to the Afghan Embassy in London; [110570]

(2) when his Department last received representations from the former Afghan Government of President Rabbani. [110569]

Mr. Hain: We are in regular contact with the Charge d'Affaires at the Afghanistan Embassy in London who was appointed by the Rabbani Government. He last met officials from the FCO on 16 February. We are also in contact with the other Afghan factions, including the Taliban

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the location of heroin production within Afghanistan. [110571]

Mr. Battle: The FCO funds a series of studies of the drugs problem in Afghanistan by the United Nations International Drugs Programme (UNDCP). Heroin production in Afghanistan is concentrated mainly in the Helmand, Nangahar and Badakhshan provinces. Approximately 90 per cent. of the areas in which opium poppy is cultivated is under Taliban control. According to estimates of the UNDCP, 1999 saw a 117 per cent. increase in the Afghan poppy harvest, to a total of 4,800 tonnes of opium, making Afghanistan the world's largest producer of illegal opiates.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department last had contact with a representative of the Taliban Government of Afghanistan. [110566]

Mr. Hain: We are in regular contact with the main Afghan factions, including the Taliban. The last contact between a representative of the Taliban and a British official was on 16 February 2000.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs where representatives of his Department have met representatives of the Taliban Government of Afghanistan. [110567]

Mr. Hain: Our meetings with the Taliban take place mainly in Islamabad. However, members of our Embassy in Copenhagen met a visiting Taliban delegation on 12 February 2000.

Departmental Meetings

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* meetings and *(b)* official social contacts between Foreign Office (i) Ministers and (ii) special advisers and Mr. Philip Gould from 1 May 1997 to date. [110510]

Mr. Robin Cook: Ministers and civil servants meet many people as part of the process of policy development and analysis. All such contacts are conducted in accordance with the Ministerial Code, Civil Service Code and guidance for Civil Servants: Contacts with lobbyists. Some of these discussions take place on a confidential basis and, in order to preserve confidentiality, it is not the normal practice of Governments to release details of specific meetings with private individuals or companies.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the recent departmental meetings with Stanley Greenberg and James Caville. [110511]

Mr. Hain: Ministers and civil servants meet many people as part of the process of policy development and analysis. All such contacts are conducted in accordance with the Ministerial Code, Civil Service Code and

guidance for Civil Servants: Contacts with lobbyists. Some of these discussions take place on a confidential basis and, in order to preserve confidentiality, it is not the normal practice of Governments to release details of specific meetings with private individuals or companies.

Departmental Expenditure Limit

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 February 2000, *Official Report*, column 739W, on departmental expenditure, how much is *(a)* the transfer from another departmental expenditure limit of DFID and *(b)* the charge on the departmental expenditure limit reserve. [110514]

Mr. Hain: Our answer to the question of my hon. Friend the Member for Waveney (Mr. Blizzard) regarding the Foreign and Commonwealth Office's Departmental Expenditure Limits contained an administrative error. The closing statement should have begun "The increase will be offset by a transfer from another Departmental Expenditure Limit (DEL)", not "Departmental Expenditure Limit (DFID)". This is a standard Treasury line used when a department increases its DEL.

Our answer detailed an increase in our DEL of £5,157,000 and a breakdown of how this sum was made up. The breakdown detailed a variety of transfers between the FCO and other Government Departments internal movements and a claim on the reserve to support peacekeeping operations.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 February 2000, *Official Report*, column 739W, on departmental expenditure, what is the reason for the increase of £2 million in the capital expenditure and £2 million in the appropriation in aid for FCO estates rationalisation. [110515]

Mr. Battle: The reason for the increase in appropriations in aid is that the FCO was able to sell assets worth £2 million more than projected. The increase in capital expenditure reflects the recycling of those proceeds into other FCO capital programmes.

Ukraine

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many diplomats in the British Embassy in Ukraine are engaged in trade promotion; and what monitoring he conducts of the comparable figures for other EU states. [110572]

Mr. Battle: One senior diplomat leads a team of four locally engaged staff on trade promotion in Kiev. Our Ambassador devotes about 20 per cent. of his time to this work as do other staff to a smaller degree.

A full review of our Embassy in Kiev was conducted in November last year. British Trade International, who now operate the trade support services of the FCO and DTI, take account of the positions of comparable EU states when planning the allocation of resources.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the Government's policy to support Ukraine's aspiration for EU membership; and what representations he or his Department have received from Ukraine concerning Ukrainian membership of the EU. [110579]

Mr. Vaz: We support Ukraine's aspirations for closer relations with the EU, but consider it too early to consider the question of possible EU membership. The EU/Ukraine Partnership and Co-operation Agreement offers wide scope for closer relations and we encourage Ukraine to implement it fully. Ukraine Ministers have frequently requested EU support for their aspirations to EU membership. It was one of the topics raised with me yesterday by the Foreign Policy Adviser to the Ukrainian President.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Ukrainian Government about *(a)* Ukraine's weapons exports and *(b)* illegal export of arms from Ukraine. [110582]

Mr. Vaz: My right hon. Friend the Foreign Secretary made representations regarding reports of Ukrainian manufactured arms in Sierra Leone and Angola to the Ukrainian Foreign Minister on 1 February and 16 December 1999. The Minister of State, my hon. Friend the Member for Neath (Mr. Hain) made similar representations to the Ukrainian Ambassador on 16 September 1999. A team of officials will travel to Ukraine in March to explore ways in which we can co-operate to combat illegal arms transfers in Africa. We do not believe that the Ukrainian Government is itself involved in illegal arms exports.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to other EU states by his Department concerning Ukrainian membership of the EU. [110580]

Mr. Vaz: The future of Ukraine's relations with the EU was discussed extensively with other EU member states during drafting of the EU Common Strategy on Ukraine, which was adopted at the Helsinki European Council in December 1999. The UK successfully argued that the Common Strategy should acknowledge Ukraine's European aspirations and welcome Ukraine's pro-European choice.

Children's Rights

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the report on Children's Rights published by the Children's Select Committee. [109822]

Mr. Hain: In November 1999, to mark the tenth anniversary of the UN Convention on the Rights of the Child, the FCO and Save the Children UK organised a Children's Select Committee. 16 children from across the UK chose to examine four issues of central importance to children: child soldiers, child labour, child rights and the environment, and child participation. The Committee's findings were presented in a report to the FCO on 8 February making a number of recommendations for the Government, business sector and NGOs to consider.

The FCO is co-ordinating the Government's response which we plan to publish by the middle of April. We will also be looking at ways to publicise the Committee's report and a video of the event as widely as possible, including through our Posts overseas.

Departmental Property

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all his Department's premises *(a)* currently for sale and *(b)* being considered for disposal. [110513]

Mr. Battle: Details of current FCO properties for sale are as listed. As to listing properties being considered for disposal, the entire estate is reviewed as part of a rolling programme revaluation exercise. This reveals properties which appear to be performing poorly on the basis of key performance indicators. These are then examined in detail to determine whether they should be replaced by more effective properties.

FCO Sale of assets: property currently for sale— 16 February 2000

Country	Location	Description
Egypt	Alexandria	Land
Malawi	Blantyre	Residential
Colombia	Bogota	Residential
Germany	Bonn	Residential
Barbados	Bridgetown	Residential
Hungary	Budapest	Residential
Egypt	Cairo	Residential
Tanzania	Dar es Salaam	Residential
Jamaica	Kingston	Residential
Malaysia	Kuala Lumpur	Residential
Nigeria	Lagos	Residential
Portugal	Lisbon	Residential
Spain	Malaga	Offices
Swaziland	Mbabane	Offices
Kenya	Nairobi	Residential
Canada	Ottawa	Residential
France	Paris	Garage
Spain	Seville	Offices
Tunisia	Tunis	Land

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all of his Department's premises sold since 1 May 1997 together with the sale price and the names of the buyers. [110512]

Mr. Battle: Since 1 May 1997 the FCO has sold 78 estate assets. Details are as listed. Total proceeds to date from completed sales amount to £39 million. For reasons of commercial confidentiality, the FCO does not publish names of buyers. Were we to do so, prospective purchasers might be dissuaded from bidding.

FCO sale of assets

Country	Location	Description	Number of sales	Proceeds (£000)
From 1 May 1997 to 31 March 1998				
Germany	Berlin	Land	1	127
Colombia	Bogota	Flat	1	46
Argentina	Buenos Aires	Flat	1	65
Australia	Canberra	House	1	141
South Africa	Capetown	House	1	296
Switzerland	Geneva	House	1	576
Guyana	Georgetown	House	1	145
Zimbabwe	Harare	House	1	32
Finland	Helsinki	House/Flat	3	541
South Africa	Johannesburg	House	1	28
Zambia	Lusaka	House	3	169
Spain	Madrid	Flat	1	91
Mozambique	Maputo	House	1	82
Lesotho	Maseru	House	2	54
France	Paris	Flat	7	835
France	Paris (OECD)	Residence	1	1,661
South Africa	Pretoria	Land	1	46
Ecuador	Quito	Land	1	135
Iceland	Reykjavik	Flat	1	42
Netherlands	The Hague	Flat	2	152
Albania	Tirana	House	1	65
New Zealand	Wellington	House	1	58
Total	—	—	35	5,387
From 1 April 1998 to 31 March 1999				
Colombia	Bogota	Offices	1	539
Morocco	Casablanca	Offices	1	863
Denmark	Copenhagen	Residential	2	190
Ireland	Dublin	Residential	1	297
Switzerland	Geneva	Residential	4	506
Soloman Island	Honiara	Residential	1	53
South Africa	Johannesburg	Residential	2	72
France	Marseilles	Residential	1	691
Swaziland	Mbabane	Residential	1	29
Portugal	Oporto	Land	1	781
Norway	Oslo	Residential	1	201
Canada	Ottawa	Residential	2	672
France	Paris	Residential	2	176
Trinidad	Port of Spain	Residential	1	162

FCO sale of assets

Country	*Location*	*Description*	*Number of sales*	*Proceeds (£000)*
South Africa	Pretoria	Residential	1	135
Ecuador	Quito	Land	1	188
Netherlands	The Hague	Residential	1	74
U.K.	Gawcott	Land	1	355
U.K.	22–24 Whitehall	Offices	1	8,500
Total	—	—	26	14,484
From 1 April 1999 to date				
Swaziland	Gaborone	Residential	1	155
Chile	Santiago	Residential	1	103
France	Lille	Residential	1	289
France	Paris	Residential	1	134
Germany	Bonn	Offices	1	6,388
Germany	Bonn	Residential	1	364
Ireland	Dublin	Residential	1	[1]9,900
Israel	Tel Aviv	Residential	1	159
Malaysia	Kuala Lumpur	Residential	1	31
New Zealand	Wellington	Residential	1	206
Spain	Madrid	Residential	1	262
Swaziland	Mbabane	Residential	1	23
Sweden	Stockholm	Residential	1	126
Switzerland	Geneva	Residential	2	194
U.K.	Poundon	Land	1	477
USA	Cleveland	Residential	1	353
Total	—	—	18	19,164

[1] A further £10 million will be received from this sale in March 2000, and a further £3.6 million will be received in 2001–02

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations have been made by him to the Government of Zimbabwe concerning demands that the UK compensate white farmers for land to be taken by the Zimbabwean Government. [110576]

Mr. Hain: Our High Commissioner called on the Vice President on 2 February. I wrote to President Mugabe on 4 February. The draft constitution, containing clause 57, was rejected by the Zimbabwe people in a referendum on 12–13 February.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to him by opposition groups within Zimbabwe about *(a)* that country's referendum on a new constitution and *(b)* human rights in Zimbabwe; and if he will make a statement. [110575]

Mr. Hain: We maintain close contact with a wide cross-section of society in Zimbabwe, including opposition groups. The referendum process was deeply flawed. The 'No' vote showed that there was clearly wide discontent with both the process and the content of the draft.

I refer the hon. Member to the reply I gave to my hon. Friend the Member for Ilford, South (Mr. Gapes) on 11 January 2000, *Official Report*, columns 132–33W.

Written Answers to Questions

Monday 21 February 2000

PRIME MINISTER

World Food Programme

Mr. Dalyell: To ask the Prime Minister what inquiries he has made as to the reasons for the resignation of the head of the World Food Programme. [111230]

The Prime Minister: None.

Ilisu Dam

Mr. Dalyell: To ask the Prime Minister, pursuant to the oral statement by the Minister for Small Business and E-Commerce of 15 February 2000, *Official Report*, column 172WH, what assessment he has made of the impact of the Ilisu Dam on water suppliers and shortage in Iraq. [111229]

The Prime Minister: The arrangements to be proposed by the relevant Turkish authorities for ensuring that adequate downstream water flows will be maintained at all times will be assessed by the Export Credits Guarantee Department (ECGD) as part of its underwriting consideration of this project. My right hon. Friend the Secretary of State for Trade and Industry has indicated that this is one of the key concerns he wishes to see addressed before any decision about ECGD support for the project.

Section 28

Mr. Garnier: To ask the Prime Minister, pursuant to his oral statement of 9 February 2000, *Official Report*, column 241, on section 28, what were the grounds for his statement that section 28 has not applied to schools since 1994. [111047]

The Prime Minister: Following the changes introduced by the Education Act 1993, which made sex education mandatory in secondary schools, the previous Government issued (in May 1994) Circular 5/94 "Sex Education in Schools". The Circular stated that section 28 of the Local Government Act 1988 applied to

> "the activities of local authorities themselves, as distinct from the activities of the governing bodies and staff of schools on their own behalf".

Iraq

Mr. Dalyell: To ask the Prime Minister what consultation the Secretary-General of the United Nations had with the United Kingdom Government about the health and food situation in Iraq, before accepting the resignation of the senior UN representative in Baghdad responsible for co-ordinating humanitarian aid; and if he will make a statement. [111235]

The Prime Minister: None. UN staffing issues are a matter for the UN Secretary-General.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 16 February 2000, *Official Report*, columns 562–63W, concerning the Iraqi Government's prioritising of the humanitarian assistance, what the Government defines as prioritising properly the humanitarian assistance available under the oil-for-food programme. [111234]

The Prime Minister: In his regular reports on the implementation of the oil-for-food programme, the UN Secretary-General has repeatedly recommended that priority must be given to the food/nutrition and health sectors. In his most recent report of November 1999, he again stated that the Government of Iraq needed to give greater attention to the provision of basic pharmaceuticals, primary and preventive health-care services and material support for more effective distribution.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 16 February 2000, *Official Report*, columns 562–63W, concerning child nutrition and mortality in Iraq, what is the raft of measures referred to in his answer. [111232]

The Prime Minister: I refer my hon. Friend to operative paragraphs 15–32 of Security Council Resolution 1284, a copy of which is available from the Library.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 16 February 2000, *Official Report*, columns 562–63W, concerning the Iraqi Government's prioritising of humanitarian assistance, what priorities the Iraqi Government have set out under the oil-for-food programme. [111233]

The Prime Minister: I refer my hon. Friend to the distribution plan submitted by Iraq to the UN Secretary General for the current phase of the oil-for-food programme. This information is available on the United Nations website from the following url: www.un.org/Departments/oip/dp7pdf/dp7exesum.htm .

Departmental Functions (Food)

Mr. Yeo: To ask the Prime Minister if all food served at his Office's official functions meets the standards of production required of domestic producers. [109790]

The Prime Minister *[holding answer 11 February 2000]:* All food served at official functions in my Office is obtained from suppliers who are required to meet the necessary legal requirements.

Ministerial Meetings

Mr. Yeo: To ask the Prime Minister if he will list the names of the European Commissioners he has met since 1 August 1999 and the dates on which the meetings took place. [108868]

The Prime Minister: The information requested is as follows:

Date	*European Commissioner*
12 August 1999	Romano Prodi
15 October 1999	Romano Prodi
21 October 1999	Neil Kinnock
3 December 1999	Neil Kinnock

I have also spoken to President Prodi and Commissioner Byrne on a number of occasions by telephone.

Council of Europe/WEU Delegation

Mr. Savidge: To ask the Prime Minister what changes there are in the composition of the United Kingdom Delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of the Western European Union. [111160]

The Prime Minister: My hon. Friends the Members for Manchester, Central (Mr. Lloyd) and for Mansfield (Mr. Meale) have been appointed as substitute members in place of my hon. Friends the Members for Cannock Chase (Dr. Wright) and for North-West Leicestershire (Mr. Taylor).

Post Office Network

Mr. Simon Thomas: To ask the Prime Minister when the Performance and Innovation Unit's study into the future of the Post Office network will be published. [110837]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Torbay (Mr. Sanders) on 17 January 2000, Official Report, column 267W.

INTERNATIONAL DEVELOPMENT

East Timor

Mr. Corbyn: To ask the Secretary of State for International Development what assistance her Department has provided to East Timor for small-scale agriculture, public health and education since November 1999; and what plans she has for immediate further assistance. [110490]

Clare Short: Since November 1999 we have provided £100,000 to CARE for an Emergency Agricultural Rehabilitation Programme; £625,000 to United Nations Children's Fund (UNICEF) for programmes in water and sanitation, education and social services and protection of women and children; and £100,000 to the World Health Organisation to strengthen and expand their role in public health co-ordination.

We have recently agreed to provide a further £1.4 million in immediate assistance through the United Nations Transitional Administration for East Timor (UNTAET) to fund labour intensive road rehabilitation programmes which will keep vital supply routes open.

Uganda

Mr. Heppell: To ask the Secretary of State for International Development what representation she has made to the Uganda Government about dealing with the fighting in Northern Uganda. [111157]

Clare Short: Over the past three years I have discussed with the Government of Uganda the best way to achieve a peaceful solution to the fighting with the Lord's Resistance Army in Northern Uganda. I discussed this issue with President Museveni in 1997 and during my visit in Uganda last year.

Mr. Heppell: To ask the Secretary of State for International Development what proportion of UK aid to Uganda is for agriculture and forestry. [111159]

Clare Short: We expect to spend £50 million in Uganda this financial year. Around 4 per cent. of this will be spent on agriculture and forestry. This includes assistance related to land ownership, agricultural research, veterinary services, government strategies on forestry and the modernisation of agriculture, and management of aquatic resources. Agricultural development in the less fertile areas of northern and eastern Uganda are key focuses for several of these projects.

Mr. Heppell: To ask the Secretary of State for International Development what proportion of UK aid to Uganda is targeted to Northern Uganda. [111158]

Clare Short: We expect to spend £50 million in Uganda this financial year. Around 1 per cent. of this will be spent on projects directly targeted at the four northern districts of Kitgum, Gulu, Arua and Moyo. Most of the Uganda programme is comprised of nation-wide projects and initiatives designed to benefit the whole country, rather than specific districts. Examples include our commitment of £67 million over five years to Uganda's Education Sector Investment Plan, which aims to achieve universal primary education by 2003, and the budgetary assistance we provide direct to government.

Ongoing conflict and instability in Northern Uganda, particularly in Kitgum and Gulu, have made traditional development activities difficult and most of our current projects there focus on humanitarian assistance and peace-building. I have however made it clear when I visited the north and in response to requests from the Ugandan Government that should a sustainable peace be achieved, we will increase the proportion of our resources directly targeted at the region.

EDUCATION AND EMPLOYMENT

Satellite and Cable Television

Mr. Boswell: To ask the Secretary of State for Education and Employment what is the current availability to schools via satellite or cable of overseas television programmes of news, information or language teaching, and in what languages; and if he will make a statement on recent changes in that availability. [110396]

Mr. Wills: The information requested is not available centrally. Decisions about whether to subscribe to specific satellite or cable services are taken by individual schools in the light of their specific curriculum requirements.

Women's Incomes

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment if he will publish the findings of Government research into women's incomes over their lifetimes. [111335]

Ms Jowell: We have published today and will be placing in the Library our document "Women's Incomes over the Lifetime".

The research set out to examine the key features of women's incomes over their lifetimes, and to identify, and quantify, the factors behind men and women's lifetime incomes, drawing on existing research and undertaking new analysis. While we know quite a lot about income comparisons between individuals at particular moments in time, these do not tell us about the impact over women's lifetimes of the pattern and level of their earnings, the effect of the tax and benefit systems and the importance to women's incomes of transfers within families.

Women's lives have undergone a revolution in the last 25 years. Nearly eight out of 10 of all mothers are in paid work. Overwhelmingly mothers work because they want to—seven out of 10 saying they would rather work even if they could afford not to. But when children are young and dependent there must be a choice; therefore the Government has delivered the Working Families Tax Credit which guarantees low-paid families with one full-time worker a minimum income of £190 a week with no tax to pay on incomes below £220.

Lone parents often find it the most difficult to go back to work, but thanks to the New Deal for Lone Parents many are now finding jobs that are giving them on average, an extra £39 a week in their pockets.

Women already working are benefiting from a whole host of policies put in place by the Government. The National Minimum Wage, which the Government have announced will be uprated by 10p in October, has given around 1.5 million people, the majority of whom are women, an immediate pay rise. The new 10p tax rate halved the tax paid by over one million women.

Maternity pay has been improved for part-time women, women who have only been working for a year and those who are self-employed. Therefore getting pregnant while in work should no longer mean giving up jobs.

Many women work part-time because it gives them the best chance of balancing work and home life. New improved part-time employment rights mean that women working part-time now have the same rights, and therefore security, as other employees.

And the biggest ever increase in child benefit last April, straight into mum's purse, will help ensure women are not worse off in work. Next April will come another boost so that mums get £15 for the first child and £10 for the second.

Through this action we are committed to equipping women for the challenges of the new economy—one that values a broader range of skills, diversity and knowledge and one that provides new opportunities for women.

Departmental Publications

Mr. Viggers: To ask the Secretary of State for Education and Employment what was the cost of preparing, printing and distributing the publication, "Raising Aspirations in the 21st Century: A Speech by the right hon. David Blunkett MP Secretary of State for Education and Employment, 6 January 2000". [110739]

Mr. Wicks: I refer the hon. Member to the reply given to his hon. Friend the Member for Maidenhead (Mrs. May) on 18 January 2000, *Official Report*, column 388W.

Internet Access

Dan Norris: To ask the Secretary of State for Education and Employment what guidance the Government are giving about ensuring that children at school are unable to access inappropriate material on the internet. [111156]

Mr. Wills: We are determined that pupils should be protected from unsuitable material while accessing the wealth of educationally valuable material on the internet. DfEE and the British Educational Communications and Technology agency (BECTa) have produced a detailed information pack for teachers and parents about pupils' safe use of the internet. The Superhighway Safety pack, which is available free and is also on the National Grid for Learning, provides guidance on the wide range of measures which schools can adopt. These range from using walled gardens and filtering software, to monitoring and tracking pupil access and providing user contracts for pupils, spelling out how they should behave.

Administration Costs (LEAs)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list *(a)* the total administration costs and *(b)* administration costs as a percentage of income for each local education authority in England in the last year for which figures are available; and if he will make a statement. [110708]

Ms Estelle Morris: I refer my hon. Friend to the reply I gave on 11 January 2000, *Official Report*, columns 148–52W. As part of the 2000–01 settlement, the Secretary of State set targets for LEAs relating to delegation of resources and retention of central costs.

Pupil Spending (Somerset)

Mr. Ashdown: To ask the Secretary of State for Education and Employment what is his estimate of spending per pupil in secondary schools in Somerset for each year from 1988–89 to 1999–2000, expressed in 1997–98 prices; and if he will make a statement. [110762]

Ms Estelle Morris: Spending in secondary schools in Somerset on a per pupil basis from 1989–90 to 1997–98, the years for which this information is currently available, is set out in the table. The figures are based on Net Institutional Expenditure and expressed at 1997–98 prices.

£

	1997–98 prices
1989–90	2,347
1990–91	2,312
1991–92	2,292
1992–93	2,497
1993–94	2,369
1994–95	2,307
1995–96	2,347
1996–97	2,277
1997–98	2,222

The balance of funding between secondary and other sectors of education is a matter for local education authorities. More generally, the Government announced in November 1998 a three year review in partnership with

local government to look for a way of distributing revenue support which is simpler, more stable, more robust and fairer than the present arrangements for SSAs.

Training and Enterprise Councils

Mr. Boswell: To ask the Secretary of State for Education and Employment what action he is taking to ensure that TECs do not divest themselves of assets derived from public funds before the ending of such funding in 2001. [110397]

Mr. Wicks: My Department has a number of mechanisms in place to ensure that TECs do not dispose of assets without our agreement. We hold a debenture which prevents TECs from selling, transferring or otherwise disposing of any assets other than in the ordinary and proper course of business without the permission of the Secretary of State. The TEC licence also requires them to gain the Department's approval to dispose of any land and buildings and to get the full market value for them and, following the notice of termination of the licence on 13 July 1999, to comply with reasonable requests to limit expenditure.

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will establish a mechanism for valuation and apportionment of assets currently held by TECs according to whether or not they were derived from public funds; how publicly owned assets will be treated for accounting purposes; and what advice he will offer TECs on the use or disposal of their remaining assets. [110398]

Mr. Wicks: My officials are currently working up proposals for the valuation and treatment of assets currently held by TECs. We expect to publish these by the end of March 2000. As private companies TEC assets, including publicly funded assets, are recorded in their accounts and depreciated in line with the recognised accounting standards. Should any assets remain on wind up, TEC memorandum and articles of association require them to be passed to a body with similar objects and which has been agreed by the Secretary of State. It is our intention to agree with each TEC a transition plan that will set out, among other things, plans for the future use or disposal of assets.

Mr. Boswell: To ask the Secretary of State for Education and Employment what steps he is taking to monitor performance and contract compliance by TECs during their last financial year, 2000–01. [110401]

Mr. Wicks: There is a well established system in place for monitoring TEC performance and this will continue to operate until all TEC business with DfEE ceases. Managing TEC performance is the role of Government Offices (GOs). They collect and analyse information to assess how well each TEC is performing. GOs manage and report upon the delivery of performance against the TEC Business Plan and hold TECs to account for meeting programme objectives. Officials will continue to monitor the effectiveness of these arrangements throughout 2000–01.

DfEE will continue to monitor TECs' compliance with their contracts throughout 2000–01 and has in place claims testing processes that will be applied to all TECs during this period. In parallel with this work, the Department is monitoring TECs' compliance with specific requirements resulting from the issue of notices of contract termination to the TECs. Audit work based on professional risk judgments will also continue.

Ofsted Inspectors

Mr. Willis: To ask the Secretary of State for Education and Employment (1) how many Ofsted inspectors have been appointed to date; and how many are of ethnic minority origin; [111025]

(2) what requirement exists for Ofsted teams inspecting schools where the majority of students are of ethnic minority background, to include (a) a registered inspector from an ethnic minority and (b) a proportion of members who reflect the ethnic background of the majority of the students; and if he will make a statement. [111026]

Ms Estelle Morris: This is a matter for Her Majesty's Chief Inspector of Schools. I have asked him to write to the hon. Member and to place a copy of his letter in the Library.

Mr. Willis: To ask the Secretary of State for Education and Employment what regulations are issued to Ofsted on the composition of inspection teams. [110995]

Ms Estelle Morris: The regulations governing the composition of Ofsted inspection teams are set out in schedule 3 to the School Inspections Act 1996.

Education Funding

Mr. Willis: To ask the Secretary of State for Education and Employment if he will make a statement on the arrangements for the distribution of the additional funds for education announced in the recent local government settlement, indicating how much each local authority will receive and what conditions will be attached to the receipt of such funds. [111046]

Ms Estelle Morris: My right hon. Friend confirmed in a letter of 31 January 2000 to all council leaders that the extra £50 million grant for education will be paid as a special grant to authorities on condition that it is used for education and added to schools' delegated budgets. It will be distributed among authorities according to their numbers of schools and pupils, following the same pattern as the school improvement grant for 2000–01. My right hon. Friend will want to see prior confirmation that an authority has increased its education budget by the increase for 2000–01 in its education standard spending assessment before making a decision on the release of its share of the £50 million special grant. The table sets out the amount each authority can expect to receive.

£000

Local education authority	*Share of £50 million grant*
City of London	4
Camden	155
Greenwich	273
Hackney	191
Hammersmith	131
Islington	193
Kensington and Chelsea	70
Lambeth	204
Lewisham	234
Southwark	262
Tower Hamlets	280
Wandsworth	193

Local education authority	£000 Share of £50 million grant
Westminster	128
Barking	174
Barnet	276
Bexley	212
Brent	253
Bromley	246
Croydon	323
Ealing	265
Enfield	275
Haringey	250
Harrow	155
Havering	212
Hillingdon	249
Hounslow	229
Kingston upon Thames	117
Merton	134
Newham	316
Redbridge	205
Richmond upon Thames	117
Sutton	174
Waltham Forest	231
Birmingham	1,034
Coventry	282
Dudley	309
Sandwell	386
Solihull	205
Walsall	320
Wolverhampton	294
Knowsley	196
Liverpool	543
St. Helens	172
Sefton	275
Wirral	303
Bolton	276
Bury	176
Manchester	552
Oldham	253
Rochdale	215
Salford	237
Stockport	303
Tameside	251
Trafford	208
Wigan	294
Barnsley	212
Doncaster	296
Rotherham	311
Sheffield	530
Bradford	525
Calderdale	244
Kirklees	437
Leeds	642
Wakefield	326
Gateshead	209
Newcastle upon Tyne	243
North Tyneside	182
South Tyneside	181
Sunderland	323
Isles of Scilly	8
Bath and North East Somerset	162
City of Bristol	380
North Somerset	186
South Gloucestershire	237
Hartlepool	91
Middlesbrough	160
Redcar and Cleveland	147
Stockton-on-Tees	184
Kingston-upon-Hull	269
East Riding of Yorkshire	308
North East Lincolnshire	191
North Lincolnshire	162
North Yorkshire	634
York	150
Bedfordshire	412
Luton	187
Buckinghamshire	481
Milton Keynes	234
Derbyshire	864
Derby	220
Dorset	343
Poole	105
Bournemouth	120
Durham	541
Darlington	99
East Sussex	398
Brighton and Hove	202
Hampshire	1,246
Portsmouth	161
Southampton	219
Leicestershire	565
Leicester	349
Rutland	47
Staffordshire	816
Stoke-on-Trent	282
Wiltshire	449
Swindon	177
Bracknell Forest	89
Windsor and Maidenhead	124
West Berkshire	161
Reading	129
Slough	129
Wokingham	143
Cambridgeshire	488
Peterborough	169
Cheshire	676
Halton	137
Warrington	192
Devon	654
Plymouth	264
Torbay	104
Essex	1,382
Southend-on-Sea	157
Thurrock	162
Herefordshire	200
Worcestershire	518
Kent	1,463
Medway Towns	291
Lancashire	1,208
Blackburn with Darwen	188
Blackpool	119
Nottinghamshire	746
Nottingham City	325
Shropshire	283
Wrekin, The	163
Cornwall	483
Cumbria	571
Gloucestershire	572
Hertfordshire	1,083
Isle of Wight	129
Lincolnshire	675
Norfolk	787
Northamptonshire	655
Northumberland	358
Oxfordshire	647
Somerset	478
Suffolk	645
Surrey	876
Warwickshire	487
West Sussex	625

Mr. Willis: To ask the Secretary of State for Education and Employment what criteria he attaches to the award of grants available following the announcement of additional funding for education in the recent local government settlement. [111145]

Ms Estelle Morris: My right hon. Friend will want to see prior confirmation that the whole of an authority's increase in its education standard spending assessment has been passed on to its education budget before he takes decisions on the release of that authority's share of the £50 million special grant. Local education authorities will be required to include their share of the £50 million special grant in their schools' delegated budgets.

LEA Funding (Bradford)

Mr. Rooney: To ask the Secretary of State for Education and Employment how much funding was awarded to Bradford Local Education Authority in each year from 1995–96 to 1999–2000 in respect of (a) reduction in infant class sizes, broken down by (i) revenue and (ii) capital funds, (b) the National Grid for Learning, (c) literacy programmes, (d) numeracy programmes, (e) books for schools, (f) truancy and behaviour initiatives, (g) school security, (h) improving school effectiveness, (i) the Excellence in Cities initiative, (j) New Deal for Schools, (k) voluntary aided schools capital grant, (l) energy efficiency, (m) education S.S.A. and (n) music programmes. [111029]

Ms Estelle Morris: The figures requested are shown in the following table. For Standards Fund grants, the figures include both the Government's and Bradford Local Education Authority's contributions where appropriate. The figures shown for Education Standard Spending Assessment also include provision for the Authority's contribution to the Standards Fund.

Allocations to Bradford Education Authority 1995–96 to 1999–2000

£

Initiative	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
(a) Reduction of infant class sizes:					
(i) Revenue	n/a	n/a	n/a	625,000	1,387,000
(ii) Capital	n/a	n/a	n/a	202,100	—
(b) National Grid for Learning (Standards Fund)	n/a	n/a	n/a	1,002,000	1,600,000
(c) Literacy Programmes (Standards Fund)	n/a	n/a	35,000	681,203	730,018
(d) Numeracy Programmes (Standards Fund)	n/a	n/a	n/a	13,700	626,375
Literacy and Numeracy Programmes (Standards Fund)[1]	n/a	185,000	209,500	216,023	529,604
(e) Books for Schools	n/a	n/a	251,337	267,976	535,952
(f) Truancy and Behaviour (Standards Fund)	200,000	384,600	196,000	253,530	741,820
(g) Schools Security (Standards Fund)	n/a	n/a	230,600	229,894	251,207
(h) Improving School Effectiveness (Standards Fund)	1,418,600	1,529,400	1,482,800	1,649,487	2,695,144
(i) Excellence in Cities (Standards Fund)	n/a	n/a	n/a	n/a	1,733,923
(j) New Deal for Schools	n/a	n/a	1,045,000	1,766,000	20,000,000
(k) Voluntary Aided Schools Capital	142,000	85,000	321,000	472,000	581,000
(i) Energy Efficiency	n/a	n/a	n/a	150,000	n/a
(m) Education Standard Spending Assessment[2]	201,900,000	209,900,000	208,500,000	225,100,000	233,800,000
(n) Protecting Local Authority Music Services (Standards Fund)	n/a	n/a	n/a	n/a	212,000

[1] Initiatives where expenditure on literacy and numeracy cannot be disaggregated. Includes allocations for Playing for Success and Year 6 Booster Classes.

[2] In 1997–98 £527 million was removed from Education Standard Spending at national level for the Nursery Voucher Scheme.

Note:

n/a—not applicable

Teachers' Pay

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has in respect of the level of resources to be made available to individual schools for threshold payments under the proposed performance-related pay scheme for teachers. [111024]

Ms Estelle Morris: For an initial period starting in September 2000, the Government will establish a Special Grant to target resources for the performance threshold additional to and separate from schools' delegated budgets. Schools will be able to draw additional funds from this grant via their local education authority for the salary uplift of each teacher promoted to the upper pay spine. There will be no quota on threshold successes.

Mr. Willis: To ask the Secretary of State for Education and Employment what arrangements he has put in place in respect of the proposals for teachers' performance related pay in the event that the teachers' association reject the proposals. [111040]

Ms Estelle Morris: Since our proposals for reforming teachers' pay and conditions were published in the Green Paper "Teachers: meeting the challenge of change" (Cm4164), in December 1998, we have consulted extensively with the teacher unions and other key stakeholders on the best way to take our proposals forward.

One of the main elements of the proposals is the introduction of a performance threshold for classroom teachers. It will be for each individual teacher to decide whether to apply for the threshold as he/she becomes eligible—application will be entirely voluntary. Teachers who are successful will receive a pay rise of £2,000.

Following publication of the School Teachers' Review Body (STRB) report on 1 February 2000, two of the teaching unions—NAHT and ATL—have indicated their support for the latest proposals. The NUT has indicated that it will not try to prevent members from applying to cross the threshold.

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to allow the contribution of private tuition to be taken into account when judging pupil performance as part of his proposals for teacher's performance-related pay. [111023]

Ms Estelle Morris: In considering applications to cross the performance threshold, headteachers will need to make a professional judgment on whether the progress made by a teacher's pupils is as good as would be

expected from local and national context of the school. In reaching a judgment, we would expect headteachers to think about the evidence presented by the teacher against the pupil progress standard, particularly whether the evidence is representative of the range of the teacher's work and whether it demonstrates care and attention to all pupils.

Mr. Willis: To ask the Secretary of State for Education and Employment what guidance he will issue with the introduction of performance-related pay for teachers to ensure a commitment to equal opportunities regardless of age, disabilities, ethnic origin, gender, marital status, religion and sexual orientation. [110997]

Ms Estelle Morris: We will be enforcing our commitment to equal opportunities through the package of performance threshold materials we will be publishing for schools and others towards the end of March and through the working code of conduct for the external assessors. We will be asking all applicants to cross the performance threshold to complete an equal opportunities questionnaire to enable us to monitor the profile of those applying for threshold assessment and the outcomes.

A copy of the draft materials has been placed in the Library.

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to ensure that proposals for performance-related pay do not discriminate against (a) female and (b) ethnic minority teachers. [110998]

Ms Estelle Morris: The Department for Education and Employment is committed to pursuing equal opportunities. It has taken a series of steps to ensure that the proposals to establish a new upper pay range do not discriminate on any grounds. The Department has consulted and is continuing to consult widely in drawing up the proposals. The performance assessment is designed to be accessible by part-time as well as full-time teachers. The external assessors deployed to verify the assessments made by Headteachers will receive training in equal opportunities issues and will work to a code of conduct which includes a commitment to pursuing equal opportunities. The Department has ensured that the contractor responsible for deploying the external assessors is committed to pursuing equal opportunities. Their activities will be quality assured internally and by the Department. Applications made by teachers for threshold assessment will be monitored for equal opportunities implications.

Mr. Willis: To ask the Secretary of State for Education and Employment what safeguards he will put in place to ensure that a previous dispute between a headteacher and a teacher does not affect a decision on whether to recommend the teacher for progress through the performance pay threshold. [111043]

Ms Estelle Morris: Headteachers will be responsible for the assessments of teachers in their schools. Assessments will be made against national standards. Trained accredited external assessors will visit every school to verify headteachers' assessments on a sampling basis in order to ensure national consistency and the rigorous application of the standards.

Education Zones

Mr. Breed: To ask the Secretary of State for Education and Employment how many of the education zones include rural areas. [110783]

Ms Estelle Morris: There are 11 education actions zones with schools in rural areas, as defined by Local Authority Districts. They are Withernsea and Southern Holderness EAZ, the South East Virtual EAZ, the Kent Somerset Virtual EAZ, Shropshire "Meeting the Rural Challenge" EAZ, the North East Derbyshire Coalfields Action EAZ, Weston (North Somerset) EAZ, Hereford EAZ, Bedford EAZ, Redruth Cornwall EAZ, Somerset "The Bridgwater Achievement Zone", Easington and Seaham EAZ.

In addition, a 12th zone, East Cleveland's "Learning Together" EAZ, includes schools in the rural part of Redcar and Cleveland, which is officially designated as an urban area.

School Standards (Manchester)

Mr. Brady: To ask the Secretary of State for Education and Employment when he will make a ruling on the possible breach of section 107 of the School Standards and Framework Act 1998 in relation to Trinity School in Manchester. [110671]

Ms Estelle Morris: A reply was sent to the hon. Gentleman on 17 February.

Class Sizes

Mr. Breed: To ask the Secretary of State for Education and Employment what is the average class size at each key stage in schools in (a) rural and (b) urban areas. [109751]

Ms Estelle Morris: The available information on class sizes is shown in the tables.

Average size of classes taught by one teacher in maintained primary schools by area and by key stage in England—January 1999

Urban/Rural classification	*Key stage 1*	*Key stage 2*	*Key stage 3*	*Mixed key stage*	*Overall*
Metropolitan	26.7	28.1	25.4	26.0	27.4
Urban	26.8	28.5	26.0	26.2	27.7
Coalfield[1]	26.3	29.0	[2]—	26.8	27.7
Accessible rural	26.2	28.7	26.4	25.9	27.5
Remote rural	25.3	28.3	24.8	24.7	26.7
All areas	26.5	28.4	25.9	25.7	27.5

[1] Coalfield is wholly classified as a Rural category

[2] No classes of this type

Average size of classes taught by one teacher in maintained secondary schools by area and by age group in England—January 1999

Urban/Rural classification	*Ages*[1]			*Overall*
	under 14	*14 and 15*	*16 or more*	
Metropolitan	25.0	21.6	10.5	21.9
Urban	25.1	21.6	10.4	21.9
Coalfield[2]	25.5	22.6	10.4	22.5
Accessible rural	25.4	21.9	10.7	21.8
Remote rural	24.9	21.6	10.1	21.5
All areas	25.1	21.7	10.5	21.9

[1] Ages as at the start of the academic year
[2] Coalfield is wholly classified as a rural category

School Playing Fields

Mr. MacShane: To ask the Secretary of State for Education and Employment what steps he is taking to encourage inner-city schools in the independent and maintained sectors to share their sports playing fields with schools which do not have such fields. [108283]

Ms Estelle Morris: Through the specialist schools programme, Sports Colleges work closely with local partner primary and secondary schools and the wider community, sharing their facilities and resources, to help raise participation and standards in PE and sport for all pupils. We are particularly keen to support schools in inner cities and areas of social deprivation, and give some preference to applications through the associated Excellence in Cities programme. It is for individual schools to make appropriate arrangements to share facilities.

A survey in 1997 indicated that, in 45 per cent. of the independent schools surveyed, games pitches and school grounds were used by maintained schools; and in 28 per cent, athletics tracks were used by maintained schools. The Government's Independent/State School Partnerships Scheme, established in 1997, promotes the sharing of a wide range of resources between independent and maintained schools for their mutual benefit, supported by a project grant programme. A number of these partnerships are sharing sporting facilities as one aspect of their project.

New Deal

Mr. Maclean: To ask the Secretary of State for Education and Employment how many people have stopped claiming (a) jobseeker's allowance and (b) national insurance credits as a result of moving onto a New Deal option since April 1998. [109271]

Ms Jowell: Since April 1998, all 138,320 young people who started one of the four options under the New Deal for young people ceased claiming Jobseeker's allowance. 107,460 of these continue to claim national insurance credits but we expect that the 30,680 young people who started a waged option will have ceased to claim national insurance credits.

Mr. Geraint Davies: To ask the Secretary of State for Education and Employment if it is his policy to encourage schools and local education authorities to employ people under the New Deal. [109983]

Ms Jowell: I continue to encourage all employers, especially those in the public sector, to offer more employment opportunities to people in the New Deal. Organisations in the public sector, including schools and local education authorities, have close links with their local communities and are in a strong position to offer leadership in order to tackle unemployment and social exclusion.

Higher Education

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment what proposals he has to raise awareness in the higher education sector of best practice in equal opportunities. [108277]

Mr. Wicks: My right hon. Friend the Secretary of State wrote to the Higher Education Funding Council for England on 23 November 1999 to express his concern about the present position on equal opportunities for HE staff and he asked them to ensure that institutions have and implement equal opportunity statements. The Commission on University Career Opportunity has sent a three-point action plan to implement racial equality to all heads of institutions.

Mr. Boswell: To ask the Secretary of State for Education and Employment how many higher education subjects in the United Kingdom are offered only in one of its component countries. [110373]

Mr. Wicks: The information is not available in the form requested.

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what data he has collated on the number of people participating in higher education courses in each constituency in each of the last three years. [109979]

Mr. Wicks: These data are not collated centrally on a constituency basis.

School Budgets

Mr. Ashdown: To ask the Secretary of State for Education and Employment if he will make it his policy to enable schools to plan ahead by fixing their budgets, on a per capita basis, for three years ahead in line with the public expenditure planning periods set out in each Comprehensive Spending Review; and if he will make a statement. [110796]

Ms Estelle Morris: Under the current system of local government finance, it is for local authorities to decide on the distribution of funding between their schools, taking account of local circumstances and priorities. However, the Government has set local authorities a target for 2000–01 of increasing average delegated funding per pupil by at least 6 per cent., or 5 per cent., in authorities which already delegate more than 85 per cent. of their local schools budget.

Learning and Skills Councils

Mr. Chaytor: To ask the Secretary of State for Education and Employment if external institutions will have the same rights of access to learning and skills council development funds after April 2001 as further education colleges and private training organisations. [109084]

Mr. Wicks: External Institutions will have the same access to core funding for learners as further education colleges and private training providers. The Further Education Funding Council will consult on proposals for the use of the FE Standard Fund in 2000–01. It is intended to extend the use of FE Standards Fund in 2000–01 to External Institutions, Specialist Colleges and other non-sector college providers of further education. The Department will consult separately this summer on the use from April 2001 of FE Capital Funds.

GNVQs (Revised Syllabus)

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the development of the revised syllabus for GNVQ at Advanced Level for implementation by schools and colleges in the autumn, with particular reference to the assessment regime. [110280]

Mr. Wicks [*holding answer 17 February 2000*]: The Qualifications and Curriculum Authority (QCA) is currently in the process of finalising the accreditation of the revised Advanced GNVQ specifications to be introduced for teaching in September 2000. Draft specifications are already available via the QCA's and the awarding bodies' websites.

The rigour of the Advanced GNVQ assessment regime will be significantly upgraded to ensure that standards are equivalent with GCE A level. In particular, the new specifications have been written to a more demanding standard; there will be a higher proportion of external testing; there will be revised A-E grading scale; and candidates will be limited to one opportunity to re-sit each unit, as for A level. We announced on 16 February that Advanced GNVQs would be known as "vocational A levels" with effect from September to reflect these important reforms.

Electronic Data Interchange

Mr. Boswell: To ask the Secretary of State for Education and Employment what progress is being made in developing electronic data interchange between further education colleges and awarding bodies. [110279]

Mr. Wicks [*holding answer 17 February 2000*]: The major awarding bodies use a variety of electronic data interchange (EDI) systems, operated through service providers, to link with colleges and they encourage the use of these systems. It is for each college to decide whether to use EDI systems or not. Links are well developed for GCSE, GCE and GNVQ titles but less so for NVQs and "brand name" qualifications.

Ethnicity and Employment

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment what assessment he has made of the report, Ethnicity and Employment in Higher Education, published by the Policy Studies Institute. [110366]

Mr. Wicks: The findings of the report are for the higher education institutions to consider and address. In his letter of 23 November 1999 to the Higher Education Funding Council for England, the Secretary of State asked the Council to encourage institutions to give proper emphasis to racial equality in their equal opportunities policy statements.

Green Issues

Mr. Reed: To ask the Secretary of State for Education and Employment (1) if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source; [110189]

(2) what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110188]

Mr. Wills: I refer to the reply given by my hon. Friend the Under-Secretary of State for the Environment, Transport and the Regions dated 14 February 2000, Official Report, column 357W. I can confirm that my Department's policy on green issues is modelled on that of DETR.

Advertising Budgets

Mr. Baker: To ask the Secretary of State for Education and Employment what is his Department's advertising budget for (a) 1999–2000 and (b) 2000–01. [110253]

Mr. Wills [*holding answer 16 February 2000*]: The Department's advertising and publicity budget is:

(a) £10.937 million for 1999–2000

(b) £11.108 million for 2000–2001

Mr. Baker: To ask the Secretary of State for Education and Employment what was the average cost of issuing a media release from his Department in 1999. [110267]

Mr. Wills [*holding answer 20 February 2000*]: The average cost of printing and distributing a press release from the DfEE in 1999 was £65. This allows us to get information to over 1,000 national, local and specialist media as well as local education authorities and other educational bodies. Increasing use of electronic communication is being made to reduce costs.

Kinloss School

Mr. Sayeed: To ask the Secretary of State for Education and Employment if he will take steps to require Kinloss School in Worcestershire to allow Worcestershire Local Education Authority access to the recent Social Services Inspectorate report on the school. [110441]

Jacqui Smith: On 3 February 2000 my Department authorised the Worcestershire County Inspectorate to release copies of the report. Copies will be sent to all local authorities that have placed children in the school. This will include Worcestershire Local Education Authority.

DfEE officials have also written to all Local Education Authorities responsible for children in Kinloss, advising them that my Department has also given the school notice of withdrawal of its approval under section 347 of the Education Act 1996. This means that the school has until June 2000 to remedy the failings identified in the report, or it will lose its approval.

GCE A-level Syllabus

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on progress in implementing the introduction of key skills to the GCE A-Level syllabus from autumn 2000, with particular reference to difficulties encountered in individual subject areas. [110281]

Mr. Wicks [*holding answer 17 February 2000*]: The new key skills qualification is designed to be taken alongside A-levels and other post-16 qualifications. It is not mandatory. To assist teachers, opportunities to develop key skills have been signposted in each of the new A-level specifications. In addition, specifications for the new qualification have been available from the Qualifications and Curriculum Authority since January 1999. Examples of test questions will be available shortly. A Government funded programme is providing teachers with a wide range of training and materials, including packs on how to teach key skills alongside particular A-levels.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Rural Bus Services

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of rural parishes have *(a)* no bus service and *(b)* no daily bus service. [109811]

Mr. Hill: My Department does not collect information in this form.

However, I understand that results from a 1997 survey of rural parishes in England carried out for the Rural Development Commission (RDC) show significant variation according to parish size, and were as follows:

Parish population size (persons)	*No bus service*[1] *(%)*	*No daily bus service*[2] *(%)*
0–99	60	93
100–199	34	92
200–299	21	89
300–499	17	84
500–999	13	77
1,000–2,999	9	57
3,000–9,999	8	31
All under 10,000	22	75

[1]No bus stop in the parish

[2]A service that runs 7 days per week

Results from the Department's own National Travel Survey for the period 1996–98 show that 85 per cent. of rural households are within 13 minutes walk of a bus service which runs at least every weekday.

In its first year following introduction, the Rural Bus Subsidy Grant provided for over 1,800 new or improved services in 1998–99 in rural England. These services are not reflected in the data.

A49 Dorrington Bypass

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will reinstate the A49 Dorrington Bypass scheme; and if he will make a statement. [110126]

Mr. Hill: As explained in "A New Deal for Trunk Roads in England" our policy is to integrate trunk road planning within the wider transport network through regional planning guidance. The priorities for improvement of the trunk road network in Shropshire now fall to be considered in the first instance by the Regional Planning Conference in revising the regional planning guidance for the West Midlands. Revision of the guidance is expected to begin in the spring.

Traffic Noise

Mr. Blunt: To ask the Secretary of State for the Environment, Transport and the Regions how much public money (a) has been spent and (b) is budgeted to be spent as compensation for traffic noise levels for residents living adjacent to the M25 between Junctions 8 and 10 following the road's widening. [110233]

Mr. Hill: We have received 2,832 claims so far and paid £10,114,641 in respect of 822 claims. This figure includes interest and agents' costs.

A further 925 have now been agreed and compensation on those will be £3,456,445 exclusive of interest as this is calculated at date of payment. These claims should be paid within the next few months. The remaining claims are currently with the Agency's Valuer under negotiation. The estimate for the outstanding cases (and any others we might receive) is of the order of £6.5 million. The total compensation bill is therefore estimated at around £20 million.

We have an obligation to pay compensation under Part 1 of the Lands Compensation Act 1973 in respect of depreciation in value of properties caused by physical factors—including noise—arising from the use of the M25 widening between junctions 8–10.

Harris Bus Company

Mr. Austin: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with London Transport regarding the Harris Bus company; and if he will make a statement. [110324]

Mr. Hill [*holding answer 15 February 2000*]: The provision of bus services is a matter for London Transport Buses (LTB), although my officials have been kept informed. I understand that LTB is in discussion with the Administrator of Harris Bus with a view to taking over direct management of Harris's route contracts.

A number of approvals remain to be granted, notably that of an Operators' Licence, and there are still some commercial negotiations to be completed before LTB can confirm its final intentions. In the meantime, I understand that LTB managers and supervisors are assisting the

Administrator to deliver the best possible service in the circumstances. LTB has also developed contingency plans in the event that discussions are unsuccessful.

Correspondence

Mr. Austin: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to reply to the letter of 10 February from the hon. Member for Erith and Thamesmead regarding the Harris Bus company and bus services in South East London; and if he will place a copy of his reply in the Library. [110325]

Mr. Hill [*holding answer 15 February 2000*]: I replied to my hon. Friend on 18 February and have placed a copy of the letter in the Library.

Abandoned Vehicles

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what recent research his Department has commissioned into the (a) number of abandoned vehicles on public highways and private property and (b) cost of the removal of such abandoned vehicles by local authorities. [110416]

Mr. Mullin: My Department has commissioned no recent research into either (a) the number of abandoned vehicles on public highways and private property or (b) the cost of the removal of such abandoned vehicles by local authorities.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to meet representatives of the Local Government Association to discuss the abandoning of vehicles on public highways and private property. [110410]

Mr. Mullin: My Department has regular meetings with representatives of the Local Government Association to discuss a range of waste management issues.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reduce the number of cars abandoned with no known owner; and if he will make a statement. [111125]

Mr. Hill: A number of measures to improve the accuracy of the DVLA vehicle record have either recently been put into operation or are planned. They include changes to the way in which notification is made when vehicles are sold, increased involvement by the police in enforcing registration procedures and a pilot scheme to enforce registration offences direct from the DVLA record. The Vehicle Crime Reduction Action Team's five year strategy document "Tackling Vehicle Crime" recommends a number of further measures intended to improve the accuracy of the DVLA record.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many cars were abandoned with no known owner in 1999. [111126]

Mr. Hill: No information is available on the total number of vehicles that are abandoned. The Driver and Vehicle Licensing Agency (DVLA) records only vehicles notified by the police and local authorities. In 1999, there were 34,860 notifications. It is not possible to discover the number of cars abandoned with no known keeper without running a prohibitively expensive search of the DVLA database.

Used Cars

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the DVLA's V5 registrations system for used cars; and if he will make a statement. [111130]

Mr. Hill: Changes to the vehicle registration system are being considered in relation to the Government's commitment to reduce vehicle crime. Tighter vehicle registration procedures have been suggested by the Vehicle Crime Reduction Action Team and are set out in "Tackling Vehicle Crime—A Five Year Strategy". Comments have been invited on these recommendations and will be taken into account in framing new procedures.

Thameslink

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the quality of Thameslink services from St. Albans to central London. [110363]

Mr. Hill: Overcrowding on Thameslink services has been eased by the loan of four class 317 units from WAGN and two class 319 units from Connex, resulting in an extra 3,900 seats per week, and an extra train path from 26 September 1999. The shadow Strategic Rail Authority are currently looking at proposals for additional capacity on the Bedford to London section of the route. The long term capacity solution lies within the Thameslink 2000 project, which will improve services for passengers between London and St. Albans.

Underground Trains

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what standards he sets in respect of volume level of flange squeal on London Underground trains; and if he will make a statement. [110418]

Mr. Hill: The Secretary of State does not set standards that relate specifically to the volume of flange squeal on London Underground trains. However, the noise exposure limits set under the Noise at Work Regulations 1989, apply in respect of the noise experienced by London Underground's employees and contractors. Also, London Underground has a duty of care to ensure the safety and well-being of its customers and neighbours.

Local Deprivation Index

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions (1) when decisions on the content of the Index of Local Deprivation will be announced; and if he will make a statement; [110539]

(2) when the underlying data used to calculate the proposed Index of Local Deprivation 1999 will be released; and if he will make a statement. [110540]

Ms Beverley Hughes: The final 1999 Index is due to be published in spring 2000 along with a summary report and a supporting document. This final index will include

local authority district level scores and ranks. The scores and ranks at the ward level will be published at the same time and will be available for each domain separately (income, work, health and disability, education, skills and training, housing and geographical access to services). A further more detailed report will be published in summer 2000.

The summary report will contain details about where to obtain, sometimes at a charge, the underlying data, used to construct the 33 indicators.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions what (a) was the membership of and (b) were the organisations represented on the (i) advising group and (ii) virtual advising group which advised the Index 99 team on the Index of Deprivation. [110541]

Ms Beverley Hughes: The review of the 1999 Index of Local Deprivation was overseen by an inter-departmental steering committee. This included representatives from DETR, Department for Education and Employment, Department of Health, the Office for National Statistics, the Department of Social Security, the Home Office, The Department of Trade and Industry, the Treasury, the Social Exclusion Unit, The Northumbria Police, the Countryside Agency, The Local Government Association, the Improvement and Development Agency, The Welsh Executive, the Scottish Executive, the Northern Ireland Office, the Department of Culture, Media and Sport, the University of Cambridge and all Regional Development Agencies (East of England Development Agency, East Midlands Development Agency, North East Development Agency, North West Development Agency, South East of England Development Agency, South West Regional Development Agency, Advantage West Midlands and Yorkshire and Humberside Development Agency).

In addition, the review team benefited from the advice of a large advisory panel with a range of different skills and areas of expertise. This included academics from a number of Universities including Bath, Bristol, Birmingham, Cambridge, Lincolnshire, the London School of Economics, Warwick and York and members of other organisations including the Policy Studies Institute, the Local Government Association, the Improvement and Development Agency and the Central and Local Government Information Partnership sub group on deprivation statistics.

Roughland Paths

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the objection of (a) the RSPB and (b) other environmental groups to police advice to local authorities to cut back undergrowth alongside paths crossing roughland for public safety reasons. [110647]

Mr. Mullin: I am not aware that my Department has received any such objections but we would always seek to balance environmental considerations with those of public safety.

Local Government Reform

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the cost of training for (a) councillors and (b) officers if new cabinet structures in local government are implemented. [110645]

Ms Armstrong: The extent to which councils will need to direct their training programmes for councillors and officers to cover the new cabinet structures will depend upon local circumstances, including the details of any cabinet structure that they are proposing to adopt.

Greater London Enterprise

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines govern donations by Greater London Enterprise to political parties. [110439]

Mr. Hill: The GLE is a limited company, and is therefore covered by Schedule 7 of the Companies Act 1985 which requires disclosure of monetary donations to a political party.

Train Services (Waterloo-Crewkerne)

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that punctuality on South-West Trains services from Waterloo to Crewkerne is improved; and if he will make a statement. [110803]

Mr. Hill: The performance of South West Trains services has been adversely affected over the past few months by a combination of unofficial strike action by staff and the annual leaf fall. Most services have now returned to normal. The Franchising Director is pursuing with South West Trains changes to their staffing policy and levels which should lead to improvements over time in both punctuality and the reliability of all of the company's services.

Chard Junction

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to re-open Chard Junction railway station; and if he will make a statement. [110802]

Mr. Hill: There are currently no plans to re-open Chard Junction railway station. Interested local stakeholders may, however, wish to consider making a bid for funds to re-open this station from the Rail Passenger Partnership scheme (details in the House Library) administered by the Franchising Director.

London Underground

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if the public-private partnership for London Underground will include the funding for the installation of a moving block signalling system on each London Underground line. [110895]

Mr. Hill: In the London Underground public-private partnership, the private sector is being invited to bid to implement a programme of maintenance and enhancement projects specified largely in output terms. It will therefore

largely be for the bidders to identify the right technological solutions that would enable London Underground to run the improved service London needs. The level of funding needed can be considered sensibly only once the bids are in.

Air Pollution (Rural Areas)

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the levels of air pollution in rural areas; and what plans he has for programmes to reduce such pollution levels. [110775]

Mr. Hill: The Air Quality Strategy for England, Scotland, Wales and Northern Ireland, published on 19 January, provides a comprehensive assessment of current and future air quality throughout the UK. It sets objectives for reducing levels of the eight main air pollutants, to be achieved between 2003 and 2008. These objectives will be met through a combination of international, national and local measures.

Under local air quality management (LAQM), local authorities are obliged to review and assess air quality in their areas against these objectives and, where the objectives are unlikely to be met by the relevant date, establish action plans to improve air quality. Ozone is the pollutant of particular concern in rural areas. Because of its transboundary nature, it is most effectively tackled at international level and so is excluded from LAQM. In December 1999, we and other countries signed the UNECE Protocol to abate acidification, eutrophication and ground level ozone. This will lead to significant reductions in emissions of pollutants which cause the formation of ozone. We are currently negotiating within the EU proposals from the European Commission for a National Emissions Ceilings Directive and an Ozone Directive which are expected to lead to further reductions in levels of ozone.

Farmers' Markets

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend planning regulations to provide for the establishment of a national network of farmers' markets. [110835]

Ms Beverley Hughes: Existing planning controls apply equally to all open air markets. Farmers' markets have been established successfully throughout the country in recent years. However, the "Rural Economies" report by the Performance and Innovation Unit (published last December) stated that there would be merit in reviewing the ancient local market charter arrangements and accompanying regulations. The common law right of charter markets to prevent other markets being established within a distance of six and two-third miles is one possible inhibiting factor.

The "Rural Economies" report is an important contribution to the preparation of the forthcoming Rural White Paper and we shall consider carefully its conclusions and proposals.

Eden Project

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the adequacy of the road access to the Eden Project tourist attraction in South East Cornwall. [110788]

Mr. Hill: The planning application for the Eden Project was not called in for the Secretary of State's decision. Assessment of the adequacy of road access therefore lay with the local planning authority which in this case is Cornwall county council as Highways Authority and Restormel borough council as Planning Authority.

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to phase out the use of peat compost in gardens (a) owned and (b) tended by his Department; and if he will make a statement. [110714]

Ms Beverley Hughes: The Department of Environment, Transport and the Regions issued a Greening Operations Policy Statement in October 1999 which sets out its aims and objectives for greening its operations. The Department's policy on using materials in horticulture is to substitute all slow renewables such as peat with organic waste such as compost, manure, leaf mould, bark chipping and coir. This policy applies to all parts of the Department including its Executive Agencies and Government Offices for which DETR has property management responsibility.

DETR has specific Terms and Conditions on this issue which are included in its contracts.

Local Government Staff (Training)

Charlotte Atkins: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on (a) the amount allocated and (b) the amount spent on training of local government staff broken down by (i) occupational grade, (ii) type of employment and (iii) gender, in each of the last five years. [109604]

Ms Beverley Hughes: The Department does not hold information of this type.

Some information is available from the People Skills and Development Survey undertaken by the Local Government National Training Organisation (LGNTO). The Survey, to which 22 per cent. of local authorities responded, estimated that training expenditure by authorities in the United Kingdom totalled some £500 million in 1997–98. This included £239 million on the wages and salaries of employees trained. The Survey does not, however, break this information down in the manner requested.

A summary report was sent to all local authorities last year. A copy has been placed in the Library of the House. I understand that the LGNTO intend to conduct another survey this year, for the financial year 1999–2000.

Holmethorpe Relief Road

Mr. Blunt: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to respond to the Borough of Reigate and Banstead Council's request in a letter of 29 July 1999 to the Government Office for the South East to confirm the

Council of the Borough of Reigate and Banstead (Holmethorpe Relief Road, Redhill) Compulsory Purchase Order 1996. [110583]

Mr. Mullin: We expect to issue a decision on the Compulsory Purchase Order shortly.

Steel Shot

Mr. Boswell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to take action to discourage the use of steel shot in woodlands. [R] [110402]

Mr. Mullin: The Government have no plans to take action to discourage the use of steel shot in woodlands. The owners of shooting rights may restrict the use of particular types of shot on relevant land, if they so wish.

Biodiversity

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions when he will respond to the report on Biodiversity in the EU of Sub-Committee D of the European Union Committee of the House of Lords; and if he will make a statement on recommendations 1, 6 and 7 of the report. [109322]

Mr. Meacher: The Government's response to the Report is in preparation and will be submitted in March. I also hope that an announcement about a Countryside Bill, as mentioned in the Queen's speech, will soon indicate where some of the Report's recommendations may be tackled through intended legislation.

Railtrack

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the report he has received on the future of the Safety and Standards Department of Railtrack; and if he will make a statement. [110994]

Mr. Hill: I expect to make an announcement shortly on the future of Railtack's safety and standards directorate, and will then place relevant material in the Library.

Rail Freight

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the effect of rail freight facilities grants on the volume of rail freight; and if he will make a statement. [110993]

Mr. Hill: The table gives details of all rail freight grants awarded by my Department since May 1997. Grants are awarded against tonnage committed for the life of each scheme.

	Awarded	*Total value (£)*	*Total tonnage committed (million tonnes)*	*Lorry journeys saved as a result*
Freight facilities grants	31	30,517,625	20,549,600	1,739,500
Track access grants	39	18,813,445	5,535,700	640,600
Total	70	49,431,070	[1]26,085,300	2,380,100

[1] Plus 2,380,000 containers and 770,000 vehicles linked to these grants

In addition to these awards, during the period between May 1997 and May 1999, Freightliner received Track Access Grant payments of more than £36 million, having made over 500,000 medium to long distance container movements by rail. These rail movements saved a like number of similar distance road movements.

We believe that but for payment of these grants, this traffic would not be moving by rail.

Section 28

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those organisations which have made representations to him calling for (a) the repeal and (b) the retention of section 28 of the Local Government Act 1988. [111031]

Ms Beverley Hughes: The Government have received many representations, from both organisations and members of the public, concerning the repeal of section 28 of the Local Government Act 1988.

Organisations who have expressed their support for the repeal include:

Save the Children
The British Medical Association
The Royal College of Nursing
National Union of Teachers
Local Government Association
Terrence Higgins Trust
Trade Unions Congress
Stonewall
Outrage
The Family Planning Association.

Organisations who have expressed their opposition to the repeal include:

The Christian Institute
Intercessors for Britain
Riverside Christian Centre, Exeter
Christian Life Centre, Wolverhampton
Concern for Family and Womanhood, Cheltenham
Lighthouse Enterprises, Middlesex
Wigan Family Care Centre
The Crops Trust, Peterborough.

Business Rate

Mr. Ruane: To ask the Secretary of State for the Environment, Transport and the Regions what the business rate increase has been (a) as a percentage and (b) in real terms in each of the past 10 years. [110824]

Ms Beverley Hughes: By law, the national non-domestic multiplier can increase each year only by the rate of inflation unless the year in question is one when non-domestic properties are revalued. In a revaluation year the multiplier is recalculated to ensure that the rate yield after revaluation is equal to that before revaluation plus inflation. However, because the national total rateable value may rise or fall at revaluation then the multiplier may rise and fall as a consequence.

Changes in the national non-domestic multiplier for the years 1990–91 to 2000–01 are as follows:

Year	Multiplier for England (Pence)	Percentage change on previous year	Multiplier for Wales (Pence)	Percentage change on previous year
1990–91	34.8	—[1]	36.8	—[1]
1991–92	38.6	10.9	40.8	10.9
1992–93	40.2	4.1	42.5	4.1
1993–94	41.6	3.5	44.0	3.5
1994–95	42.3	1.7	44.8	1.7
1995–96[2]	43.2	1.9 (2.2)	39.0	-12.9 (2.2)
1996–97	44.9	3.9	40.5	3.9
1997–98	45.8	2.1	41.4	2.1
1998–99	47.4	3.6	42.9	3.6
1999–2000	48.9	3.2	44.3	3.2
2000–01[2]	41.6	-14.9 (1.1)	41.2	-7.0 (1.1)

[1] First year of national non-domestic rates therefore no comparable data.
[2] Revaluation year.
Note:
Figures in brackets are the annual inflation rates.

Concessionary Travel

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he plans to give to local authorities and passenger transport executives on concessionary travel arrangements for males aged between 60 and 65 years, following the European Court ruling on winter fuel payments. [111122]

Mr. Hill: We have no plans to give any guidance on this topic. Our view is that the European Court of Justice ruling on winter fuel payments does not have any implications for concessionary travel arrangements.

TRADE AND INDUSTRY

Remploy

Mr. Caton: To ask the Secretary of State for Trade and Industry what Remploy products his Department has purchased in the last three years. [109928]

Dr. Howells: The Department's latest information on its use of Remploy products covers the three-year period to May 1999. Records show that during that time, the Department purchased one Remploy office furniture product.

The information above does not include contracts let by the Department's Executive Agencies. I have asked the respective Agency Chief Executives to reply separately to this question.

Letter from Claire Clancy to Mr. Martin Caton, dated February 2000:

I am replying to your parliamentary question tabled on 10 February 2000, regarding what Remploy products the Department of Trade and Industry has purchased in the last three years.

2. The Patent Office has not purchased any products from Remploy during the last three years.

Letter from J. S. Holden to Mr. Martin Caton:

I have been asked to reply to your recently tabled Parliamentary Question to the Secretary of State for Trade and Industry in respect of Companies House Executive Agency.

A contract was awarded to Remploy in January 1988 following a competitive tender, to supply for a three year period a range of office furniture, namely workstations, pedestals, storage units and chairs.

Letter from Seton Bennett to Mr. Martin Caton, dated February 2000:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the purchase of Remploy products. This Agency has not purchased any Remploy products during the last three years.

Letter from Peter Joyce to Mr. Martin Caton, dated February 2000:

The Secretary of State for Trade & Industry has asked me to reply to your question in relation to The Insolvency Service's purchase of Remploy products. The Service has not placed any order with Remploy in the last three years.

Letter from G. Womble to Mr. Martin Caton, dated February 2000:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about Remploy products.

2. I can confirm that no Remploy products have been purchased by the Agency within the last three years.

Letter from Ian Jones to Mr. Martin Caton:

You tabled a Parliamentary Question on 10 February to the Secretary of State for Trade and Industry about what Remploy products his Department has purchased in the last three years. I have been asked to reply in respect of the Employment Tribunals Service (ETS) which is an executive agency of the DTI.

In the last three years, the Employment Tribunals Service made three purchases from Remploy. These items were a set of six shelves, a bookcase and a chair. The total value of these orders was £891.36p.

Green Issues

Mr. Reed: To ask the Secretary of State for Trade and Industry if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110150]

Dr. Howells: In respect of timber products it is the Department's policy to use timber products from a sustainable source. In respect of the Forest Stewardship Council, I would refer my hon. Friend to the answer given by my hon. Friend the Under-Secretary of State for the Environment, Transport and the Regions on 14 February 2000, *Official Report*, column 357W. For paper products the policy is to encourage use of recycled paper.

Steel (Ireland)

Ms Walley: To ask the Secretary of State for Trade and Industry if he will place in the Library the monitoring procedures carried out on compliance with steel production limits imposed on European Union-assisted manufacturing of steel in the Republic of Ireland; and if he will make a statement. [110432]

Mr. Alan Johnson: Copies of all the European Commission's six-monthly reports on the monitoring of aid given to companies under Article 95 of the European Coal and Steel Community Treaty, including Irish Steel, have been deposited in the Library of the House.

I consider that the Commission continues to monitor these companies effectively to ensure that they comply with the limits on steel production and meet the other conditions imposed upon them.

End of Life Vehicles

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what discussions he has had on the potential impact of the proposed EU End of Life Vehicles Directive with motor industry representatives. [110352]

Ms Hewitt *[holding answer 17 February 2000]:* My officials have met regularly with the motor industry to discuss this Directive since it was first proposed by the European Commission in 1997.

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what measures are currently in place to deal with end of life vehicles. [110348]

Ms Hewitt *[holding answer 17 February 2000]:* The ACORD (Automotive Consortium on Recycling and Disposal) voluntary agreement on the treatment of end of life vehicles has been in place since 1997.

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry (1) if he will make a statement on the UK Government's policy on the proposed EU End of Life Vehicles Directive; [110346]

(2) what information and advice his Department has given to UK MEPs on the likely economic and environmental impact of the proposed EU End of Life Vehicles Directive; [110350]

(3) what the Government's policy is in respect of EU legislation that imposes a retrospective financial liability on UK industry. [110351]

Ms Hewitt *[holding answers 17 February 2000]:* The Government wishes to secure the important environmental benefits that will be delivered by this Directive at the lowest costs. We have agreed to the Common Position text which states that vehicle producers must meet "all or a significant part" of the costs of treatment for new vehicles from 2001 onwards and for existing vehicles from 2006 onwards. As with all proposals for European Legislation, the Government maintains regular contact with MEP's and provides information and advice in line with the Government's position.

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what estimate he has made of the cost to the UK motor industry of implementing the proposed EU End of Life Vehicles Directive. [110347]

Ms Hewitt *[holding answer 17 February 2000]:* My Department's Regulatory Impact Assessment (RIA) in September 1999 estimated the costs of the Common Position text of the proposed Directive at £312 million per annum in 2005. The Common Position text gives each member state an important degree of flexibility in deciding how best to recover the costs of treating scrapped vehicles, including the size of the vehicle producer's contribution.

Copies of above RIA and earlier RIAs are available in the Library of the House.

World Trade Organisation

Dr. Cable: To ask the Secretary of State for Trade and Industry if he will make a statement on the outcome of the General Council of the WTO held on 7 and 9 February. [110964]

Mr. Caborn: The World Trade Organisation General Council meeting on 7–8 February took a number of decisions on next steps for the organisation. It was agreed that the mandated negotiations on agriculture and services would take place in the Agriculture Committee and the Services Council, respectively, and that they would get under way during this quarter (services in the week of 21 February, agriculture in the week of 20 March). Efforts are now being made to find Chairpersons for these negotiative groups.

It was also agreed that parallel consultations should be conducted on several issues by the Director General and the incoming Chair of the General Council. These include measures to improve market access for least developed countries, further efforts on capacity-building and technical co-operation for developing countries and, linked to this, action on implementation deadlines where some WTO member governments have problems meeting their commitments under existing WTO agreements. In addition, a consultation process was launched on improvements to WTO consultative and decision-making procedures. It is hoped that the outcome of these consultations will be made known quickly, if possible by the end of March.

Genetic Testing (Employment Policy)

Dr. Gibson: To ask the Secretary of State for Trade and Industry if he will adopt comparable policies to those of President Clinton on prohibiting the use of genetic testing in employment policy. [110740]

Ms Hewitt: The Government are giving careful consideration to a report on "The Implications of Genetic Testing for Employment", from the Human Genetics Advisory Commission (HGAC) and will publish its response.

Telecommunications Masts

Mr. Norman: To ask the Secretary of State for Trade and Industry what is his policy on the level of national coverage by mobile phone telecommunications operators which will be sufficient for competition purposes; and what plans he has for further licences being granted beyond those currently planned. [110817]

Ms Hewitt: There is no such policy. A geographic coverage obligation will be included in the Wireless Telegraphy Act licences, due to be auctioned next month, for the use of spectrum for third-generation mobile. The obligation will require the licence holder to roll out a network covering an area in which 80 per cent. of the UK population lives by the end of 2007. It is included to ensure that spectrum is used efficiently.

With the award of the five licences to be auctioned next month, there is no further spectrum currently available for the licensing of additional third-generation mobile operators.

Mr. Norman: To ask the Secretary of State for Trade and Industry what assessment his Department has made of the changes required to existing telecommunications networks in order to meet the standards of the next generation of licences; and what estimate his Department has made of the number of extra masts required. [110765]

Ms Hewitt: Existing mobile telecommunications networks will be unable to deliver the broad range of third-generation mobile services. As a result of the introduction of the five new third-generation mobile networks, for which spectrum will be auctioned next month, the existing second-generation networks of Vodafone and BT Cellnet may need to be changed in respect of a requirement to permit roaming from a new entrant third-generation mobile operator's network onto their existing second generation mobile networks. While the third-generation networks will require new infrastructure, including masts, it is not clear that any new masts will be required for the existing first and second-generation networks as a consequence of third-generation mobile standards.

Mr. Norman: To ask the Secretary of State for Trade and Industry what estimate his Department has made of the number of telecommunication masts that will be required by new operators who win one of the new generation of telecommunication licences; and whether a commitment to sharing masts with other operators will be *(a)* a condition of the licence and *(b)* one of the criteria in the granting of licences. [110816]

Ms Hewitt: No estimate has been made of the number of masts that a new operator might require. As a condition of being granted telecommunication Code Powers, the Telecommunications Act licences of existing operators and of any new operator include a requirement that, before erecting a new mast, the possibility is investigated of: using an existing structure or mast; replacing an existing mast with a mast for joint use; and erecting, in co-operation with another operator, a mast for joint use. This requirement obviates the need to include a specific criterion in the auction rules requiring a commitment to share masts. I am pleased to note also that the existing mobile operators are party to a database designed to support the sharing of masts. All who operate telecommunications masts or towers, including any new operator, are encouraged to include details of their sites on the database.

Mobile Phones (Licences)

Mr. Norman: To ask the Secretary of State for Trade and Industry what plans he has to amend licence conditions to limit *(a)* damage to the environment and *(b)* threats to health and safety. [110815]

Ms Hewitt: The Government believe that the conditions in Telecommunication Act licences, together with the relevant planning legislation and health and safety guidelines, appropriately balance concerns about these issues with the need to provide modern, efficient and cost effective telecommunications services. There are therefore no plans to amend licences in relation to these points. However we will consider very carefully the findings of the Independent Expert Group on Mobile Phones, under the Chairmanship of Sir William Stewart, which is due to report in April on alleged adverse health effects of mobile handsets and base stations.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what reasons underlay the Government decision to sell additional mobile phone licences before the Independent Expert Group on Mobile Phones has published its report; and if he will delay this sale. [110769]

Ms Hewitt: The Government continue to work to the timetable for the auction of Wireless Telegraphy Act licences for third generation mobile communications set out by the then Under-Secretary of State for Small Firms Trade and Industry, my hon. Friend the Member for North Swindon (Mr. Wills), on 9 February 1999, *Official Report*, column 208, and accordingly notified bidders on 18 February that the auction would start on 6 March 2000. Delay to the auction would reduce and delay the benefits of third generation mobile to UK consumers and the economy, and the Government see no case for such delay. Bidders' attention has been drawn to the work of the Independent Expert Group on Mobile Phones, and to the fact that summaries of the evidence given to the group are being made publicly available as its work proceeds.

Arms Exports

Ms Oona King: To ask the Secretary of State for Trade and Industry in what position the United Kingdom was ranked in terms of arms exports, in the last year for which figures are available. [110224]

Dr. Moonie: I have been asked to reply.

While other countries do not publish figures that enable a direct comparison to be made, based on the value of new defence export orders signed in 1998 we estimate that the United Kingdom ranked second behind the United States.

Zimbabwe

Ms Oona King: To ask the Secretary of State for Trade and Industry what end-use monitoring arrangements are attached to the licence agreement for the recently announced sale of spare parts for Hawk jets to Zimbabwe. [108060]

Mr. Hain: I have been asked to reply.

In light of my right hon. Friend the Prime Minister's reply to the hon. Member for Richmond Park (Dr. Tonge) on 9 February 2000, *Official Report*, columns 184–85W, the Government have decided to approve a number of licences for exports in fulfilment of existing contracts for the support of Hawk aircraft in service with the Zimbabwe Air Force.

We shall monitor carefully developments both in the DRC and in Zimbabwe.

NORTHERN IRELAND

Royal Ulster Constabulary

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many disciplinary actions against RUC officers in the past 10 years resulted in files being presented to the Director of Public Prosecutions; on how many occasions and on what charges were prosecutions

brought; how many charges resulted in a conviction; and how many charges resulted in a custodial sentence. [108487]

Mr. Ingram: Figures on the total number of disciplinary cases in which files have been passed to the Director of Public Prosecutions are not available. However, the table shows the total number of cases in which prosecutions were directed by the DPP from 1993 (the earliest year for which records are readily available) up to 1999.

Offence	*Total number of prosecutions directed*	*Total number of resulting prosecutions*	*Total number of prosecutions resulting in imprisonment (custodial or suspended sentence)*
Murder	3	2	2
Malicious Wounding	1	0	0
Rape	2	2	2
Poss. ammunition	3	3	0
Perjury	1	0	0
Pervert justice	1	0	0
Att. abduction	1	1	1
AOABH	7	2	0
Indecent assault	7	2	2
Indecent behaviour	3	2	0
Criminal damage	2	2	1
Obstruction	2	2	0
Conspiracy to defraud	1	1	1
Resisting arrest	1	1	0
Common assault	13	8	0
Theft	14	5	2
Deception	9	7	3
Breach occupation order	1	1	1
Disorderly behaviour	4	4	0
DIC firearm	1	1	0
Drunk in charge	25	17	0
Excess alcohol	59	55	0
Fail provide specimen	1	1	0
No insurance	11	10	0
Reckless driving	8	8	2
Careless driving	98	91	1
Excess speed	15	14	0
Permit no insurance	5	4	0
No road tax	4	4	0
No MOT	3	3	0
Defective tyre	1	1	0
Lic. premises after hours	1	1	0
Intercept phone calls	1	0	0
Malicious phone call	4	3	0
Total	313	258	18

Departmental Staff

Caroline Flint: To ask the Secretary of State for Northern Ireland in each of the last five years, what proportion of women employees in his Department (a) returned to work after childbirth, (b) returned to work after childbirth before the end of maternity leave, indicating the (i) time-range and (ii) mean time, (c) returned to work after childbirth on reduced working hours, indicating the average hours worked and (d) returned to work after childbirth on full-time hours and subsequently reduced their hours. [108861]

Mr. Ingram: During the five years 1994–95 to 1998–99 the proportion of female staff who returned to work after childbirth was as follows:

Year	*Percentage*
1994–95	90
1995–96	88
1996–97	86
1997–98	97
1998–99	92

The majority of the remaining staff took a career break immediately after maternity leave.

The vast majority of these staff required only the 14 week period of paid maternity leave; a very small number took advantage of a further period of unpaid maternity leave.

The information requested on average hours worked after returning from maternity could be obtained only at disproportionate cost.

Caroline Flint: To ask the Secretary of State for Northern Ireland what child care provision was made available in the financial year 1998–99 for use by his departmental staff; what was the cost to parents of this child care; and how many parents used the facilities. [108855]

Mr. Ingram: I refer my hon. Friend to the answer given to her by my hon. Friend the Parliamentary Secretary, Cabinet Office, on 15 February 2000, Official Report, columns 517–20W.

Within the NIO, parents are assisted with the cost of pre-school child care by means of a voucher scheme. During the year 1998–99, expenditure on child care vouchers amounted to £31,400 and a total of 48 parents (approximately 3.2 per cent. of all staff) received assistance.

Caroline Flint: To ask the Secretary of State for Northern Ireland what provisions are made available to Departmental staff for (a) maternity leave, (b) maternity pay, (c) paternity leave, (d) parental leave, (e) flexible working hours, (f) part-time work, (g) job-sharing, (h) leave to care for sick children, (i) home-working, (j) term-time contracts, (k) annual hours contracts, (l) child care allowances, (m) careers leave and (n) career break schemes; and what criteria are used to judge eligibility in each case. [108841]

Mr. Ingram: The information requested is given in the following table.

	Provision in NIO (HCS and NICS)	*Eligibility criteria*
(a) Maternity leave	A total of 52 weeks' maternity leave is available; this includes 14 weeks' paid leave and a further 4 weeks on Statutory Maternity Pay (SMP)	Available to all female staff who have completed one year's paid service

	Provision in NIO (HCS and NICS)	*Eligibility criteria*
(b) Maternity pay	As above	As above
(c) Paternity leave	Three days' paid leave of absence per child	Available to all male staff, including those on temporary and fixed term contracts
(d) Parental leave	New legislation effective from 15 December 1999 entitles employees to 13 weeks' unpaid parental leave for each child born after that date	Available to all permanent staff employed for more than one year; leave must be taken before child's fifth birthday
(e) Flexible working hours	Flexible working hours are available to staff working in Belfast. The introduction of a similar scheme for staff in the London Office is under consideration	Available to all staff subject to the overall efficiency of the Department
(f) Part-time work	Part-time working and job-share arrangements are in operation at various grade levels throughout the Department	All staff at all grades are eligible to apply. Requests approved on the basis of personal and business needs
(g) Job-sharing		
(h) Leave to care for sick children	Special leave, both paid and unpaid, is available at departmental discretion. New legislation effective from 15 December 1999 gives employees a right to "reasonable" time off work to care for dependents	Available to all staff at all grades. Each case considered on its merits
(i) Homeworking	No formal arrangements exist	Individual arrangements were made for a member of staff to work from home part-time
(j) Term time contracts	As above	Staff have been granted unpaid leave during school holidays
(k) Annual hours contracts	Does not apply in NIO	—
(l) Child care allowances	Assistance with the cost of pre-school child care is provided via a voucher scheme	All permanent staff with pre-school age children who employ a legally authorised child care provider are eligible to apply
(m) Careers leave	Unpaid special leave to undertake a full-time course of study and sabbatical leave for promising officers to develop and broaden their experience	All permanent staff are eligible to apply. Each case considered on its merits
(n) Career break scheme	Career breaks available for periods of not less than one year and no more than 5 years	All permanent staff are eligible to apply

Belfast Port

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what discussions he has had with the Chancellor of the Exchequer regarding the application within Northern Ireland of the proceeds from the sale of the port of Belfast; and if he will make a statement. [109847]

Mr. Mandelson [*holding answer 11 February 2000*]: I have had no discussions with my right hon. Friend on this matter. The sale of the port of Belfast was a matter for the devolved administration and a paper outlining various options was submitted to the Regional Development Committee prior to the recent suspension of the institutions. The money from the sale of the port is intended to part finance a range of projects within the package of special measures for Northern Ireland announced by my right hon. Friend the Chancellor in May 1998.

Rehoused Families

Mr. Paterson: To ask the Secretary of State for Northern Ireland how many families have been rehoused in Northern Ireland to escape terrorist activities since the Good Friday Agreement. [110054]

Mr. Ingram [*holding answer 14 February 2000*]: The Chief Executive of the Northern Ireland Housing Executive has advised that from April 1998-February 2000 a total of 547 AI (intimidation) cases were housed. This includes those rehoused as a result of terrorist attack among others who were awarded AI(I).

An applicant will be entitled to AI(I)(intimidation status) where either

(a) The applicant's home has been destroyed or seriously damaged (by fire, explosion or other means) as a result of terrorist or sectarian attack; or

(b) The applicant cannot reasonably be expected to continue to live, or to resume living in, his/her home, because, if he or she were to do so, there would, in the opinion of the Executive, be a serious and imminent risk that the applicant or one or more of the applicants household, would be killed or seriously injured as a result of terrorist or sectarian attack.

Compensation

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors govern his consideration of compensation claims for loss of business under the

emergency provisions; and what was the total compensation for loss of business awarded following (a) the Drumcree protests of (i) 1997, (ii) 1998 and (iii) 1999 and (b) the Omagh bombing. [110654]

Mr. Ingram: Responsibility for the subject in question has been delegated to the Compensation Agency under its Chief Executive, Mr. Denis Stanley. I have asked him to arrange for a reply to be given.

Letter from D. A. Stanley to Mr. Kevin McNamara, dated 18 February 2000:

The Secretary of State for Northern Ireland has asked me, as Chief Executive of the Compensation Agency, to reply to your recent Question about claims for compensation under emergency provision legislation for loss of business.

The emergency provisions scheme provides compensation to those who suffer loss or damage resulting from action taken under the Northern Ireland (Emergency Provisions) Act 1996. Claims under this scheme are principally in respect of damage to property alleged to have been caused during operations by the security forces. In addition, the Agency administers the criminal damage compensation scheme which provides compensation for malicious damage to property in Northern Ireland caused by terrorism or unlawful assemblies of three or more persons; and for malicious damage to agricultural property. The governing legislation is The Criminal Damage (Compensation) (Northern Ireland) Order 1977. Under both compensation schemes claims are considered and resolved on their individual merits and in accordance with the relevant legislation and caselaw.

The Agency is not required to establish a causal linkage between a claim for compensation and the motives of perpetrators and/or events in the wider community although, in some cases, these may become evident as a result of subsequent prosecutions. The Agency is therefore unable to compile reliable information concerning compensation paid for loss of business as a direct result of the Drumcree protests of 1997, 1998 and 1999 as there would have to be a high degree of subjective speculation by the Agency on many cases in which the perpetrators are unknown or where no prosecution has taken place. Claims for compensation under the criminal damage scheme in respect of the Omagh bombing of August 1998 are, however, readily identifiable. As at today's date, of the estimated £7.8 million worth of damage inflicted by the bomb, £3.5 million has, so far, been paid.

I hope this is the information which you were seeking.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will provide a breakdown of the compensation claims made under the Northern Ireland (Emergency Provisions) Act 1996 for each of the last three years. [110956]

Mr. Ingram: Responsibility for the subject in question has been delegated to the Compensation Agency under its Chief Executive, Mr. Denis Stanley. I have asked him to arrange for a reply to be given.

Letter from D. A. Stanley to Mr. Kevin McNamara, dated 18 February 2000:

The Secretary of State for Northern Ireland has asked me, as Chief Executive of the Compensation Agency, to reply to your recent Question about claims for compensation under the Emergency Provisions (Northern Ireland) Act in the last three years.

The numbers of claims received by the Agency under the Northern Ireland (Emergency Provisions) Act 1996 in each of the last three financial years were as follows:

	Numbers of claims
1996–97	2,208
1997–98	2,849
1998–99	3,395

Prison Service

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list each category of employee within the Northern Ireland Prison Service and the numbers employed in each category, broken down by (a) gender and (b) perceived community origin. [110656]

Mr. Ingram: The gender and perceived community background of those employed within the Northern Ireland Prison Service obtained for the purpose of monitoring under the Fair Employment and Treatment (Northern Ireland) Order 1998 at 1 January 2000 was as follows:

Employees in the Northern Ireland prison service

Category	*Number*	*Male*	*Female*	*Protestant*	*Roman Catholic*	*Not determined*
Governor Grades	57	55	2	43	5	9
Prison Officer Grades	2,256	2,076	180	1,779	148	329
Prison Auxiliary Grade	161	108	53	111	20	30
Civilian Grades	456	189	267	347	85	24
Total	2,930	2,428	502	2,280	258	392

There are strict requirements governing the confidentially and proper use of community background monitoring data and an disaggregation beyond that given could breach those requirements.

DEFENCE

Anti-ballistic Missile Treaty

5. **Mr. Forth:** To ask the Secretary of State for Defence what recent representations he has received on the agreement of a new Anti-Ballistic Missile Treaty. [109398]

Mr. Hoon: The question of any possible amendment to the Anti-Ballistic Missile Treaty is a matter for the United States and Russia. The United Kingdom is not a party to that Treaty.

Heavy-lift Transport Aircraft

19. **Mr. Wilkinson:** To ask the Secretary of State for Defence what progress he has made in fulfilling the requirement of the Royal Air Force for heavy-lift transport aircraft. [109419]

Mr. Hoon: We are continuing our technical and commercial assessment of potential solutions to the RAF's short and longer-term airlift requirements. I expect to receive advice soon. We aim to reach a decision in the early part of this year.

Iraq

20. **Ann Clwyd:** To ask the Secretary of State for Defence how many service personnel are involved in patrolling the no-fly zones in Northern and Southern Iraq. [109420]

Mr. Hoon: As at 18 February we had some 987 Service personnel involved in or supporting operations in the Northern and Southern no fly zones. This is further supplemented by the HMS Illustrious Carrier Task Group that is currently operating in the region, which consists of 1,971 Service personnel.

Service Families Taskforce

22. **Dr. Iddon:** To ask the Secretary of State for Defence what progress the Service Families Taskforce has made in improving Service families' access to health care. [109423]

Mr. Spellar: We have made good progress. The Service Families Task Force has addressed three healthcare issues raised by the Service Families Associations. Access to NHS dentists has been improved by 24 new incentive schemes for NHS dentists in areas of large numbers of Service families, certain drug therapies are being made available abroad and work continues with the NHS to strengthen their current guidance on taking into account time spent on a waiting list elsewhere following a move.

Major Milos Stankovic

23. **Mr. Martin Bell:** To ask the Secretary of State for Defence what estimates he has made of the cost of the investigation by his Department and his Department's police into the case of Major Milos Stankovic of the Parachute Regiment; and if he will make a statement. [109424]

Mr. Spellar: The estimated additional cost of the Ministry of Defence Police investigation into allegations of offences against the Official Secrets Act by Major Stankovic is £266,000. Costs incurred by other areas of the Department in support of the investigation, were not routinely recorded but would not have been large. The Army investigation is still in progress.

Trident

24. **Mr. Corbyn:** To ask the Secretary of State for Defence what the latest cost is of the current Trident nuclear fleet. [109425]

Mr. Hoon: As my predecessor announced on 21 April 1999, the total acquisition cost for Trident is currently estimated to be £12,870 million. About 90 per cent. of this figure was already committed before this Government took office.

Veterans Advice Unit

25. **Mr. Miller:** To ask the Secretary of State for Defence how many calls have been received by the Veterans Advice Unit. [109426]

Mr. Spellar: Since becoming operational in October 1998, the Veterans Advice Unit has received 9,198 inquiries up to the end of January this year on a wide range of topics. Many of the inquiries have required follow-up work by the Unit's staff. Arrangements are now in hand for the Veterans Advice Unit to have a discrete Internet e-mail address and it is expected that this service will become available during March.

Armed Forces Capacity

26. **Mr. Boswell:** To ask the Secretary of State for Defence what recent assessment he has made of the adequacy of the armed forces to meet current commitments. [109427]

Mr. Hoon: Following the Strategic Defence Review, the MOD has introduced a new strategic planning process which ensures that there is a policy-led re-evaluation of defence plans every year, or more frequently if required. In addition, we keep the level of commitments under constant review. As a result we have been able to reduce commitments in Bosnia, Kosovo, the Gulf and East Timor.

Royal Navy

27. **Miss Kirkbride:** To ask the Secretary of State for Defence what recent meetings he has had with the Chancellor of the Exchequer to discuss spending on the Royal Navy. [109428]

Mr. Hoon: None.

Regimental Museums

28. **Mr. Chaytor:** To ask the Secretary of State for Defence what plans he has to secure the future of regimental museums. [109429]

Dr. Moonie: Following the review of Regimental Museums conducted in 1997, a policy statement defining the Army's policy towards Regimental and Corps Museums was developed. This policy statement formalised the relationship and responsibilities of the Army towards its Regimental and Corps Museums. The support that is provided to Regimental Museums in line with this policy is reviewed periodically.

European Collaborative Defence Projects

29. **Mr. Jack:** To ask the Secretary of State for Defence in how many European collaborative defence projects the UK is presently involved. [109430]

Dr. Moonie: The UK is involved in 44 collaborative defence equipment projects involving European partners. They are as follows:

	Nations involved
European collaborative defence projects	
Olympus/Tyne Gas Turbine Change Unit	UK/France/Belgium/ Netherlands
SPEY Gas Turbine Change Unit	UK/Netherlands
COBRA (Counter Battery Radar)	UK/France/Germany

	Nations involved
Combat Vehicle Reconnaissance (Tracked)	UK/Belgium
Multiple Launch Rocket System Phase II	UK/Germany
M3 Amphibious Bridging System	UK/Germany
Sidewinder Air-to-Air	UK/Germany/Italy/Norway
Milan Anti-Tank (including improvements)	UK/France/Germany
Sea Skua Support	UK/Germany
Eurofighter	UK/Germany/Italy/Spain
Jaguar	UK/France
Lynx	UK/France
Puma	UK/France
Gazelle	UK/France
Tornado	UK/Germany/Italy
EH 101 Merlin Helicopter	UK/Italy
RTM 322 Helicopter Engine	UK/France
1.5 MW Gas Turbine Alternator	UK/Netherlands
MRAV (Multi Role Armoured Vehicle)[1]	UK/Germany
Long Range TRIGAT[2] (Third Generation Anti-Tank Guided Weapon)	Uk/France/Germany
Medium Range TRIGAT (Third Generation Anti-Tank Guided Weapon)	UK/Belgium/France/Germany/Netherlands
METOP (Next Generation Meterological Satellites)	UK/France/Germany/Italy/Austria/Belgium/Denmark/Finland/Greece/Ireland/Netherlands/Norway/Portugal/Spain/Sweden/Switzerland/Turkey
Technology Demonstrator Programme: Towed Decoys	UK/France
NATO Submarine Rescue System (NSRS)	UK/France/Norway/Turkey
Self Destruct Fuze for Guided Multiple Launch Missile System	UK/France/Germany/Italy
Future Fire Control System for Multiple Launch Rocket System	UK/France/Germany/Italy
Principal Anti-Air Missile System	UK/France/Italy
Allied Standards Avionics Architecture Initiative	UK/France/Germany
Active Electronically Scanned Radar for Airborne Multimode Solid-State Active Array Radar	UK/France/Germany
Advance Aeroengine Technology	UK/France
Future Offensive Air System (FOAS)[3]	UK/France
Technology Demonstrator Programme: Joint Airborne Navigation and Attack	UK/France
Future projects under negotiation (subject to national approvals)	
Beyond Visual Range Air to Air Missile (BVRAAM)	UK/France/Germany/Italy/Spain/Sweden
Other collaborative defence projects involving European partners	
Sea Gnat Decoy	UK/Denmark/United States
M483A1 Artillery Shell	UK/Netherlands/Turkey/United States
Multiple Launch Rocket System Phase I	UK/France/Germany/Italy/United States
NAVSTAR Global Positioning System (GPS)	UK/Belgium/Canada/Denmark/France/Germany/Greece/Iceland/Italy/Netherlands/Norway/Portugal/Spain/Turkey/United States
NATO Improved Link Eleven	UK/Canada/France/Germany/Italy/Netherlands/United States
Intercooled Recuperated Gas Turbine Engine (WR421)	UK/France/United States
Guided Multiple Launch Rocket System	UK/France/Germany/Italy/United States
Future Tank Main Armament	UK/France/Germany/United States
Future Ground Based Air Defence	UK/France/Germany/Italy/Netherlands/Norway/Turkey/United States
Lightweight Mobile Artillery System (LIMAWS)—Howitzer	UK/Italy/United States
Future projects under negotiation (subject to national approvals)	
Technology, Equipment and systems development for Environmentally Sound Ships and Naval Installations of the 21st Century	UK/France/Netherlands/United States

[1] Both UK and Germany are currently in negotiation with the Netherlands for their inclusion in the GTK/MRAV programme.
[2] The UK has declared that they are to withdraw from Long Range TRIGAT at the end of the Development Phase.
[3] FOAS (Future Offensive Air System) is not a collaborative project per se but the UK and France are collaborating on common technologies related to FOAS.

Submarines

30. **Mr. Crausby:** To ask the Secretary of State for Defence when all Trafalgar and Astute class submarines will be capable of firing Tomahawk land attack missiles. [109431]

Dr. Moonie: HMS Triumph is already capable of firing Tomahawk land attack missiles (TLAM). Work to adapt HMS Trafalgar to fire TLAM should be completed before the end of the year. It is currently planned that the adaptation of the remaining Trafalgar Class submarines will be completed by about 2006.

The Astute class submarines are planned to be built TLAM-capable and the initial three are due to enter service between 2005 and 2008.

Departmental Efficiency Programme

31. **Mr. Blunt:** To ask the Secretary of State for Defence if he will publish details of his Department's efficiency programme, including a list of the 250 measures most significant in terms of savings during each of the four financial years following publication of the strategic defence review. [109432]

Mr. Spellar: As offered in evidence to the House of Commons Defence Select Committee on 12 January, my Department will be providing the Committee with a more comprehensive list of efficiency measures shortly. We will then be happy to discuss how we can take forward the Committee's wish to examine the Department's efficiency programme in more detail.

Learning Forces Initiative

32. **Mr. Borrow:** To ask the Secretary of State for Defence if he will make a statement on the progress of the Government's learning forces initiative. [109433]

Mr. McWalter: To ask the Secretary of State for Defence if he will make a statement on the progress of the Government's Learning Forces Initiative. [109405]

Mr. Hoon: I refer my hon. Friends to the answer I gave my hon. Friend for Barnsley, East and Mexborough (Mr. Ennis) earlier today.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Defence what information he has received from Her Majesty's Defence Attaché in Chile concerning the effects on Chilean defence purchasing of the arrest of General Pinochet; and if he will make a statement. [110113]

Mr. Hoon [*holding answer 14 February 2000*]: I refer my hon. Friend to the answer given in another place by my noble Friend the Minister of State for Defence Procurement to the noble Lord Lamont of Lerwick on 10 January 2000, *Official Report, House of Lords,* column 72WA. This reflects advice given by our Embassy in Santiago.

Bagshot Park

Mr. Baker: To ask the Secretary of State for Defence how much his Department spent on the refurbishment of Bagshot Park prior to its disposal to the Earl of Wessex; what the market value of the property was immediately prior to the works being carried out; and how much the property was sold for. [110990]

Dr. Moonie: Bagshot Park was vacated by the Ministry of Defence at the end of September 1996, having been occupied by the Army Chaplain's Department under a lease with the Crown Estate since 1947. No funds were spent by the Ministry on refurbishment prior to its disposal. However, under the terms of our contractual arrangements with the Crown Estate, a payment was made on surrender of the property, in respect of our outstanding repair obligations.

The subsequent lease of Bagshot Park to the Earl of Wessex in October 1997 is not connected with the MOD's former occupation.

Mr. Cohen: To ask the Secretary of State for Defence what funding has been committed by his Department to the maintenance and renovation of Bagshot Park in Surrey in the last 12 months; and if he will make a statement. [110422]

Dr. Moonie: None.

Shoeburyness

Mr. Wyatt: To ask the Secretary of State for Defence if he will make a statement on the level of monitoring for gun explosions at Shoeburyness. [110232]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Sir John Chisholm to Mr. Derek Wyatt, dated 21 February 2000:

I have been asked to reply to your parliamentary question about monitoring for gun explosions at Shoeburyness since the range is part of the Defence Evaluation and Research Agency (DERA).

A system of acoustic monitoring of the activities at the range has been in place for over 10 years. There are 7 sensors in fixed sites around the Thames Estuary that allow remote recordings to be relayed to a central computer system. Live data containing noise levels and date/time information is fed into the operations room at Shoeburyness where it is displayed graphically for ease of interpretation. In the unlikely event that the noise levels exceed the guideline limits, work will be suspended.

The prevailing weather conditions are also taken into account. An acoustic prediction programme is run to determine the likely propagation of noise levels. If the forecast appears unfavourable and likely to lead to noise levels exceeding the guideline limit, the work will be rescheduled.

I hope this explains the situation.

Chinook Crash

Mr. Swayne: To ask the Secretary of State for Defence if the Air Accident Investigation Branch ruled out the possibility of any technical malfunction which may have contributed to the loss of Chinook ZD576 in June 1994. [108696]

Mr. Spellar [*holding answer 15 February 2000*]: The Air Accident Investigation Branch acted as technical adviser to the RAF Board of Inquiry and produced a comprehensive report on the technical investigation that formed part of the evidence used by the Inquiry. The AAIB concluded that although the pre-impact serviceability of the aircraft could not be positively verified, no evidence was found of a malfunction that could have contributed to the accident, with the possible exception of a radar altimeter system fault.

The AAIB noted several radar altimeter system defects and considered them in detail, but observed that they had probably not severely degraded performance, and there were probably generally correct indications at impact.

After careful consideration of all the available evidence the RAF Board of Inquiry concluded that the most probable cause of the accident was that the crew selected an inappropriate rate of climb to safety overfly the Mull of Kintyre, and the actions of the crew were thus held to be the direct cause of the crash.

Ottawa Treaty

Mr. Alexander: To ask the Secretary of State for Defence what assessment he has made of the response of the UK armed forces to the Ottawa Treaty. [110498]

Mr. Hoon: The response of the UK armed forces to the Ottawa Convention has been exemplary. On 19 October last year, the Government announced the complete destruction of all the UK's operational stocks of Anti-Personnel Landmines (APLs), some three years ahead of the requirements set out in the Ottawa Convention. On 27 August last year, the UK submitted its first report to the UN Secretary General on compliance measures under the Ottawa Convention. A copy of the Report was placed in the Library of the House.

Following the Landmines Act 1998, there are now no circumstances under which British service personnel can participate in the laying of anti-personnel mines.

Also, to support world-wide clearance of mines and the overall aims of the Ottawa Convention the Ministry of Defence provides whatever assistance it can to those

non-governmental organisations and mine action centres engaged in the removal of APLs that remain in the ground around the world. This can take the form of training in demining techniques, assistance in the development of new equipment, attachment of individuals, or the gifting of surplus military vehicles to assist in their demining activities.

HMS Dumbarton Castle

Mr. Austin: To ask the Secretary of State for Defence (1) if he will replace HMS Dumbarton Castle when she completes her current assignment; and if he will make a statement; [110845]

(2) if HMS Dumbarton Castle is to be withdrawn from the Falkland Islands; and if he will make a statement. [110844]

Mr. Nicholas Winterton: To ask the Secretary of State for Defence when HMS Dumbarton Castle will complete her current assignment; and which vessel will replace her. [110674]

Mr. Spellar: I refer my hon. Friend and the hon. Member to the answer I gave on 14 February 2000, *Official Report*, columns 373–74W, to the hon. Member for Ludlow (Mr. Gill).

RAF Pilots

Mr. Menzies Campbell: To ask the Secretary of State for Defence what was the average number of flying hours undertaken by fully trained operational RAF pilots, not including pilots on staff/ground tours, in (1) 1998 and (2) 1999 in aircraft type (a) BAe 125, (b) BAe 146, (c) Canberra, (d) Chinook, (e) Harrier, (f) Hercules, (g) Jaguar, (h) Nimrod, (i) Puma, (j) Sea King, (k) Sentry, (l) Tornado F3, (m) Tornado GR1/4, (n) Tristar, (o) VC10 and (p) Wessex; and if he will make a statement. [109493]

Mr. Spellar [*holding answer 17 February 2000*]: We do not centrally record the flying hours undertaken by individual pilots. Such information could be obtained only at disproportionate cost.

We do calculate the average hours which crews fly in a given year. This calculation ignores the individual crew rotations and provides only a broad estimate of the flying undertaken. Against these averages, the amount of flying undertaken by individuals might vary considerably.

The average number of flying hours undertaken by a typical crew in 1998 and 1999 is as follows:

Aircraft type	*Total hours* 1998	1999
BAe 125	339	374
BAe 146	232	258
Canberra	224	171
Chinook	344	261
Harrier	198	194
Hercules	539	458
Jaguar	222	214
Nimrod	388	390
Puma	338	376
Sea King	467	359
Sentry	467	546
Tornado F3	206	205
Tornado GR1/4	291	209
Tristar	649	624
VC10	419	423
Wessex	299	279

Notes:
1. Hours do not include Reserve squadron (OCU) data.
2. Operational flying is all flying undertaken in active theatres, principally the former Yugoslavia and the Middle East.

Maintenance

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list the time and mileage schedule of planned maintenance servicing for (a) Warrior variants (b) Challenger One, (c) Challenger Two, (d) Saxon variants, (f) AVF 430 variants, (g) Sabre, (h) Striker, (i) Scimitar, (j) Spartan, (k) Sultan, (l) Samaritan and (m) Samson in each of the last five years; and if he will make a statement. [109497]

Mr. Spellar: The planned automotive maintenance schedules, which have been valid for the past five years or since the vehicle entered service, are as follows:

Servicing	*Vehicle type*	*Maintenance schedule*
(a)	Warrior	1,250 miles or 12 months [1]2,500 miles or 24 months
(b)	Challenger 1	2,000 miles or 12 months
(c)	Challenger 2	2,000 miles or 12 months
(d)	Saxon	5,000 miles or 12 months [1]10,000 miles or 24 months
(e)	FV432 Variants	1,500 miles or 12 months
(f)-(l)	CVR(T) Variants[2]	3,000 miles or 12 months

[1] Different maintenance routines apply at the different distance/time points.
[2] Includes Sabre, Striker, Scimitar, Spartan, Sultan, Samaritan and Samson.

In addition to the planned maintenance shown, tanks and vehicles are subject to running tests and monthly functional servicing. Additional maintenance routines apply to vehicles based on distances travelled (where less than those shown above) either in training or on operational missions. Reactive repair maintenance is conducted as necessary.

Defence Medical Services

Mr. Menzies Campbell: To ask the Secretary of State for Defence what were (a) the number of qualified doctors, (b) the number of qualified dentists, and (c) the number of support staff in each service available to the Defence Medical Services in 1998 and 1999; and if he will make a statement. [109494]

Dr. Moonie: The numbers of qualified doctors and dentists and trained support staff in the Defence Medical Services as at 1 December 1998 and 1 December 1999 are as follows:

	1 December 1998	*1 December 1999*
Doctors		
Royal Navy	224	218
Army	406	446
RAF	210	201
Total	840	865

	1 December 1998	1 December 1999
Medical Support Staff		
Royal Navy	879	871
Army	2,801	2,637
RAF	982	1,039
Total	4,662	4,547

Note:
Medical Support Staff (includes Nurses, Medical Technical Officers, Medical Support Officers, Medical Assistants and Medical Technicians)

	1 December 1998	1 December 1999
Dentists		
Royal Navy	53	58
Army	106	128
RAF	85	75
Total	244	261
Dental Support Staff		
Royal Navy	91	95
Army	218	224
RAF	201	193
Total	510	512
Overall totals	6,256	6,185

Note:
Dental Support Staff (includes Dental Support Officers, Dental Hygienists, Dental Surgery Assistants and Dental Technicians)

There are continuing manpower shortages in the Defence Medical Services, particularly among nurses, General Practitioners and the key specialties of Orthopaedic and General Surgery, Anaesthetics and General Medicine. However, the figures shown above suggest that manning levels are stabilising. Recruitment into training is generally satisfactory and measures to improve recruitment of direct entry qualified staff and retention of experienced personnel are being explored.

Track Mileage

Mr. Menzies Campbell: To ask the Secretary of State for Defence what was the annual track mileage allocation and the average track mileage completed for (a) Warrior variants, (b) Challenger One, (c) Challenger Two, (d) Saxon variants, (f) AVF 430 variants, (g) Sabre, (h) Striker, (i) Scimitar, (j) Spartan, (k) Sultan (l) Samaritan and (m) Samson in each of the last five years; and if he will make a statement. [109496]

Mr. Spellar: I have provided details of the annual allocations and annual usage for each vehicle type. However, given the disposition of the vehicle fleet, the mix of operational and training deployments, average figures would be unrepresentative for the fleets as a whole.

Annual track mileage allocations and usage

Serial	Vehicle	Year (April-March)	Annual allocation (miles)	Annual usage (miles)
(a)	Warrior	1995–96	845,797	681,546
		1996–97	845,797	941,771
		1997–98	727,038	747,527
		1998–99	410,124	706,387
		1999–2000	410,124	Not yet available
(b)	Challenger 1	1995–96	241,221	241,103
		1996–97	241,221	243,064
		1997–98	262,517	200,333
		1998–99	190,148	191,195
		1999–2000	136,087	Not yet available
(c)	Challenger 2	1995–96	n/a	—
		1996–97	n/a	—
		1997–98	n/a	—
		1998–99	57,790	12,832
		1999–2000	139,194	Not yet available
(d)	Saxon	1995–96	616,896	487,023
		1996–97	616,896	660,481
		1997–98	555,206	535,395
		1998–99	746,000	381,830
		1999–2000	616,000	Not yet available
(e)	FV430 variants	1995–96	627,177	685,411
		1996–97	627,177	824,423
		1997–98	908,238	573,954
		1998–99	658,684	471,922
		1999–2000	658,684	Not yet available
(f)-(l)	CVR(T) variants[1]	1995–96	1,326,721	1,595,158
		1996–97	1,326,721	1,526,835
		1997–98	2,042,500	1,330,956
		1998–99	1,516,000	1,118,446
		1999–2000	1,516,000	Not yet available

[1] CVRT(T) variants include Sabre, Striker, Scimitar, Spartan, Sultan, Samaritan and Samson

Track mileage allocations are a tool to aid both operational and financial planning. The overall allocations cover training and operational requirements and are made on the basis of anticipated operational scenarios and previous activity levels. Centrally held information on usage is drawn from records submitted by each Unit and can serve only as an indicator of trends rather than a detailed comparator. Vehicle usage may vary considerably from the planned allocations where unforeseen commitments or changes occur in-year. Similarly, the use of armoured vehicles in recent operating environments has reduced to reflect the nature of the operations.

Tomahawk Missiles

Mr. Menzies Campbell: To ask the Secretary of State for Defence when the US/UK initiative on the joint development of tactical Tomahawk missiles will be completed; at what costs; what plans his Department has to procure tactical Tomahawk missiles; and if he will make a statement. [109499]

Mr. Hoon [*holding answer 17 February 2000*]: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. Member.

Letter from Sir Robert Warmsley to Mr. Menzies Campbell, dated 21 February 2000:

I am replying to your question to the Secretary of State for Defence on the US/UK initiative on the joint development of tactical Tomahawk missiles. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

George Robertson said in his letter of 23 August 99, that we had no plans to procure the Tactical Tomahawk (TACTOM) missiles, a more modern version of the Tomahawk missile. Since then, the United States authorities have given authority for the release of TACTOM information to the United Kingdom, but no decision has yet been taken about procuring the missiles. However, a contract

has been placed through the United States Department of Defense to undertake a joint US/UK feasibility study to evaluate the design options for torpedo tube launch of the TACTOM missile. This enabling work will allow UK options for TACTOM procurement, if required in the future, to remain open. The cost of this study to the UK will be £350,000 and I expect it to be complete by the end of March 2001.

HMS Somerset

Mr. Cawsey: To ask the Secretary of State for Defence what plans he has to withdraw the South Atlantic guardship HMS Somerset from detachment in the South West Atlantic; and if he will make a statement. [R] [110925]

Mr. Spellar: I refer my hon. Friend to the answer I gave on 14 February 2000, Official Report, columns 373–74W, to the hon. Member for Ludlow (Mr. Gill).

Depleted Uranium

Mr. Dalyell: To ask the Secretary of State for Defence what progress has been made with the removal and disposal of depleted uranium contamination in the Gulf resulting from coalition forces' ammunition. [109326]

Mr. Spellar: The clearance of hazardous materials following the conflict is primarily a matter for the governments on whose territory they lie. In the aftermath of the Gulf Conflict, the Government of Kuwait issued a number of contracts for the clearance of minefields and ordnance. UK forces were involved both in immediate battlefield clearance operations and the clearance of live firing ranges in Saudi Arabia. They also provided military advice and assistance to civilian contractors undertaking clearance work.

The US Army Center for Health Promotion and Preventative Medicine (CHPPM) produced a report in August 1999. A copy of that report was placed in the Library of the House following their analysis of 298 soil samples taken from Saudi Arabia and Kuwait in 1991, 1993, 1994 and 1996. Only five samples contained depleted uranium. All of these came from Kuwait—four from the Iraqi Tank Yard and one from Camp Doha where, in July 1991, US DU-based ammunition caught fire. In all five cases the level of DU found was well below the level set by the US Nuclear Regulatory Commission for assessing whether land can be made available for unrestricted use by the public. The Government do not have any comparable scientific data concerning the levels of DU currently present in southern Iraq.

Mr. Dalyell: To ask the Secretary of State for Defence what steps have been taken by his Department to implement a depleted uranium training programme. [109324]

Mr. Spellar: Training for the hazards associated with depleted uranium (DU) already forms part of existing Service courses. In addition, Service personnel are given appropriate guidance on dealing with any potential hazards from DU during pre-deployment training.

Naval Exercises

Mr. Maclennan: To ask the Secretary of State for Defence if he will list by (a) date, (b) number of vessels, (c) number of personnel, (d) nationality of military force and (e) class of ordnance to be deployed including warhead, each of the naval exercises he has approved to be undertaken in the waters off Cape Wrath, Sutherland over the next three months; and if he will make a statement. [110823]

Mr. Spellar: A total of six ships (one UK frigate, one Dutch frigate, one Spanish frigate, two US Cruisers and one US Destroyer) are scheduled to use the range at Cape Wrath for Naval Gunfire Support over the next three months. The use of the range is, however, confined to the period between 28 February and 10 March. The range is booked for a period of 10 days to allow flexibility for weather and other factors. Each ship will occupy the range on an individual basis for a period of less than one day. The firing of ordnance at Cape Wrath is limited to guns of up to six inches in calibre. The exact number of personnel involved is not known but the vessels involved will have crews of between 175 and 350 personnel. This level of usage is broadly consistent with previous training sessions for RN and NATO ships conducted over recent years at Cape Wrath.

Nuclear Safety Seminar

Mr. Cohen: To ask the Secretary of State for Defence which representatives of his Department attended the NATO nuclear safety seminar held in Helsinki on 24 to 26 January; and if he will make a statement. [109001]

Mr. Spellar: The Government was represented by the Department of the Environment, Transport and the Regions.

Grants

Mr. Don Foster: To ask the Secretary of State for Defence if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109319]

Mr. Spellar [*holding answer 10 February 2000*]: No new grants have been made since May 1997.

Remploy

Mr. Caton: To ask the Secretary of State for Defence what Remploy products his Department has purchased in the last three years. [109931]

Mr. Spellar: The Defence Clothing and Textiles Agency has placed over £7.1 million worth of business with Remploy, covered by some 21 contracts, during the period February 1997 to January 2000.
Other items have been procured by the RAF Support Management Contracts Branches (12 contracts in an approximate value of £4.6 million) and by General Stores Contracts Branches (three contracts value £165,000) during the same period.

I have placed an alphabetical list of the items ordered by each MOD Branch in the Library of the House.

Arms Exports

Ms Oona King: To ask the Secretary of State for Defence what was the value of Britain's arms exports in each of the last 20 years. [110202]

Dr. Moonie: The information requested has been published, since 1992, in UK Defence Statistics, and previously, since 1979, in Volume II of the Statement on the Defence Estimates. The last year for which figures are available is 1998. Copies are available from the Library of the House.

Extremist Organisations

Mr. McNamara: To ask the Secretary of State for Defence how many soldiers have been disciplined for offences alleged to be connected with the activities of (a) Combat 18 and (b) other extremist organisations over the past three years; and what actions he is taking to prevent infiltration by such organisations. [110664]

Mr. Spellar: It has long been the policy of the Armed Forces that Service life precludes membership of, support for, or association with groups or organisations whose purpose includes incitement to racial hatred and violence. All three Services have in place regulations and instructions which give clear guidance to the Chain of Command on the process governing administrative discharge which is available to deal with behaviour which is incompatible with military service.

Over the past three years two soldiers alleged to have been involved with Combat 18 have been discharged from the Army.

Recruiting and vetting processes aim to provide a high degree of protection against infiltration by extremist organisations.

Entrance Policy

Mrs. Dean: To ask the Secretary of State for Defence what plans he has to change the policy of permanently barring those who have suffered from childhood eczema from entering the armed forces. [110761]

Mr. Spellar: Medical entry standards are constantly under review. The current policy barring applicants with eczema from entering the Armed Forces was last reviewed at the end of 1998, with policy being based on advice from the Defence Consultant Adviser in Dermatology. Eczema, and related serious skin diseases, are not considered compatible with Service life. However, those who have suffered from childhood eczema are not necessarily barred from entry into the Armed Forces. Each candidate is considered on an individual basis that takes account of medical history, and the possible effect on the condition of the proposed type of employment.

Civilians (Faslane and Coulport)

Mr. Galbraith: To ask the Secretary of State for Defence how many civilian jobs there are at the Faslane and Coulport base. [111001]

Mr. Spellar: As at 31 January 2000, the Clyde Naval Base had a directly employed work force of 3,299.5, comprising 2,547 at Faslane and 752.5 at Coulport.

Territorial Army

Mr. William Ross: To ask the Secretary of State for Defence (1) on how many occasions in the last six months units of the Territorial Army have travelled from Northern Ireland to Great Britain for training purposes; and on how many of these visits the unit did not have (a) its own weapons and (b) an armed escort; [110900]

(2) how many personal protection weapons held by the members of the Territorial Army in Northern Ireland have been withdrawn from (a) serving members and (b) former members of the Territorial Army in the last six months. [110901]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Waterson: To ask the Secretary of State for Defence what plans he has to encourage recruitment to the Territorial Army. [109421]

Mr. Spellar: A national and regional recruiting campaign for the Territorial Army is to be launched on 18 February. This campaign will include television, radio and cinema advertising, use of the Press both nationally and locally, and a targeted "Member for Member" personal invitation scheme. There will also be a National TA Day on 25 March on which all TA Units throughout the country will open their doors to the general public to enable them to get a first-hand idea of what membership of the TA can offer them.

Electricity Generation

Mr. Gareth R. Thomas: To ask the Secretary of State for Defence what proportion of the electricity used by his Department is generated from renewable sources; and if he will make a statement. [111039]

Dr. Moonie: My Department does not collate data on the proportion of its electricity which is generated from renewable sources.

Masonic Organisations

Mr. Beith: To ask the Secretary of State for Defence what guidance his Department has issued to the armed services on membership of, and recruitment to, masonic organisations; and if he will make a statement. [111341]

Mr. Spellar: We decided to clarify the position for Armed Forces personnel in July 1999 by issuing guidance in the form of a Joint Service Defence Council Instruction on Membership of Societies such as the Freemasons. This states that:

"There is no intention or policy to preclude Service personnel from membership of any lawful and benevolent organisation. However, involvement in organisations of a secretive nature, such as the Freemasons, carries with it the risk of establishing disparate loyalties which may have a destabilising influence on the chain of command, not least by the perception of preferential treatment and undue influence. While membership of such organisations is clearly a matter for the individuals concerned, serving personnel should not encourage or promote membership among their colleagues, meetings should not be held on MOD premises, and use should not be made of any MOD property."

HMS Endurance

Mr. Cawsey: To ask the Secretary of State for Defence what plans he has to withdraw HMS Endurance from service; and if he will make a statement. [R] [110926]

Mr. Spellar: There are no plans to withdraw HMS Endurance from service.

European Security

Miss McIntosh: To ask the Secretary of State for Defence what recent meetings he has had with European Commission officials to discuss European security. [109399]

Mr. Hoon: I have not held any bilateral meetings with European Commission officials.

European Commission representatives were present, however, at the EU General Affairs Council and the Western European Union Ministerial meeting in November 1999, both of which I attended.

Accredited Training

Ms Rosie Winterton: To ask the Secretary of State for Defence what plans his Department has to increase the proportion of accredited training and education in the armed forces. [109411]

Mr. Spellar: Civilian accreditation of military education and training is an important recruiting and retention issue for the armed forces. As such all three Services are working closely with a number of key accreditation and awarding bodies to increase the amount of civilian recognition given to military courses, leading eventually to the award of academic, vocational and professional qualifications.

CABINET OFFICE

IT Projects

Angela Smith: To ask the Minister for the Cabinet Office what progress has been made in her Department's review of the handling of major IT projects. [111307]

Mr. Ian McCartney: The Cabinet Office study of major IT projects has made its first recommendations. These have been approved by the study steering committee and adopted by the Government. They demonstrate that the Government is committed to taking prompt and targeted action to improve performance and to ensuring that the pillars that support successful IT projects are put in place.

The recommendations cover:

Ministers

Ministers have to take a strong role in overseeing and scrutinising major IT projects. The Government have already introduced the first ever events to build ministers' awareness about their roles. IT projects will be a top priority.

Supplier Planning

It is vital that suppliers fully understand the requirements for a new system, and only promise what is realistic. They will now be required to produce detailed plans, to demonstrate to the Government how they will deliver, that will be monitored as projects go ahead. These will be set alongside the business plans that the Government have to make.

Peer Review

All high risk projects will be reviewed as they are developed. Departments will have to work with a team of independent experienced project managers to make sure that their projects are safe to go ahead.

Sharing Experience

We will establish a new system for sharing knowledge about IT projects across the Government, so everyone has the benefit of the best practice available. It is essential that we learn the lessons from projects as they proceed, share good ways of working and ensure that different parts of Government co-operate as closely as possible.

Managing suppliers

The Government are setting up the new Office of Government Commerce to make sure we manage suppliers in a strategic way across the public sector. IT suppliers will be the first priority for this work.

These recommendations will make a real difference, but they are, of course, only a start. The study team will in due course propose further measures to address other aspects of the handling of IT projects.

Buying Agency

Mr. Coaker: To ask the Minister for the Cabinet Office what targets she has set for the Buying Agency for 2000. [111439]

Mr. Ian McCartney: The information is as follows:

Financial

to generate a return on capital employed of 8 per cent.

Value for money

to ensure that the TBA price index for a basket of top products is 5 per cent. lower than the external equivalent.

Service quality

to raise customer satisfaction to 75 per cent.

Staff

to secure category 3 of the Health at Work Award.

Private Health Insurance

Mr. Dalyell: To ask the Minister for the Cabinet Office when the private health insurance offer to civil servants which was advertised in Government offices was discontinued. [109325]

Mr. Stringer: Any discounts offered by private health care companies to civil servants are done so in the context of a private transaction between the individual and the provider. There is no central arrangement between the Government and any private health care company.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments (Northern Ireland)

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each category of judicial appointment in Northern Ireland; and the numbers serving in each category, broken down by *(a)* gender and *(b)* perceived community origin. [110658]

Mr. Lock: The various categories of judicial appointments in Northern Ireland include full-time and part-time judicial office-holders. The perceived community origin of appointees is not a factor in judicial

appointments and so is not recorded as part of the judicial appointments process. Details of the current complement and the gender balance in each of these categories are outlined in the table.

Judiciary—full-time and part-time

Office	*Complement*	*Percentage* *Male*	*Female*
Supreme Court Judges	11	100	—
County Court Judges	14	93	7
District Judges	4	75	25
Resident Magistrates	17	88	12
Masters	7	71	29
Deputy County Court Judges	40	87	13
Deputy District Judges	7	71	29
Deputy Resident Magistrates	19	74	26

Northern Ireland Court Service

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each category of employee within the Northern Ireland Court Service and the numbers employed in each category, broken down by *(a)* gender and *(b)* perceived community origin. [110655]

Mr. Lock: There are 668 staff employed within the Northern Ireland Court Service. In terms of community background monitoring 445 (66.6 per cent.) are Protestant, 199 (29.8 per cent.) are Roman Catholic. The community background of the remaining 24 (3.6 per cent.) is non-determined. The table sets out the numbers of staff in each of the main categories showing the numbers of males and females in each as at 15 January.

	Administrative staff	*Support staff and others*
Total	584	84
Male	181	65
Female	403	19

Magistracy

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each category of appointment to the magistracy and the numbers presently serving in each category, broken down by (a) gender and (b) perceived community origin. [110660]

Mr. Lock: The current full-time complement of Resident Magistrates is 17. The current complement of Deputy Resident Magistrates is 19. The perceived community origin of appointees is not a factor in judicial appointments and so is not recorded as part of the judicial appointments process. Details of the gender of these judicial office-holders are outlined below.

Office	*Percentage* *Complement*	*Male*	*Female*
Resident Magistrates	17	88	12
Deputy Resident Magistrates	19	74	26

SCOTLAND

Departmental Staff

Caroline Flint: To ask the Secretary of State for Scotland what child care provision was made available in the financial year 1998–99 for use by his departmental staff; what was the cost to parents of this child care; and how many parents used the facilities. [108856]

Dr. Reid: The Scottish Office provided two work place nurseries in Edinburgh. A total of 51 full-time places were available. The cost of a full-time place in 1998–99 was £79 per week. Subsidised places at holiday playschemes are also offered to staff in Edinburgh and Glasgow. These operate during the Easter and summer school holiday periods. Subsidies are paid to the playscheme operators and not directly to staff. The cost to parents varied between £5 and £7 per child per day, depending on the number of children placed there from each family. Details of the numbers of staff using the playschemes in 1998–99 are not held centrally.

Caroline Flint: To ask the Secretary of State for Scotland what provisions are made available to Departmental staff for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job-sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contracts, *(l)* child care allowances, *(m)* careers leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108839]

Dr. Reid: The Civil Service as a whole is striving for an improved balance between work and family life and a number of family friendly policies are being developed as part of the Civil Service Reform programme. Details were given in the reply from my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, column 519W. Staff in my Department are currently on loan from the Scottish Executive and we have adopted a number of provisions with them. These are:

In addition to statutory Maternity Leave/Pay an enhanced maternity scheme is available to staff who have satisfactorily completed one year's service.

Fathers are allowed five days paid paternity leave at the time of the birth or during the weeks immediately following.

Permanent staff may be granted up to five days paid special leave for domestic purposes, such as caring for sick children. Unpaid special leave is available in addition to this. We also comply with our obligations under the Parental Leave Directive.

Most full and part-time staff can participate in the Flexible Working Hours scheme.

Part-time work and Job Share opportunities are available to all staff, subject to availability.

Staff with child care responsibilities have the benefit of flexible working arrangements. In addition there are two work place nurseries in Edinburgh and holiday play schemes operate during the Easter and summer holidays in Glasgow and Edinburgh.

Our Career Break policy is currently being reviewed. We propose that discretionary periods of up to three years unpaid leave (five in exceptional circumstances) will be available to help staff cope with their domestic responsibilities. Permanent employees who have completed their probation and have a satisfactory record of attendance, performance and conduct will be eligible to apply.

We do not operate a system of Term-time working or Annual Hours contracts. However, we would consider any requests from our staff to do so.

Cold Weather Payments

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will discuss with the Secretary of State for Social Security a review of the location of monitoring stations used to calculate the additional cold weather payments; what assessment he has made of the performance of the monitoring stations; and if he will make a statement. [109926]

Dr. Reid: The Secretary of State for Social Security is responsible for the Cold Weather Payments Scheme. He consults ministerial colleagues in the UK Government as necessary. As well as the Cold Weather Payments Scheme, the Government have also provided substantial help to eligible elderly households through Winter Fuel Payments. Under these payments, we estimate that this winter around £70 million has been paid to over 900,000 Scottish pensioners.

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Scotland if all food served at his Department's official functions meets the standards of production required of domestic producers. [109772]

Dr. Reid *[holding answer 11 February 2000]:* All food served at my Department's official functions is provided by contractors who meet the standards of production required of domestic producers.

Murder Statistics

Mr. Quentin Davies: To ask the Secretary of State for Scotland if he will set out on a comparable basis the number of murders recorded in Scotland in each of the past 30 years. [110563]

Dr. Reid: The total number of crimes initially recorded as murder or culpable homicide by the police in Scotland, and the number currently recorded as murder, are given in the table.

Crimes initially recorded as homicide, and those currently recorded as murder, Scotland, 1969–98

Year	Initially recorded as homicide	Currently recorded as murder
1969	84	28
1970	83	28
1971	74	44
1972	87	43
1973	77	39
1974	78	34
1975	78	43
1976	107	57
1977	108	60
1978	84	42
1979	84	40
1980	96	47
1981	93	42
1982	91	48
1983	100	54
1984	101	53
1985	90	41
1986	89	48
1987	108	48
1988[1]	359	305
1989	108	41
1990	86	35
1991	92	51
1992	142	69
1993	118	73
1994	115	66
1995	138	79
1996	139	82
1997	96	44
1998	103	68

[1] The figure for 1988 includes the 270 victims at Lockerbie

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for Scotland what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110719]

Dr. Reid: My Department does not use peat compost in our gardens.

Interception Warrants

Mr. Heald: To ask the Secretary of State for Scotland how many interception warrants were in force in Scotland on 31 December 1999. [111133]

Dr. Reid: Full information about the number of interception warrants in force in Scotland on 31 December 1999 is not yet available. They will be published, later in the year, in the Annual Report of the Commissioner appointed under the Interception of Communications Act 1985 (currently Lord Nolan). A copy will be placed in the Library.

Mr. Heald: To ask the Secretary of State for Scotland how many interception warrants were authorised in respect of Scotland in 1999. [111143]

Dr. Reid: During the period 1 January 1999 to 30 June 1999, 162 telephone interception warrants were authorised in respect of Scotland. After 1 July 1999, the authorisation in respect of Scotland of interception warrants relating to serious crime was devolved to the Scottish Executive. The authorisation of national security interception warrants in respect of Scotland is reserved, but final figures on the number of national security interception warrants authorised in the second half of 1999 are not yet available. The Commissioner appointed under the Interception of Communications Act 1985 will publish this information in his Annual Report for 1999, later in the year. A copy will be placed in the Library.

Astute Submarines

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the decision to place the imaging equipment order for the Royal Navy's Astute submarines with Pilkington Optronics in Govan. [111096]

Dr. Reid: I warmly welcome the decision by BAE SYSTEMS as Prime Contractor to award the contract for the provision of visual systems for the three Astute class submarines to Pilkington Optronics. This success is a reflection of the expertise of the company in the face of strong international competition and will be good news for the company's 600 staff in Govan.

AGRICULTURE, FISHERIES AND FOOD

Organophosphates

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what plans he has to carry out research on organophosphates; how he will co-ordinate funding of research into organophosphates; how much he will invest in organophosphate research; and over what period he will finance research into organophosphates. [103233]

Ms Quin *[holding answer 20 December 1999]:* Government research on organophosphates (OPs) in relation to human health is currently co-ordinated through an inter-departmental liaison group on OP research. An extract of work relating to human health in the MAFF programme is shown in the table. Listings of recent and current MAFF funded projects on OP research can also be found on the MAFF internet website at http://www.maff.gov.uk/r&d/projects/pp105.htm.

The report by the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment on organophosphates, published on 26 November, made a number of recommendations for further research. I refer my hon. Friend to the reply given to him on 20 December 1999, *Official Report*, column 446W, for details of how we propose to carry forward these recommendations.

Code/Title	*Type*	*Contr.*	*Start*	*End*	*Cost 1998–99*	*1999–2000*	*2000–01*	*2001–02*
VM0261 Epidemiological study to detect well defined chronic effects in humans of dipping sheep with organophosphorous products	CT-E	IOML	1 November 1995	30 April 1999	67,000	6,537	—	—
VM0265 A study of the long term electrophysiological effects of sheep dip organophosphates in the mouse nervous system	NI	UNC	1 September 1996	31 October 1998	41,067	—	—	—
VM0279 Dose effect profiles for OP sheep dips on brain electrical activity and cognitive performance in non-human primates	NI	DERA	1 April 1998	24 April 2001	103,674	100,799	97,139	25,020
VM0299 Review of OPIN register of suspected OP related complaints	NI	LSHTM	21 June 1999	21 May 2000	—	51,896	—	—
Total					211,741	159,232	97,139	25,020

Departmental Consultation

Dr. Tony Wright: To ask the Minister of Agriculture, Fisheries and Food if he will list the public consultation exercises on policy matters carried out by his Department and its agencies in each of the last five years; who was consulted and by what means; how responses were analysed; how and in what form the results were transmitted to those responsible for the consultation; how the results of the consultation were published; and what analysis has been carried out of the extent and nature of policy changes resulting from the consultation. [106305]

Mr. Morley: The information requested is not held centrally and could be provided only at disproportionate cost.

MAFF and its agencies are committed to listening to what people have to say. In addition to consulting in accordance with statutory obligations on new legislation, we regularly consult on new proposals and polices to ensure that industry, other interested parties and the general public are given the opportunity to make their views known. All responses to consultations, which are received through a variety of means, are given very careful consideration and taken into account by Ministers when making policy decisions. Responses are treated as confidential where the respondent has asked the Department to do so.

Consultation exercises are, in the main, carried out by the issue of documents, on which comments are invited, to interested parties known at the Department or agency. As a matter of course, consultation documents, along with lists of recipients and respondents, are placed in the Libraries of the House, with the exception of the individual responses which are available for viewing, by appointment, in MAFF's Whitehall Place library. The MAFF library can also supply copies of consultation responses on request to personal callers or telephone inquirers for a small administrative charge.

Details of current and recent MAFF consultations can also be found on the MAFF website at http://maff.gov.uk/corps/consexer/default.htm.

Beef Exports

Mr. Davidson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 25 January 2000, *Official Report*, column 180W, if he will list those countries to which British beef has been exported within the last three months and those countries which do not have an import ban on British beef. [108484]

Ms Quin: Information about the destination of British beef export is commercially confidential as long as there are only two establishments approved to export it. From

information currently available, countries which do not have a ban on British beef include all EU member states other than France and Germany, and the following:

Ascension Island
Australia
Bermuda
Bolivia
Botswana
Brunei
Burundi
Cambodia
Cuba
Cyprus
Ecuador
Ethiopia
Falkland Islands
Faroe Islands
Fiji Islands
Guatemala
Guyana
Hong Kong
Iceland
Iran
Kenya
Lesotho
Malawi
Mauritius
Mongolia
Montserrat
Mozambique
Namibia
Norway
Paraguay
Philippines
Seychelles
Solomon Islands
St. Helena
St. Kitts and Nevis
St. Lucia
Tonga, Kingdom of Vanuatu
Zimbabwe.

Discussions are currently under-way with various other countries aimed at securing a lifting of their bans as soon as possible. Where it is unclear whether a ban exists, the position is being further investigated.

Departmental Staff

Caroline Flint: To ask the Minister of Agriculture, Fisheries and Food what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108848]

Mr. Morley: My hon. Friend the Parliamentary Secretary, Cabinet Office, set out in his reply of 15 February 2000, *Official Report*, columns 518–20W, the importance of family friendly policies to the Civil Service Reform programme. MAFF shares this commitment to develop policies to enable staff to achieve a better balance between their work and private lives. Provisions already exist in core MAFF for flexible working practices and patterns and we will be building on these in taking forward work on diversity. These provisions are set out in a Staff Handbook to which all employees in the Department have easy access. They apply to both full-time and part-time staff. Requests are generally considered in accordance with these provisions. Where there is discretion, requests are dealt with on their merits on an individual basis. The maternity and paternity arrangements are provided in conjunction with the statutory entitlements available to employees, as are the arrangements for time off to care for dependents. I will write to my hon. Friend with fuller details of the provisions available.

In respect of MAFF Agencies, responsibility for such matters is delegated to Agency Chief Executives. Similar policies to core MAFF operate in the Farm and Rural Conservation Agency, the Pesticides Safety Directorate and Veterinary Medicines Directorate. I have asked the Chief Executives of the Central Science Laboratory, Veterinary Laboratory, Meat Hygiene Service and the Centre for Environment, Fisheries and Aquaculture Science Agencies to reply to my hon. Friend Direct.

Letter from Peter Stanley to Caroline Flint, dated 21 February 2000:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning maternity and paternity provisions and other family friendly policies.

With the exception of the maternity leave provision, CSL presently follow the existing MAFF provisions for flexible working practices and patterns which are set out in the MAFF Staff Handbook. On 1 August 1999, paid maternity leave within CSL was increased to 16 weeks at full pay.

Letter from T. W. A. Little to Caroline Flint, dated 21 February 2000:

The Minister has asked me to responde to your questions on provisions available to employees of the Veterinary Laboratories Agency and the proportion of women returning to work after maternity leave.

In responding to these questions the Cabinet Office have indicated that the Civil Service as a whole is striving for an improved balance between work and family life. This is reflected in several aspects of the Report on Civil Service Reform by Sir Richard Wilson to the Prime Minister.

The availability of the provisions you mention are set out in the MAFF Staff Handbook to which all employees in this Agency have access. They apply to both full-time and part-time staff. A VLA Staff Handbook is to be completed and issued to staff shortly. Maternity arrangements are provided in conjunction with the statutory entitlements available. Where provisions in this Agency differ from those in MAFF, information is readily available, for example, on the holiday playscheme.

The proportion of women returning to work after childbirth over the last five years is given in the table below:

Percentage

	1995	*1996*	*1997*	*1998*	*[1]1999*
Total returned to work	67	74	61	70	86
Returned to part-time work	42	49	22	40	72

[1] The figures for 1999 do not represent a full response as not all women have returned from maternity leave

A significant proportion of women elect to take a Career Break of up to five years rather than return to work directly after maternity leave.

Further information requested could not be readily provided and would incur disproportionate costs to obtain.

Letter from Johnston McNeill to Caroline Flint, dated 21 February 2000:

As Chief Executive of the Meat Hygiene Service (MHS) your question to the Minister of Agriculture, Fisheries and Food requesting information regarding the provision of various benefits to staff has been passed to me to reply as regards this Executive Agency.

MHS provisions and eligibility criteria with regard to these benefits are outlined below:

(i) Maternity Leave

Main provisions—Paid time off for ante-natal care regardless of service. 18 weeks maternity leave if service less than 1 year and a further 29 weeks after confinement if service more than 1 year.

Eligibility criteria—As indicated above.

(ii) Maternity Pay

Main provisions—As per statutory scheme i.e. Maternity Allowances (MA) or Statutory Maternity Pay (SMP) applies. For employees who qualify for SMP the first 6 weeks of maternity leave is at 9/10ths of pay. Subsequent 12 weeks at $\frac{1}{2}$ pay (subject to return to work for more than 3 months following maternity leave) plus SMP.

Eligibility criteria—As per statutory scheme.

(iii) Paternity Leave

Main provisions—Paternity/Maternity Support Leave of 5 days with pay granted to father, partner or nominated carer.

Eligibility criteria—Available to all employees.

(iv) Parental Leave

Main provisions—As per statutory provisions. MHS policy is this area currently under review. Requests of paid/unpaid leave currently considered under the MHS Special Leave policy provisions.

Eligibility criteria—As per statutory provisions and individual needs.

(v) Flexible Working Hours

Main provisions—A formal flexitime scheme does not exist but some MHS Departments do operate flexitime and where not in place flexibility is exercised where operational service requirements allow.

Eligibility criteria—Not appropriate as no formal scheme in place.

(vi) Part-time Work

Main provisions—All applications considered with regard to operational service requirements. Terms and conditions applied pro-rata to those of full-time employees.

Eligibility criteria—Suitability of proposed part-time work pattern in relation to operational service requirements.

(vii) Job Sharing

Main provisions—All applications considered with regard to operational service requirements. Terms and conditions applied equally between job-sharers.

Eligibility criteria—Suitability of proposed job share assessed with regard to whole job and operational service requirements.

(viii) Leave to Care for Sick Children

Main provisions—All applications considered with regard to individual needs and operational service requirements. Paid/unpaid time off work available under the MHS Special Leave policy provisions.

Eligibility criteria—Each case carefully considered on merit, and with regard to statutory entitlements and individual needs.

(ix) Home Working

Main provisions—Applies to certain groups of management employees who have been authorised to work from home for operational reasons.

Eligibility criteria—Employees only eligible to work from home when specifically authorised to do so by the MHS and only designated as home workers with the approval of the Inland Revenue.

(x) Term Time Contracts

Main provisions—Term time contracts not in operation within the MHS. Requests for paid/unpaid leave considered under the MHS Special Leave policy provisions.

Eligibility criteria—Each case carefully considered on merit, and with regard to statutory entitlements and individual needs.

(xi) Annual Hours Contracts

Main Provisions—MHS Annualised Hours policy applies where the workload fluctuates and/or job requirements are seasonal.

Eligibility criteria—Employees are contracted to work annualised hours only where significant variations in the work pattern are anticipated.

(xii) Child Care Allowances

Main Provisions—Some MHS employees utilise MAFF child-care facilities. No child-care allowances are paid.

Eligibility criteria—Available to all MHS employees but child-care places very limited.

(xiii) Careers' Leave

Main provisions—The MHS does not have a formal policy in this area, although special extended leave has been granted in some cases to facilitate career development.

Eligibility criteria—Each case carefully considered on merit, and with regard to operational service requirements and individual/organisational benefits arising.

(xiv) Career Break Schemes

Main provisions—The MHS does not have a formal policy in this area.

Eligibility criteria—Not applicable.

Letter from P. W. Greig-Smith to Caroline Flint, dated 21 February 2000:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question regarding provision of various benefits to staff. I am replying on behalf of the Centre for Environment, Fisheries and Aquaculture Science (CEFAS).

With regard to maternity leave and maternity pay, CEFAS provides 16 weeks leave with pay, one week more than core MAFF. Eligibility for these benefits is the same as core MAFF.

For paternity leave, parental leave, flexible working hours, part-time work, job sharing, leave to care for sick children, home working, term-time contracts, annual hours contracts, child care allowances, careers' leave and career break schemes, CEFAS' allowances are exactly the same as those of core MAFF. Eligibility is the same as core MAFF.

Caroline Flint: To ask the Minister of Agriculture, Fisheries and Food in each of the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [108970]

Mr. Morley: Absence details for individual staff (including those on maternity leave) are maintained for the core-Department, the Pesticides Safety Directorate and the Veterinary Medicines Directorate Agencies centrally through a combination of paper records and the computerised payroll system. But, unfortunately, aggregated information in the form precisely requested is not readily available and could be provided only at disproportionate cost.

In respect of the remaining MAFF Agencies, responsibility for such matters rests with Agency Chief Executives. I have asked the Chief Executives of the Central Science Laboratory, Meat Hygiene Service, the Centre for Environment, Fisheries and Aquaculture Service and Veterinary Laboratory to reply to my hon. Friend direct.

Letter from Peter Stanley to Caroline Flint, dated 21 February 2000:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning the proportion of women employees that have returned to work after childbirth.

Information on the number of women returning to work after childbirth and those who returned to work part-time is given in the following table:

	1995	*1996*	*1997*	*1998*	*1999*
Total number of women taking maternity leave	12	7	9	6	12
Number returned to work	11	6	9	5	12
Of which part-time	3	4	3	1	8

More detailed information in the form requested could only be provided at disproportionate cost.

Letter from Johnston McNeill to Caroline Flint, dated 21 February 2000:

As Chief Executive of the Meat Hygiene Service (MHS), your question to the Minister of Agriculture, Fisheries and Food requesting statistics on various aspects of maternity leave provision, has been passed to me to reply as regards this Executive Agency.

The information that you requested is summarised in the attached table. Please note that it has only been possible to provide data for the years 1997–1999 inclusive. Prior to this, the MHS's payroll provision was outsourced and obtaining the relevant information for 1995 and 1996 could only be achieved at disproportionate cost.

Meat Hygiene Service
Summary of maternity cases—1995 to date

	1997	*1998*	*1999*
Number of maternity cases	7	4	7
Number returned to work	6	4	6
Number returned to work before end of maternity entitlement	6	4	6
Number returned on reduced hours	0	1	0
Number returned to full time but later reduced hours	0	0	0

Time range and mean time details—all maternity cases 1995–99 (ie excluding current cases)

	Number
Duration of maternity leave (weeks):	
Minimum	18
Maximum	38
Average length of maternity leave taken (weeks)	25
Average hours worked by those who returned on reduced hours	20

Letter from P. W. Greig-Smith to Caroline Flint, dated 21 February 2000:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question requesting statistics on staff returning to work after childbirth for each of the last five years. I am replying on behalf of the Centre for Environment, Fisheries and Aquaculture Science (CEFAS), which, prior to April 1997, was the MAFF Directorate of Fisheries Research (DFR).

DFR/CEFAS' staff records are held in a way that would entail extracting this information from individual staff files, and provision of this information could only be made at disproportionate cost.

Sheep Scab

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food when he expects to publish the results of the research projects into *(a)* alternatives to organophosphate sheep dips for the control of scab, with the aim of producing a vaccine and *(b)* the factors that influence the spread of sheep scab. [109531]

Ms Quin *[holding answer 11 February 2000]:* Following earlier published work funded at the Royal Veterinary College, my Department has since 1996 been funding projects to explore non-chemical methods as alternative approaches to sheep scab control. The issues involved are complex but not intractable. The programme is focusing on the possible immunological basis for control methods as well as the means of measuring the effectiveness of potential vaccines. The projects which also include sheep welfare are ongoing and funding is being continued at £450,000 a year for a further three years. Some work of a basic nature has been published but the key results of this work will be available at the end of that period or earlier depending on progress.

Flood Defence

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the past five years the budgets of the Wessex Regional Flood Defence Committee, indicating *(a)* the levy on each component local authority with the percentage rise or fall year on year, *(b)* the standard spending assessment for flood defence paid to each local authority with the percentage rise or fall year on year, *(c)* the difference between local

authority SSA and actual levies paid and *(d)* MAFF flood defence grants (i) available and (ii) paid; and if he will make a statement. [110144]

Mr. Morley *[holding answer 15 February 2000]:* The information requested in relation to *(a)* to *(c)* is as follows:

£000

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Devon						
SSA	4,919	4,973	4,955	3,388	3,447	3,555
Percentage increase	—	1.1	0.4	31.6	1.7	3.1
EA levy	—	—	—	—	—	—
Difference	4,919	4,973	4,955	3,388	3,447	3,555
Gloucestershire						
SSA	1,638	1,796	1,871	1,958	2,097	2,190
Percentage increase	—	9.6	4.2	4.6	7.1	4.4
EA levy	47	47	48	53	63	69
Percentage increase	—	—	2.0	9.1	18.9	9.7
Difference	1,591	1,749	1,823	1,905	2,034	2,121
Hampshire						
SSA	2,072	2,824	3,024	3,716	3,947	4,044
Percentage increase	—	36.3	7.1	22.9	6.2	2.5
EA levy	119	123	125	128	136	149
Percentage increase	—	—	2.2	2.0	6.1	10.0
Difference	1,953	2,701	2,899	3,588	3,811	3,895
Somerset						
SSA	3,116	3,200	3,563	3,617	3,646	3,944
Percentage increase	—	2.7	11.3	1.5	0.8	8.2
EA levy	2,990	3,256	3,326	3,358	3,746	4,057
Percentage increase	—	—	2.2	1.0	11.6	8.3
Difference	126	−56	237	259	−100	−113
Wiltshire						
SSA	1,217	1,572	1,225	1,290	1,397	1,514
Percentage increase	—	29.2	22.1	5.3	8.3	8.4
EA levy	957	1,004	1,039	1,104	1,244	1,367
Percentage increase	—	—	3.5	6.3	12.7	9.9
Difference	260	568	186	186	153	147
Dorset						
SSA	2,532	2,711	1,672	1,706	1,773	1,856
Percentage increase	—	7.1	38.3	2.0	3.9	4.7
EA levy	2,549	1,536	1,583	1,625	1,753	1,925
Percentage increase	—	—	3.1	2.7	7.9	9.8
Difference	−17	1,175	89	81	20	−69
Avon						
SSA	2,678	—	—	—	—	—
Percentage increase	—	—	—	—	—	—
EA levy	2,550	—	—	—	—	—
Percentage increase	—	—	—	—	—	—
Difference	128	—	—	—	—	—
Bath and NE Somerset						
SSA	—	412	388	602	415	485
Percentage increase	—	—	5.8	55.2	31.1	16.9
EA levy	—	346	352	385	457	501
Percentage increase	—	—	1.8	9.4	18.5	9.7
Difference	—	66	36	217	−42	−16
North Somerset						
SSA	—	1,414	1,547	1,595	1,627	1,753
Percentage increase	—	—	9.4	3.1	2.0	7.7
EA levy	—	1,321	1,360	1,369	1,535	1,662
Percentage increase	—	—	2.9	0.7	12.1	8.3
Difference		93	187	226	92	91
South Gloucestershire						
SSA	—	644	628	634	692	791
Percentage increase	—	—	2.5	1.0	9.1	14.3
EA levy	—	381	388	433	524	575
Percentage increase	—	—	2.0	11.4	21.1	9.7
Difference	—	263	240	201	168	216

£000

	1995–96	1996–97	1997–98	1998–99	1999–2000	2000–01
Bristol						
SSA	—	1,105	1,150	1,165	1,218	1,368
Percentage increase	—	—	4.1	1.3	4.5	12.3
EA levy	—	662	670	732	875	960
Percentage increase	—	—	1.3	9.2	19.5	9.7
Difference	—	443	480	433	343	408
Bournemouth						
SSA	—	0	604	616	635	672
Percentage increase	—	—	—	2.0	3.1	5.8
EA levy	—	570	586	597	652	717
Percentage increase	—	—	2.8	1.9	9.0	10.0
Difference	—	–570	18	19	–17	–45
Poole						
SSA	—	0	591	601	618	654
Percentage increase	—	—	—	1.7	2.8	5.8
EA levy	—	527	540	551	589	647
Percentage increase	—	—	2.5	2.0	6.9	10.0
Difference	—	–527	51	50	29	7

[1] Less than £500

It is important to note the following points:

some local authorities pay levies to Regional Flood Defence Committees (RFDCs) other than Wessex;

flood defence Standard Spending Assessments (SSAs) reflect a range of flood defence costs falling on different classes of local authority i.e. levies paid to RFDCs, special levies to internal drainage boards and local authorities' "own spend" as a flood defence operating authority;

local government reorganisation caused adjustments to be made to the SSA and levy figures as between the affected county councils and new unitary authorities.

In relation to *(d)*, MAFF grant is allocated to the Environment Agency by means of Grant Earning Ceilings (GECs), which represent the total of approved capital expenditure in respect of which grant can be claimed, and not in terms of the grant available. The amount of grant paid is dependent on the mix of (a) fluvial and (b) tidal/sea defence expenditure, for which different grant rates apply. Information is therefore unavailable in the form requested but a comparison of (i) the original GECs (which can be revised in-year) and (ii) the actual outturn of approved capital expenditure is as follows:

£ million

	Somerset		Bristol/Avon		Avon/Dorset	
Year	(i)	(ii)	(i)	(ii)	(i)	(ii)
1994–95	1.4	1.3	0.4	0.4	2.6	2.0
1995–96	1.7	1.2	0.3	0.2	4.9	3.3
1996–97	4.0	4.0	0.3	0.1	1.8	1.7
1997–98	3.2	4.8	0.1	0.1	1.1	1.5
1998–99	2.7	4.5	0.4	0.3	0.4	1.0

Internet

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of farmers in England and Wales who have access to the internet. [110179]

Ms Quin *[holding answer 15 February 2000]:* Precise figures are not available. However, based on information provided by farmers completing June 1999 agricultural census forms and a survey conducted by ADAS in 1998, it is estimated that between 5 per cent. and 25 per cent. of farmers have access to the internet.

Farming (Promotion)

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what initiatives are being pursued to promote entry into farming for young people; and if he will make a statement. [110530]

Ms Quin: The Government believe that the best way to help young people enter farming and to secure the economic viability of UK agriculture is to develop an agricultural industry that is successful, competitive and sustainable. To achieve this, the Government are seeking to create a transparent and stable economic framework within which the industry can operate.

In addition, the £1.6 billion support for rural development, which the Agriculture Minister announced on 7 December 1999, will be of enormous benefit to the farming industry and represents a significant increase in expenditure on rural development measures. In implementing the England Rural Development Plan measures full consideration will be given to the needs of young farmers.

Advertising Budget

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what was the average cost of issuing a media release from his Department in 1999. [110274]

Mr. Morley *[holding answer 16 February 2000]:* I refer the hon. Member to the reply given to him on 9 February 2000, *Official Report*, column 204W.

Live Animal Exports

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food what plans he has to persuade other EU Governments, when undertaking the review of Council Directive 91/628 EEC required by Article 13 of that Directive, to abandon the long distance transport

of live farm animals through the European Union and replace it with a trade in meat and carcases; and if he will make a statement. [110812]

Mr. Morley: The Government believe that a carcase trade is preferable to long distance transport for slaughter.

The European Commission has begun its review of Council Directive 91/628/EEC. We will continue to press for a carcase trade as part of that review and, most importantly, when the Commission presents its formal report to the Council of Ministers.

TREASURY

Scud Missile Parts

Mr. Maples: To ask the Chancellor of the Exchequer (1) on what day, at what time, and how Libyan scud missile parts *(a)* were shipped from the UK to Malta and *(b)* were returned to the UK from Malta; [105015]

(2) when Libyan scud missile parts were first uncovered on UK territory. [105014]

Dawn Primarolo: Customs inquiries into the shipment were commenced in May 1999. The parts were shipped in error by the airline to Malta at approximately 0615 on 21 May 1999 and were returned by air to the UK, following further intervention by UK Customs, at approximately 1345 on 2 July 1999. The shipment was inspected by MOD officials on 13 July who confirmed that the contents were consistent with Scud parts.

Departmental Staff

Caroline Flint: To ask the Chancellor of the Exchequer what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [108831]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to her by the Parliamentary Secretary, Cabinet Office, on 15 February 2000, *Official Report*, columns 518–19W.

The information requested is in the table.

Department/agency	*Type of scheme*	*Number of places*	*Cost*
Customs and Excise	5 workplace nurseries and bought-in places elsewhere	About 1,000 children, estimated at 900 parents	Will vary as parents choose own nurseries. Budget allocation of £618,000, representing Departmental subsidy of between 37 per cent. and 47 per cent. for workplace nurseries and 25 per cent. for voucher and other schemes
Inland Revenue (including Valuation Office)	7 IR nurseries 17 IR playschemes 15 external schemes	182 places 190 places 238 places	Nil subsidy but with basic accommodation, equipment and utilities provided free. (No central record of fees paid, nor number of parents who use the facilities)
National Savings			
Glasgow:	Crèche	24 places	£300 per month[1]
	Holiday playscheme	44 places	£6 per day[1]
Durham:	Crèche	52 places	£130 per month[1]
		70 places	£6 per day[1]
Blackpool:	Holiday playscheme	60 places	£6 per day[1]
Office for National Statistics			
London:	External playscheme	16 staff—2 of whom used a different scheme, for which costs are not available	£8.05 per day, rising to £8.40 at Christmas 1998
Southport:	Playscheme	26 places, currently with 33 registered and 20 non-registered parents	£6.50 per day plus annual registration charge of £10 or £8 per day for non-registered parents
Titchfield:	Playscheme	30 places, used by 57 parents	£8 per day
Newport:	Nursery	28 places	£85 per week for under 2s, £80 per week for over 2s, rising to £90 and £85 respectively in January 1999
Runcorn:	Playscheme[2]	18 parents (24 children)	£8.50 per day
Royal Mint	No provision	—	—
UK Debt Management Office	No provision	—	—
Treasury	External playscheme during school holidays	16 parents used it at least once	Currently £6.70 per day. No provision of nursery places or child care vouchers

[1] NS subsidise the cost; figures given are average cost to parents, since not all places are taken up at a given time
[2] Co-located with DfEE and use their child care facilities

Caroline Flint: To ask the Chancellor of the Exchequer what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual

hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108842]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to her by the Parliamentary Secretary, Cabinet Office, on 15 February 2000, *Official Report*, columns 519–22W.

The Chancellor's departments and agencies provide a wide range of family friendly options and alternative working patterns. All permanent staff are eligible subject to one year's service in the case of maternity leave, maternity pay and career break schemes.

Caroline Flint: To ask the Chancellor of the Exchequer in the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [109232]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to her by the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, column 519W.

The available information is given in the table.

	Office for National Statistics	*HM Treasury*	*Customs and Excise*	*Inland Revenue (excludes VOA)* [1]	*Debt Management Office*	*Royal Mint*
(a) Percentage of total women employed who returned to work after childbirth	[2]10%				Nil return	
1999		2.4%	4%	896 women		2.7%
1998		1.3%	4.5%	614 women		4.7%
1997		1.8%	4%	472 women		5.4%
1996		2.2%	4%	[3]—		[3]—
1995		1.1%	3.3%	[3]—		[3]—
(b) Percentage of women returning to work after childbirth who returned early. Assumes 'early' means before 52 weeks	[4]90%	[3]—	[3]—	[3]—	Nil return	
1999			73% mean 159 days[5]			100% mean 18 weeks, range 14–17 weeks
1998			97% mean 188 days			86% mean 35 weeks, range 14–51
1997			97% mean 204 days			88% mean 15 weeks, range 14–35
1996			94% mean 205 days			[3]—
1995			96% mean 203 days			[3]—
(c) Number returning after childbirth on reduced hours	[6]43%	[3]—	[3]—	[3]—	Nil return	[7]53%
(d) Percentage of women who returned to work full time who subsequently reduced hours	0.5%	[3]—	[3]—	[3]—	Nil return	0%
Percentage of women returners currently working full-time:						
1999		44%	26%	58%		
1998		40%	49%	60%		
1997		14%	45%	54%		
1996		60%	46%	[3]—		
1995		57%	46%	[3]—		
Percentage of women returners currently working part-time:						
1999		56%	74%	42%		
1998		60%	51%	40%		
1997		86%	55%	46%		
1996		40%	54%	[3]—		
1995		43%	54%	[3]—		

[1] Information has been provided on actual numbers drawn from a small sample of 2,315 records
[2] Based on aggregate of last three years
[3] Unable to supply figures without incurring a disproportionate cost
[4] Average six months early. Range between one and nine months
[5] Includes 2000—104 women still on leave
[6] Average 23 hours
[7] Average 22.2 hours

Unemployment Statistics

Mr. Maclean: To ask the Chancellor of the Exchequer (1) if he will provide a breakdown of the number of people who have left the unemployment count since May 1997 as a result of transferring to benefits which do not qualify the claimant for inclusion on the unemployment count in the categories of *(a)* all leavers from the count, *(b)* those aged over 25 and unemployed for over two years and *(c)* those aged 18 to 24 and unemployed for over six months; [109272]

(2) how many 18 to 24 year olds who had been unemployed for over six months left the unemployment count for work destinations during *(a)* March 1998, *(b)* the period between April 1993 and May 1997 and *(c)* the period between April 1998 and the latest date for which figures are available. [109281]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Maclean, dated 21 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions about the numbers of 18 to 24 year olds unemployed for over six months leaving the claimant count to find work, and the numbers leaving the count since May 1997 to transfer to benefits other than Jobseeker's Allowance.

The number of 18 to 24 year old claimants who were unemployed for over 6 months who left the count and were known to have found work as the reason for ceasing their claim was 6,895 between 12 March and 9 April 1998 and 147,305 between 9 April 1998 and 13 January 2000.

Information for the period April 1993 to May 1997 is not available as the data on leavers by destination have only been compiled since the beginning of 1995.

I regret that the data you have requested on the destinations of leavers from the claimant for the period since May 1997 are temporarily unavailable owing to a technical problem. I will write to you again as soon as possible. In the meantime it may be helpful to know that information on destinations of leavers from the claimant count, back to the beginning of 1998, can be obtained from the House of Commons Library, via the Nomis system.

Departmental Contracts

Mr. Don Foster: To ask the Chancellor of the Exchequer if he will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by his Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109265]

Mr. Timms *[holding answer 9 February 2000]:* During the financial year 1998–99 the Treasury let 39 contracts with external consultants and advisers, with a total value of £1.361 million. All Treasury contracts are made in line with government procurement policy. The list shows the contractors and whether the contract was subject to competition.

Date	*Supplier*	*Competitive tender*
24 April 1998	University of Bath	Yes
15 May 1998	C Bean	No
15 May 1998	P-E International	Yes
10 June 1998	Easyaccess Software	Yes
10 June 1998	CPMG	Yes
10 June 1998	Towerprime Ltd.	Yes
10 June 1998	CPMG	Yes
10 June 1998	Generic Software	Yes
10 June 1998	CPMG	Yes
10 June 1998	Leonie MacLaughlin	No
14 August 1998	Price Waterhouse Coopers	Yes
18 June 1998	Harwood Associates	No
25 August 1998	CSS Trident	No
16 September 1998	CPMG	Yes
1 October 1998	Optimal Systems Research	Yes
20 October 1998	CPMG	Yes
29 October 1998	IBM	Yes
4 November 1998	Botsford Consultants Ltd.	Yes
13 November 1998	Powerage Ltd.	No
19 November 1998	Diagonal Solutions	No
26 November 1998	Generic Software	Yes
30 November 1998	Connectology Ltd.	No
26 January 1999	Purcon Consultancy Services	No
26 January 1999	FTI	Yes
11 February 1999	Entegrity Solutions	No
12 February 1999	Pace Corporate Services	No
16 February 1999	E-Business Plus	No
22 February 1999	Ernst & Young	No
23 February 1999	Diagonal Solutions	No
2 March 1999	Origin UK Ltd.	No
8 March 1999	Willis Corron	No
8 March 1999	Entegrity Solutions	No
8 March 1999	KPMG	Yes
9 March 1999	CB Hillier Park	No
10 March 1999	CPCR Ltd.	Yes
25 March 1999	London Business School	No
30 March 1999	Claritas Information Security	No
31 March 1999	Pannell Kerr Forster Association	Yes

No contracts were let on a non-commercial basis.

Incomes

Mr. St.Aubyn: To ask the Chancellor of the Exchequer how many people earned income *(a)* between their basic rate limit and £26,000, *(b)* between £26,000 and £37,000, *(c)* between £37,000 and £55,000, *(d)* between £55,000 and £73,000 and *(e)* over £73,000 in 1990. [110089]

Mr. Timms *[holding answer 14 February 2000]:* Information for calendar years is not available. Estimates for 1990–91 are as follows:

Range of total earned income	*Number of taxpayers (000s)*
£20,700-£26,000[1]	1,350
£26,000-£37,000	919
£37,001-£55,000	359
£55,001-£73,000	101
Over £73,000	111

[1] BR limit

Mr. St. Aubyn: To ask the Chancellor of the Exchequer how many people earned income *(a)* between their basic rate limit and £35,000, *(b)* between £35,000 and £50,000, *(c)* between £50,000 and £75,000 and *(d)* between £75,000 and £100,000 in the last financial year. [110090]

Mr. Timms *[holding answer 14 February 2000]:* The table shows estimates relating to 1997–98, the latest year for which this information is available:

(Thousands)

Range of Total Earned Income	Number of taxpayers
£26,100 (BR Limit)-£35,000	1,780
£35,001-£50,000	810
£50,001-£75,000	382
£75,000-£100,000	117

Compliance Visits

Mr. Flight: To ask the Chancellor of the Exchequer (1) how many financial services companies have had compliance visits; and what has been the average frequency of compliance visits in the last 12 months; [110386]

(2) how many financial services companies have been eligible for compliance visits by an SRO regulator in the last 12 months. [110385]

Miss Melanie Johnson: IMRO, the PIA and the SFA all adopt a risk-based approach to deciding which firms to visit, in order to target their resources efficiently.

The total number of firms regulated by these SROs at 31 December 1999 was 6,760. (Some firms are regulated by more than on SRO). Any of them would have been eligible to receive a visit if it were thought to be required.

During the calendar year 1999 the number of routine periodic visits paid to SRO-regulated firms was 2,396.

The frequency of periodic inspection visits to individual regulated firms is decided by each SRO, taking into account the risk profile of the firm.

Earnings Statistics (Scotland)

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer (1) if he will list for Scotland and each local authority area of Scotland *(a)* the weekly median earnings and *(b)* the amount of median earnings for those in the first and ninth deciles, for (i) all manual, (ii) all non-manual and (iii) all workers; [110471]

(2) what are the proportions of full-time workers in *(a)* Britain, *(b)* Scotland and *(c)* each local authority area in Scotland with hourly gross earnings (i) including and (ii) excluding overtime, below (1) £7.15, (2) £6.58, (3) £4.94 and (4) £3.60 for the categories (A) male manual, (B) male non-manual, (C) all male, (D) female manual, (E) female non-manual, (F) all female, (G) all manual, (H) all non-manual and (J) all workers. [110470]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Alasdair Morgan, dated 21 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent questions about the average earnings for workers in Scotland, the Scottish local authorities and Great Britain.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures, which are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Scotland, the Scottish local authorities and Great Britain in the attached tables. These are based on the 1999 NES, the latest survey for which data are available. These are large tables and copies of them are being placed in the Library of the House rather than reproduced in Hansard.

The NES is based on a one per cent. sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Golden Shares

Dr. Cable: To ask the Chancellor of the Exchequer in which companies the Government retains a golden share; and on how many occasions in the last year the Secretary of State has exercised his right to intervene in respect of each of these companies. [110543]

Mr. Timms: The Government currently retain a special share in the following companies:

Cable and Wireless plc
Stena Line Ltd.
British Aerospace plc
Rolls-Royce plc
VSEL Ltd.
BAA plc
Belfast International Airport Ltd.
Viridian Group plc
Phoenix Natural Gas Ltd.
National Grid Group plc
BG plc
National Power plc
PowerGen plc
Scottish Power plc
Scottish and Southern Energy plc
British Energy plc
British Energy Generation Ltd.
British Energy Generation (UK) Ltd.
Rosyth Royal Dockyard
Devonport Royal Dockyard
UK Nirex Ltd.
London and Continental Railways Ltd.
Eurostar (UK) Ltd.
Inter-Capital and Regional Rail Ltd.
CDC Group plc.

The powers of the various special shares are not identical, but none of them enable Ministers to "intervene" in the day-to-day running of the companies. I believe that there have been only three cases (Ministerial consents to company restructuring, requested by BG plc, Cable and Wireless plc and ScottishPower plc) in the last year when Ministers have exercised their powers as owners of special shares. However, in the time available, it has not been possible to establish conclusively that these are the only cases.

Petroleum Products

Mr. Fabricant: To ask the Chancellor of the Exchequer what discussions Treasury Ministers and officials have *(a)* held since 7 October 1999 and *(b)* plan to hold with their counterparts in the Irish Republic to discuss the taxation and smuggling of petroleum products; and if he will make a statement. [110417]

Mr. Timms: The matter of differential fuel taxes was raised at the British-Irish Inter-Governmental Conference held in London on 17 December and attended by the Prime Minister and other Ministerial colleagues. The resulting bilateral work programme will be taken forward by officials with the aim of achieving closer co-operation between the Governments on issues of shared interest.

At an operational level, officials of HM Customs and Excise have regular contact with their counterparts in the Irish Revenue Commissioners to discuss issues of common interest including smuggling of fuel.

Advertising Budget

Mr. Baker: To ask the Chancellor of the Exchequer what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110260]

Mr. Timms *[holding answer 16 February 2000]:* The Treasury's advertising 1999–2000 budgets total £7.765 million.

Any expected spending on advertising in 2000–01 will be included in the department's Supply Estimates, which will be presented to Parliament in April.

Economic and Monetary Union

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 January 2000, *Official Report*, column 515W, on economic and monetary union, what the level of preparedness was of small and medium sized enterprises as a whole in April 1999. [110760]

Miss Melanie Johnson: The most recent survey commissioned by the Treasury in April 1999 showed that 14 per cent. of the UK's small and medium sized enterprises had made preparations for the euro.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what studies have been made of the effectiveness of the national communications campaign, outlined in page 8 of the Outline National Changeover Plan, aimed at raising business awareness of the implications of the launch of the Euro; how many factsheets were asked for; and if he will make a statement. [111250]

Mr. Timms: In October 1998, following the national euro business information campaign, the Treasury commissioned a survey which showed that the number of firms preparing for the euro had trebled since the initial survey in May 1998. The survey also revealed that there was a high level of campaign recognition among the target audience of small and medium sized enterprises.

To date, around 400,000 factsheets have been sent out in response to requests by businesses and other key intermediary bodies.

Testimonials (Taxation)

Mr. Burstow: To ask the Chancellor of the Exchequer what plans he has to review the taxation status of income received by professional sports people in testimonial games. [110923]

Dawn Primarolo: I have no such plans.

Mr. Burstow: To ask the Chancellor of the Exchequer what estimate he has made of the taxation revenue that would accrue from taxing the incomes received by professional sports players in testimonial games. [110922]

Dawn Primarolo: The information requested is not available.

Pesticides

Mr. Horam: To ask the Chancellor of the Exchequer (1) if he will place in the Library the British Agrochemicals Association's draft proposals to minimise the environmental impact of pesticide use; [111082]

(2) when he will have proposals in place for voluntary measures to meet the Government's objective of minimising the environmental impact of pesticide use; and if he will consult interested parties prior to their publication. [111081]

Mr. Timms: The Government announced on 1 February that the proposals brought forward by the British Agrochemical Association to minimise the environmental impacts of pesticides form a useful basis for discussing with the industry and other interested parties what form a partnership approach might take. Subject to further detailed discussions on these proposals, the Chancellor will not proceed with the introduction of a pesticides tax in the Budget. Discussions with the industry will continue in the run up to the Budget. Should these discussions continue after the Budget, the Government will consult with interested parties before any final decisions are taken on the detailed measures aimed at reducing the environmental impacts of pesticide use.

Average Incomes

Mr. Ruane: To ask the Chancellor of the Exchequer what was the average gross weekly income of households in each region of the UK in descending order of region in the most recent period for which figures are available; and what proportion of income was derived from social security benefits in each case. [110828]

Mr. Timms: I refer my hon. Friend to the answers that my hon. Friend the Economic Secretary gave him on 16 February 2000, *Official Report*, columns 610–12W.

NHS Expenditure

Mr. St.Aubyn: To ask the Chancellor of the Exchequer what estimate the Treasury has made of the consequences for interest rates and the value of sterling of a rise in NHS expenditure over five years to the EU average, funded by additional taxation. [110829]

Mr. Andrew Smith: It is the task of the Bank of England's Monetary Policy Committee to set interest rates to ensure the Government's inflation target is met. Price stability will also help to promote exchange rate stability, consistent with the Government's objective of a stable and competitive pound over the medium term. Decisions on future NHS expenditure will be taken in the Spending Review.

Dividends Tax Credit

Mr. Burstow: To ask the Chancellor of the Exchequer what recent estimate he has made of the costs of allowing

non-taxpayers to reclaim the tax credit paid on dividends; and what estimate he has made of the number of people who would benefit. [110919]

Dawn Primarolo: Dividends are paid without any deduction of tax, so there is no tax to reclaim.

Energy Efficiency

Mr. Loughton: To ask the Chancellor of the Exchequer (1) what industries will be eligible to claim grants for energy efficiency measures under the scheme announced in his pre-Budget report; how such awards will be calculated; and what will be the maximum amount available; [111018]

(2) how the scheme for supporting energy efficiency measures announced in his pre-Budget report is to be funded; [111016]

(3) what new money will be available from the Treasury to fund the grants available for energy efficiency measures announced in his pre-Budget report. [111017]

Mr. Timms: In the November 1999 Pre-Budget Report, the Chancellor announced that, following the responses to the consultation exercise on the climate change levy carried out after the March 1999 Budget he would be trebling the support for energy efficiency measures under the climate change levy package. This is to say that £150 million of levy revenues, not £50 million as originally proposed, will be made available to fund energy efficiency measures in business in 2001–02. This additional support will represent a step change in the level of funding for energy efficiency measures in the business sector.

The £150 million of additional support that will now be available in 2001–02 will have two elements. The first is £50 million energy efficiency fund, first announced in the March 1999 Budget. This fund will be used to:

provide energy efficiency advice/audits to small and medium sized enterprises;

promote the development of 'new' sources of renewable energy; and

encourage the research, development and take-up of low carbon technologies and energy saving measures through a 'carbon trust'.

Final decisions on the use of the £50 million fund will be made in the Spending Review 2000.

The second element is enhanced capital allowances for firms making energy saving investments. Firms making qualifying investments will be able to deduct the full costs of those investments in arriving at their income tax or corporation tax bills. All firms making qualifying investments will be eligible to claim the allowances. A consultation exercise has just been carried out on which energy efficient technologies and products might qualify for the enhanced allowances. The Government's suggested initial selection includes combined heat and power, boiler systems, motors, variable speed drives and lighting systems. Depending on take-up, the scheme might have an Exchequer cost of up to £100 million in 2001–02.

Taken together, these measures will give a considerable boost to energy efficiency measures in the business sector and help meet the Government's targets for reducing greenhouse gas emissions.

Conveyancing

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer (1) what evidence his Department has collected concerning the extent to which agreed property prices in London are banded at values just below the stamp duty thresholds; [110639]

(2) what steps he is taking to prevent purchasers of property from avoiding stamp duty by schemes to apportion the purchase price between taxable and non-taxable items; [110640]

(3) what evidence his Department has collected concerning property purchasers avoiding higher rates of stamp duty by apportioning the purchase price between taxable and non-taxable items. [110644]

Mr. Timms *[holding answer 17 February 2000]:* Only a very small proportion of property deals in London are agreed at amounts just below one of the stamp duty thresholds.

Stamp duty is charged on a conveyance for sale of land and buildings. Where the total consideration for a sale includes non-dutiable items, such as chattels, the value of those items can properly be deducted from the total in order to calculate the amount to which *ad valorem* stamp duty applies. The Stamp Office examines documents presented for stamping as well as the associated Certificates of Value and other legal documentation and makes further inquiries where it is appropriate to do so. Adjustments to the tax charge are made in a handful of cases each year but there is no evidence of widespread overstatement of the value of non-dutiable items. It follows that there is no need for additional steps to counter avoidance or other abuse in relation to the apportionment of purchase prices.

Tobacco Smuggling

Mrs. Lait: To ask the Chancellor of the Exchequer (1) if he will publish the full report on tobacco smuggling prepared by Martin Taylor, adviser to HM Customs and Excise; [110751]

(2) if he will publish the papers and correspondence accompanying the report on tobacco smuggling prepared by Martin Taylor; [110750]

(3) what advice he has received from Martin Taylor on the UK levels of tobacco duty in addition to his report on tobacco smuggling. [110752]

Dawn Primarolo: I refer the hon. Member to the answer provided by my hon. Friend the Economic Secretary to the Treasury to the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) on 17 January 2000, *Official Report*, column 351W.

Working Families Tax Credit

Mr. Coleman: To ask the Chancellor of the Exchequer at what level per week of housing benefit individuals entitled to receive working families tax credit lose benefit. [110500]

Dawn Primarolo: The amount of Housing Benefit that a family is entitled to is dependent on the eligible rent, net income, and an applicable amount based on family circumstances. For those in receipt of the Working Families' Tax Credit, which is part of net income for Housing Benefit purposes, Housing Benefit is not affected if net income is less than or equal to the applicable amount. For those with net incomes greater than applicable amounts, Housing Benefit is reduced by 65 per cent. of the difference between net income and the applicable amount.

Inflation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) what plans he has to produce inflation statistics at a regional level; [110822]

(2) what recent research his Department has undertaken on the cost of living and the rate of inflation in *(a)* different regions of Britain and *(b)* households of different compositions and characteristics. [110003]

Mr. Timms *[holding answer 14 February 2000]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Matthew Taylor, dated 21 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions on recent research on the cost of living and rate of inflation.

The latest research completed on regional RPIs was discussed by the 1971 RPI Advisory Committee. The ONS has not conducted research into regional differences in the cost-of-living.

The ONS is aware of the growing demand for regional data in general and possible regional differences in inflation rates were an issue raised in the July 1999 report of the House of Lords Select Committee on the Monetary Policy Committee. The development of regional inflation measures would need to resolve a number of technical matters and would invòlve large additional expenditure to cover expansions of price collection and of the Family Expenditure Survey. The ONS regularly consults with users about their needs and evaluates these relative to other priorities in the context of its annual planning round.

No research has recently been undertaken on differential inflation rates and cost-of-living for different population sub-groups. However, the ONS produces a retail prices pensioner index, which is published quarterly in *Business Monitor MM23: The Retail Price Index.* An example is attached.

The RPI (all items index) covers private households but excludes (a) the households whose total income lies within the top four per cent of all households incomes, and (b) pensioner households which derive at least three quarters of their total income from state pensions and benefits. The latter decision was taken as a result of an RPI Advisory Committee recommendation *(Report on Revision of the Index of Retail Prices, March 1962).*

Pensioner Indices: The Retail Prices Index excludes pensioners deriving at least three-quarters of their income from state pensions and benefits. Separate quarterly indices excluding housing costs are compiled to cover these households
(Housing costs are excluded following a recommendation of the RPI Advisory Committee because of the technical difficulties involved in their measurement). Table 20 gives the most recent weights

18—Pensioner indices and RPI (excluding housing) *January 13, 1987 = 100*

	One-person pensioner households				*Two-person pensioner households* [a]				*Retail Prices Index* [1] *(excluding housing)*			
	Q1	*Q2*	*Q3*	*Q4*	*Q1*	*Q2*	*Q3*	*Q4*	*Q1*	*Q2*	*Q3*	*Q4*
Quarterly Indices												
1989	108.0	110.0	111.0	113.2	108.2	110.4	111.3	113.4	109.0	111.2	112.0	113.7
1990	115.3	118.1	119.9	122.4	115.4	118.3	120.2	122.6	115.3	118.5	120.3	122.6
1991	123.8	127.4	128.5	129.9	123.7	128.0	128.9	130.4	123.4	128.5	129.8	131.5
1992	130.8	132.2	131.6	132.6	131.5	133.2	132.6	133.7	132.3	134.8	134.5	135.6
1993	133.6	135.0	134.8	135.0	134.7	136.8	136.8	136.8	136.0	138.8	139.1	139.5
1994	135.1	137.7	137.4	137.8	137.3	139.6	139.4	139.9	140.0	141.9	141.8	142.4
1995	139.1	140.7	141.0	141.7	141.4	143.1	143.5	144.2	143.7	145.5	145.9	146.5
1996	142.8	144.3	144.1	144.3	145.5	147.2	147.1	147.6	147.6	149.4	149.7	150.7
1997	144.4	145.4	145.6	146.1	147.9	149.0	149.5	150.1	151.2	152.6	153.4	154.3
1998	146.0	147.5	147.5	148.6	150.1	151.8	151.9	152.8	154.5	156.4	156.4	157.3
1999	148.9	—	—	—	153.3	—	—	—	157.5	—	—	—
Percentage changes over a year earlier												
1989	5.1	5.2	5.4	6.2	4.9	5.3	5.5	6.2	5.2	5.4	5.3	5.6
1990	6.8	7.4	8.0	8.1	6.7	7.2	8.0	8.1	5.8	6.6	7.4	7.8
1991	7.4	7.9	7.2	6.1	7.2	8.2	7.2	6.4	7.0	8.4	7.9	7.3
1992	5.7	3.8	2.4	2.1	6.3	4.1	2.9	2.5	7.2	4.9	3.6	3.1
1993	2.1	2.1	2.4	1.8	2.4	2.7	3.2	2.3	2.8	3.0	3.4	2.9
1994	1.1	2.0	1.9	2.1	1.9	2.0	1.9	2.3	2.9	2.2	1.9	2.1
1995	3.0	2.2	2.6	2.8	3.0	2.5	2.9	3.1	2.6	2.5	2.9	2.9
1996	2.7	2.6	2.2	1.8	2.9	2.9	2.5	2.4	2.7	2.7	2.6	2.9
1997	1.1	0.8	1.0	1.2	1.6	1.2	1.6	1.7	2.4	2.1	2.5	2.4
1998	1.1	1.4	1.3	1.7	1.5	1.9	1.6	1.8	2.2	2.5	2.0	1.9
1999	2.0	—	—	—	2.1	—	—	—	1.9	—	—	—

[1] The Retail Prices Index covers the goods and services purchased by all households apart from those pensioner households defined above and the top 4 per cent of the income distribution

Source:
Office for National Statistics

19—Pensioner indices: annual averages *January 13, 1987 = 100*

	All items (excluding housing)	Food	Catering	Alcoholic drink	Tobacco	Fuel and light	House-hold goods	House-hold services	Clothing and footwear	Personal goods and services	Motoring expenditure	Fares and other travel	Leisure goods	Leisure services
Index for one-person pensioner households	CZIF	CZIG	CZIH	CZII	CZIJ	CZIK	CZIL	CZIM	CZIN	CZIO	CZIP	CZIQ	CZIR	CZIS
1988	104.8	104.6	109.7	106.4	103.5	101.3	106.2	104.5	104.5	109.1	107.9	108.7	109.3	103.3
1989	110.6	110.8	116.7	111.9	106.5	106.8	110.9	109.1	109.3	119.3	115.1	114.9	116.2	106.1
1990	118.9	120.0	126.4	122.3	113.8	116.2	116.5	116.4	115.3	129.4	124.1	121.7	124.8	111.2
1991	127.4	126.1	139.2	137.4	130.2	124.5	123.9	126.7	119.7	143.6	135.0	134.3	134.2	119.2
1992	131.8	128.0	148.0	146.0	144.5	126.9	128.2	133.5	121.2	153.3	146.3	143.2	140.8	122.9
1993	134.6	130.2	155.4	152.2	156.8	125.8	130.0	137.8	122.8	159.6	157.5	150.8	144.0	123.8
1994	137.0	131.8	161.6	155.2	168.6	131.1	130.1	136.4	123.8	165.8	163.7	154.3	143.0	124.8
1995	140.6	136.9	168.5	160.4	180.1	133.7	135.2	134.7	124.7	172.1	166.5	158.2	144.9	127.2
1996	143.9	141.2	174.9	164.6	192.4	134.5	138.9	133.8	124.4	179.8	170.7	162.0	150.9	130.0
1997	145.4	140.9	181.1	168.1	206.7	130.8	139.5	135.2	125.2	187.8	180.9	167.6	154.1	134.9
1998	147.4	142.4	187.7	173.1	224.5	125.6	141.1	137.4	124.8	198.3	190.1	171.5	154.9	139.9
Index for two-person pensioner households	CZIU	CZIV	CZIW	CZIX	CZIY	CZIZ	CZJA	CZJB	CZJC	CZJD	CZJE	CZJF	CZJG	CZJH
1988	105.0	104.7	109.6	106.7	103.4	101.4	106.1	103.8	104.5	108.8	107.4	108.7	109.4	103.7
1989	110.9	111.0	116.5	112.4	106.4	106.8	110.5	107.9	109.4	118.3	114.2	115.2	116.3	106.7
1990	119.1	120.4	126.3	123.1	113.7	115.7	115.8	114.9	115.5	127.6	122.8	122.1	124.6	112.1
1991	127.8	126.2	138.9	138.5	129.9	124.7	123.2	125.0	120.5	140.4	133.2	135.7	133.6	120.6
1992	132.7	128.2	147.6	147.3	144.2	127.5	127.3	132.1	122.0	150.2	144.5	144.7	140.0	124.9
1993	136.3	130.6	154.9	153.5	156.4	126.1	129.1	136.2	123.4	156.6	156.3	152.7	143.2	126.5
1994	139.1	132.2	161.0	156.4	168.3	131.8	129.3	134.6	124.3	162.9	162.4	156.0	143.1	128.3
1995	143.1	137.4	167.8	161.7	179.7	134.5	134.0	132.6	125.2	169.1	165.6	159.8	145.4	131.1
1996	146.9	141.9	174.2	166.1	191.8	135.0	137.8	131.4	124.7	176.9	170.0	163.3	151.3	134.7
1997	149.1	141.6	180.4	170.2	205.7	131.3	138.8	131.9	125.6	184.5	180.4	168.7	154.0	140.4
1998	151.7	142.9	187.2	175.5	223.2	126.0	140.3	133.5	125.0	194.6	187.9	172.9	154.9	146.2

Weights

20—Pensioner indices: section weights for use in 1999

Parts per 1,000

	Weights used: One person pensioner households	Weights used: Two person pensioner households
Food	284	284
Bread	15	14
Cereals	7	8
Biscuits and cakes	26	24
Beef	8	11
Home-killed lamb	[3]	[3]
Imported lamb	3	3
Pork	4	6
Bacon	8	9
Poultry	10	12
Other meat	23	22
Fresh fish	[8]	[9]
Processed fish	6	5
Butter	[5]	4
Oils and fats	5	6
Cheese	7	7
Eggs	[4]	[4]
Milk, fresh	22	19
Milk products	6	6
Tea	8	6
Coffee and other hot drinks	5	4
Soft drinks	8	9
Sugar and preserves	6	6
Sweets and chocolates	12	12
Unprocessed potatoes	[7]	[8]
Processed potatoes	5	6
Fresh vegetables	[13]	[13]
Processed vegetables	5	5
Fresh fruit	[17]	[15]
Processed fruit	3	4
Other foods	25	24

Weights

20—Pensioner indices: section weights for use in 1999

Parts per 1,000

	Weights used: One person pensioner households	Weights used: Two person pensioner households
Catering	40	36
Restaurant meals	25	24
Canteen meals	—	—
Take-aways and snacks	15	12
Alcoholic drink	31	42
Beer "on" sales	11	16
Beer "off" sales	4	7
Wines & spirits "on" sales	3	3
Wines & spirits "off" sales	13	16
Tobacco	39	35
Cigarettes	35	31
Other tobacco	4	4
Fuel and light	119	88
Coal and solid fuels	8	12
Electricity	62	42
Gas	46	31
Oil and other fuels	3	3
Household goods	102	116
Furniture	22	28
Furnishings	20	24
Electrical appliances	9	19
Other household equipment	8	9
Household consumables	30	26
Pet care	13	10
Household services	90	59
Postage	6	5

Weights

20—Pensioner indices: section weights for use in 1999

Parts per 1,000

	Weights used	
	One person pensioner households	*Two person pensioner households*
Telephones, telemessages, etc.	41	25
Domestic services	26	14
Fees and subscriptions	17	15
Clothing and footwear	50	43
Men's outerwear	5	8
Women's outerwear	21	14
Children's outerwear	2	2
Other clothing	13	10
Footwear	9	9
Personal goods and services	60	57
Personal articles	14	13
Chemists goods	22	25
Personal services	24	19
Motoring expenditure	48	112
Purchase of motor vehicles	10	33
Maintenance of motor vehicles	11	23
Petrol and oil	15	34
Vehicle tax and insurance	12	22
Fares and other travel costs	22	16
Rail fares	2	1
Bus and coach fares	9	7
Other travel costs	11	8
Leisure goods	52	48
Audio-visual equipment	6	2
Records, tapes and CDs	1	3
Toys, photographic and sports goods	5	4
Books and newspapers	31	28
Gardening products	9	11
Leisure services	63	64
Television licences and rentals	32	21
Entertainment and other recreation	7	10
Foreign holidays	9	14
UK holidays	15	19

[1] Seasonal foods have a total weight of 53 for one person pensioner households and a total weight of 47 for two person pensioner households

Source:

Office for National Statistics

HEALTH

Croydon Health Authority

Mr. Ottaway: To ask the Secretary of State for Health if he will make a statement on the financial impact on Croydon Health Authority of *(a)* the Working Time Directive, *(b)* the introduction of the minimum wage, and *(c)* the abolition of dividend tax credit on pension funds announced in the 1997 Budget. [106773]

Mr. Denham: The National Health Service Executive recognises the important of the Working Time Directive. NHS employers, like all other employers in the United Kingdom are required to meet the obligations put on them by the Working Time Regulations. The impact of the Working Time Directive has varied over the NHS trusts which provide services to Croydon Health Authority residents. Croydon Health Authority has included a provision for the reasonable costs of the European Union Directive in its financial agreement with trusts.

It is not possible to identify accurately the costs associated with the National Minimum Wage separately for Croydon.

The withdrawal of Advance Corporation Tax credits has no effect on National Health Services expenditure.

Departmental Staff

Caroline Flint: To ask the Secretary of State for Health in each of the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [108969]

Yvette Cooper: The Department and its executive agencies (the Medicines Control Agency, the Medical Devices Agency, National Health Service Pensions Agency and NHS Estates) all provide the same terms and conditions of employment. The table covers the Department as a whole and shows the proportion of women employees returning to work after childbirth in each of the last five years against the number of women employees going on maternity leave.

Year	*Numbers on maternity leave*	*Percentage of returnees*
1995	67	93
1996	110	89
1997	130	78
1998	109	77
1999	90	97

Data relating to the other information required could be established only at disproportionate cost.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Health if he will list for the financial year 1998–99 the number and total value of contracts let by his Department with external consultants and advisers that have *(a)* been put out to competitive tender, *(b)* not been put out to competitive tender and *(c)* been let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109066]

Yvette Cooper *[holding answer 8 February 2000]:* The information requested is not held centrally. However, the Department's procurement policy is that services and goods should be acquired by competition unless there are compelling reasons to the contrary.

Mr. Willis: To ask the Secretary of State for Health what is the *(a)* number and *(b)* value of contracts let by his Department since May 1997 to external consultants and advisers for the management of competitive tendering processes. [109303]

Yvette Cooper: No contracts to manage competitive tendering processes have been let by the Department since 1997.

Grants

Mr. Don Foster: To ask the Secretary of State for Health if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109314]

Mr. Hutton *[holding answer 10 February 2000]:* The Department launched the Social Services Modernisation Fund in November 1998. It makes new funding available to local authorities through special and specific grants. Details of the Fund are shown in the table.

£ million

Social Services Modernising Fund	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Promoting independence: Partnership grant	253.0	216.0	178.0	647.0
Promoting independence: Prevention grant	20.0	30.0	50.0	100.0
Children's services grant[1]	75.0	120.0	180.0	375.0
Mental health grant[2]	46.4	59.4	79.4	185.2
Training support grant[2,3]	3.5	7.0	9.0	21.0
Total Modernisation Fund	397.9	432.4	496.4	1,328.2

[1] £5 million was also made available to authorities in 1998–99 to help them prepare for the requirements of the Quality Protects programme.

[2] This represents the extra money in these areas and is in addition to the existing grant levels.

[3] The residential child care award element of this new initiative was launched in 1998–99 with £2 million being made available.

In addition, the carers' special grant was announced in February 1999 and it makes available to local authorities £20 million in 1999–2000, £50 million in 2000–01 and £70 million in 2001–02. Extra funding of £3 million in 1999–2000, £5 million in 2000–01 and £12.5 million in 2001–02 has also been made available through the drugs and alcohol grant to help local authorities develop new approaches in commissioning drug services.

As part of the Government-wide initiative to promote the welfare of families with children under five, the Department is funding 30 Home Start schemes in areas of social deprivation, providing £0.333 million in 1998–99 and £0.366 million in 1999–2000.

Two award schemes were launched in 1999 to recognise excellence in social care generally and in the provision of support for carers specifically. In 1999–2000 the Social Care Awards' scheme has been allocated £150,000 and £80,000 has been allocated for the Caring for Carers Awards scheme.

The Child Migrants Fund with an allocation of £250,000 in 1999–2000, £450,000 in 2000–01 and £300,000 in 2001–02 was created to assist former child migrants with the costs of visiting relatives in the United Kingdom. In addition a central index of historical data and sources of existing information is being created with funding of £128,000 in 1999–2000 and £90,000 in 2000–01 and 2001–02.

Correspondence

Ms Jenny Jones: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Wolverhampton, South-West of 26 October 1999 regarding the development of the former Royal Hospital, Wolverhampton. [109559]

Yvette Cooper: I replied to my hon. Friend on 11 February.

Waiting Times

Mr. Lilley: To ask the Secretary of State for Health if he will publish figures showing the percentage of patients admitted within three months of the decision to admit in *(a)* 1997–98 and *(b)* 1998–99 for (i) England, (ii) East and North Hertfordshire, (iii) West Hertfordshire and (iv) the health authority in the prospering growth area with the (1) lowest figure and (2) highest figure. [109682]

Mr. Denham: The figures requested are shown in the table:

Percentage of patients admitted within three months of the decision to admit

	1997–98	*1998–99*
England	71	68
East and North Hertfordshire Health Authority	71	65
West Hertfordshire Health Authority	71	64
Health Authority with lowest percentage in prospering growth area	[1]57	[2]57
Health Authority with highest percentage in prospering growth area	[3]77	[4]73

[1] Southampton and South West Hampshire

[2] North Essex

[3] Stockport

[4] Hillingdon

Note:

This table is derived from ungrossed HES data.

Waiting Lists

Mr. Jenkin: To ask the Secretary of State for Health what the waiting lists were for *(a)* in-patient and *(b)* out-patient treatment in North Essex on the most recent date for which information is available. [110992]

Mr. Denham: The information requested is given in the tables:

Number of patients waiting for elective admission in North Essex Health Authority in December 1999

Month	*Total waiting*
December 1999	24,161

Source:

QF01 return

Number of patients not yet seen waiting over 13 weeks for an outpatient appointment following GP written referral in North Essex Health Authority (quarter ending 30 September 1999)

Quarter	*Patients waiting over 13 weeks*
Quarter 2 1999–2000	10,542

Source:

QM08R return

Abortion

Fiona Mactaggart: To ask the Secretary of State for Health (1) what steps he is taking to ensure that medical abortion *(a)* is delivered in the most cost effective way and *(b)* meets women's needs; [109744]

(2) what steps he is taking to ensure that women receive a choice of methods for early abortion. [109743]

Yvette Cooper: Although health authorities and primary care groups are responsible for service delivery, national initiatives also have a role in influencing practice and increasing choice to develop high quality services.

In October 1999 the Department introduced a new core set of principles governing approval of independent sector places carrying out abortion. A key reason for this change was to reduce barriers to introducing effective clinical practices.

In addition, the Royal College of Obstetricians and Gynaecologists was commissioned to produce clinical guidelines on "Induced abortion". This report is due to be published in March.

These issues will also be examined in the Government's Sexual Health Strategy.

Fiona Mactaggart: To ask the Secretary of State for Health what assessment he has made of the recent report from the Family Planning Association, "Medical Abortion: Meeting Women's Needs". [109742]

Yvette Cooper: This is a useful summary of the current situation and the points raised will be considered in the sexual health strategy currently being developed in the Department.

Breast Implants

Mr. Brake: To ask the Secretary of State for Health if he will list the published scientific reports relating to breast implants and health issues that have been examined by the Independent Review Group. [110098]

Mr. Denham: A list of the published scientific papers examined or being examined by the Independent Review Group is available from a searchable database on their website (www.silicone-review.gov.uk). This database is regularly updated.

Mr. Brake: To ask the Secretary of State for Health if he will place a copy in the Library of the published results of the research projects conducted using the Breast Implant Registry at Salisbury District Hospital. [110096]

Mr. Denham: There have been no published studies using the National Breast Implant Registry.

Mr. Brake: To ask the Secretary of State for Health if he will place in the Library the information sheet for women contemplating breast implantation provided by the Independent Review Group in 1998. [110094]

Mr. Denham: The Independent Review Group provided a suggested checklist of issues to be discussed with women considering breast implantation as figure 2 in their report, a copy of which is in the Library.

Mr. Brake: To ask the Secretary of State for Health if he will place the conclusions of the Independent Expert Advisory Group set up to investigate the public health effects of silicone gel breast implants in the Library. [110093]

Mr. Denham: A copy of the letter from the Chief Medical Officer to all doctors in 1993 setting out the conclusions reached by the Independent Expert Advisory Group in 1992 has been placed in the Library. The 1994 Medical Devices Agency report containing the Independent Expert Advisory Group's updated conclusions was placed in the Library on its publication.

Mr. Brake: To ask the Secretary of State for Health how many research projects have been conducted using the Breast Implant Registry set up in 1993 at Salisbury District Hospital. [110095]

Mr. Denham: One study is currently being undertaken by the Registry in collaboration with local clinicians.

Remploy

Mr. Caton: To ask the Secretary of State for Health what Remploy products his Department has purchased in the last three years. [109933]

Yvette Cooper: The Department has a contract with Remploy for the supply of office furniture to its social service inspectorate regional offices.

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Health if all food served at his Department's official functions meets the standards of production required of domestic producers. [109773]

Yvette Cooper *[holding answer 11 February 2000]:* All catering services provided in the Department's main buildings are supplied under contract and meet all appropriate standards and legislation. In particular, all meat is either from domestic producers or to the same standards of production.

Influenza Immunisation

Mr. Pollard: To ask the Secretary of State for Health, pursuant to his answer of 3 February 2000, *Official Report*, column 710W, on influenza immunisation for healthcare workers, if he will publish the Joint Committee on Vaccination and Immunisation's recommendations on influenza immunisation of healthcare workers for next winter. [110182]

Yvette Cooper: Joint Committee on Vaccination and Immunisation's recommendations on influenza immunisation of healthcare workers will be made public in advance of next winter.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Health what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110151]

Yvette Cooper: The Department's Environmental Policy Statement and Environmental Strategy have been produced to ensure that sustainable development is a key factor in this Department's business. The Environmental Strategy supports the Department's aim to achieve best environmental practice with a commitment to conserve paper, wood and other resources and to purchase only timber products that come from sustainable sources. Environmental criteria are now contained as part of the

specification in tendering contracts and include a requirement that paper and timber products are from sustainable sources.

Mr. Reed: To ask the Secretary of State for Health if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110152]

Yvette Cooper: The Forest Stewardship Council label is accepted by our buyers as demonstrating that timber and timber products have come from sustainably managed sources but it is not practicable to require that all paper and timber products purchased by the Department are independently certified by the Forest Stewardship Council because this might discriminate against any equally valid schemes and therefore be against public procurement rules.

Advertising Budget

Mr. Baker: To ask the Secretary of State for Health what was the average cost of issuing a media release from his Department in 1999. [110269]

Ms Stuart *[holding answer 16 February 2000]:* The Department's press releases production function incorporates various mechanisms including in house production. The average cost of a press release is £151.

Ambulance Personnel (Clotbuster Injections)

Mr. Cohen: To ask the Secretary of State for Health what consideration he has given to allowing ambulance personnel to administer clotbuster injections to heart attack patients; and if he will make a statement. [110423]

Ms Stuart: We will exploit all the potential of thrombolytics (clot busters) to save more lives and improve clinical outcomes for patients. We are reviewing the list of medicines that ambulance paramedics are allowed to administer on their own initiative. We are working closely with the Joint Royal Colleges Ambulance Liaison Committee and Medicines Control Agency on proposals which would allow paramedics to administer thrombolytics. Any changes to the list would require amendments to secondary legislation and be subject to public consultation.

GP Fundholders

Mr. Sanders: To ask the Secretary of State for Health if he will make it his policy to end the payment of notional rents to fundholding general practitioners; and if he will make a statement. [110431]

Mr. Denham: We abolished the general practitioners fundholding scheme on 30 September 1999. The future arrangements for the payment of notional rent are still subject to discussions with the GP profession.

NHS Cardiothoracic Services (London)

Mr. Wilkinson: To ask the Secretary of State for Health if he will publish the outcome of the review of NHS cardiothoracic hospital services in West London. [110389]

Mr. Denham *[holding answer 16 February 2000]:* Any future public consultation over proposals to move specialist cardiothoracic services currently located at Harefield Hospital will be supported by a summary of all relevant information.

Harefield Hospital

Mr. Wilkinson: To ask the Secretary of State for Health (1) what facilities and services at Harefield Hospital, Middlesex, are to be transferred to other sites; when such transfers will take place; and to which other hospitals they will be transferred; [110387]

(2) what plans he has to transfer the facilities and services of Harefield Hospital, Middlesex, to *(a)* the Royal Brompton Hospital, Chelsea and *(b)* a new hospital on the Paddington Basin site in West London. [110390]

Mr. Denham *[holding answer 16 February 2000]:* Kensington, Chelsea and Westminster Health Authority has recently completed a period of formal public consultation over proposals to move inpatient paediatric services from Harefield Hospital to the Royal Brompton Hospital. A decision over the proposal, which the Royal Brompton and Harefield Hospitals NHS Trust identified as a preferred option to maintain the quality and safety of children's services, has yet to be reached. Any decision on the future location of Harefield Hospital's paediatric transplantation services would require the consideration of the National Specialist Commissioning Advisory Group.

This must be set in the context of longer term plans. Following detailed planning and assessment by NHS organisations in West London and the Imperial College of Science, Technology and Medicine a preferred option has been identified for the future of specialist inpatient services including cardiothoracic services. Subject to the approval of the Outline Business Case for the Paddington Basin, there will be a period of public consultation in the summer of 2000 before any decisions are made. That public consultation will be based upon the provision of a summary of the information that had led to the identification of a preferred option.

Mr. Wilkinson: To ask the Secretary of State for Health how many *(a)* medical and *(b)* other staff are employed at Harefield Hospital, Middlesex; and how many will be employed there in February *(a)* 2001, *(b)* 2002 and *(c)* 2003. [110388]

Mr. Denham *[holding answer 16 February 2000]:* Forecast figures are not held centrally. The latest figures for the whole of the Royal Brompton and Harefield National Health Service Trust are for the situation as at 30 September 1998 and are shown.

Non-medical staff total: 1,900

Medical: 350

Source:

Department of Health Non-Medical Workforce Census

Department of Health Medical and Dental Workforce Census

NHS Funding

Sir Sydney Chapman: To ask the Secretary of State for Health what is the expected funding of the NHS in England per head of population in 1999–2000; and what are the comparable figures in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland. [110476]

Mr. Denham *[holding answer 17 February 2000]:* The information is contained in the table:

Total gross [1] NHS expenditure per head of population—1999–2000

Country	*£*
England	868
Scotland	1,056
Wales	927
Northern Ireland	875

[1] Exchequer or net expenditure plus income from receipts and charges

NHS Staff

Charlotte Atkins: To ask the Secretary of State for Health if he will make a statement on *(a)* the amount allocated and *(b)* the amount spent on training of NHS staff, broken down by (i) occupational grade, (ii) type of employment and (iii) gender, in each of the last five years. [109605]

Mr. Denham: Information is not held centrally on the total amount spent on the training of National Health Service staff by gender or occupational grade. The tables show the allocations and expenditure for each of the three service specific education and training levies since their creation in 1996–97. Information on the amount spent on the training of other staff groups outside the scope of the levies and on continuing professional development training by local employers (trusts and health authorities) is also not held centrally.

Service increment for teaching levy

£ million

	Allocation	*Expenditure*
1996–97	458	458
1997–98	458	458
1998–99	478	478
1999–2000	494	Not yet available

Medical and dental education levy

£ million

	Allocation	*Expenditure*
1996–97	533	521
1997–98	592	587
1998–99	621	619
1999–2000	660	Not yet available

Non-medical education and training levy

£ million

	Allocation	*Expenditure*
1996–97	793	751
1997–98	766	751
1998–99	802	792
1999–2000	900	Not yet available

Note:

Any underspends on the three levies are not lost but are used elsewhere in-year for NHS activity and some virement between budgets is a necessary part of vote management on a Hospital and Community Health services budget of over £40 billion

Charlotte Atkins: To ask the Secretary of State for Health how many *(a)* men and *(b)* women were employed by the NHS in each occupational grade for each of the last five years. [109606]

Mr. Denham: Information about the number of men and women directly employed by the National Health Service in each of the main occupational groups is published in the Statistical Bulletins from the Department of Health's annual medical and dental, and non-medical workforce censuses. The information available centrally for individual non-medical pay grades by gender will be place in the Library shortly.

Carers

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to give local authorities powers to provide direct payments for carers over the age of 16 years. [110667]

Mr. Hutton: On 4 February, the Government were pleased to support at Second Reading the Bill promoted by my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry), the Carers and Disabled Children Bill. The Bill empowers local authorities in England and Wales to make direct payments to carers over the age of 16 years for the services that meet their own assessed needs.

Hospital Beds

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to increase the number of acute care beds in the NHS. [110669]

Ms Stuart: We published the National Beds Inquiry for three month's consultation on 10 February. This set out that under any future scenario the overall number of acute, residential and intermediate care beds are likely to rise. The consultation will focus on the balance of acute and other beds in the whole system. Our plans for acute care beds will be announced once the consultation is complete.

Mr. Simon Hughes: To ask the Secretary of State for Health when he will publish the report of his Department's inquiry into bed numbers. [111325]

Ms Stuart: The National Beds Inquiry report was published on 10 February. Copies have been placed in the Library.

Dental Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to increase access to NHS Dentistry. [110668]

Mr. Hutton: We recognise the problems of access to National Health Service dentistry which exist in parts of the country and which it inherited it 1997. My right hon. Friend the Prime Minister has made it clear that, by the end of 2001, NHS dentistry will be a truly national service again. The Government have already addressed the problem with the Investing in Dentistry initiative, under which dentists were offered grants of £10 million in return for some 900,000 patient registrations, and the Personal Dental Service projects which include "phone and go" dental access centres. By the end of the year there will be about 40 access centres in the areas which need them

most, providing the full range of high quality NHS dentistry to patients who are not registered with a dentist. Further measures will be set out in the forthcoming strategy for NHS dentistry in England.

Mr. Llwyd: To ask the Secretary of State for Health what criteria those firms certificated to remove used mercury-based amalgams from dentists' surgeries have to meet. [110483]

Mr. Hutton: Any person transporting waste, including amalgam, from dentists' surgeries in the course of their business is required, under the Control of Pollution (Amendment) Act 1989, to be registered with the Environment Agency as a "waste carrier".

Waste carriers are also subject to the "Duty of Care" under section 34 of the Environmental Protection Act 1990. This requires that all reasonable steps should be taken to keep waste safe.

Mr. Llwyd: To ask the Secretary of State for Health how many firms have current contracts to collect and dispose of used mercury-based dentists' amalgams; and if he will make a statement. [110480]

Mr. Hutton: Contracts to collect wastes are a matter between the parties concerned and information on them is not held centrally. Businesses transporting wastes are required to be registered with the Environment Agency, but the register does not identify the types of waste transported.

Departmental Targets

Mr. Harvey: To ask the Secretary of State for Health how many targets have been set for his Department since May 1997; and how many have not been reached and for what reason. [111028]

Ms Stuart: The Department's Public Service Agreement includes 36 targets, all of which are on course to be reached. Progress on each of the targets will be published in the 2000 Departmental Report due to be published in April.

Tobacco Advertising

Mr. Hesford: To ask the Secretary of State for Health when the Government plan to implement a ban on tobacco advertising. [111315]

Yvette Cooper: As part of our comprehensive programme against tobacco, the Government will implement a ban on tobacco advertising in line with Directive 98/43/EC as soon as practicable and will monitor its implementation closely.

Hip Replacements (North-west)

Mr. Tony Lloyd: To ask the Secretary of State for Health what is the average waiting time for hip replacement operations in hospitals in *(a)* Greater Manchester and *(b)* the North-west Region. [110850]

Mr. Denham: The information concerning hip replacement operations is not collected centrally. However, information is available for the total specialty of orthopaedics. During the period, October 1999 to December 1999, the proportion of patients awaiting orthopaedic operations at National Health Service Trusts across Greater Manchester was as follows:

Percentage waiting under six months: 57 per cent. (3,519 cases)

Percentage waiting under 12 months: 88 per cent. (5,403 cases)

Percentage waiting over 12 months: 12 per cent. (775 cases).

For the same period across the North-west as a whole, the information is as follows:

Percentage waiting under six months: 58 per cent. (11,508 cases)

Percentage waiting under 12 months: 89 per cent. (17,732 cases)

Percentage waiting over 12 months: 11 per cent. (2,188 cases).

There are no patients waiting longer than 18 months for treatment in Orthopaedics or indeed any specialty in the North-west Region.

Note:

The information relates to those recorded as waiting during the quarter rather than those admitted from the waiting list for treatment.

Wheelchairs

Mr. Loughton: To ask the Secretary of State for Health if he will make a statement on procurement policy for NHS wheelchairs. [111055]

Mr. Hutton: National Health Service Supplies negotiate framework agreements for the purchase of manual and electrically powered indoor/outdoor wheelchairs (EPIOCs) with manufacturers. The current agreement covers eight manufacturers. Wheelchair centres may purchase wheelchairs outside these agreements, subject to compliance with all local standing orders and European legislation. It is the responsibility of wheelchair centres to purchase the correct specification of wheelchair for individual patients.

Mr. Loughton: To ask the Secretary of State for Health how many wheelchairs have been supplied to the NHS in each of the last five years. [111056]

Mr. Hutton: Figures on the number of wheelchairs supplied to the National Health Service are not available. However numbers issued by the National Health Service are as follows:

Year	*Manual*	*Powered*	*Total*
1994–95	193,719	9,441	203,160
1995–96	190,073	10,000	200,073
1996–97	185,471	10,135	195,606
1997–98	not available	not available	—
1998–99	195,082	12,939	208,021

Because of changes to information collection, no information is available for 1997–98.

The figures for 1998–99 were obtained from an NHS Supplies exercise requesting data from trusts regarding wheelchair purchases and issues.

Cot Deaths

Mr. Oaten: To ask the Secretary of State for Health what assessment his Department's sponsored research into sudden unexpected deaths in infancy made of the incidence of deaths among *(a)* children sleeping on a

mattress that was new for that child and *(b)* children sleeping on a mattress that had been previously used by other children. [111163]

Yvette Cooper: The Expert Group to Investigate Cot Death Theories, Chaired by Lady Limerick, looked at the data from the "Confidential Enquiry into Stillbirths and Deaths in Infancy/Sudden Unexpected Deaths in Infancy" study, relating to age of mattress. They found that this could not be used either to support or reject the hypothesis that older mattresses were more dangerous. They thus made no recommendations in this area. Copies of the Expert Group's report have been placed in the Library.

NHS Funding (North-east)

Mr. St. Aubyn: To ask the Secretary of State for Health what recent representations he has received regarding the level of NHS funding to the North-east from *(a)* hon. Members, *(b)* the North-east Development Agency and *(c)* others. [111087]

Mr. Denham: We have received a number of representations about the level of National Health Service funding for the North-east.

For 2000–01 the health authorities in England have received revenue allocations totalling £33.6 billion. This represents a cash increase of 6.78 per cent. Of this, health authorities in the North-east have received £1.9 billion, a cash increase of 7.11 per cent.

In-patient Statistics

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to his answer of 14 February 2000, *Official Report*, column 585W, on in-patient statistics, whether his answers are cumulative figures for all people admitted who are above the age stated, or whether they were only for those of that particular age range, between the age stated and the next age. [111243]

Mr. Denham: The answer given on 14 February 2000, *Official Report*, column 385W shows cumulative totals for all people admitted who are above the age stated.

SOCIAL SECURITY

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Social Security if all food served at his Department's official functions meets the standards of production required of domestic producers. [109776]

Angela Eagle *[holding answer 11 February 2000]:* With the beginning of the PRIME contract in April 1998, most food that is served at Departmental official functions is now provided through catering outlets run by the sub-contractor, Sutcliffe Catering (UK) Limited. As a reputable company, Sutcliffe Catering ensures that all food is procured from suppliers who meet the standards of production required of domestic producers.

ONE Pilot

Jackie Ballard: To ask the Secretary of State for Social Security what extra funding his Department has given to the Benefits Agency in Somerset for the implementation of the ONE pilot. [110462]

Angela Eagle: ONE is a new initiative designed to bring together the services offered by the Benefits Agency, the Employment Service and local authority benefit departments in one place and provide help to all working-age clients in returning to employment. ONE is currently being piloted in 12 areas of the country.

The additional funding given to the Benefits Agency to implement the ONE pilot in Somerset during the 1999–2000 operational year was £283,285.

This covered local implementation costs, staffing and management of the ONE service and the cost of covering the duties of staff undertaking training for ONE delivery. The total of additional resource available for these activities in the Somerset pilot, that is including the amounts made available to the Employment Service and Local Authorities, was £588,669, so the Benefits Agency received 48 per cent. of the total.

Local implementation and delivery money was only part of the additional resource provided. Somerset also benefited from centrally managed funds, such as estates adaptations and information technology improvements. The contract for call centre telephony, which the Somerset pilot is testing, was also funded centrally. There is no breakdown by pilot area available for these centrally managed resources.

Council Tax

Mr. Coleman: To ask the Secretary of State for Social Security if he will make a statement about *(a)* progress on research into the effects of council tax benefit restriction and *(b)* when the report will be published. [110542]

Angela Eagle: In March 1999 we commissioned independent researchers to monitor the effects of the Council Tax Benefit restriction introduced in April 1998. Although local authorities have sought to co-operate with the research, many encountered difficulties and delays in extracting usable data. We extended the fieldwork period in order to allow the maximum number of authorities to take part but the amount and quality of data we will collect from the study may be limited. All social research conducted as part of the DSS Research Programme is published. The only exceptions would be if the results breached confidentiality, were potentially libellous or unreliable. As long as the data are of sufficient quality and we are confident that the findings are reliable, we hope to publish a report of the study in Spring.

Electricity (Renewable Sources)

Mr. Gareth R. Thomas: To ask the Secretary of State for Social Security what proportion of the electricity used by his Department is generated from renewable sources; and if he will make a statement. [111037]

Mr. Bayley: 0.3 per cent. of the Department's electricity is generated from renewable resources under a specific contract with the Renewable Energy Company. The Department's estates partners, Trillium, are currently seeking further renewable sources for the next round of electricity tenders, and will be reporting to DSS Estates on progress. In addition, consideration is also being given to the potential for Combined Heat and Power (CHP) generation on larger sites. The Department and its

estate partners are committed to a target of obtaining 10 per cent. of the Department's electricity from renewable resources by 2010.

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for Social Security what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110720]

Mr. Bayley: This Department issued a Greening Operations Policy Statement in May 1999, which sets out its aims and objectives for greening its operations. With the Department's estate having been outsourced to Trillium, its Chief Executive was a joint signatory to the Statement and its accompanying Improvement Programme.

Our policy on using materials in horticulture is to substitute slow renewables such as peat with organic waste products. Under the arrangements for delivery of the Improvement Programme Trillium has instructed its Service Partners to use peat substitutes whenever possible and DSS Estates monitors Trillium's performance on this and other targets in the Improvement Programme.

Funeral Costs

Mr. Todd: To ask the Secretary of State for Social Security when the assumed cost of a funeral within the Social Fund was last revised. [110898]

Angela Eagle: There is no assumed cost of a funeral within the Social Fund Funeral Payment scheme.

Under current legislation, where an eligible person is deemed to have good reason for taking responsibility for funeral expenses, the scheme allows for the fees levied by the burial authorities and crematoria (in so far as it is necessary to incur them), specified travel expenses and up to £600 for any other funeral expenses.

We do not plan any further reforms in the immediate future but will continue to keep the scheme under review.

Staff Training (Maidstone)

Miss Widdecombe: To ask the Secretary of State for Social Security what estimate he has made of the expense of retraining staff following the re-rolling from a full benefits office to a gateway of Medvale House, Maidstone. [110437]

Angela Eagle: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the right hon. Member.

Letter from Peter Mathison to Miss Ann Widdecombe, dated 17 February 2000:

The Secretary of State has asked me to respond to your Parliamentary Question about Maidstone Benefits Agency Office.

Following the move of work from Maidstone in May 2000 there will be 24 staff who will need to be redeployed.

Out of the 24 staff, 2 are already contracted to work in other offices. A further 3 are on long term career breaks and will not be affected by the moves of work in May. The assignments for the remaining 19 staff are not due to be decided until the end of February, in anticipation of moves in May. A number of those staff will be transferred to another location where their skills and knowledge will be fully utilised, doing the same type of work. Staff moving to other offices on different duties will require training. However they will be filling posts that otherwise would be filled by new recruits who would have required extensive training. Therefore it is anticipated that the net cost of retraining will in effect be marginal.

I hope this is helpful.

Savings

Mr. Burstow: To ask the Secretary of State for Social Security if he will set out the basis for his Department's calculation that savings attract annual interest of 20 per cent.; when this figure was last reviewed; and if he will make a statement. [110918]

Mr. Bayley: The basis for the Department's calculation of tariff income in the income-related benefits, with a system of graduated deductions, is not intended to represent any return that could be obtained from investing capital and hence is not based on any assumed rate of return. A tariff income of £1 per week is assumed for each £250, or part thereof, held between the appropriate lower and upper limits[1]. The system provides a straightforward method of calculating the weekly contribution which people with capital in excess of the lower limit are expected to make from those resources to help meet their normal living expenses.

There have been no changes to the tariff income formula since 1988. The capital rules are kept under regular review.

Deduction rates rise with savings. At £3,250 the notional interest rate would be only 1.6 per cent. This rises until at £8,000 the tariff income is equivalent to an interest rate of 13 per cent. So the rule is most generous to people with relatively low savings, in line with the policy of targeting resources on those most in need.

[1]£3,000 and £8,000 in Income Support and income-based Jobseeker's Allowance, except in residential care home and nursing home cases where the limits are £10,000 and £16,000, and Housing Benefit and Council Tax Benefit where the limits are £3,000 and £16,000.

Residential and Nursing Homes

Mr. Burstow: To ask the Secretary of State for Social Security when his Department last *(a)* reviewed and *(b)* uprated the amount payable to people in residential and nursing homes in the form of pocket money; and what would its current value be if it had been uprated in line with (i) prices and (ii) earnings, in each year since it was last set. [110921]

Mr. Bayley: The level of the personal expenses allowance (PEA) paid to people in residential care and nursing homes is reviewed annually as part of the general uprating of benefits.

The current rate of PEA is £14.75. The rate from 10 April 2000 will be £15.45, which represents an increase in line with average earnings. If the allowance had been increased in line with prices the rate would have been £15.00.

Notes:

1. The figures are rounded to the nearest 5 pence at each uprating date.

2. For income related benefits the ROSSI index (Retail Prices Index less rent, local taxes and mortgage interest payment) as published by the Office of National Statistics.

3. Average Earnings Index Whole Economy (Non-Seasonally Adjusted) as published by the Office of National Statistics

SERPS

Mr. Willetts: To ask the Secretary of State for Social Security when he will make an announcement on the future of SERPS payments to those whose partner has died. [111309]

Mr. Rooker: We will make a statement on inherited SERPS once we reach a conclusion on the way forward.

Disabled Children

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what plans he has to introduce direct benefit payments for disabled children aged 16 and 17. [110586]

Mr. Bayley: Social Security benefits can already be paid directly to disabled young people aged 16 and 17. In addition, provisions in the Carers and Disabled Children Bill, now before the House, would enable local authorities to make direct payments to 16 and 17 year old disabled young people for services that meet their assessed needs.

Mortgage Interest Rates

Mr. Burstow: To ask the Secretary of State for Social Security if he will set out the basis on which his Department assumes a 6.6 per cent. interest rate in respect of mortgage repayments that are met by jobseeker's allowance and income support; when this figure was last set; and if he will amend the system to reflect changes in market interest rates. [110924]

Angela Eagle: Mortgage repayments for Jobseeker's Allowance and Income Support claimants are calculated by using a standard interest rate (SIR). The SIR is based on the weighted average of basic rates charged by the main building societies. The Building Societies Commission is responsible for the calculation of the average rate which is then passed to the Office for National Statistic's who publish it monthly in their financial statistics table 7.1L. Changes to the SIR are triggered by a 0.25 per cent. move in the published figure. The current figure of 6.66 per cent. was set in June 1999 and will be amended whenever a change is triggered.

Pensioners

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what estimate he has made of the number of pensioners who are *(a)* entitled to claim income support and *(b)* who are claiming income support. [110584]

Mr. Bayley: As at August 1999, there were 1,628,000 Income Support pensioner claimants aged 60 and over. Latest estimates of take-up of income related benefits covering the year 1997–98 were placed in the Library on 24 September 1999.

Source:

Income Support Quarterly Statistical Enquiry, August 1999.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what measures he has in place to encourage pensioners entitled to claim income support to do so. [110585]

Mr. Rooker: I expect to make an announcement shortly on measures to encourage pensioners to claim the minimum income guarantee.

Poverty

Mr. Ruane: To ask the Secretary of State for Social Security how many and what percentage of *(a)* children and *(b)* adults were living in poverty in each of the past 10 years; and what estimate he has made of the figures over the next three years. [110821]

Ms Dari Taylor: To ask the Secretary of State for Social Security if he will estimate the number of *(a)* children and *(b)* adults living in poverty (i) in actual terms and (ii) as a percentage of the general population in each category (A) for each of the past 10 years and (B) expected for these categories in each of the next three years. [110767]

Mr. Bayley: Poverty and social exclusion are complex multi-dimensional issues, affecting many aspects of people's lives, their income, health, housing, the quality of the environment, opportunities to work and to learn. There is no single measure which can capture the complex problems which need to be overcome.

We are determined to tackle the problems that condemn many individuals and communities to poverty. That is why we set out our strategy for tackling poverty and social exclusion in our first annual report "Opportunity for All" (Cm 4445). The report includes a range of indicators that capture the many aspects of poverty and social exclusion. Information on the indicators, including definitions and baseline data, was placed in the House of Commons Library on 21 September to accompany "Opportunity for All".

The indicators outlined in "Opportunity for All" include the number of people living in low income households. Information for one of the indicators outlined in "Opportunity for All" is shown in the table.

Children below 60 per cent. of median income, including the self-employed

	Before housing costs		*After housing costs*	
	Number (millions)	*Proportion (percentage)*	*Number (millions)*	*Proportion (percentage)*
FES years				
1988–89	2.9	23	3.3	26
1990–91	3.2	26	3.9	31
1991–92	3.4	27	4.1	32
1992–93	3.5	27	4.3	33
1993–94	3.3	25	4.2	32
1994–95	3.2	24	4.2	32
1995–96	3.5	26	4.6	35
FRS years				
1994–95	2.9	23	4	31
1995–96	2.7	21	4	31
1996–97	3.3	26	4.4	34
1997–98	3.2	25	4.3	33

Adults below 60 per cent. of median income, including the self-employed

	Before housing costs		After housing costs	
	Number (millions)	Proportion (percentage)	Number (millions)	Proportion (percentage)
FES years				
1988–89	8	18	9.3	21
1990–91	8.2	19	9.6	22
1991–92	8.3	19	9.9	22
1992–93	7.9	18	9.7	22
1993–94	7.2	16	9.3	21
1994–95	6.9	16	9.2	21
1995–96	7.3	16	9.6	22
FRS years				
1994–95	6.9	16	9.2	21
1995–96	6.6	15	8.9	21
1996–97	7	16	9.5	22
1997–98	7.1	16	9.3	21

Notes:

1. Households Below Average Income (HBAI) estimates are based on Family Expenditure Survey (FES) data for the UK up to 1995–96 (combined financial years 1995–96 and 1996–97). From 1994–95, HBAI estimates are available for single financial years based on the larger Family Resources Survey (FRS), covering Great Britain. Despite the change in the survey and some changes in the precise definition of income, the estimates in this table are judged to be broadly comparable over the years.
2. The estimates are presented on household income both Before Housing Costs and After Housing Costs in line with HBAI conventions.
3. All estimates are subject to sampling error.

Future year on year movements in the numbers of people falling below low income thresholds, and other poverty indicators, depend on a number of economic, social and demographic factors whose overall net effect cannot be predicted accurately, as well as on policy interventions.

Benefits

Mr. Burstow: To ask the Secretary of State for Social Security (1) what estimate he has made of the annual administrative costs of recovering unpaid *(a)* benefit and *(b)* income support per claimant; and how much was spent by the Benefits Agency recovering overpaid (i) benefit and (ii) income support in each of the last 12 months; [108644]

(2) how many Benefits Agency claimants were overpaid *(a)* benefit and *(b)* income support in each of the last 12 months; and how many of these claimants have repaid that (i) benefit and (ii) income support in full; [108643]

(3) what is his policy in respect of recovering overpaid benefit from claimants overpaid by *(a)* over £5.00 and *(b)* under £5.00; [108645]

(4) how much *(a)* benefit and *(b)* income support was overpaid in each of the last 12 months; and how much of this (i) benefit and (ii) income support was recovered from claimants; [108642]

(5) what methods are used by the Benefits Agency to recover overpaid benefit from claimants who do not repay such benefit voluntarily; and in what percentage of overpayment cases these methods are used. [108646]

Angela Eagle *[pursuant to her reply, 7 February 2000, c. 60–62W]:* Administration of benefits and recovery of overpayments is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Paul Burstow, dated 17 February 2000:

I am writing pursuant to Mark Fisher's letter of 4 February 2000 in response to your Parliamentary Questions about overpaid benefits.

I am afraid that some of the statistics in the table attached to Mr. Fisher's letter were incorrect.

I would be grateful if you would accept my apologies for the error, and find an amended reply attached.

Amended reply from Peter Mathison to Mr. Paul Burstow, dated 17 February 2000:

The Secretary of State has asked me to respond to your recent questions about overpaid benefits.

The Benefits Agency (BA) aims to obtain the recovery of overpayments as quickly and efficiently as possible by the most cost-effective method, without causing hardship, and in accordance with Government Accounting and Departmental Policy.

The BA spent £44m on recovering overpayments in the period April to December 1999. A monthly breakdown of this figure is set out in the attached appendix. Some of the information is not available in the format requested. For example, the BA does not break this down by benefit or by the number of overpayments recovered. Prior to April 1999, the BA did not separately identify costs relating purely to overpayment recovery across the whole BA.

The BA captures information on the value of recoveries made. The number of overpayments arising during 1998–99 totalled just over one million, and 707,000 have been raised so far this year. A monthly breakdown of the recovery figures for the last 12 months is attached, they also provide a breakdown showing Income Support (IS) and all benefits (including IS) as you have requested.

The BA does not normally seek repayment of overpayments less than £25. This is based on cost-effectiveness and in line with Government Accounting. However, there may be occasions when this is not adhered to, for example, when the overpayment has been quickly identified and the sum to be recovered is still likely to be held by the claimant and easily recoverable.

The BA recovers overpayments by deductions from ongoing benefits, instalments, by a lump sum, or by civil proceedings. Typically, the BA will firstly invite repayment and in the vast majority of cases, recovery is implemented by mutual agreement between the debtor and the BA.

Where the debtor remains in receipt of benefit and is not in a position to repay the overpayment immediately, recovery is normally pursued by deduction from ongoing benefit entitlement. This deduction can also be imposed compulsorily if no offer of repayment is forthcoming. Deductions from benefit, whether voluntary or compulsory, account for 74% of the overpayments currently being recovered.

Where customers are not in receipt of any benefit, repayments will be expected. A person's failure to respond to an invitation to repay (or making an unreasonable offer) could lead the BA to consider seeking recovery through a civil action. The threshold for acceptance for civil action is currently £150. There is a six year time limit on proceedings.

6.5% of overpayments currently being recovered have been subject to civil proceedings. The remaining are being recovered by other voluntary arrangements.

Policy on civil proceedings to recover overpayments is that litigation is not pursued where the debtor remains in receipt of benefit. For those not in receipt of benefit, litigation is pursued as a last resort where voluntary arrangements are unsuccessful or break down.

Recovery procedures follow guidance as provided in Government Accounting, where the recovery is likely to be detrimental to the health and/or welfare of the debtor or a member of their family, the Secretary of State has the power to exercise discretion and abandon recovery.

Recovery of an overpayment arising as a result of an official error is pursued if the overpayment is identified quickly and it is reasonable to expect the customer to have been aware of the overpayment. Duplicate payments are classed as over provisions of benefit and are recoverable under common law. The Secretary of State has a duty to seek recovery of such overpayments where it is cost effective to do so.

I hope this is helpful.

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	January	*February*	*March*	*April*	*May*	*June*
1999						
Tot no. new rec OP's in mth (IS)	27,123	26,639	30,777	18,567	18,281	21,877
Tot no. new rec OP's in mth (All Benefits)	52,561	53,199	60,183	45,342	44,082	51,786
Value of new rec OP's in mth (IS)	18,796,579	18,737,449	22,131,924	13,447,701	12,600,292	14,728,335
Value of new rec OP's in mth (All Benefits)	32,178,016	32,018,594	35,228,960	24,723,691	24,373,316	27,035,826
Tot no. new non-rec OP's in mth (IS)	20,339	22,045	24,800	17,554	19,761	23,758
Tot no. new non-rec OP's in mth (All Benefits)	43,143	45,749	46,818	37,040	39,214	45,257
Value of new non-rec OP's in mth (IS)	5,591,053	6,182,900	6,961,243	4,987,801	5,457,898	6,664,630
Value of new non-rec OP's in mth (All Benefits)	10,089,015	10,436,679	10,393,257	8,644,667	9,109,519	10,770,468
Value of Recoveries (IS)	8,418,487	8,969,871	9,893,388	9,285,188	9,003,896	10,405,948
Total Value of Recoveries (All Benefits)	11,430,165	12,299,792	13,783,085	14,153,385	13,401,132	15,324,431
Overpayment Recovery Costs (All Benefits)	n/a	n/a	n/a	4,721,919	4,684,713	4,847,579

£

	July	*August*	*September*	*October*	*November*	*December*	*Total*
1999							
Tot no. new rec OP's in mth (IS)	22,256	19,434	21,918	21,816	23,987	16,483	269,158
Tot no. new rec OP's in mth (All Benefits)	50,313	44,899	51,163	50,637	55,658	35,992	595,815
Value of new rec OP's in mth (IS)	14,754,107	13,507,005	15,013,895	14,696,705	15,726,724	10,676,725	184,817,441
Value of new rec OP's in mth (All Benefits)	27,483,465	23,961,212	27,240,498	27,540,002	29,485,661	19,174,711	330,443,952
Tot no. new non-rec OP's in mth (IS)	19,561	18,013	18,523	15,086	20,114	14,800	234,354
Tot no. new non-rec OP's in mth (All Benefits)	37,545	37,923	38,717	36,393	39,742	29,602	477,143
Value of new non-rec OP's in mth (IS)	5,488,999	5,119,030	5,310,799	4,415,309	5,675,676	4,292,801	66,148,139
Value of new non-rec OP's in mth (All Benefits)	9,612,364	8,724,765	9,139,506	8,579,775	9,211,553	6,685,788	111,397,356
Value of Recoveries (IS)	9,304,915	9,567,507	8,181,140	8,760,770	10,220,253	9,212,062	111,223,423
Total Value of Recoveries (All Benefits)	13,946,991	14,123,303	14,227,108	13,900,466	15,273,343	13,292,234	165,155,434
Overpayment Recovery Costs (All Benefits)	4,787,460	5,494,698	4,502,158	4,886,722	5,538,471	5,222,073	44,685,793

CULTURE, MEDIA AND SPORT

Advertising Budgets

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what is his Department's advertising budget for *(a)* 1999–2000 and *(b)* 2000–01. [110255]

Mr. Chris Smith *[holding answer 16 February 2000]:* The only advertising undertaken by my Department this year has been to attract candidates for the many public appointments for which I am responsible. The budget for this is £130,000. The budget for 2000–01 has not yet been allocated.

Departmental Staff

Caroline Flint: To ask the Secretary of State for Culture, Media and Sport what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [108837]

Mr. Chris Smith: I refer my hon. Friend to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, column 518W.

The following table shows the type of child care provision in my Department and the Royal Parks Agency; the number of parents who used it; and the cost to parents:

Type of provision	*Number of parents using child care*	*Cost to parents* £
Department for Culture, Media & Sport:		
Nursery	1	1,360
Holiday playscheme	5	607
Royal Parks Agency:		
Nil	0	0

Caroline Flint: To ask the Secretary of State for Culture, Media and Sport in each of the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [108972]

Mr. Chris Smith: Details of maternity returners for my Department and the Royal Parks Agency are as set out.

(i) Department for Culture, Media & Sport

Proportion of women employees:	*1999*	*1998*	*1997*	*1996*	*1995*
(a) Returned to work after childbirth	8	5	2	1	1
(b) Returned to work after childbirth before end of maternity leave	7	3	0	1	2
1. Time range (in weeks)	18–44	27–43	—	18	36–47
2. Mean time (in weeks)	27	32	—	18	41
(c) Returned to work after childbirth on reduced working hours	5	3	2	0	1
(Average hours worked per week)	(21.2)	(22.2)	(26.8)	—	(21.6)
(d) Returned to work after childbirth full-time and subsequently reduced their hours	0	1	0	0	0

(ii) Royal Parks Agency

Proportion of women employees:	*1999*	*1998*	*1997*	*1996*	*1995*
(a) Returned to work after childbirth	3	0	1	1	0
(b) Returned to work after childbirth before end of maternity leave	0	0	0	0	0
(c) Returned to work after childbirth on reduced working hours	3	0	0	1	0
(Average hours worked per week)	(18)	—	—	(18)	—
(d) Returned to work after childbirth full-time and subsequently reduced their hours	0	0	0	0	0

Caroline Flint: To ask the Secretary of State for Culture, Media and Sport what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108844]

Mr. Chris Smith: Within my Department and the Royal Parks Agency the following provisions are currently available (unless indicated [in italics], the Park's provisions and criteria are the same as those for my Department).

Scheme/Provision	*Eligibility criteria*
(a) Maternity leave	
DCMS scheme	Must be permanent or Fixed Term Contract (FTC) with Civil Service for two or more years. Also completed one year's service and be in paid service when maternity leave starts. Must agree for minimum of one calendar month
Paid Maternity Leave—18 weeks Unpaid Maternity Leave—34 weeks	
If not eligible for DCMS scheme, Statutory leave for 18 weeks	Statutory requirements
(b) Maternity pay	
DCMS scheme	As DCMS maternity leave above
Full pay for 18 weeks	
If not eligible for DCMS scheme, Statutory Maternity Pay 6 weeks at higher rate (90% of salary) plus 12 weeks at lower rate	Statutory requirements
(c) Paternity leave	
Seven days	All male Civil Servants, but temporary appointments of less than one year are excluded
(d) Parental leave	
Three months unpaid leave (but will take account of special paid leave taken in connection with parental responsibilities)	After one year's service
(e) Flexible working hours	
Formal flexible working hours are available to staff	Formal flexible working hours are available to all staff at grades D, C and B. Higher grades can agree to work flexi hours with their line manager
Core time: Start 07.30–10.00 hours Work 10.00–12.00 hours Lunch 12.00–14.00 hours Work 14.00–16.00 hours Finish 16.00–19.00 hours Formal scheme requires a minimum of half hours lunch break. Carry forward up to two days credit and one and half days deficit. Can take maximum of two flexi days leave in four weekly period. *Parks—some staff have reserved rights, but it is not generally possible in park offices, where cover is required until 5pm to comply with the Visitor's Charter. However, staggered working hours are worked as an acceptable system for managing start and finish times.*	

Scheme/Provision	*Eligibility criteria*
(f) Part-time work Available to all staff, but subject to operational needs	All permanent DCMS staff
(g) Job sharing Available to all staff, but subject to operational needs	All permanent DCMS staff
(h) Leave to care for sick children Paid leave up to 10 days in one year at line manager's discretion. Unpaid leave on ad hoc basis. *Parks—special leave with pay may be granted to deal with short-term domestic problems, including care of a sick child*	Depends on the applicant having the right personal qualities and skills together with the availability of suitable work
(i) Home working Available on an ad hoc basis *Parks—nothing in place at present.*	Depends on the applicant having the right personal qualities and skills together with the availability of suitable work
(j) Term-time contracts Would consider if required *Parks—possibility exists, subject to operational needs*	
(k) Annual hours contracts Would consider if required	
(l) Child care allowance None available, but 50 per cent. of child care costs met through the DCMS schemes (one nursery place and holiday playscheme) *Parks—the Agency does not currently pay child care allowances, but would link into DCMS schemes if their staff requested*	
(m) Careers' leave Unpaid special leave—line managers authorise up to 20 working days (but up to 40 working days for visiting relatives overseas). Personnel authorise all other requests for unpaid leave over 21 days.	All permanent/loan staff and FTC of two or more years. Must have completed probation, have a satisfactory attendance, conduct and performance record
(n) Career break schemes Up to five years unpaid leave to i) cope with domestic responsibilities, ii) undertake external studies which could benefit long term development, or iii) to gain wider/external career experience	All permanent DCMS staff.

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many senior civil servants from an ethnic minority background are employed in his Department; and how many of them are *(a)* men and *(b)* women. [110682]

Mr. Chris Smith: As at 1 April 1999, 55 members of the senior civil service were from an ethnic minority background (1.7 per cent.)

Information on ethnic origin in the civil service is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff we do not disclose data relating to fewer than five people.

My Department has fewer than five people of ethnic minority background in the senior civil service.

Departmental Contracts

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if he will list for the financial year 1998–99 *(a)* the number and *(b)* the total value of contracts let by his Department with external consultants and advisers that (i) were put out to competitive tender, (ii) were not put out to competitive tender and (iii) were let on a non-commercial basis, stating in each case the names of the individuals or organisations that have carried out the work. [109264]

Mr. Chris Smith *[holding answer 9 February 2000]:* In the financial year 1998–99 my Department let the following contracts valued at over £5,000 for external consultants and advisers:

	(a)Number	*(b) Value (£)*
(i) Competitive tender	19	685,000
(ii) Single tender	3	21,500
(iii) Non-commercial basis	2	21,650

to the following contactors:

Alan Jude Consultancy
Alun Jones
Aspen, Burrow, Crocker Ltd.
CAG
Deloitte & Touche
Derek Etherington
Durham University
Energy Associates
IPF Ltd.
John Hobhouse
John Stephens
KPMG
Leisure Futures Ltd.

Loughborough University

nme & kay

Olsberg/SPI

Phyllida Shaw

RCC

Rebecca Hawkins

Sheffield Hallam University

Sir Tom Legg

Specialist Canine Services

W S Atkins

Watts & Partners.

It is not possible to provide information for contracts valued at less than £5,000 as the information is not held centrally.

Grants

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109313]

Mr. Chris Smith *[holding answer 10 February 2000]:* The bulk of my Department's expenditure goes to its sponsored bodies, details of whose grants schemes can be found in their annual reports and accounts. My Department has launched the following initiatives:

DCMS/Wolfson Public Libraries Challenge Fund. £2 million DCMS funding (and £1 million Wolfson Foundation funding) each financial year since 1997–98 for projects which enhance the facilities or services of public libraries in England.

DCMS/Museums and Galleries Commission ICT Challenge Fund. £0.5 million over the financial years 1999–2000 and 2000–01 for ICT projects developed by partnerships of museums (main beneficiaries are non national, non designated museums). The bulk of the funding will fall in 2000–01.

DCMS/MGC Education Challenge Fund. £0.5 million over the financial years 1999–2000 and 2000–01 for Area Museum Councils to develop museums' educational work/resources. The bulk of the funding will fall in 2000–01.

MGC/Museums, Libraries and Archives Council Designated Museums Challenge Fund. £3 million for 1999–2000, £4 million for 2000–01 and £8 million for 2001–02. Although the scheme is administered by MGC/MLAC, I retain the final approval of awards.

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many people are currently employed in the Millennium dome. [109726]

Mr. Chris Smith *[holding answer 11 February 2000]:* A total of 2,077.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will list those sponsors of the dome with whom discussions have taken place concerning a reduction in the value of sponsorship originally agreed. [109725]

Janet Anderson *[holding answer 11 February 2000]:* All sponsors remain committed to the sponsorship values for which they have contracted with the New Millennium Experience Company. Where contracts have yet to be signed, the original values discussed and negotiated remain unchanged.

Mr. Field: To ask the Secretary of State for Culture, Media and Sport if he will list the Ministers who have been responsible for the Millennium Dome. [104655]

Janet Anderson *[holding answer 17 January 2000]:* The following Ministers have held, on behalf of Her Majesty's Government, the shares in the New Millennium Experience Company and have therefore been accountable to Parliament for the Millennium Dome:

the right hon. Roger Freeman MP (now Lord Freeman), under the previous Government, as Chancellor of the Duchy of Lancaster; the right hon. Chris Smith MP, from May 1997 to July 1997; the right hon. Peter Mandelson MP, from July 1997 to December 1998; the right hon. Chris Smith MP, from December 1998 to January 1999; and Lord Falconer of Thoroton, since January 1999.

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport if he will place in the Library a monthly estimate of the number of people visiting the Millennium Dome *(a)* in total and *(b)* broken down by nation and region of the United Kingdom. [104824]

Janet Anderson *[holding answer 18 February 2000]:* A total of 366,420 visitors came to the Dome during January, its first month of operation. Detailed information on their place of residence is not available. However, a MORI poll of Dome visitors estimated that 27 per cent. were from London, 28 per cent. were from the South East of England, 34 per cent. were from the rest of the United Kingdom and 11 per cent. were from overseas.

Libraries

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport how many libraries have closed each year for the last 10 years in *(a)* rural areas and *(b)* urban areas. [110784]

Mr. Alan Howarth: Information about the annual number of library closures is not collected centrally. However, data about the number of libraries are set out in the Chartered Institute of Public Finance and Accountancy's annual publication 'Public Library Statistics', which can be consulted in the Library of the House, and from which year-to-year changes can be established.

Sports Action Zones

Mr. Rooney: To ask the Secretary of State for Culture, Media and Sport what criteria were used in determining eligibility for Sports Action Zones; what was the timetable for bids for such zones; and what process was used to arrive at the final awards. [111030]

Kate Hoey: Sport Action Zones, the first 12 of which were announced on 17 January, are part of Sport England's Lottery Sports Fund strategy, which was published in May last year. There will be a total of up to 30 Zones designated over the next 10 years. The Zones are areas where current basic sports provision falls furthest below an acceptable benchmark standard and there is significant economic deprivation. In selecting the areas to be designated, Sport England took into account a number of indicators of deprivation. These included the Department of the Environment, Transport and the Regions 'Index of local conditions', areas which are subject to regeneration initiatives such Objective 1 status, the Single Regeneration Budget, Housing and Education Action Zones and areas such as former coalfields and rural communities which clearly have a deficiency of sports facilities. The designation process also involved discussions with local interests including local authorities, sporting and community groups. The process for designating further Action Zones is under consideration by Sport England.

Sport England will now be discussing with all the local interests, including local authorities, governing bodies, community and volunteer groups and educational bodies a detailed needs analysis for each Zone which will be followed by the production of an Action Plan setting out the agreed priorities for the area. The Plans will form the basis of bids to Sport England for Lottery funding for projects aimed at meeting those objectives. The delivery of the Sport Action Zones objectives will require very close co-operation between all the local interests, with the emphasis very much on listening to the views of local communities and responding to their needs.

Healthy Living Centres

Mr. Ruane: To ask the Secretary of State for Culture, Media and Sport if he will list the healthy living centres in each region and the year in which each was established. [110820]

Kate Hoey: To date the New Opportunities Fund has awarded funding for two healthy living centres, both of which were established in 1999. The St. Augustine's Project is located in the Eastern Region (Norfolk), and the Arden Rehabilitation Project is situated in the South-east Region (Kent).

Over the lifetime of this initiative, the New Opportunities Fund expects to support over 300 healthy living centres UK wide. Over 70 bids are currently at an advanced stage of consideration and the New Opportunities Fund expects to make further announcements at the end of this month.

In addition, there are a number of existing healthy living centres funded from other sources. We do not hold a central record of these.

Funding

Mr. Simon Hughes: To ask the Secretary of State for Culture, Media and Sport what opportunities there are for *(a)* dance, *(b)* drama, *(c)* music, *(d)* art and *(e)* sport for people (i) under 16 years and (ii) over 60 years which receive funding from his Department. [111099]

Mr. Alan Howarth: The Arts Council of England which my Department funds directly (£227 million grant-in-aid in 1999–2000), is dedicated to giving opportunities to young people, and supporting lifelong learning. Through initiatives ranging from the Lottery-funded Foundation for Youth Music to Green Candle Dance Company's ArtAge programme, the Arts Council is improving opportunities for all generations to experience a range of art forms. My Department also funds directly Sport England (£34 million grant-in-aid in 1999–2000), which seeks to ensure that opportunities for sport and physical education are available to all, regardless of age, through initiatives such as the Active Schools and Active Community programmes.

WALES

Child Abusers

Mr. Ruane: To ask the Secretary of State for Wales (1) if he will list the *(a)* number and *(b)* professions of the alleged abusers who were referred to but not named in the report, "Lost in Care"; [111032]

(2) if he will place a list of the names of the child abusers listed but not named in the "Lost in Care" report in the Library; [111265]

(3) if he will list the nature of the offences that those abusers, referred to but not named in the report, "Lost in Care", are alleged to have committed. [110986]

Mr. Paul Murphy: The report has been published and has been made available to my hon. Friend. The Tribunal's approach to the evidence, including its policy on naming is set out in Chapter 6. It would not be appropriate to list this information outside the context of the report.

Mr. Ruane: To ask the Secretary of State for Wales if he will ensure that relevant information held by public bodies in relation to abusers in connection with the "Lost in Care" report is passed to police forces. [110984]

Mr. Paul Murphy: The Government expect public bodies to pass all relevant information about the alleged abuse of children to the police. This includes any information in connection with the "Lost in Care" Report.

Mr. Ruane: To ask the Secretary of State for Wales if he will list the names of those alleged abusers referred to in the report, "Lost in Care", who *(a)* are awaiting prosecution for sexual abuse and *(b)* have not been prosecuted for sexual abuse. [110991]

Mr. Paul Murphy: The Tribunal has explained in chapter 6 of the report "Lost in Care" that it was unable to report at all on some allegations because they are the subject of ongoing police investigations and proceedings. A summary of developments on these investigations and proceedings between 1997 and 1999 is given at paragraphs 50.29 to 50.32 of the report.

It was for the Tribunal to decide who should be named in the report. The Tribunal considered this issue carefully, and has set out its policy on naming names in chapter 6 of the report. It would not be appropriate for me to list any individuals, including alleged abusers awaiting prosecution for sexual abuse or who have not been prosecuted for sexual abuse, whom the Tribunal decided not to name in the report.

Mr. Ruane: To ask the Secretary of State for Wales how many of those named as child abusers in the "Lost in Care" report have been found guilty of child abuse offences during the course of the Lost in Care inquiry. [111264]

Mr. Paul Murphy: I refer my hon. Friend to paragraphs 50.29 to 50.32 of the report.

Mr. Ruane: To ask the Secretary of State for Wales if he will list the names and positions of the alleged abusers highlighted in the report, "Lost in Care". [111053]

Mr. Paul Murphy: The Tribunal considered carefully the issue of naming names, and has set out its policy on this issue in chapter 6 of the report.

The Tribunal's findings against individuals of having harmed children or of being unsuitable to work with children relate to incidents of varying gravity which are described in the report. It is important to read the report to understand the context for these allegations and the Tribunal's findings.

I will not therefore issue a list of their names and positions in isolation from the report.

Mr. Ruane: To ask the Secretary of State for Wales if he will list the names of the alleged abusers, who have not been traced, referred to in the report, "Lost in Care". [110985]

Mr. Hanson: The names of 28 individuals named in the report whose whereabouts were not known prior to publication were sent to local authorities, health authorities, and NHS trusts in England and Wales last week in confidence and for child protection purposes. The list of names was not drawn up for general publication, and I will not therefore list the names here.

Mr. Ruane: To ask the Secretary of State for Wales how many of the victims of abuse in children's homes in North Wales, referred to in the report, "Lost in Care", committed suicide. [110983]

Mr. Paul Murphy: Information about these tragic events is not held centrally.

Mr. Ruane: To ask the Secretary of State for Wales what *(a)* authorities and *(b)* children's organisations were contacted to try and trace the known sex abusers named in the "Lost in Care" report prior to its publication; and if he will make a statement. [111263]

Mr. Paul Murphy: The successor local authorities and the police in North Wales had access to the evidence given to the tribunal. The authorities were therefore able to assess the position of those people who were named in the evidence and who were in their employment or involved in services regulated by them.

However we were not in a position to share the names of those named in the report with other organisations until we had the protection of parliamentary privilege, following laying of the report as an unopposed return in the House of Commons.

HOME DEPARTMENT

Departmental Staff

Caroline Flint: To ask the Secretary of State for the Home Department what child care provision was made available in the financial year 1998–99 for use by (i) his departmental staff and (ii) employees of executive agencies under the control of his Department; what was the cost to parents of this child care; and how many parents used the facilities. [108829]

Mr. Straw: The Civil Service as a whole is striving for an improved balance between work and family life. I refer my hon. Friend to the reply given to her by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, columns 518–19W.

The Home Office provides subsidised child care as part of a raft of policies to enable staff to better balance their work and home responsibilities.

During the financial year 1998–99, the Home Office provided 157 subsidised nursery places to employees with children under five at a variety of locations. Emergency care was usually available at these locations for employees who had short-term difficulties with their usual child care provision. Holiday Playschemes are run in central London, Croydon, and on Merseyside during half terms and all the major school holidays for children aged five—12. A breakdown of the overall departmental provision including details of the parental contribution to fees and the number of parents who benefited from the provision is shown in the table.

The parental contribution varies according to the location of the nursery or playscheme, but on average the department meets 38 per cent. of the child care costs.

Nursery provision in the Home Office during 1998–99

Management/location	*Name of nursery*	*Number of places*	*Weekly parental payment (£)*	*Number of parents benefiting*
Home Office, UK Passport Agency and Prison Service Agency				
Central London	Nurseryworks Waterloo	8	88.00	10
	Stepping Stones	4	88.00	8
	First Steps	8	88.00	14
Outer London (various locations)	Buffer Bear	10	88.00	5
Prison Service Agency				
Outer London (various locations)	Buffer Bear	6	81.50	4
Holloway and Pentonville	Toddler's Inn	44	64.00	60
Immigration and Nationality Department				
Croydon	Sunbeam	50	75.50	67
Outer London (various locations)	Buffer Bear	10	88.00	8

Nursery provision in the Home Office during 1998–99

Management/location	*Name of nursery*	*Number of places*	*Weekly parental payment (£)*	*Number of parents benefiting*
Core Home Office-Merseyside				
Bootle, Liverpool	Bees Knees	5	53.50	10
Fire Service College				
Moreton-in-Marsh, Gloucestershire	Welephants	12	57.50	15
Total		157		201

Home Office provision of playschemes during 1998–99

Management/location	*Playscheme*	*Daily parental contribution*	*Number of parents who benefited from provision*
Immigration and Nationality Department			
Croydon	Sunbeam Club	£8.50	118
Core Home Office-Merseyside			
Bootle, Liverpool	St. John's Playscheme	£3.50 for 1st child and £4 for other siblings	21
Core Home Office			
Central London	Westminster Holiday Playscheme	£9	27
Total			166

Caroline Flint: To ask the Secretary of State for the Home Department what provisions are made available to (i) departmental staff and (ii) employees of executive agencies under the control of his Department, for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contract, *(l)* child care allowances, *(m)* careers' leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108851]

Mr. Straw: The Civil Service as a whole is striving for an improved balance between work and family life. I refer my hon. Friend to the reply given to her by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, columns 519W-22W.

Changes to the maternity leave rights under the Employment Relations Act 1999, will apply to core Home Office employees who are pregnant and whose expected week of childbirth is the week commencing 30 April 2000 or later.

The Department currently meets the majority of these rights with its existing policy. I have placed a copy of the detailed statement in the Library.

Caroline Flint: To ask the Secretary of State for the Home Department in the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [109231]

Mr. Straw: The Civil Service as a whole is striving for an improved balance between work and family life. I refer my hon. Friend to the reply given to her by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 2000, *Official Report*, columns 519W-20W.

The available information on my Department and its Agencies is set out in the table.

Proportion of women employees 1 January 1995 to 9 February 2000	*Home Office*[1]	*Agencies* *Fire Service College*	*Forensic Science Service*	*United Kingdom Passport Agency*	*HM Prison Service*
All cases of childbirth where return status is known	1,664	21	229	325	599
(a) returned to work after childbirth[2]	99 per cent. (1,646)	95.2 per cent. (20)	100 per cent. (229)	99 per cent. (322)	98.5 per cent. (590)
(b) returned to work after childbirth before end of maternity leave[3]	12.8 per cent. (212)	4.76 per cent. (1)	9.6 per cent. (22)	22.4 per cent. (72)	n/a n/a
(1) time-range in days	40–97	96–97	95–97	67–97	42–371
(2) mean time in days	95.4	96.95	96.5	96.04	144

Proportion of women employees 1 January 1995 to 9 February 2000	*Home Office*[1]	*Agencies: Fire Service College*	*Agencies: Forensic Science Service*	*Agencies: United Kingdom Passport Agency*	*Agencies: HM Prison Service*
(c) returned to work after childbirth on reduced hours.[3]	9.4 per cent.	0 per cent.	11.35 per cent.	6.46 per cent.	23.6 per cent.
	(157)	(00)	(26)	(21)	(139)
:average hours worked	21:04	n/a	22:40	21:10	22:00
(d) returned to work after childbirth full-time and subsequently reduced their hours[7]	25.1 per cent.	19 per cent.	21.8 per cent.	31 per cent.	n/a
	(418)	(4)	(50)	(101)	n/a

[1] Staff movement between the Home Office and its Agencies can not be determined historically from the central personnel system. Figures given are for the careers of staff currently serving in the areas shown.
[2] This figure may include certain staff who returned to work after an additional career break following maternity leave.
[3] The proportion shown is that for staff returning before the end of paid maternity leave. Maternity leave changed from 14 to 18 weeks in 1999. A period of 14 weeks paid maternity leave has been used.
[4] For Prison Service staff it is assumed that all staff have taken the period of maternity leave due to them. The time-range given is that for all staff returning.
[5] The Home Office personnel system only holds current information on staff hours. This figure shows those staff who returned on reduced hours (and who have not since reverted to full-time working). Staff whose hours reduced within three days of their return are included in (c).
[6] The Prison Service personnel system only holds current information on staff hours. This figure shows those staff who either returned on part-time hours or later reduced their hours.
[7] The Home Office and non-Prison Service Agency figures in (d) shows those whose hours have reduced since return and who have not after that change returned to full-time working.
n/a = not available

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for the Home Department if all food served at his Department's official functions meets the standards of production required of domestic producers. [109782]

Mr. Straw *[holding answer 11 February 2000]:* Food safety and hygiene guidance issued within my Department requires that food provided for official functions is obtained from staff restaurants or other reputable suppliers. These are subject to the Food Safety Act 1990. Any contracts let for food or catering services require providers to comply with all food safety legislation. I have no reason to think that these requirements are not being met.

Emergency Services

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) how many calls to *(a)* fire brigades, *(b)* police forces and *(c)* ambulance services were (i) false alarms and (ii) malicious calls in each of the past five years; [110315]

(2) what was the total number of 999 call-outs, for *(a)* the Fire Service, *(b)* the Police and *(c)* ambulances in each of the past five years; [110313]

(3) what was the total cost of *(a)* false alarms and *(b)* malicious calls to the emergency services in each of the past five years. [110305]

Mr. Mike O'Brien: Figures for 999 calls received by fire brigades in England and Wales are not collected. This is because brigades often receive multiple 999 calls for a single incident. Brigades, therefore, record the number of incidents actually attended. The figures include fires, false alarms and special service incidents for the last five years for which the information is available, were as follows:

	Number
1994	988,914
1995	1,148,812
1996	1,060,845
1997	991,435
1998	900,287

The following information on numbers of false alarms and malicious calls, therefore, relates to incidents actually attended.

	False alarms	*Malicious calls*
1994	295,600	132,200
1995	345,200	102,700
1996	331,600	98,400
1997	341,400	88,800
1998	323,400	74,100

The number of 999 calls received by police forces in England and Wales was as follows:

	Number
1993–94	5,297,040
1994–95	6,088,654
1995–96	6,881,163
1996–97	7,297,219
1997–98	7,670,039

No information on false or malicious 999 calls is collected centrally for police forces. Therefore, the information could be made available only at disproportionate cost.

The number of emergency calls received by the ambulance services in England and Wales was as follows:

	Calls	*Response*
1994–95	2,611,300	2,609,600
1995–96	3,163,200	2,855,700
1996–97	3,337,000	2,993,800
1997–98	3,576,200	3,160,500
1998–99	3,847,500	3,291,000

The difference between the number of calls and the number of actual responses is due to: duplicate calls, false alarms and hoaxes. It is not possible to separate these into the different categories.

Political Donations

Mrs. Ewing: To ask the Secretary of State for the Home Department what assessment he has made of the impact of EU legislation on the free movement of capital on the provisions of the Political Parties, Elections and Referendums Bill relating to donations to political parties for individuals and unincorporated bodies. [110286]

Mr. Mike O'Brien *[holding answer 15 February 2000]:* The Government believe that the controls on donations set out in the Bill are compatible with our European Union treaty obligations.

Secure Training Centres

Jackie Ballard: To ask the Secretary of State for the Home Department what is the ratio of staff, excluding administrative staff, to trainees at *(a)* Medway, *(b)* Rainsbrook and *(c)* Hassockfield secure training centres; how many staff have (i) resigned and (ii) had their employment terminated at each facility since opening; and if he will make a statement on current staff shortages at each facility. [110456]

Mr. Boateng: The contracts for the three secure training centres each require the Contractor to maintain minimum staffing levels in relation to the availability of 40 trainee places, regardless of the number of trainees held in the centre. The staff (excluding administrative staff) to trainee ratio underpinning these minimum requirements is as follows:

Secure Training Centre	*Daytime*	*Evening*	*Night*
Medway	26:40	17:40	9:40
Rainsbrook	26:40	17:40	9:40
Hassockfield	37:40	17:40	9:40

All three contracts require that, notwithstanding the minimum staffing levels set out in the table, the Contractor will provide a sufficient number of staff with the appropriate skills, qualifications and/or experience at the secure training centre to meet its obligations under, and comply with the provisions of, the contract at any time irrespective of the number of staff required for it to do so. This means that the staff to trainee ratios regularly exceed the minimum contractual requirements. A snapshot of the staff to trainee ratios at each of the three centres, based on the main morning shift on Friday 11 February, is as follows:

Medway: 48:32

Rainsbrook: 46:40

Hassockfield: 37:20.

Medway opened on 17 April 1998, Rainsbrook opened on 1 July 1999 and Hassockfield opened on 17 September 1999. Numbers of staff resignations and terminations for each establishment since opening are as follows:

	Resignations	*Terminations*
Medway	61	3
Rainsbrook	33	5
Hassockfield	29	5

All three centres continue to maintain the contractual minimum staffing levels, with the exception that the full complement of Social Workers is not always being met at Medway and Rainsbrook. The Operating Contractors have provisional arrangements in place to cover these shortfalls and are continuing in their efforts to recruit additional Social Workers in the face of a shortage of Social Workers generally in these geographical areas.

Jackie Ballard: To ask the Secretary of State for the Home Department what formal *(a)* inspections and *(b)* audits have taken place in respect of (i) Medway, (ii) Rainsbrook and (iii) Hassockfield secure training centres since each facility opened; and what their findings were. [110457]

Mr. Boateng: Each secure training centre is subject to inspection by the Social Services Inspectorate. Formal inspections have so far taken place only at Medway. The centres at Rainsbrook and Hassockfield have been open for seven and a half and five months respectively and full inspections are not scheduled to take place until later this year. Three formal inspections have been undertaken at Medway and I am arranging for copies of the two published reports to be sent to the hon. Member. The report on the latest inspection is not yet available.

No audits have taken place or are planned. Home Office Monitors are based at each site and they are responsible for seeing that the terms of the contracts are met on a day to day basis and also that the centres are complying with the Secure Training Centre Rules.

HMP Altcourse

Jackie Ballard: To ask the Secretary of State for the Home Department when a security audit of HMP Altcourse was carried out; what were the findings of the audit; if he will publish the findings; if the operator is to be penalised for contract failures identified by the audit; what contract failures occurred and what was the amount of the penalties incurred; what remedial action has been *(a)* recommended and *(b)* implemented in respect of deficiencies found; and if he will make a statement. [110445]

Mr. Boateng: A security audit of Altcourse prison was carried out between 27 January and 4 February 2000. The report has not yet been issued but I understand the overall rating awarded will be acceptable. The report and findings cannot be made public as the information they contain could compromise the security of the establishment. The report is due to be issued on 3 March and the Director of Altcourse will then produce an action plan addressing any shortcomings identified. When he receives the audit report, the Home Office Controller will consider whether any of its findings should lead to financial penalties against the contractor.

Ashfield Young Offenders Institution

Jackie Ballard: To ask the Secretary of State for the Home Department what is the expected age range of the prisoner population at HMP and Young Offenders Institution Ashfield; what are the expected average numbers for each age group within the prisoner population; what specific training has been given to staff to care for each specific age group; when he expects the establishment to become overcrowded; and if he will make a statement. [110460]

Mr. Boateng: Ashfield is certified to hold 400 male offenders between the ages of 15 and 21. It is expected that 300 of these will be aged under 18. Under the terms of its contract, the prison can be asked to hold up to 40 prisoners above its uncrowded capacity. However, the level of overcrowding and when this might occur will be dependent on prison population pressures.

All prison custody officers at Ashfield have received 40 hours of training on working with adolescents in addition to their normal six weeks of general training.

Jackie Ballard: To ask the Secretary of State for the Home Department what is the current prisoner population at HMP Young Offenders Institution Ashfield; when it will reach capacity; what incidents have been reported at the establishment since it opened; what is the current staff/prisoner ratio; what is the staff/prisoner ratio at full capacity; of serving prisoner custody officers, how many have experience of working in a young offenders institute run by the Prison Service; what is the ratio of managers to prisoner custody officers; and how many managers have had experience of working in Prison Service establishments. [110454]

Mr. Boateng: As at 16 February 2000, the prisoner population of Ashfield was 264. Under the terms of the contract, Ashfield was required to have 400 places available by 3 January 2000, and this was achieved. The rate of at which Ashfield fills will depend on the numbers of prisoners committed to custody by the courts.

Incidents reported since Ashfield opened are detailed in the table.

Four prison custody officers have previously worked in Prison Service establishments, three of them in Young Offender Institutions. Eleven managers have previously worked in Prison Service establishments. Staff ratios at Ashfield are a matter for the contractor.

Incidents at Her Majesty's Prison/Young Offenders Institution Ashfield since 1 November 1999

	Number
Fights	23
Self harm	16
Fire (minor)	4
Key incident	1
Possession of drugs	4
Proven adjudications for assaults	45
Tool loss	1

Firearms

Mr. Alexander: To ask the Secretary of State for the Home Department what plans he has to discuss with the Scottish Executive changes in the legislation governing the use and possession of firearms. [110495]

Mr. Charles Clarke: The Government have no immediate plans to change the laws governing the possession and use of firearms, but existing controls will be kept under close scrutiny to see if there is anything further which needs to be done to protect public safety. As part of this process, the Home Office remains in close contact with the Scottish Executive on a wide range of policing issues, including firearms controls as well as other issues of mutual concern. I have recently corresponded with the Scottish Minister of Justice about the matters currently being considered by the Home Affairs Committee inquiry into controls on firearms and shall certainly wish to consult further and take into account the view of the Scottish Executive before responding to any recommendations.

Mr. Alexander: To ask the Secretary of State for the Home Department what recent estimate he has made of the number of people in the UK in possession of firearms. [110496]

Mr. Charles Clarke: Records are kept of the number of people holding firearm and shotgun certificates at the end of each year, and the figures for these as of the end of 1998 are as follows:

	Firearm Certificates	*Shotgun Certificates*
England and Wales	131,900	627,600
Scotland	31,072	63,100

Some individuals within these totals may hold both firearm and shotgun certificates. These figures do not take into account the ownership of low-powered air weapons which do not require a certificate.

Firearms in Northern Ireland are recorded against the fiscal year and a single type of Firearm Certificate applies to firearms, shotguns and air weapons. At the end of March 1999, there were 83,229 certificates on issue in Northern Ireland.

These figures do not include firearms possessed by Government agencies, commercial bodies or by institutions such as museums. Nor do they include any estimate of firearms in criminal hands.

Prisons

Jackie Ballard: To ask the Secretary of State for the Home Department what criteria have been drawn up on which to base a decision to market-test failing public sector prisons; which prisons are now being considered for market testing; and if he will make a statement. [110458]

Mr. Boateng: I have asked the Director General of the Prison Service to put forward proposals on how prisons which continually fail to meet the standards required of them should be subjected to market-testing. No decision has been made on the criteria to be used, and there is no list of prisons being considered for market-testing.

Jackie Ballard: To ask the Secretary of State for the Home Department, pursuant to his answer of 27 January 2000, *Official Report*, columns 233–34W, on prisons, for what reason he did not include information on plans to open new prisons in the next five years. [110446]

Mr. Boateng: I regret that the information about new prisons was omitted in error from my reply of 27 January 2000, *Official Report*, columns 233–34W. The table shows new prisons scheduled to open in the next five years.

New prisons planned

Prison	*Rye Hill*	*Marchington*
Location	Near Rugby	Staffordshire
CNA (Certified Normal Accommodation)	600	800 (including 200 place therapeutic community)
Costs at net present value[1] (£ million)	154	240
Operator	Group 4	Premier Prison Services
Opening date	January 2001	July 2001

[1] The "cost at NPV" is the total cost of designing, constructing, financing and managing the prison over the 25 year life of the contract, expressed in Net Present Value (NPV) terms

HMP Parc

Jackie Ballard: To ask the Secretary of State for the Home Department what financial penalties have been incurred by the operator of HMP Parc since 1 March 1999; what contract failures have been identified since 1 March 1999; what payments have been withheld in respect of such failures; on what date the Prison Service withdrew special managerial attention from HMP Parc; which recommendations made by HM Chief Inspector of Prisons in his report of October 1999 have *(a)* been implemented and *(b)* not been implemented, stating the method of implementation and reasons for non-implementation respectively; and if he will make a statement. [110443]

Mr. Boateng: Financial penalties totalling £199,950.48 have been withheld for the period 1 March 1999 to 31 December 1999, of which £198,594.65 have been calculated by converting the penalty points accrued during the period to a financial value in accordance with the performance mechanism contained in the contract. The amount also includes the sum of £1,355.83 which has been deducted from the contractor for "doubling" in excess of permitted levels.

The incidents leading to the deductions are listed in the table and are failures to comply with performance standards.

The list of establishments requiring close managerial attention has been discontinued. For the current approach to raising the standard of under-performing prisons, I refer the hon. Member to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Bolton, West (Ms Kelly) on 31 January 2000, *Official Report,* column 426W.

Responses to inspection reports follow a protocol agreed between the Secretary of State, the Prison Service and Her Majesty's Chief Inspector of Prisons. Following the publication of an inspection report, the Prison Service produces an action plan within 30 working days setting out in detail the programme for implementing each recommendation or, in some cases, the reasons for rejecting the recommendation. The report on Parc contained 216 recommendations and all but 23 are being implemented. Action plans are routinely updated nine and 15 months after publication to monitor the progress made, and copies are submitted to Ministers and to the Chief Inspector. I will write to the hon. Member with details of progress when the Parc action plan has been updated in July.

Performance measures	*Number of incidents*
Keep prisoners in custody	
Escape from prison	1
Escape from escort	0
Absconds	0
Temporary release failure	0
Release in error	0
Items smuggled in	1
Category A procedure failure	0
Category A search failure	0
Failure of other (non-category A) procedure	65
Key lock compromises	0
Home detention curfew—risk assessment reports	0
Maintain order, control discipline and safe environment	
Assaults on staff and others	19
Assaults on prisoners	13
Incident of concerted indiscipline	29
Incidents of hostage taking	0
Incidents of roof climbing	0
Incidents of self harm	211
Failure to complete 90 per cent. of mandatory drug tests	39
Incidents of class A drugs including opiates	17
Incidents of other drugs	165
Contingency planning exercise	0
Fire evacuation exercise	3
Failure to comply with agreed reporting procedures	0
Tool/implement loss (found)	0
Tool/implement loss (not found)	0
Providing decent conditions for prisoners and meet their needs, including healthcare	
Failure to provide medical response	0
Failure to see Medical Officer on arrival	178
Failure to provide meals	0
Health and safety matter	0
Response to prisoner complaints	122
Substantiated complaints	11
Failure to comply with cleaning schedule	26
Repair failure	0
Substantiated complaint concerning mail	0
Providing purposeful activities	
Failure to deliver purposeful activity hours:	
(i) less than 95 per cent.	19
(ii) less than 75 per cent.	15
(iii) less than 50 per cent.	0
Failure to deliver required hours of activities:	44
Failure to deliver out of cell hours:	
(i) less than 95 per cent.	10
(ii) less than 75 per cent.	18
(iii) less than 50 per cent.	16
Failure to provide sentence plans:	158
Helping prisoners prepare for their return to the community	
Visits starting within 30 minutes of appointment	80
Release without discharge report	18
See legal aid adviser	0
Pre-release job searching	20
Compact issued and reviewed	0
Implementation of audit proposals	
Failure to implement audit report recommendations	9

Performance measures	Number of incidents
Failure to report performance measure	
Failure to report on performance measures under clauses (i), (ii)(a)-(f), (j)-(n), (iii)(a), (c)-(i), v(b)-(d), 9(vi)	8
Failure to provide any of the reports listed at annex A	1

Asylum Seekers

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 2 February 2000, *Official Report*, columns 1057–67, concerning the number of asylum decisions made each month, how many asylum decisions were made in each of the last three months for which figures are available; and if he will give full particulars of dates and types of decision. [110670]

Mrs. Roche: The available information is given in the table. The January figures will be published via the internet at http://www.homeoffice.gov.uk/rds/index.htm. It would not be possible to give full details of the dates of each decision without the examination of individual case records.

Initial decisions made on applications received, October to December 1999 [1,2,3]

	October	November	December
Total decisions	2,630	2,650	2,320
Cases considered under normal procedures			
Recognised as a refugee and granted asylum	175	230	170
Not recognised as a refugee but granted exceptional leave	175	215	120
Refusals:			
Total refused	1,250	1,410	1,045
Refused asylum and exceptional leave after full consideration	975	1,005	665
Refused on safe third country grounds	145	200	100
Refused on non-compliance grounds[4]	130	210	280
Backlog clearance exercise			
Granted exceptional leave under backlog criteria[5,6]	790	715	920
Refused on non-compliance grounds under backlog criteria[5,7]	240	80	65

[1] Figures are rounded to the nearest five.
[2] Information is of initial determination decisions, excluding the outcome of appeals or other subsequent decisions.
[3] Provisional figures.
[4] Paragraph 340 (paragraph 180F prior to 1 October 1994) of the Immigration Rules, for failure to provide evidence to support the asylum claim within a reasonable period, including failure to respond to invitation to interview to establish identity.
[5] Cases decided under pragmatic measures aimed at reducing the pre 1996 asylum application backlog.
[6] Includes a small number of cases where asylum has been granted.
[7] Includes a small number of cases where the application has been refused on substantive grounds.

Mr. Lidington: To ask the Secretary of State for the Home Department how many asylum decisions were made by his Department in each week of January. [111344]

Mrs. Roche: Statistics on asylum decisions are not available on a weekly basis. Statistics showing how many decisions were made in January will be published via the internet at http://www.homeoffice.gov.uk/rds/index.htm on 25 February 2000.

Mr. Lidington: To ask the Secretary of State for the Home Department what plans he has to alter the target of clearing all current asylum cases by October. [111345]

Mrs. Roche: We remain committed to the White Paper target of reducing the backlog of initial asylum decisions to frictional levels by April 2001. Over 250 new asylum decision-makers have already been recruited and more are planned. We are close to achieving 4,000 asylum decisions a month and we are aiming to make 8,000 a month by the late spring. At current intake levels, we expect to make major inroads into the backlog by the end of the year.

Mr. Lidington: To ask the Secretary of State for the Home Department what is the statistical source for his oral statement of 2 February 2000, *Official Report*, column 1064, that his Department is "close to achieving 4,000 asylum decisions a month". [111355]

Mrs. Roche: Provisional information from management sources indicated that the number of asylum decisions in January would be close to 4,000. The actual figure will be published on 25 February.

Mr. Loughton: To ask the Secretary of State for the Home Department how many applications for asylum were received from applicants travelling from Pakistan in each of the last five years. [111057]

Mrs. Roche: The information requested is given in the table.

Asylum applications [1] *received in the United Kingdom, excluding dependants, 1995 to 1999, nationals of Pakistan*

Year	Number
1995	2,915
1996	1,915
1997	1,615
1998	1,975
1999	2,615

[1] Figures rounded to nearest five

Mr. Tynan: To ask the Secretary of State for the Home Department by what method the number of asylum seekers for dispersal to Scotland has been calculated. [111041]

Mrs. Roche: We have made no such calculations.

We have given indications to local authority consortiums of the total amount of accommodation we are likely to need in 2000–01. We are now in the process of acquiring accommodation both from the public sector and the private sector in order to be able to accommodate the anticipated demand.

Mr. Tynan: To ask the Secretary of State for the Home Department what plans he has to use the powers under the Immigration and Asylum Act 1999 to direct local authorities in Scotland to take asylum seekers. [111042]

Mrs. Roche: I have no plans at this stage to exercise the powers in the Immigration and Asylum Act 1999 to direct any local authorities to take asylum seekers.

Mr. Tynan: To ask the Secretary of State for the Home Department how many asylum seekers have been subject to dispersal from the South East of England; and how many have been dispersed to each local authority area in *(a)* England, *(b)* Wales and *(c)* Scotland. [111054]

Mrs. Roche: Under the interim arrangements, which came into force on 6 December, a total of 1,124 asylum seekers were dispersed from London and Kent up to 2 February 2000. They were all dispersed to local authorities across England. The table reflects how many have been subject to dispersal in each region/local authority:

Dispersal by region/local authority

	Number
North West	
Liverpool	210
Bolton	34
Blackburn	24
Manchester	28
Oldham	22
Blackpool	7
Salford	33
Wigan	34
Bury	34
Rochdale	35
Trafford	13
Tameside	13
Stockport	13
Wales	0
North East	
Calderdale	7
Newcastle	34
Sunderland	14
Redcar	11
North Tyneside	8
Gateshead	8
Middlesbrough	4
South Tyneside	4
West Midlands	
Wolverhampton	23
Birmingham	10
Dudley	5
Warwick	2
Coventry	1
South Central	
Basingstoke	16
Portsmouth	41
Bournemouth	9
Yorkshire/Humberside	
Wakefield	83
Kirklees	52
Sheffield	38
Barnsley	35
Leeds	22
Grimsby	58
Rotherham	11
Bradford	9
East	0
East Midlands	
Derby	48
Nottingham	6
South West	0

The interim arrangements do not apply in Scotland where existing arrangements for the support continue to have effect until the new scheme under Part VI of the Immigration and Asylum Act 1999 comes into force.

Combat 18

Mr. McNamara: To ask the Secretary of State for the Home Department (1) what estimate he has made of the membership and geographical distribution of Combat 18 in the United Kingdom; and what assessment he has made of how it has changed over the past five years; [110661]

(2) how many individuals have been charged in the past three years with offences related to their activities on behalf of Combat 18 or in association with suspected members of that organisation; and if he will set out a chronological list of the charges made and the outcome at trial; [110662]

(3) what assessment he has made of the aims and objectives of the organisation known as Combat 18. [110663]

Mr. Charles Clarke: I understand that the name "Combat 18" is used by a very small number of individuals with neo-nazi views who associate in a series of loose groupings, mainly in South-East England. The name has also been used by others in racist graffiti or in connection with acts of vandalism and hooliganism. This has been the position for the last five years. It is not possible to provide authoritative information on criminal proceedings because links to these loose groupings are seldom clear cut.

The Government deplore the activities of any group or individual which promotes bigotry, hate and violence.

HMP Manchester

Jackie Ballard: To ask the Secretary of State for the Home Department what criteria were used as the basis for the decision to market-test the current service level agreement for HMP Manchester; and if he will make a statement. [110459]

Mr. Boateng: The current service level agreement for Manchester expires in 2001 and the competitive process of a market test is the best means of driving up standards and of obtaining a high quality service at maximum value for money.

Freedom of Information

Mr. Llew Smith: To ask the Secretary of State for the Home Department what is his policy on the extent to which *(a)* the Information Commissioner and *(b)* the utility regulators will have the overriding power to adjudicate on matters of dispute in regard to applications for release of information from utilities. [110648]

Mr. Mike O'Brien: Under the Freedom of Information Bill, which was introduced into Parliament last November, the Information Commissioner will have wide powers to adjudicate on complaints arising from a public body's refusal to disclose information requested by an applicant.

The utility regulators are public bodies and are included in the scope of the Bill. Applicants may obtain such information about the public functions of the utilities as their regulators hold, if it does not fall within any of the exemptions in the Freedom of Information Bill. And even when a public authority receives a request for information which is exempt, it will be required to consider the exercise of any discretion it may have to disclose it.

The Information Commissioner has the power to order disclosure except where an exemption has been properly relied on, and the issue is whether information should be disclosed as a matter of discretion. Where information is exempt, the Commissioner may consider whether the authority had proper regard to its discretion to release the information when it is in the public interest. She can also recommend discretionary disclosure of the information. In such cases, however, it would be for the public body, in this case the utility regulator, to determine whether or not to accept the Commissioner's recommendation.

We have made it clear that we are considering representations made during the course of the debate in the Commons on Second Reading and in the Committee Stage. My hon. Friend did not contribute in these debates but if he wishes to write to me I will certainly consider any points he wishes to make.

Mr. Llew Smith: To ask the Secretary of State for the Home Department if he will make a statement on the mechanism by which the freedom of information legislation is to be implemented in Northern Ireland. [110649]

Mr. Mike O'Brien: Freedom of Information proposals within the Bill will apply to Northern Ireland in the same way as to England and Wales. However, when the suspension of the Northern Ireland Assembly is lifted, the Assembly will be able to use its power to amend the legislation in relation to bodies in the transferred field. It will be up to them to decide whether they wish to do so.

Clause 85, subsection (3) of the Bill makes provision for the legislation to come into force within five years of achieving royal assent. This is a statutory limit and not a target for implementation. This subsection also makes provision for the Secretary of State, by order, to appoint different days for the legislation to come into force for different purposes.

Stansted Hijack

Mr. Tyrie: To ask the Secretary of State for the Home Department what are the criteria he used to distinguish applications from those seeking asylum following the Stansted hijacking from other applications outstanding which led him to consider the former personally. [110562]

Mrs. Roche: While it is for the Secretary of State to make decisions on asylum claims, there are too many for the Home Secretary to do so in every case. However, as my right hon. Friend the Home Secretary, said in his statement to the House on 10 February 2000, *Official Report,* columns 417–18, the special circumstances of the hijacking caused him to decide to consider these particular asylum applications personally.

West Yorkshire Police

Mr. Wood: To ask the Secretary of State for the Home Department how many police officers are currently suspended in the West Yorkshire Force; and in each case for how long the officer has been suspended. [110468]

Mr. Charles Clarke: West Yorkshire Police currently has 13 officers suspended. Five officers have been suspended for 330 days; and others have each been suspending for 401 days, 251 days, 246 days, 241 days, 235 days, 185 days, 150 days and 108 days.

Data Protection Registrar

Mr. Waterson: To ask the Secretary of State for the Home Department what is the average time taken by the Data Protection Registrar to deal with complaints from the public. [110666]

Mr. Mike O'Brien: The Data Protection Registrar publishes information about complaints handling in her Annual Report to Parliament. Her 15th report, published in July 1999, records that in 1998–99 a total of 1,686 complaint files were closed. Of these, 38 per cent. were open for 0–3 months; 26 per cent. for 3–6 months; 19 per cent. for 6–12 months; and 17 per cent. for more than 12 months.

Farm Watch Schemes

Mr. Breed: To ask the Secretary of State for the Home Department (1) what assessment he has made of the success of farm watch schemes in combating crime; [110786]

(2) what assessment he has made of the success of the Kent Country Eye partnership in combating crime. [110785]

Mr. Charles Clarke: The Government recognise that, although people in rural areas face much the same sort of crime as urban and inner-city areas, they have different policing needs. Owing to the physical nature of the countryside, police response times may not always be as quick as they or the public would like.

The most effective response to rural crime, therefore, is the partnership approach between the police and local communities and schemes such as Farm Watch and Country Eye are important in enabling members of the public to work with the police and other agencies to tackle specific issues of crime and disorder.

As schemes such as Farm Watch and Country Eye are run at local level in conjunction with local police forces, the Home Office does not keep records and has not

evaluated their success. Along with Neighbourhood Watch, though, they appear to be popular and worthy of replication.

Feltham Young Offenders Institute

Dr. Cable: To ask the Secretary of State for the Home Department what was the average time out of cell for *(a)* juvenile and *(b)* young adult remand prisoners in Feltham Young Offenders Institute during 1999. [110961]

Mr. Boateng: The amount of time individual prisoners at Feltham spend out of cell may vary according to their location within the establishment. In 1999, the average time out of cell was 3.45 hours per day for unsentenced prisoners aged under 18 years, and 3.29 hours per day for those aged 18 to 21.

As a result of a specific recruitment initiative for London and the South-East, the governor of Feltham expects to achieve full staffing levels by July, which will allow the time spent on purposeful activity and out of cell to rise.

Dr. Cable: To ask the Secretary of State for the Home Department what assessment he has made of the factors which have led to officers seeking transfer out of Feltham Young Offenders Institute. [110960]

Mr. Boateng: The main reason why staff leave Feltham is the high cost of living in London. To help attract new staff, the governor may offer a relocation package to help with the cost of living. Changes to the age limits for prison officer recruitment have been introduced together with an alternative entry test for those without the formal educational qualifications. The governor may, in exceptional circumstances, start new recruits above the normal starting salary.

A specific recruitment drive for London and the south-east, including Feltham, was initiated in October 1999. Applications resulting from this are still being assessed, but a large number of successful candidates are starting duty at Feltham during the first quarter of this year.

Prison Staff (Recruitment and Retention)

Dr. Cable: To ask the Secretary of State for the Home Department what plans he has to improve the recruitment and retention of prison staff in areas of high property prices. [110959]

Mr. Boateng: The Prison Service recognise that there are concerns about the recruitment and retention of staff predominantly, but not exclusively, in the South-East. This area has been particularly affected by recent trends in house prices.

The Service is currently working with unions on a number of initiatives which aim to address pay and recruitment and retention issues. These initiatives included a review of local pay issues. This builds further on changes to pay and recruitment introduced in 1999 which included:

- the introduction of additional flexibility to offer higher starting pay for new entrants including prison officer and related grades;
- raising significantly the minimum rates of many administrative and industrial grades in the 1999 pay round;
- launching a national recruitment campaign specifically targeted to filling posts in London and the South-East, which included a central clearing house to speed up processing of applications;
- offering relocation expenses of up to £5,000 to new entrant prison officers who have to move home in order to take up an appointment in high priced housing areas, principally in London and the South-East;
- the introduction nationwide of an alternative entry test for candidates who do not meet the minimum educational requirements for entry as a prison officer; and
- the introduction of revised upper and lower age limits for prison officer recruitment.

Foston Hall

Mr. Todd: To ask the Secretary of State for the Home Department what steps are being taken to ensure that prisoners at HMP and Young Offenders Institution Foston Hall have access to suitable health care. [110899]

Mr. Boateng: There is a full range of clinics and counselling services at Foston Hall prison. However, improvements are being made to health care services at the prison. The governor has had discussions with the chief executive of Derbyshire National Health Service to agree new arrangements under the new joint Prison Service/National Health Service partnership. All standards will be met under the new partnership. A health questionnaire prepared by the health authority has been completed by prisoners and will form the basis of a needs analysis.

Gambling

Mr. Cohen: To ask the Secretary of State for the Home Department what plans he has to set up an inquiry into the future of gambling; and if he will make a statement. [111274]

Mr. Mike O'Brien: I refer my hon. Friend to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Enfield, Southgate (Mr. Twigg) on 16 February 2000, *Official Report*, columns 537–38W, which set out the terms of reference for the review of gambling which should start shortly after Easter and which will be undertaken by a review body chaired by Sir Alan Budd.

Immigration and Nationality Directorate

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what progress he has made in the reform of the Immigration and Nationality Directorate. [110590]

Mrs. Roche: The Immigration and Nationality Directorate has continued to operate an efficient port control, facilitating the arrival in the United Kingdom of nearly 90 million passengers (returning residents, tourists,

business travellers, students and others), while preventing the admission of those not entitled to enter and removing many not entitled to stay. Workload pressures and operational difficulties have slowed dispatch of asylum and other casework, but the ground has been laid for recovery. A new legislative framework has been established for the future conduct of immigration and asylum business in the interests of the economic growth and social stability of the United Kingdom.

Performance Inspection Probation Report

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what assessment he has made of the Performance Inspection Probation report for the West Midlands Region. [110589]

Mr. Boateng: I have considered the reports by Her Majesty's Chief Inspector of Probation on the five services in the West Midlands region resulting from inspections carried out early in 1999 under his Performance Inspection Programme of probation services in England and Wales.

The Chief Inspector considers that two services, Hereford and Worcester and Warwickshire, are generally performing satisfactorily; that Staffordshire, while not performing satisfactorily in all respects, has features which contain good practice; and that Shropshire and West Midlands services are underachieving.

This last point is a matter of serious concern. Shropshire and West Midlands services receive a full follow up inspection later this year, as part of a planned programme of such inspections.

I will consider the position further on receipt of reports of these re-inspections.

Anti-social Behaviour Orders

Mr. Hawkins: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been implemented in each police authority area. [111020]

Mr. Charles Clarke: Records of the numbers of anti-social behaviour orders granted by the courts are not currently held centrally, but we understand that about 25–30 orders have been made.

Court Order Pilots

Mr. Hawkins: To ask the Secretary of State for the Home Department if he will list the areas in which *(a)* reparation orders, *(b)* parenting orders, *(c)* child safety orders and *(d)* action plan orders are being piloted; and how many such orders which have been issued to date in each pilot area since the legislation came into force. [111021]

Mr. Boateng: The information requested is set out in the table. It indicates the number of orders made in the pilot areas from 30 September 1998 to 31 January 2000, the latest date for which this information is available.

Pilot area/order	*Reparation order*	*Parenting order*	*Action plan order*
Westminster	20	2	27
Kensington and Chelsea	21	0	30
Hammersmith and Fulham	23	3	53
Hampshire, Portsmouth, Southampton and the Isle of Wight	637	28	401
Wolverhampton	147	19	127
Sheffield	236	9	84
Lewisham	[1]—	13	[1]—
Devon	[1]—	12	[1]—
Bedfordshire	[1]—	31	[1]—
Luton	[1]—	12	[1]—
St. Helens	[1]—	23	[1]—
Sunderland	[1]—	90	[1]—
Blackburn	26	[1]—	[1]—
Total	1,110	242	722

[1] The provision is not being piloted in this area

In addition, two child safety orders have been made, both in the Sunderland pilot area.

Hendon Police Training College

Mr. Heald: To ask the Secretary of State for the Home Department how many officers have applied to join training at the Metropolitan Police Training College at Hendon commencing in March 2000. [110976]

Mr. Charles Clarke: The Metropolitan Police Commissioner informs me that as at 18 February, there are 80 applicants to join the March 2000 intake.

Mr. Heald: To ask the Secretary of State for the Home Department what is the maximum number of officers which can be taken for training by the Metropolitan Police Training College at Hendon on a monthly basis. [110969]

Mr. Charles Clarke: The Metropolitan Police Commissioner informs me that the training college at Hendon provides a wide range of residential and non-residential training courses, including recruit training. The maximum number of officers who can be accommodated for residential courses is 945.

Mr. Heald: To ask the Secretary of State for the Home Department how many officers were taken for training by the Metropolitan Police Training College at Hendon in each month since April 1999 to date. [110968]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of the Metropolitan Police.

Month	*Intake*
April	145
May	0
June	86
July	90
August	110
September	103
October	87
November	94
December	0
January	101
February	57

Note:
Intakes are five weekly, so some months have no intake

Police Officers

Mr. Heald: To ask the Secretary of State for the Home Department (1) what estimates he has received from each police force of total wastage in police numbers for the three years commencing in April 2000; [110977]

(2) what estimates he has received from each police force of the actual wastage in police numbers for the three years commencing in April 2000. [110755]

Mr. Charles Clarke: In their bids for a share of the recruitment scheme of the Crime Fighting Fund, forces provided information on their projected wastage over the next three years. The table shows the estimates they have given for (i) wastage in terms of losses to each force and the Police Service as a whole; and (ii) projected transfers (i.e. transfers from each force into another), for the next three years. The latter are not losses to the Service.

Police Officer projected wastage 2000–03

	Projected wastage in terms of losses to each force and the service				*Projected transfers*			
Force	*2000–01*	*2000–02*	*2000–03*	*Total*	*2000–01*	*2000–02*	*2000–03*	*Total*
Avon and Somerset	115	111	111	337	5	10	10	25
Bedfordshire	45	49	57	151	9	4	5	18
Cambridgeshire	63	62	57	182	5	5	5	15
Cheshire	78	90	102	270	6	6	6	18
City of London	40	39	39	118	14	13	13	40
Cleveland	53	58	53	164	6	6	6	18
Cumbria	57	57	57	171	6	6	6	18
Derbyshire	73	74	73	220	4	3	3	10
Devon and Cornwall	132	84	96	312	6	4	4	14
Dorset	81	72	61	214	1	1	1	3
Durham	49	56	54	159	5	5	5	15
Dyfed-Powys	40	42	40	122	4	4	4	12
Essex	114	115	117	346	8	8	8	24
Gloucestershire	36	50	50	136	2	2	2	6
Greater Manchester	278	279	257	814	15	15	15	45
Gwent	59	51	54	164	3	3	3	9
Hampshire	150	152	170	472	15	15	15	45
Hertfordshire	93	105	95	293	21	23	21	65
Humberside	89	94	80	263	6	6	6	18
Kent	150	141	145	436	20	19	19	58
Lancashire	102	100	116	318	2	2	2	6
Leicestershire	75	83	94	252	9	9	9	27
Lincolnshire	63	63	52	178	3	3	3	9
Merseyside	145	155	165	465	15	15	15	45
Metropolitan	1,200	1,100	1,050	3,350	200	200	150	550
Norfolk	53	63	62	178	3	3	3	9
North Wales	59	59	59	177	3	3	3	9
North Yorkshire	56	58	59	173	6	5	5	16
Northamptonshire	43	54	58	155	3	3	3	9
Northumbria	124	124	118	366	13	10	13	36
Nottinghamshire	78	78	78	234	6	6	6	18
South Wales	152	152	152	456	4	4	4	12
South Yorkshire	102	102	99	303	11	11	11	33
Staffordshire	81	81	81	243	8	8	8	24
Suffolk	54	52	55	161	3	2	5	10
Surrey	142	242	105	489	25	20	25	70
Sussex	185	185	185	555	15	15	15	45
Thames Valley	164	181	195	540	25	25	25	75
Warwickshire	46	49	47	142	5	5	5	15
West Mercia	104	94	94	292	6	6	6	18
West Midlands	312	312	312	936	43	43	43	129
West Yorkshire	190	209	197	596	10	11	11	32
Wiltshire	41	48	48	137	4	4	4	12
Total	5,366	5,425	5,249	16,040	583	571	531	1,685

Mr. Heald: To ask the Secretary of State for the Home Department what *(a)* total wastage and *(b)* actual wastage in police numbers has taken place since March 1999 on a monthly basis in respect of each police force. [110972]

Mr. Charles Clarke: Wastage figures for the police are not collected on a monthly basis. The numbers of officers who left police forces between April and September 1999 are given in the table. These figures do not reflect recruitment to forces during this period.

Police strength in England and Wales: Wastage (April 1999 to September 1999) [1]

Police force	*Number of officers*
Avon and Somerset	60
Bedfordshire	31
Cambridgeshire	28
Cheshire	39
City of London	31
Cleveland	34
Cumbria	35
Derbyshire	21
Devon and Cornwall	65
Dorset	36
Durham	25
Dyfed-Powys	19
Essex	99
Gloucestershire	30
Greater Manchester	155
Gwent	40
Hampshire	111
Hertfordshire	50
Humberside	48
Kent	64
Lancashire	54
Leicestershire	36
Lincolnshire	29
Merseyside	85
Metropolitan Police	715
Norfolk	28
Northamptonshire	16
Northumbria	62
North Wales	26
North Yorkshire	33
Nottinghamshire	45
South Wales	95
South Yorkshire	63
Staffordshire	39
Suffolk	29
Surrey	35
Sussex	88
Thames Valley	90
Warwickshire	21
West Mercia	57
West Midlands	157
West Yorkshire	105
Wiltshire	25
NCS	137
NCIS	14
Total all forces	3,105

[1] Wastage includes retirements, dismissals, deaths and departures for other reasons

Mr. Heald: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 February 2000, to the hon. Member for Elmet (Mr. Burgon), *Official Report*, column 172W, of the 12,478 police officers, how many are planned to be recruited by each force in each of the three years commencing in April. [110754]

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Elmet (Mr. Burgon) of 9 February 2000, *Official Report*, column 172W, on police officer recruitment, if he will give a breakdown for each police force, in each year, of the officers they are planning to recruit over the next three years; for what reason the estimated figure of general police recruitment over the next three years is lower than the estimate he gave in October 1999 to the Home Affairs Committee; and if he will make a statement. [110743]

Mr. Charles Clarke: In their bids for a share of the recruitment scheme of the Crime Fighting Fund, forces provided information on their planned recruitment over the next three years. The table shows the projected appointments on probation and transfers in from other forces.

Actual recruitment levels will depend on the chief officer's decisions in the light of the available resources—including the outcome of the 2000 Spending Review now under way.

When my right hon. Friend the Home Secretary spoke to the Home Affairs Committee on 26 October last year, the best estimate at that time for the recruitment of new officers to the police service over the next three years was based on projecting forward past trends and suggested between a little over 13,000 and 16,500, but crucially, depending on the assumptions made about the impact of future budget pressures. Professor Buck independently verified these figures and thought that taking 15,000 as an indicative figure for planning purposes was not unreasonable. My right hon. Friend the Home Secretary said that we would be seeking more specific information from forces about their recruitment plans.

In bidding for a share of the Fund, forces were asked for details of the numbers of officers (new to the service) that they were planning to recruit over the next three years. Their projections come to 12,478.

Forces' projections reflect the decisions and assumptions they and their police authorities have made about the way in which they will use the resources available to them, not just next year but in the two following years, where budgets have yet to be settled.

Projected police officer recruitment—2000–03

Force	*2000–01*	*2001–02*	*2002–03*	*Total*
Projected appointments on probation				
Avon and Somerset	65	80	80	225
Bedfordshire	52	52	52	156
Cambridgeshire	101	52	47	200
Cheshire	70	76	73	219
City of London	50	52	52	154
Cleveland	59	51	47	157
Cumbria	5	60	60	125
Derbyshire	36	60	48	144
Devon and Cornwall	88	48	70	206
Dorset	42	36	31	109
Durham	46	53	51	150
Dyfed-Powys	34	36	34	104
Essex	200	113	115	428
Gloucestershire	90	70	70	230
Greater Manchester	244	279	257	780
Gwent	0	74	51	125
Hampshire	170	152	170	492
Hertfordshire	114	128	116	358
Humberside	0	0	0	0

Projected police officer recruitment—2000–03

Force	*2000–01*	*2001–02*	*2002–03*	*Total*
Kent	145	60	139	344
Lancashire	80	80	80	240
Leicestershire	71	83	94	248
Lincolnshire	55	55	45	155
Merseyside	40	40	40	120
Metropolitan	692	346	600	1,638
Norfolk	20	31	29	80
North Wales	57	57	57	171
North Yorkshire	60	63	60	183
Northamptonshire	27	37	40	104
Northumbria	154	137	134	425
Nottinghamshire	87	73	73	233
South Wales	192	162	162	516
South Yorkshire	80	80	80	240
Staffordshire	11	34	68	113
Suffolk	16	36	55	107
Surrey	145	212	100	457
Sussex	160	160	160	480
Thames Valley	180	175	166	521
Warwickshire	48	48	48	144
West Mercia[1]	66	50	90	206
West Midlands	330	330	330	990
West Yorkshire	105	105	105	315
Wiltshire	28	27	31	86
Total	4,315	3,953	4,210	12,478
Projected Transfers in				
Avon and Somerset	25	25	25	75
Bedfordshire	2	2	2	6
Cambridgeshire	15	15	15	45
Cheshire	10	10	10	30
City of London	0	0	0	0
Cleveland	12	13	12	37
Cumbria	0	0	0	0
Derbyshire	4	16	11	31
Devon and Cornwall	20	20	20	60
Dorset	32	36	30	98
Durham	8	8	8	24
Dyfed-Powys	10	10	10	30
Essex	10	10	10	30
Gloucestershire	5	5	5	15
Greater Manchester	10	10	10	30
Gwent	0	8	6	14
Hampshire	20	15	15	50
Hertfordshire	14	14	14	42
Humberside	0	0	0	0
Kent	15	15	15	45
Lancashire	6	6	6	18
Leicestershire	9	9	9	27
Lincolnshire	15	11	10	36
Merseyside	10	10	10	30
Metropolitan	15	15	15	45
Norfolk	12	12	12	36
North Wales	5	5	5	15
North Yorkshire	15	10	15	40
Northamptonshire	5	6	7	18
Northumbria	0	0	0	0
Nottinghamshire	11	11	11	33
South Wales	12	12	12	36
South Yorkshire	12	12	12	36
Staffordshire	0	5	10	15
Suffolk	4	4	4	12
Surrey	37	50	30	117
Sussex	15	15	15	45
Thames Valley	5	5	5	15
Warwickshire	0	0	0	0
West Mercia[1]	10	10	10	30
West Midlands	20	20	20	60
West Yorkshire	10	10	10	30
Wiltshire	8	8	8	24
Total	448	478	454	1,380

Projected police officer recruitment—2000–03

Force	*2000–01*	*2001–02*	*2002–03*	*Total*
Total projected appointments on probation plus Transfers in				
Avon and Somerset	90	105	105	300
Bedfordshire	54	54	54	162
Cambridgeshire	116	67	62	245
Cheshire	80	86	83	249
City of London	50	52	52	154
Cleveland	71	64	59	194
Cumbria	5	60	60	125
Derbyshire	40	76	59	175
Devon and Cornwall	108	68	90	266
Dorset	74	72	61	207
Durham	54	61	59	174
Dyfed-Powys	44	46	44	134
Essex	210	123	125	458
Gloucestershire	95	75	75	145
Greater Manchester	254	289	267	810
Gwent	0	82	57	139
Hampshire	190	167	185	542
Hertfordshire	128	142	130	400
Humberside	0	0	0	0
Kent	160	75	154	389
Lancashire	86	86	86	258
Leicestershire	80	92	103	275
Lincolnshire	70	66	55	191
Merseyside	50	50	50	150
Metropolitan	707	361	615	1,683
Norfolk	32	43	41	116
North Wales	62	62	62	186
North Yorkshire	75	73	75	223
Northamptonshire	32	43	47	122
Northumbria	154	137	134	425
Nottinghamshire	98	84	84	266
South Wales	204	174	174	552
South Yorkshire	92	92	92	276
Staffordshire	11	39	78	128
Suffolk	20	40	59	119
Surrey	182	262	130	574
Sussex	175	175	175	525
Thames Valley	185	180	171	536
Warwickshire	48	48	48	144
West Mercia[1]	76	60	100	236
West Midlands	350	350	350	1,050
West Yorkshire	115	115	115	345
Wiltshire	36	35	39	110
Total	4,763	4,431	4,664	13,858

[1] West Mercia uncertain about level of budget: 31 or 66 will be recruited in 2000–01.

Metropolitan Police

Mr. Heald: To ask the Secretary of State for the Home Department what estimate he has received from the Metropolitan Police Commission of the end of year 1999–2000 strength of the Metropolitan Police as against the budgeted target. [110975]

Mr. Charles Clarke: The Metropolitan Police Commissioner informs me that the estimate of police strength at the end of the current financial year will be 26,048 officers against a budgeted target of 26,425 officers.

Both figures include officers seconded to the National Criminal Intelligence Service and the National Crime Squad.

Mr. Heald: To ask the Secretary of State for the Home Department what has been the total number of civilian staff in the Metropolitan Police Service in each month since March 1999. [111045]

Mr. Charles Clarke: The information requested is given in the table, provided by the Metropolitan Police Commissioner:

Month	*Numbers of civilian staff*
March	11,390
April	11,249
May	11,190
June	11,242
July	11,259
August	11,219
September	11,119
October	10,861
November	10,844
December	10,796
January	10,791

Notes:
1. Figures represent the totals as at the end of each month
2. 313 civilian staff were transferred to outsourced contractors between March 1999 and January 2000

Mr. Heald: To ask the Secretary of State for the Home Department what has been the total number of constables with less than two years police service in the Metropolitan Police Service in each month since March 1999. [110973]

Mr. Charles Clarke: The information requested is given in the table, provided by the Metropolitan Police Commissioner:

Month	*Number of constables with less than two years service*
March	2,574
April	2,604
May	2,449
June	2,382
July	2,285
August	2,257
September	2,246
October	2,320
November	2,301
December	2,213
January	2,221

Note:
Figures provided represent the position at the end of each month

Interception Warrants

Mr. Heald: To ask the Secretary of State for the Home Department how many complaints have been *(a)* made to and *(b)* upheld by the Tribunal set up under the Interception of Communications Act 1985 since its establishment. [111136]

Mr. Charles Clarke: The number of complaints investigated by the Tribunal are given in the table:

Year	*Number of complaints*
1986–87[1]	41
1987	32
1988	30
1989	49
1990	59
1991	58
1992	45
1993	41
1994	36
1995	62
1996	33
1997	79
1998	75
1999	[2]—

[1] April 1986 to April 1987
[2] Not yet available

On no occasion has the Tribunal concluded that there had been a contravention of sections 2–5 of the Interception of Communications Act 1985.

Mr. Heald: To ask the Secretary of State for the Home Department how many interception warrants he authorised in 1999. [111142]

Mr. Charles Clarke: Figures for the number of warrants authorised in 1999 are not yet available. They will be published in the annual report of the Commissioner appointed under the Interception of Communications Act 1985 (currently Lord Nolan). A copy will be placed in the Library.

Mr. Heald: To ask the Secretary of State for the Home Department how many interception warrants were in force in England, Wales and Northern Ireland on 31 December 1999. [111132]

Mr. Charles Clarke: Figures for the number of warrants in force on 31 December 1999 are not yet available. They will be published in the annual report of the Commissioner appointed under the Interception of Communications Act 1985 (currently Lord Nolan). A copy will be placed in the Library.

Mr. Heald: To ask the Secretary of State for the Home Department how many modifications of interception warrants he authorised in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [111135]

Mr. Charles Clarke: Figures are available only for the modification of warrants issued for the purpose of the prevention and detection of serious crime. Until 1 August 1998, this power was used only for warrants issued on the grounds of national security or of safeguarding the economic well-being of the United Kingdom. From 1 August 1998 until 31 December 1998, there were 172 modifications of serious crime warrants. Figures for 1999 are not yet available.

Traffic Wardens

Mr. Heald: To ask the Secretary of State for the Home Department what has been the total number of traffic wardens in the Metropolitan Police Service jurisdiction in each month since March 1999. [110974]

Mr. Charles Clarke: The information requested is given in the table provided by the Commissioner of the Metropolitan Police:

Traffic wardens in the Metropolitan police jurisdiction

Month	*Number*
March	964
April	948
May	927
June	918
July	905
August	892
September	895

Traffic wardens in the Metropolitan police jurisdiction

Month	*Number*
October	872
November	859
December	857
January	845

Note:

Figures represent the position as at the end of each month.

Legislation

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when he will publish the Bill to extend the use of mandatory drug testing, reform the probation services in England and Wales, create a new children and family court advisory service and prevent unsuitable people from working with children; what are the reasons for the timescale adopted for publishing the Bill; and if he will make a statement. [110749]

Mr. Charles Clarke: We will introduce legislation to reform the probation service in England and Wales, to create a new children and family court advisory service, to provide for mandatory drug testing, to extend the use of electronic monitoring, and to create an integrated system to help prevent unsuitable people from working with children, as soon as parliamentary time allows.

Fines

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 February 2000, *Official Report*, column 318W, for what reasons the number of people fined for offences has fallen over the last 10 years; whether it is his policy to increase the number of offenders fined; what the latest figures are for reoffending rates following a fine compared to other types of sentence; and if he will make a statement. [110953]

Mr. Charles Clarke: The Government want to encourage the use of fines, which can be an effective penalty. A project funded under the Crime Reduction Programme is under way to identify and extend successful fine enforcement techniques. This should encourage courts to make greater use of fines.

The use of fines as a disposal has been decreasing since the mid 1970s. This is due to a combination of factors including the greater variety and use of community sentences, and the increased use of immediate custody. Other specific factors, such as the sharp fall in 1996–97 in proceedings under the Wireless Telegraphy Acts (mainly Television licence evasion), and changes arising from the reclassification of the offence of driving while disqualified also had an effect.

Information on reoffending rates is not available centrally. The latest information on reconviction rates following fines and other types of non-custodial disposal is shown in the table. These relate to a sample of offenders who were sentenced during the first quarter of 1996 and reconvicted within two years of sentence. 56 per cent. of those released from custody during 1995 were reconvicted within two years of release.

Two year reconviction rates by type of non-custodial disposal, first quarter of 1996

Disposal	*Percentage Reconviction rate*
Conditional Discharge	45
Fine	36
Probation	60
Community Service	51

Jury Trials

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department if he will list for 1995 to 1999 the number and percentage of those who elected trial by jury in either way offences and who subsequently pleaded guilty who were committed jointly charged with others who contested the case in the Crown Court. [110819]

Mr. Charles Clarke: As I stated in my reply to a question from my hon. and learned Friend on 9 December 1999, *Official Report*, column 618W, the information requested is not collected centrally.

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department how many people ordinarily resident in Scotland elected trial by jury in either way offences in the United Kingdom in each year from 1995 to 1999. [110818]

Mr. Charles Clarke: The information requested is not collected centrally. It is only in England and Wales that defendants have the option of electing trial by jury.

FOREIGN AND COMMONWEALTH AFFAIRS

Iran

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the evidence of the Director of the CIA to the US Congress on Iranian foreign policy. [105003]

Mr. Hain: We are not aware of the CIA Director recently addressing Congress on Iranian foreign policy. We are, however, aware that he addressed the Senate on 3 February and touched on Iran.

Arms Sales

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to end export credits for arms sales. [109199]

Mr. Hain: The scope of the Government's productive expenditure initiative (which excludes export credit cover for projects that do not contribute to the social and economic development of the country concerned) is being discussed as part of the thorough review of ECGD ordered by the Secretary of State for Trade and Industry. The FCO is playing a full part in this review.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Secretary of State for International Development regarding the decision to ban 62 of the world's poorest countries from receiving Export Credits Guarantee Department cover for arms sales. [109198]

Mr. Hain: The Secretary of State welcomes the announcement by the Chancellor to extend the so called "productive expenditure" criteria for export credits to a further 22 developing countries (taking the total to 63). These criteria exclude projects that do not contribute to the social and economic development of the country concerned. This does not exclude export credit support for arms sales but military equipment can be provided only when improved security can be shown to have a positive development impact, for example, fishery protection vessels. The scope of the productive expenditure initiative is being discussed as part of the thorough review of the Export Credits Guarantee Department ordered by the Secretary of State for Trade and Industry. The FCO is playing a full part in this review.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110161]

Mr. Hain: The Department has issued environmental guidance to purchasing staff which encourages buyers to use products from sustainable sources.

This guidance is being reviewed as part of the Environmental Audit of FCO operations.

Mr. Reed: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110162]

Mr. Hain: The Forestry Stewardship Council (FSC) label is accepted by buyers as demonstrating that timber and timber products have come from sustainably managed resources. It is not practicable to require that all paper and timber products purchased by the Department are independently certified by FSC because this might discriminate against any equally valid schemes and therefore be against public procurement rules. Moreover, insistence on FSC certification alone might result in FCO failing to meet all its requirements as only a tiny percentage of timber products are currently FSC certified. The Department is undertaking an environmental audit of its operations.

The issue of certification of sustainably managed paper and timber sources will be addressed. Evidence of sustainability might take the form of a certificate issued under a credible, preferably independent, verification scheme; or other documents which demonstrate the operation of an environmental management system incorporating forest management criteria which conform with internationally recognised principles such as the Helsinki Guidelines.

China

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to encourage further strengthening of professional exchanges between the UK and China. [110404]

Mr. Battle: We attach importance to strengthening professional exchanges with China. The British Council has given particular support to this work, notably in the educational, legal and construction sectors, through collaboration projects, seminars and other training schemes, with the assistance of professional institutions.

We also support the UK/China Forum, a high-level non-governmental body, the first meeting of which was held in October 1999, and whose work in the fields of industry, finance, environment, science and technology, law, education, culture and the media, should also strengthen professional exchanges in these areas.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to increase co-operation with China within the framework of the UN for the promotion of international peace and security. [110405]

Mr. Battle: As Permanent Members of the UN Security Council, we and China maintain an ongoing dialogue on a range of international peace and security issues. Chinese peacekeepers also serve with British peacekeepers in a number of countries.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of Voluntary Service Overseas in strengthening links between young people from Britain and China. [110406]

Mr. Battle: Voluntary Service Overseas' mission is to post skilled volunteers to work in organisations with the aims of skills exchange, institutional development and poverty reduction, as well as to provide educational opportunities for the volunteers. The commitment each VSO volunteer makes to working in China for a minimum period of two years undoubtedly helps to strengthen links between young (and not so young) people in Britain and China. DFID provides grant-in-aid to VSO, and is responsible for carrying out evaluations of its effectiveness.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to promote the development of exchanges between police forces in China and the UK in the field of protecting the victims of crime. [110910]

Mr. Battle: We encourage increased links with the Chinese police. UK police forces and their Chinese equivalents have co-operated successfully on a number of cases. The UK has provided training for senior Chinese police officers; the Chinese have indicated that such training is highly valued. Further exchanges are planned both with the police and the National Narcotics Control Commission. We believe that these exchanges will expose the Chinese to best practice and further develop respect for civil rights and the rule of law in China.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the steps being taken by the Government to encourage China to continue its process of economic reform. [110908]

Mr. Battle: We support China's process of economic reform and we believe that China's membership of the WTO will prove a powerful stimulus to China's continuing economic reform. We also believe that the presence of British companies in China—there are now over 2,500 British-invested Joint Ventures—encourages China to continue the process of economic reform.

The Department for International Development is supporting the process of reform of State-Owned Enterprises through a £19 million programme to develop models for enterprise restructuring and development. They are also in discussions with the International Monetary Fund and the World Bank about co-operation in assistance with fiscal reforms.

We also support the training of Chinese lawyers and judges, and believe that progress towards a proper rule of law will help China's economic reforms. We also assist in the training of Chinese financial regulators through a course funded by British Trade International, and the Treasury hold a regular financial dialogue with their Chinese counterparts. We believe all these programmes have a positive effect on China's economic and financial reforms.

Sudan

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what methods his Department uses to assess transparency in accounting for the expenditure by the Sudanese Government of its oil revenues. [110382]

Mr. Hain: Oil was first exported from Sudan in August 1999 and the Government of Sudan have a 5 per cent. stake. We have pressed for revenues to be used for development projects and for transparency in the oil account. The Government of Sudan have made public assurances that this will happen. We shall look to them to honour those assurances and shall remain focused on this issue as evidence becomes available.

Exports

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria his Department uses in advising the Department of Trade and Industry on designating a country as a suitable recipient of UK exports. [110383]

Mr. Battle: The FCO and DTI trade support services are now operated by British Trade International, which has lead responsibility within government for trade development and promotion on behalf of British business. Established in May last year following a Cabinet Office review of all export promotion activities across government, British Trade International has now published its national strategy for international trade and development.

Advertising Budget

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average cost of issuing a media release from his Department in 1999. [110276]

Mr. Robin Cook *[holding answer 16 February 2000]:* £76.52 for press releases distributed through the Central Office of Information. This figure includes a proportion of standing charges as well as per release delivery. In addition, a number of press releases are issued each month direct from FCO out of hours for which cost and other figures are not available.

Yugoslavia

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors underlay his proposal for a temporary suspension of the ban on flights by European carriers into the Federal Republic of Yugoslavia. [110491]

Mr. Vaz: The General Affairs Council of 14 February agreed to suspend the EU ban on flights between EU and Serbian destinations for a period of six months (Montenegro and Kosovo are already exempt from the ban). The UK supported this decision as a positive response to the requests of the democratic Serb opposition, and as part of the package which included the significant tightening of sanctions targeted on the Milosevic regime such as the visa ban list and financial sanctions.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the impact that the Energy for Democracy scheme has had upon the Belgrade regime; and what plans he has to broaden the initiative to other Serbian towns. [110492]

Mr. Vaz: The initial response of the Serbian government to the Energy for Democracy scheme was to block the first consignment of heating oil at the FRY/ Macedonian border. They were forced to let the consignment through after public protests in the towns of Nis and Pirot. The scheme has helped to refute one of Milosevic's main propaganda lies, that the West is anti-Serb. The EU has now agreed to consider the expansion of the scheme to a further five towns: Novi Sad, Subotica, Sombor, Kraljevo and Kragujevac.

Kosovo

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the Kosovo Serbs' proposal regarding establishment of *(a)* Serb enclaves within Kosovo, *(b)* Serb defence forces and *(c)* a Serb police force. [110493]

Mr. Vaz: *(a)* We do not support ethnically pure enclaves. We want to preserve a multi-ethnic Kosovo. The protection of minorities in Kosovo is a major priority for the Kosovo force (KFOR). 50 per cent. of KFOR manpower is involved in the protection of minorities.

(b) We are opposed to the creation of any defence forces in Kosovo. KFOR has sole responsibility for security in Kosovo.

(c) The Kosovo Police Service is a multi-ethnic force. Kosovo Serbs were among the first graduates of the force.

Mr. Lilley: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of people killed in Yugoslavia as a result of the conflict over Kosovo *(a)* by NATO forces and the KLA and *(b)* by Yugoslav forces, since the NATO action began on 22 March 1999. [109409]

Mr. Vaz: NATO has no reliable figures for the number of casualties arising from the campaign in the Federal Republic of Yugoslavia. We would be wary of relying on figures whose source was the authorities in Belgrade.

We estimate that around 10,000 Kosovo Albanians, many of them civilians, were killed by Yugoslav forces between June 1998 and June 1999. Most of these deaths

occurred in the period between March and June 1999. The International Criminal Tribunal for the Former Yugoslavia (ICTY) continues to work, with our support, to calculate the full scale of the death toll arising from Serb repression and violence in Kosovo.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government have an arms embargo on Zimbabwe. [110577]

Mr. Hain *[holding answer 17 February 2000]:* No. Our export licensing policy towards Zimbabwe and other countries intervening in the Democratic Republic of the Congo (DRC) is set out in the reply my right hon. Friend the Prime Minister gave to the hon. Member for Richmond Park (Dr. Tonge) on 9 February 2000, *Official Report*, column 184W.

Colonel Gaddafi

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the Internet report on the assassination attempt on Colonel Gaddafi in Libya in 1996; [110429]

(2) what support was supplied by Her Majesty's Government to the persons who made the assassination attempt on Colonel Gaddafi in Libya in 1996. The Secretary of State for Foreign and Commonwealth Affairs. [110430]

Mr. Robin Cook *[holding answer 17 February 2000]*: Nothing in the Internet report sustains the allegation that either the previous Administration or the Intelligence Agencies proposed the assassination of Colonel Gaddafi.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will set up an inquiry into allegations that the British security services knew of plans to assassinate Colonel Gaddafi; [110517]

(2) when Britain's security services knew about proposals to assassinate Colonel Gaddafi; and if he will make a statement; [110519]

(3) when he was first informed of plans to assassinate Colonel Gaddafi; what he knew about such plans; and if he will make a statement. [110518]

Mr. Robin Cook: I was informed of the background to Mr. Shayler's allegations in August 1998. Nothing in the Internet report sustains the allegation that either the previous Administration or the Intelligence Agencies proposed the assassination of Colonel Gaddafi. If the right hon. Member has evidence that the previous Administration authorised an assassination, I would be glad to receive it.

War Criminals

Mr. Beard: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to arrest indicted war criminals in *(a)* Bosnia-Herzegovina and *(b)* Kosovo. [109408]

Mr. Vaz: The mandates of the NATO-led Stabilisation Force in Bosnia and Herzegovina (SFOR) and the Kosovo Force (KFOR) authorise troops to detain indicted persons with whom they come into contact in the course of their duties, provided the tactical situation permits. Within Bosnia, SFOR has detained 17 suspects. Two further indictees were shot dead by SFOR personnel acting in self defence during a detention operation. UNMIK (UN police force) in Kosovo have detained war crimes suspects there, but the five persons indicted for war crimes by ICTY for atrocities committed in Kosovo are still are large in Serbia.

Mr. Bradshaw: To ask the Secretary of State for Foreign and Commonwealth Affairs how many suspected war criminals have been arrested by UK forces in Bosnia. [109401]

Mr. Edwards: To ask the Secretary of State for Foreign and Commonwealth Affairs how many suspected war criminals have been apprehended by British forces in Bosnia [109417]

Mr. Vaz: British SFOR troops have successfully detained eight war crimes suspects indicted by the International Criminal Tribunal for the former Yugoslavia. They have also been involved in the arrest of a further two suspects with other SFOR forces. A further indictee was shot dead by British SFOR personnel acting in self defence during a detention operation.

Intergovernmental Conference

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral statement of 15 February 2000, *Official Report*, column 782, if he will make it his policy to veto the forthcoming EU treaty if it does not include provision for a blocking minority in the Council for the United Kingdom, France and Germany. [110848]

Mr. Vaz: The Government's policy on vote reweighting is set in the IGC White Paper.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the exercise by Her Majesty's Government of its veto during the negotiations on the forthcoming EU Intergovernmental Conference. [111080]

Mr. Vaz: The Government's approach to the various issues is clearly set out in the White Paper which was laid before the House on 15 February.

East Timor

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representatives the UK has in East Timor; what is their status; and if he will make a statement on their role and functions. [110488]

Mr. Battle: We have already opened a temporary British Office in Dili staffed, at First Secretary level, by a member of HM Diplomatic Service. The officer's role is to cultivate Britain's relationship with the East Timorese and the United Nations Transitional Administration in East Timor (UNTAET) during the first months of the territory's transition to independence.

Our diplomatic presence is in addition to the 14 British police officers and four military observers assigned to UNTAET.

Peru

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring is being undertaken by United Kingdom representatives of the electoral process in Peru. [110489]

Mr. Battle: Presidential and Congressional elections will be held in Peru on 9 April. We sponsored the visit to Peru in January of an electoral expert from Electoral Reform International Services to help the Defensoria (an umbrella organisation representing numerous human rights and civic groups in Peru) to supervise the electoral process, and are considering sponsoring a follow-up visit in March. The British Group of the Inter-Parliamentary Union has accepted an invitation from the Peruvian Ministry of Foreign Affairs to send election observers in April. In addition, we have contributed £20,000 to support plans by the Peruvian Ombudsman's office to supervise the electoral system.

Austria

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to monitor human rights in Austria. [110588]

Mr. Vaz: We have welcomed the commitments made by the new Austrian Government to abide by the common obligations and values of EU membership, to combat all forms of discrimination, and to deal with Austria's Nazi past; and we have made clear our hope that their actions will fully match their words.

Sanctions Policy

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of the sanctions policy towards *(a)* Yugoslavia and *(b)* Iraq. [110587]

Mr. Hain: UN sanctions against the former Yugoslavia played an important role in bringing Milosevic to the negotiating table at Dayton. EU sanctions against the Federal Republic of Yugoslavia have been targeted to place additional pressure on the repressive regime, restricting the ability of Milosevic and his associates to travel and to finance their activities and underlining the political isolation of Serbia from the European mainstream.

Sanctions against Iraq have successfully contained Saddam Hussein for over nine years and have significantly reduced the threat from his weapons of mass destruction. The effort the Iraqi regime and its friends put into their campaign to have sanctions lifted is evidence of the impact of sanctions on the Iraqi leadership.

Tibet

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government about reports that Tibetan woman are to be compulsorily sterilised after their second child. [111019]

Mr. Battle: We raised our concerns about these reports with the Chinese, at official level, during the UK/China Human Rights Dialogue which took place in Beijing from 16–18 February.

Sombrero

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is towards the proposal by Andrew Beal to lease for the Government of Anguilla the Island of Sombrero for a rocket launch pad to carry telecommunications satellites. [111231]

Mr. Vaz: It is for the Government of Anguilla to respond to the request by Andrew Beal for permission to build a rocket launching pad on Sombrero Island. The Government of Anguilla have requested technical advice from Her Majesty's Government to help them decide on this planning proposal. This is to allow the Government of Anguilla to investigate thoroughly the proposal's many implications and reach an informed decision. When the Outer Space Act 1986 is extended to Anguilla the Governor will have the discretion to set the terms and grant licences for individual launch missions.

Written Answers to Questions

Tuesday 22 February 2000

HOUSE OF COMMONS

Lobby Members

42. **Mr. Ben Chapman:** To ask the President of the Council what representations she has received from members of the Lobby about the facilities available to them in the House. [109661]

Mr. Tipping: My right hon. Friend has received representations from the Chairman of the Lobby in her capacity as Chairman of the Select Committee on Modernisation of the House of Commons.

Modernisation

43. **Dr. Tony Wright:** To ask the President of the Council if she will make a statement on progress in modernisation of the House of Commons. [109662]

Mrs. Beckett: Forty seven of the 54 recommendations of the Modernisation Committee directed at Government have already been implemented. The House has adopted a range of measures to improve the scrutiny of legislation; Thursday sittings have been brought forward; the scrutiny of European business has been reformed and sittings in Westminster Hall have begun.

Westminster Hall

44. **Mr. Salter:** To ask the President of the Council what assessment she has made of the experiment with sittings in Westminster Hall. [109663]

Mr. Tipping: Early indications suggest that Westminster Hall is providing a useful and popular forum for debate.

45. **Angela Smith:** To ask the President of the Council if the Select Committee on Modernisation of the House of Commons will assess the impact of sittings in Westminster Hall. [109665]

Mrs. Beckett: The Modernisation Committee has already undertaken to do so.

46. **Mr. Nicholas Winterton:** To ask the President of the Council when she will assess the experiment of sittings in Westminster Hall. [109666]

Mrs. Beckett: It is for the Select Committee on Modernisation of the House of Commons to assess the experiment of sittings in Westminster Hall and it has undertaken to do so before the end of the session.

Parliamentary Questions

Mr. Baker: To ask the President of the Council if she will make an assessment of the clarity of information provided to hon. Members in written parliamentary answers. [109664]

Mrs. Beckett: Parliamentary answers are the responsibility of the Ministers who give them who will bear in mind the Resolution of 19 March 1997, and give accurate and truthful information to Parliament.

Hereditary Peers

Mr. Olner: To ask the Chairman of the Administration Committee if the Committee has considered the matter of membership of All-Party Parliamentary Groups and of Associate Parliamentary Groups by those hereditary peers excluded from the House of Lords under the House of Lords Act 1999; and if she will make a statement. [111911]

Mrs. Roe: Over the past few months, the Committee has been considering a number of matters in connection with All-Party Parliamentary and Associate Parliamentary Groups, including membership of the groups by "excluded" hereditary peers. I am now able to announce a number of measures, which I am sure the hon. Member will find of interest.

With respect to those hereditary peers excluded from the House of Lords Act, the Committee has agreed that:

(i) for prospective groups, while excluded hereditary peers may be ordinary members of such groups, they may not be officers, nor should they be counted as one of the 20 "qualifying" Members of either House; and

(ii) for existing approved groups, which may have excluded hereditary peers as officers or qualifying members:

(a) if the peers concerned are retained as ordinary members of a group, and are allowed voting rights, then it should amend its title immediately to Associate Parliamentary Group, if not already so termed;

(b) groups should elect new officers to replace excluded hereditary peers by 31 July 2000; and

(c) groups should recruit replacement qualifying members, also by 31 July 2000.

The Committee has also agreed:

that the definition of "full member" of an All-Party Parliamentary or of an Associate Parliamentary Group means a member of a group who has voting rights;

that before it can be accepted onto the Approved List, a prospective group must hold an inaugural meeting to elect its officers, and that the meeting must be advertised as such on the All-Party Notices; in addition, the Committee agreed that any elections of officers of an approved group must be advertised on the All-Party Notices; and that therefore the relevant point of the declaration, which prospective groups have to sign, will be amended to read "the group elects its honorary officers, who are all Members of either House, every 12 months; this, and any other election of officers, must be announced in advance on the All-Party Notices.";

that a group must advise the Registry of Members' Interests of any change in the information contained in its Information Sheet and its Register entry within 28 days of such a change occurring; and an additional declaration will therefore be added to the application form, namely, "the group undertakes to notify the Registry of Members' Interests of any change that is required to its records (ie, its Register entry and its Information Sheet) within 28 days of such a change occurring; where there is no change to its records following an AGM, the group will sign and return its records as correct.";

that the Parliamentary Commissioner for Standards may authorise checks to establish whether or not a group's records are correct, and may authorise the removal of a group from the Approved List if the group fails to comply with the rules; and

that groups will be required to keep a record of their meetings and those attending so that, if challenged, they can demonstrate that they have met at least three times per year and that there were never less than five Members of the Commons present at each meeting; the declaration will be changed accordingly to state "the group undertakes to keep a record of every meeting so that, if challenged, it can demonstrate that it has met at least three times a year (a year starts on the date of the group's last registered AGM, and ends exactly 12 months later; AGMs cannot be included in the total of three); and also that there are present at every meeting a minimum of five Commons members of the group, including at least one Commons officer".

Finally, the Committee expressed concern over the proliferation of groups dealing with similar matters; it has therefore agreed, later in this Parliament, to re-examine the question of overlap between groups, and in particular to consider whether a formal policy on this matter should be adopted, in order to ease pressure on House facilities caused by such a proliferation.

PDVN/Internet (Parliamentary Access)

Charlotte Atkins: To ask the Chairman of the Information Committee what progress has been made in modernising parliamentary access to the PDVN and the Internet. [109656]

Mr. Allan: Considerable progress has been made over recent years in providing Members and their staff with networked information services in Parliament. There is an ongoing process of modernising and improving the Parliamentary Data and Video Network and Parliament's access to the Internet. That modernisation process is an operational matter falling within the remit of the Head of the Parliamentary Communications Directorate. I have therefore asked him to reply directly to the hon. Member.

PRESIDENT OF THE COUNCIL

Paper and Timber Products

Mr. Reed: To ask the President of the Council (1) what steps she has taken to ensure that paper and timber products purchased by her Department come from a sustainable source; [110190]

(2) if she will ensure that paper and timber products purchased by her Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110191]

Mrs. Beckett: The stationery products used in my Department are purchased from suppliers who use recycled paper for everything except specialist use. My Department purchases few timber products (mainly furniture) but, when it does, the policy is that the timber concerned should have been sustainably harvested.

As to the certification process provided by the Forest Stewardship Council, I refer to the answer given by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on 14 February 2000, *Official Report,* column 357W.

WALES

Departmental Staff

Caroline Flint: To ask the Secretary of State for Wales what provisions are made available to Departmental staff for *(a)* maternity leave, *(b)* maternity pay, *(c)* paternity leave, *(d)* parental leave, *(e)* flexible working hours, *(f)* part-time work, *(g)* job-sharing, *(h)* leave to care for sick children, *(i)* home-working, *(j)* term-time contracts, *(k)* annual hours contracts, *(l)* child care allowances, *(m)* careers leave and *(n)* career break schemes; and what criteria are used to judge eligibility in each case. [108840]

Mr. Paul Murphy: The Civil Service as a whole is striving for an improved balance between work and family life. I refer my hon. Friend to the answer given to her by my right hon. Friend the Minister for the Cabinet Office, on 15 February 2000, *Official Report,* column 519W.

Provision for these matters is set out in the Terms and Conditions of Service Code, which for my Department are the same as the Terms and Conditions of Service for the National Assembly for Wales. A copy of this Code has been placed in the Library of the House.

There are some exceptions. Annualised hours and term time working are not currently operated in my Department, and parental leave is not explicitly covered but falls within current special leave provision. The Code is currently being amended to take account of the provisions under the Employment Relations Act 1998.

Caroline Flint: To ask the Secretary of State for Wales what childcare provision was made available in the financial year 1998–99 for use by his departmental staff; what was the cost to parents of this childcare; and how many parents used the facilities. [108857]

Mr. Paul Murphy: I refer my hon. Friend to the answer given to her by my right hon. Friend the Minister for the Cabinet Office on 15 February 2000, *Official Report,* column 518W.

The table shows the type of childcare provision in my Department; the number of parents who used it; and the cost to parents, for 1998–99.

Type of childcare provision	*Nursery*	*Holiday playscheme*
Number of places	[1]30	[2]50
Cost to Welsh Office parents per day	£19.00	£8.00
Cost of private places per day	£22.00	£12.00

[1] All 30 places at the nursery were occupied.

[2] The 50 places represent those occupied by a consortium including the Welsh Office and others, for example Employment Services. The playscheme operated in both the Easter and Summer holidays during which time 33 and 17 places were occupied respectively by children of Welsh Office staff.

Caroline Flint: To ask the Secretary of State for Wales in the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department, *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating

the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [109233]

Mr. Paul Murphy: From July 1994 to June 1999, 89 per cent. of those staff in the Welsh Office who took maternity leave had returned to work by the end of their provision within the Department's maternity scheme. From July 1999 to date, 100 per cent. of staff who have been on maternity leave in the Wales Office have returned to work

The current provision is set out in the Leave and Attendance section of the National Assembly Terms and Conditions of Service Code, Chapter 5, a copy of which has been placed in the Library of the House.

The remaining information is not held centrally and would be available only at disproportionate cost.

Mr. Cox: To ask the Secretary of State for Wales how many senior civil servants from an ethnic minority background are employed in his Department; and how many of them are *(a)* men and *(b)* women. [110683]

Mr. Paul Murphy: As at 1 April 1999, 55 members of the senior civil service were from ethnic minority background (1.7 per cent.).

Information on ethnic origin in the Civil Service is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff we do not disclose data relating to fewer than five people.

My Department has fewer than five senior civil servants in total.

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Wales if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110217]

Mr. Paul Murphy: I refer my hon. Friend to the answer given to him by the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on 14 February 2000, *Official Report*, column 357W. It is not practicable to require that all paper and timber products purchased by my Department are independently certified by the Forest Stewardship Council because this might discriminate against any equally valid schemes and therefore be against public procurement rules.

Mr. Reed: To ask the Secretary of State for Wales what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110216]

Mr. Paul Murphy: All potential suppliers are issued with "Selling to the Welsh Office—A Green Guide for Suppliers of Goods and Services to the Welsh Office". Following devolution, this guide now applies to my Department, the Wales Office.

The guide sets out what is expected from contractors who supply paper and timber products, among other things, and ensures that we operate a purchasing policy which gives full weight to environmental considerations in the procurement of all goods and services.

The guide specifies that timber products should be supplied only from wood produced from sustainably managed forests. The current paper contract provides paper that is at least 80 per cent. post consumer waste, produced using Environmentally Chlorine Free pulp from sustainable forests.

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for Wales what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110716]

Mr. Paul Murphy: My Department does not own or tend any gardens.

However, my Department has a Green Guide for suppliers of goods and services, to operate a purchasing policy which gives full weight to environmental considerations in the procurement of all goods and services. The horticultural policy is to use alternatives to peat such as bark chippings, coir, composts, green manuring, leaf mould, manures and seaweed based products.

CULTURE, MEDIA AND SPORT

World Cup 2006

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport (1) when he expects to receive the full accounts of the FA (FIFA) World Cup 2006 bid for *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 from the FA; and if he will make a statement; [104167]

(2) if there is an upper limit on the amount of money Sport England has contributed and will contribute to the FA (FIFA) World Cup 2006 bid; [104166]

(3) when he expects to publish the accounts of the Government's contribution to the FA (FIFA) World Cup 2006 bid. [104168]

Kate Hoey *[holding answer 10 January 2000]:* The bid to host the World Cup in 2006 is a bid by the Football Association, with the full backing of the Government and Sport England, who have allocated £3 million of Lottery funding for the bid. It is not a Lottery condition to require published accounts. However, Sport England monitors how the Lottery grant is spent.

The remainder of the estimated £9 million which the bid will cost is being provided by the FA, the FA Premier League and by commercial sponsors. Reference to the bid is made in the FA's 1998 general annual report and accounts, but any decision to publish detailed accounts for the 2006 bid is for the FA to make.

National Lottery

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if he will publish the monetary value of

National Lottery awards made in *(a)* rural and *(b)* urban areas in each of the years since the National Lottery was established. [110508]

Kate Hoey *[holding answer 17 February 2000]:* The Department for the Environment, Transport and the Regions classifies rural areas as those local authorities where there is no settlement greater than 35,000. The table shows the monetary value of National Lottery awards made to local authorities in Great Britain in rural and other areas (that is Small Towns, Large Towns, Free Standing Cities, Conurbations and London) in each of the years since the National Lottery was established. This information is taken from the National Lottery Awards database which uses information supplied by the Lottery distributing bodies. The totals exclude Lottery awards not attributed by the distributing bodies to a particular local authority.

£

	Amount awarded to rural areas	*Amount awarded to non-rural areas*
1995	131,759,797	822,929,475
1996	272,702,182	1,352,526,177
1997	204,161,295	2,116,096,616
1998	164,005,639	1,045,100,364
1999	162,866,596	703,373,321

Mr. Green: To ask the Secretary of State for Culture, Media and Sport what the number of grants made from the National Lottery was in *(a)* urban areas and *(b)* rural areas between 1 May 1997 and 31 December 1999. [110642]

Kate Hoey *[holding answer 17 February 2000]:* The Department for the Environment, Transport and the Regions classifies rural areas as those local authorities where there is no settlement greater than 35,000. The total number of awards to local authorities in rural areas in Great Britain between 1 May 1997 and 31 December 1999, was 11,571. The number of awards to local authorities in other areas in Great Britain, (that is Small Towns, Large Towns, Free Standing Cities, Conurbations and London) between 1 May 1997 and 31 December 1999, was 26,198. This information is taken from the National Lottery Awards database which uses information supplied by the Lottery distributing bodies.

Mr. Green: To ask the Secretary of State for Culture, Media and Sport what the average size of grant was from the National Lottery in *(a)* urban areas and *(b)* rural areas between 1 May 1997 and 31 December 1999. [110643]

Kate Hoey *[holding answer 17 February 2000]:* The Department of the Environment, Transport and the Regions classifies rural areas as those local authorities where there is no settlement greater than 35,000. The average size of award to local authorities in rural areas in Great Britain between 1 May 1997 and 31 December 1999, was £43,059. The average size of award to local authorities in other areas in Great Britain, (that is Small Towns, Large Towns, Free Standing Cities, Conurbations and London), between 1 May 1997 and 31 December 1999, was £115,406. This information is taken from the National Lottery Awards database which uses information supplied by the distributing bodies.

Sport (Funding)

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport if he will list the amount of *(a)* World Class Performance, *(b)* World Class Potential and *(c)* World Class Start funding distributed by (i) UK Sport, (ii) Sport England, (iii) Sport Scotland, (iv) the Sports Council for Wales and (v) the Northern Ireland Sports Council in (x) 1998–99 and (y) 1999–2000, and the provisional figures for 2000–01; and if he will list the sports in receipt of World Class lottery funding and how much they received from each of the above bodies. [110028]

Kate Hoey: The World Class Performance Programme is administered by Sport England and UK Sport. World Class Potential and Start Programmes are administered solely by Sport England. A number of sports have submitted applications to Sport England under the Start and Potential Programmes which have been approved or approved in principle, but to date no payments have been made. Alternative programmes for the elite level sport are in place in the Home Countries. The sums awarded to elite sport appear in the following table:

£

	1998–99	*1999–2000*	*2000–01*
UK Sport—World Class[1] Performance Programme	21,839,545	17,129,000	[2]18,000,000
Sport England—World Class Performance Programme	27,366,285	17,330,962	[3]—
Sport Scotland—Talented Athlete Programme	1,694,338	887,703	[3]—
Sport Scotland—Scotland Junior Groups	150,349	383,151	[3]—
Sports Council for Wales—Elite Cymru[4]	634,781	570,764	[2]750,000
Sports Council for Northern Ireland—Development Of Talented Individuals Programme	422,584	348,306	[3]—

[1] UK Sport became a Lottery distributor in its own right from 1 July 1999. Before this time the Home Country Sports Councils were jointly responsible for funding World Class Performance on the basis of recommendations and advice of the UK Sports Council.
[2] Provisional figure.
[3] Information unavailable.
[4] The figure from Elite Cymru includes funding towards hosting major events.

The following activities have received support to date under the World Class Performance Programme which is administered by Sport England and UK Sport:

Athletics
Disability Athletics
Badminton
Wheelchair Basketball
Bobsleigh
Boccia
Boxing
Cycling
Women's Cricket
Canoeing
Diving

Equestrian
Goalball
Gymnastics
Ladies Golf
Hockey
Ice Skating
Judo
Karate
Modern Pentathlon
Netball
Orienteering
Rowing
Rugby Football League
Women's Rugby
Wheelchair Rugby
Skiing
Sailing
Speed Skating
Squash
Swimming
Disability Swimming
Paraplegic Shooting
Disability Table Tennis
Wheelchair Tennis
Table Tennis
Target Shooting
Ten Pin Bowling
Triathlon
Trampolining
Water Skiing
Weightlifting.

The information required for the latter part of the question is not held within my Department.

Asset Sales

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 3 February, *Official Report*, column 29W, on asset sales, if he will list the individual land and buildings sold by the Tate Gallery and the amount realised by each item. [111266]

Mr. Chris Smith: The amount of £1,200,000 given in my previous answer derived from the sale of the Tate's former Gorst Road site in London. The land and the buildings were not sold individually, but as a single package. The buildings were subsequently demolished by the purchaser.

PRIME MINISTER

Operation Horseshoe

Sir John Stanley: To ask the Prime Minister on what date he was first informed that Operation Horseshoe might be implemented in 1999; and by whom he was so informed. [108655]

The Prime Minister *[holding answer 10 February 2000]:* As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs told the Foreign Affairs Committee on 14 April 1999, we were aware that a spring offensive against the KLA had been planned before the start of the NATO airstrikes, and we knew from previous experience that it was likely to be accompanied by ethnic cleansing. Throughout the crisis, we received information from a variety of sources, some of them sensitive. Details of a plan called Operation Horseshoe were made public in a statement by the German Defence Minister on 9 April 1999.

Lord Levy

Mr. Baker: To ask the Prime Minister what restrictions apply to the undertaking of private business by Lord Levy while acting as his personal envoy on visits overseas. [110242]

The Prime Minister *[holding answer 15 February 2000]:* Lord Levy does not conduct private business while travelling as my personal envoy. Lord Levy paid his own travel expenses. The FCO and Embassies provided practical support, the cost of which is not separately itemised.

Mr. Baker: To ask the Prime Minister if he will list the visits undertaken by Lord Levy as his personal envoy, indicating in each case the *(a)* dates, *(b)* destinations, *(c)* cost to public funds and *(d)* purpose of the visits. [110240]

The Prime Minister *[holding answer 15 February 2000]:* Lord Levy has made the following visits as my personal envoy:

1999

9–10 April: Syria
5–7 June: Jordan
7–10 June: Syria
9–11 October: Oman
11–12 October: Qatar
12–14 October: Bahrain
29 November-1 December: Syria

2000

2–3 February: Syria
3 February: Lebanon.

Lord Levy made calls in Egypt on 8 October 1999 en route for Oman, and on 3 February 2000 while returning from Lebanon.

Lord Levy also frequently visits Israel in a personal capacity and has on occasions had discussions there in the furtherance of my support for the peace process.

The purpose of Lord Levy's visits was to develop the United Kingdom's bilateral relationships with the countries visited, and to exchange views on key regional issues, including the Middle East Peace Process.

Lord Levy paid his own travel expenses. The FCO and Embassies provided practical support, the cost of which is not separately itemised.

PPS Guidelines

Mr. Paice: To ask the Prime Minister what guidelines there are for Parliamentary Private Secretaries on discussing Government policy in public within their own constituencies. [111310]

The Prime Minister: Guidance to Parliamentary Private Secretaries on their role and responsibilities is set out in paragraphs 44–46 of the Ministerial Code.

Police (West Midlands)

Mrs. Browning: To ask the Prime Minister (1) when *(a)* his officials and *(b)* staff at 10 Downing Street were first informed that the matter of Transfer Technology grants was being referred to the West Midlands Police; [111628]

(2) when he was first informed that the matter of Transfer Technology grants was being referred to the West Midlands Police. [111626]

The Prime Minister: In accordance with normal procedure, the No. 10 Press Office was informed on Thursday 3 February after my right hon. Friend the Secretary of State for Trade and Industry had made his decision.

I was informed after the Secretary of State had made his announcement.

Asylum Seekers

Mr. Lidington: To ask the Prime Minister if he will provide the basis for his oral statement of 16 February 2000, *Official Report*, column 947, that the Immigration Department is close to achieving 4,000 asylum decisions a month. [111522]

The Prime Minister: I refer the hon. Member to the Answer given to him today by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), the Minister of State, Home Office, *Official Report*, column 815W.

SOLICITOR-GENERAL

Departmental Staff

Mr. Cox: To ask the Solicitor-General how many senior civil servants from an ethnic minority background are employed in the Law Officers' Department; and how many of them are *(a)* men and *(b)* women. [110690]

The Solicitor-General: As at 1 April 1999, 55 members of the Senior Civil Service were from ethnic minority background (1.7 per cent.).

Information on ethnic origin in the Civil Service is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff, we do not disclose data relating to fewer than five people.

The Law Officers' Departments (The Crown Prosecution Service, Treasury Solicitor's Department and the Serious Fraud Office) have four members of the SCS declared to be of ethnic minority background as at 1 April 1999.

Racism (CPS)

Lorna Fitzsimons: To ask the Solicitor-General what action has been taken by the Crown Prosecution Service to identify institutional racism in its employment of staff and in the carrying out of prosecution functions; and what action has been taken or proposed as a result. [111283]

The Solicitor-General: The CPS is strongly committed to equality for all staff and has agreed a programme of action with the Commission for Racial Equality. As a result of this agreement, the CRE has suspended its decision to carry out an investigation of the CPS under the Race Relations Act 1976. As well as implementing action on training, development and selection, the CPS has commissioned Sylvia Denman CBE, a leading academic with a distinguished background in equality issues, to carry out a review of the Service.

The terms of reference of the review will include investigating the processes, behaviour and attitudes present in the CPS to determine the extent to which race discrimination and institutional racism may exist in the Service nationally. Mrs. Denman will present her preliminary report towards the end of April 2000.

The CPS last year set up an Equality Committee, chaired by the Chief Executive, with sub-groups on race and women. The Committee is responsible for driving through policy and action on equality in the CPS. It includes representatives from the Equal Opportunities Commission and NACRO. The CPS is implementing an Immediate action plan on race, which has been agreed with the CRE. An action plan for implementation of longer term initiatives drawn up by the sub-group on race will be presented to the Director's Board at the end of February.

The CPS participated in a major research project on the ethnic monitoring of young offenders, conducted by Dr. Bonny Mhlanga of the University of Hull. Dr. Mhlanga's report was published in October 1999. The research project found no evidence of unfair discrimination by the CPS in its casework decisions against defendants from ethnic minorities, indicating that decision the CPS is performing its role as an independent prosecuting authority properly and effectively.

Fast-tracking (Merseyside)

Mr. Ben Chapman: To ask the Solicitor-General if he will make a statement on the fast tracking project in Merseyside. [111246]

The Solicitor-General: When I visited CPS Merseyside in September last year, I observed at first hand the efforts made by the CPS and other local agencies to reduce delay in the criminal justice system.

The fast-tracking project at Knowsley Magistrates Court has been a great success, reducing the time from arrest to disposal in all youth cases. As a result, fast-tracking arrangements based on the pilot were implemented throughout Merseyside on 28 June 1999.

In addition the CPS Area and its criminal justice partners on 1 November 1999 implemented the Narey measures to speed up justice in the magistrates courts for both youth and adult defendants. These and other changes that the criminal justice agencies are making should further reduce delay in the criminal justice system.

The local inter-agency Trials Issue Group discussed the impact of Narey at its meeting on 21 January 2000. It was too early to make a proper assessment while some

pre-Narey cases remain in the court system. A full evaluation of Narey will take place at the Group's next meeting in April.

CABINET OFFICE

Advertising Budgets

Mr. Baker: To ask the Minister for the Cabinet Office what was the average cost of issuing a media release from her Department in 1999. [110270]

Mr. Stringer: The average cost of issuing a media release by this Department in 1999 was £131.00. Media releases are distributed electronically on the Department's behalf by the Central Office of Information.

Peat Compost

Mr. Paul Marsden: To ask the Minister for the Cabinet Office what steps she is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by her Department; and if she will make a statement. [110729]

Mr. Stringer: The Cabinet Office does not use peat compost in its gardens.

Draft Equality Bill

Mr. Simon Hughes: To ask the Minister for the Cabinet Office if she will prepare a draft equality bill for consideration by Parliament. [111100]

Marjorie Mowlam: A number of Bills were announced for advanced drafting in the Queen's speech last year. The Government's legislative proposals for the 4th session will be announced in the Queen's speech later this year.

SCOTLAND

Post Office

5. **Mr. McFall:** To ask the Secretary of State for Scotland what steps are being taken to improve postal services in Scotland; and if he will make a statement. [109611]

Dr. Reid: The Government are committed to the modernisation of the postal service. Scotland, like the rest of the UK will benefit from the £480 million investment in the HORIZON project to computerise all post offices by 2001.

15. **Mr. Gorrie:** To ask the Secretary of State for Scotland what discussions he has had with the Chancellor of the Exchequer about the effects which transferring pension payments from post offices to bank accounts will have on small post offices. [109625]

Dr. Reid: I am in contact with my right hon. Friend the Chancellor of the Exchequer over a range of issues.

This Government are committed to making a major investment in the Post Office and the maintenance of a nation-wide network of post offices. All people in receipt of benefits, including pensions, will continue to have the choice of receiving payments in cash at their local post office.

Higher Education

6. **Miss Kirkbride:** To ask the Secretary of State for Scotland what discussions he has had with the First Minister regarding higher education issues. [109613]

Mr. Wilson: My right hon. Friend meets the First Minister regularly to discuss a range of issues.

Oil

7. **Mr. David Stewart:** To ask the Secretary of State for Scotland if he will make a statement on the future of oil fabrication in the highlands and islands. [109615]

Mr. Wilson: I am a member of Pilot, the successor body to the Oil and Gas Industries Task Force. It has set up a support group for the oil fabrication sector, involving government agencies and the industry. The group is charged with identifying the way forward, and ensuring that the skills base is maintained.

Block Grant

8. **Mrs. Laing:** To ask the Secretary of State for Scotland what discussions he has had with the Chancellor of the Exchequer on the mechanisms used for calculating the size of the block grant. [109616]

Dr. Reid: I have regular discussions with the Chancellor about a range of matters. The arrangements in place continue to provide a fair deal for Scotland within a United Kingdom framework and I have no plans to revise the underlying principles.

National Minimum Wage

9. **Mr. Russell Brown:** To ask the Secretary of State for Scotland how many enforcement cases there have been in Scotland in respect of the national minimum wage. [109618]

Mr. Wilson: As at the end of January 2000, the National Minimum Wage helpline had received 293 complaints about underpayment of the National Minimum Wage in Scotland. All complaints are followed up.

Economy

10. **Mr. Tynan:** To ask the Secretary of State for Scotland what representations he has made to the Chancellor of the Exchequer concerning the state of the Scottish economy in the context of the forthcoming Budget. [109619]

Dr. Reid: I meet the Chancellor from time to time to discuss a range of issues about the Scottish economy.

Scotland has benefited greatly from the Government's macroeconomic framework, which has achieved sound public finances while guaranteeing additional resources for priority areas such as health and education.

11. **Mr. Swinney:** To ask the Secretary of State for Scotland when he last discussed the Scottish economy with the Chancellor of the Exchequer. [109621]

Mr. Wilson: My right hon. Friend meets the Chancellor from time to time to discuss a range of issues about the Scottish economy.

The Scottish economy continues to perform strongly. Output is expanding across all main sectors, and unemployment is low by historical and international standards.

Scottish MPs

12. **Mr. Evans:** To ask the Secretary of State for Scotland what discussion he has had with the Prime Minister about reducing the number of hon. Members sitting in the House for Scottish constituencies. [109622]

Mr. Wilson: My right hon. Friend has regular discussions with the Prime Minister on a wide range of matters. However, the position on the number of Members sitting in this House for Scottish seats is set out in Section 86 of the Scotland Act 1998. This will be implemented by the Boundary Commission for Scotland in its next review, which is due to be submitted between December 2002 and December 2006.

Media Officers

13. **Mr. Blunt:** To ask the Secretary of State for Scotland how many media officers are employed by his Department; and if he will make a statement. [109623]

Dr. Reid: My Department does not employ any media officers. It employs five Information Officers to advise Ministers on the presentation of Government policy and to explain Government policy to the media. Some of these officers have other duties within the Department.

Export Promotion Services

14. **Mrs. McKenna:** To ask the Secretary of State for Scotland what steps he has taken to ensure that Scottish companies continue to receive the full range of export promotion services. [109624]

Mr. Wilson: We work very closely with the Scottish Executive to ensure that Scottish companies are aware of the full range of UK wide support available from the Government as well as the support, tailored to the specific needs of Scottish business, from Scottish Trade International

Last week I was in the Far East. This was part of my cabinet committee responsibilities but I was also spending time promoting Scottish companies and Scottish goods and services. Two weeks ago I led an 18 strong trade mission to Egypt organised by Scottish Trade International. Every week I am speaking to Scottish companies about how we can help them increase their exporting effort.

I am very pleased that Scottish companies are continuing to increase their competitiveness in the international market place. Recent figures showed that Scottish manufactured exports had increased by 7.8 per cent. in real terms during the third quarter of 1999.

Devolution

16. **Mr. Paterson:** To ask the Secretary of State for Scotland what plans he has to review the devolution settlement in Scotland. [109626]

Dr. Reid: The Memorandum of Understanding between the United Kingdom Government and the devolved administrations which was published on 1 October 1999 provides for the operation of the devolution settlements to be kept under review by the Joint Ministerial Committee.

Pig Industry

17. **Mr. Clappison:** To ask the Secretary of State for Scotland what recent representations he has received about the Scottish pig industry. [109627]

Mr. Wilson: I have received a number of representations about the Scottish pig industry's difficulties. Most of the issues raised are now the responsibility of the Scottish Executive and are being pursued by the appropriate Ministers.

Shipyards

18. **Dr. Godman:** To ask the Secretary of State for Scotland when he last visited shipyards on the River Clyde; and if he met both managers and trade union representatives to discuss matters relating to Her Majesty's Government's contracts for the construction of vessels. [109628]

Dr. Reid: My last visit to a shipyard on the River Clyde was on 14 January when I visited the Govan shipyard. I met both managers and trade-union representatives and we discussed a range of issues including Ministry of Defence contracts for the construction of vessels.

Anti-drugs Strategy

19. **Mrs. Ann Winterton:** To ask the Secretary of State for Scotland what discussions he has held with the First Minister on co-ordination of the Government's anti-drugs strategy in Scottish schools. [109629]

Mr. Wilson: My right hon. Friend discussed generally the co-ordination of the Government's anti-drugs strategy, a central component of which is education, at a meeting with the First Minister on 14 January. Both he and the First Minister have also recently had separate meetings with the UK Anti-Drugs Co-ordinator, Mr. Keith Hellawell.

New Deal

20. **Mr. David Marshall:** To ask the Secretary of State for Scotland if he will make a statement on the operation of the New Deal in Scotland. [109630]

Mr. Wilson: I am very pleased to say that the operation of New Deal in Scotland is proving very successful. We have reached the significant milestones of 20,000 young people now having gained jobs through the programme in Scotland, and the 10,000th employer signing up to participate in the programme.

The latest published figures provide further hard evidence of the significant impact the New Deal is having in Scotland. Over 43,000 young people have benefited from the New Deal. By the end of November 1999, a total of 28,000 young people had entered jobs, work experience or training.

Special Advisers

Mr. Luff: To ask the Secretary of State for Scotland if he will make a statement regarding the number of Special Advisers employed by his Department. [109620]

Dr. Reid: My Department employs three Special Advisers to advise me on the development of government policy. One of the Special Advisers is unpaid and works part-time.

Air Traffic Control, Prestwick

Miss McIntosh: To ask the Secretary of State for Scotland if he will make a statement regarding the future of the Air Traffic Control Centre at Prestwick. [109609]

Dr. Reid: I welcome the announcement made by my right hon. and noble Friend the Minister for Transport on 14 February 2000. The agreement between National Air Traffic Services Ltd. and Lockheed Martin for the provision of air traffic control systems for the New Scottish Centre ends any uncertainty about its future. The 530 jobs at Prestwick will be secured and the construction phase for the new centre will create about 700 jobs during the three-year construction phase, which will begin next year.

Economic and Monetary Union

Mr. Nicholas Winterton: To ask the Secretary of State for Scotland what recent representations he has made to the Chancellor of the Exchequer regarding the impact of a single European currency on the Scottish economy. [109614]

Mr. Wilson: My right hon. Friend meets the Chancellor from time to time to discuss a range of issues about the Scottish economy.

The policy on membership of the single currency was set out by the Chancellor of the Exchequer to the House of Commons in October 1997. The determining factor underpinning any UK Government decision on membership of the single currency is whether the economic case for the UK joining is clear and unambiguous. The interests of the Scottish Economy will be an integral part of that process.

ADVOCATE-GENERAL

Legislation

21. **Dr. Godman:** To ask the Advocate-General, pursuant to her oral answer of 25 January 2000, *Official Report*, column 137, if she will list the Bills introduced by the Scottish Parliament which she has considered to be *(a)* within and *(b)* outwith the legislative competence of the Parliament. [109631]

The Advocate-General for Scotland: Thus far, two Bills have been passed by the Scottish Parliament and I have not considered it necessary to refer either to the Judicial Committee. They are now the Mental Health (Public Safety and Appeals) (Scotland) Act 1999 and the Public Finance and Accountability (Scotland) Act 2000.

25. **Mr. Bercow:** To ask the Advocate-General what Bills introduced by the Scottish Parliament she has considered to be *(a)* within and *(b)* outwith its legislative competence. [109635]

The Advocate-General for Scotland: Under section 33 of the Scotland Act 1998, when a Bill has been passed by the Scottish Parliament I have the power to refer it to the Judicial Committee of the Privy Council for a decision on whether it is within the competence of the Scottish Parliament.

Thus far, two Bills have been passed by the Scottish Parliament, and I have not considered it necessary to refer either to the Judicial Committee. They are now the Mental Health (Public Safety and Appeals) (Scotland) Act 1999 and the Public Finance and Accountability (Scotland) Act 2000.

Devolution

24. **Mr. Browne:** To ask the Advocate-General what subjects have been raised with her as devolution issues in the context of applications to Scottish criminal courts. [109634]

The Advocate-General for Scotland: Devolution issues raised by the defence in criminal cases have mainly focused on the right to a fair trial which is set out in Article 6 of the European Convention on Human Rights. Some of the principal matters raised include: the admissibility of evidence; delays in trials; the right to an "independent and impartial tribunal"; prejudicial pre-trial publicity; access to a solicitor; cases under the Road Traffic Acts; and legal aid questions. Devolution issues focusing on other Convention articles have also been raised but less frequently.

Departmental Staff

Miss McIntosh: To ask the Advocate-General for Scotland what plans she has to increase the staffing of her Department. [109636]

The Advocate-General for Scotland: Staffing levels in the Office of the Solicitor to the Advocate-General and my Legal Secretariat are presently under review.

HOME DEPARTMENT

Charities

Mr. Hope: To ask the Secretary of State for the Home Department what plans he has to alter the Charity (Accounts and Reports) Regulations 1995. [111907]

Mr. Boateng: A clear framework for charity accounting is important for the public's confidence in the integrity of charity. In general, the 1995 regulations have worked well. I am today publishing a consultation document about how to keep the regulations up to date. The proposed changes reflect the new exposure draft of the Statement of Recommended Practice (SORP) for accounting by charities, as well as proposals for some charities that follow other SORPs. I would welcome views by 30 April.

I have arranged for copies of the consultation document to be placed in the Library.

Asylum Seekers

Mr. Paul Clark: To ask the Secretary of State for the Home Department what level of support will be provided under the new asylum seeker support arrangements. [111908]

Mrs. Roche: Subject to assessment on a case by case basis, the weekly levels of voucher support for asylum seekers under the new arrangements is given in the table:

£

	Amount of voucher support
Person aged 18–24	28.95
Person aged 25 or over	36.54
Couple	57.37
Lone parent	36.54
Child under 16	26.60
Child 16 or 17	31.75

These amounts will be given in the form of vouchers, £10 of which will be redeemable for cash per person per week.

Stephen Lawrence Inquiry Report

Maria Eagle: To ask the Secretary of State for the Home Department when he will publish the first annual report of progress on the implementation of the Action Plan he published in March 1999 as the Government's response to the Stephen Lawrence Inquiry report; and if he will make a statement. [111909]

Mr. Straw: I will publish the first annual report tomorrow. It will set out details of progress made on each of the areas covered by the recommendations of the Inquiry and will identify action still to be taken. It will show that there has been substantial progress across the criminal justice and education systems. But there is much more to be done and it is vital that all the public services covered by the Inquiry's report maintain their determination to deliver the highest standards of service to all members of society regardless of their race.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make a statement on the measures police forces are taking to ensure that policies and practices formed in response to the Stephen Lawrence inquiry report are being effectively implemented across all ranks. [111318]

Mr. Charles Clarke: My right hon. Friend the Home Secretary will publish tomorrow the first Annual Report on progress on implementation of the Action Plan he published in March 1999 in response to the Stephen Lawrence Inquiry report. This will give details of progress made within the police service to give effect to the Inquiry's recommendations. A key element in ensuring that forces turn policies into action on the ground is the new Ministerial Priority to increase trust and confidence in policing among minority ethnic communities which will provide clear measurement of forces' performance on race equality.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list those police forces in England and Wales that are undertaking an examination of their policies and practices to identify institutional racism as recommended by the Stephen Lawrence inquiry report; and if he will make a statement. [111317]

Mr. Charles Clarke: My right hon. Friend the Home Secretary will publish tomorrow the first Annual Report on progress on implementation of the Action Plan he published in March 1999 in response to the Stephen Lawrence Inquiry report. The Action Plan amounts to a comprehensive programme to tackle institutional racism and the annual report will give a detailed picture of the steps which the police service is taking to implement it.

Under the "Dismantling the Barriers" Action Plan he launched in July 1999 to help forces meet the targets my right hon. Friend the Home Secretary has set for the recruitment, retention and progression of ethnic minority officers, all forces are required to conduct full race relations/cultural audits which will include surveys across all staff to assess the perception of the treatment of ethnic minority officers and other diversity issues. The aim will be to identify all the elements of the organisational culture and their likely impact on policing a diverse society; and to assess the impact on the recruitment, retention and progression of ethnic minority staff.

Youth Justice

Mr. Dawson: To ask the Secretary of State for the Home Department when he intends to implement nationally the youth justice provisions of the Crime and Disorder Act 1998 which have been piloted; and if he will make a statement. [111906]

Mr. Straw: Pilots of most of the youth justice provisions of the Crime and Disorder Act 1998 have been operating in 10 areas since September 1998. They cover the operation of the multi-agency youth offending teams; the final warning scheme, which will replace cautioning for young offenders; and the reparation order, action plan order, child safety order and parenting order. The pilots have helped to identify good practice in delivering these measures and are being evaluated by a team from Sheffield, Hull and Swansea Universities. A copy of their most recent report, published in December, is in the Library. Building on the experience of the pilots, the Government have decided to implement the Crime and Disorder Act 1998 provisions for youth offending teams on 1 April 2000 and for the final warning scheme and four community-based orders on 1 June 2000.

Mr. Lidington: To ask the Secretary of State for the Home Department what was the cost to public funds of issue 2 of the Youth Justice Board's newsletter, "Preventing Youth Offending"; and how many copies have been *(a)* printed and *(b)* distributed. [111523]

Mr. Charles Clarke: The cost to the public funds of issue 2 of the Youth Justice Board's newsletter "Preventing Youth Offending' was £10,000. 11,000 copies were printed and 10,000 have so far been distributed. One of the Board's tasks is to provide information to professions and the public about the changes being made to the youth justice system. The newsletter is one means of providing that information.

Global Cultural Diversity Congress

Mr. Kidney: To ask the Secretary of State for the Home Department if he will make a statement about requests for additional funding for the Global Cultural Diversity Congress. [111905]

Mr. Mike O'Brien: On 11 January 2000, the Commission for Racial Equality (CRE) asked the Home Office for authority to provide funding to enable the Global Cultural Diversity Congress, in Cardiff on 20–23 March to go ahead as planned and subsequently asked for additional funding from the Home Office Vote. This international conference was being organised under the auspices of the CRE following decisions they made in 1998 but by a separate company limited by guarantee, Global Cultural Diversity Congress (GCDC) 2000 Ltd. At the time they first decided to proceed in 1998, it was made clear that the Government could not offer substantial financial support for the Conference.

The Government have supported the aims of the Congress, which was a potentially important forum for serious debate about issues of race and diversity, and was widely welcomed by many with an interest in these issues both in this country and worldwide.

In the light of the CRE request in January this year for Government funding, the Government thought it right to seek advice from independent consultants on the viability of the conference at this late stage, including from forensic accountants who examined the affairs of GCDC 2000 Ltd.

The conclusions of the accountants' report raised serious questions about the quality of the management and financial controls in GCDC 2000 Ltd. as well as confirming that very significant additional funds, in the order of £1.5 million, would be required to enable the Congress to go ahead, not least because less than 500 tickets had been sold for a congress initially planned to attract 2,000.

Given the report's findings, it would not be justifiable to use substantial public funds to support this event. Yesterday, the Directors of the company were advised of the report's findings and our decision. I understand that the Directors of GCDC 2000 Ltd. decided late yesterday to put the company into liquidation.

The decision to set up GCDC 2000 Ltd. was a collective one of the Commissioners for Racial Equality, taken in September 1998. I have asked the incoming Chair of the CRE, Gurbux Singh, to consider urgently the lessons to be learned from all of this and to provide us with a report.

Community Sentences

Mr. Burstow: To ask the Secretary of State for the Home Department if he will estimate *(a)* the number of community sentences, *(b)* the number returned to court as a result of breach proceedings and *(c)* the number of breach proceedings (i) that were not proven and (ii) where the community sentence was revoked and the offender re-sentenced. [111491]

Mr. Charles Clarke: The available information, taken from the Home Office Court Proceedings Database, is given in the table.

England and Wales: 1998

	000s
	Number
Offenders given a community sentence[1] for all offences	149,400
Proceedings for a breach of a community sentence[1,2]	28,500
of which:	
Sentence given for breach[2]	28,100

[1] Includes probation, supervision, attendance centre, community service, combination and curfew orders.
[2] Statistics as to the proportion found not proven; and the proportion where the breached order is revoked and the offender resentenced are not recorded centrally.

Hendon Police College

Sir Sydney Chapman: To ask the Secretary of State for the Home Department what was the size of the training intake at Hendon Police College *(a)* for each of the last three months and *(b)* in January (i) 1997, (ii) 1998 and (iii) 1999. [111525]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of the Metropolitan Police:

	Intake
(a)	
November 1999	94
December 1999	0
January 2000	101
(b)	83
(i) January 1997	83
(ii) January 1998	95
(iii) January 1999	147

Note:
Intakes are five weekly, so some months have no intake

Jury Trial

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department if he will make a statement on the implications of the Government's proposals to abolish the right to elect trial by jury. [109646]

Mr. Charles Clarke: Giving the courts rather than defendants the power to decide whether either-way offences should be heard in the Crown Court would reduce delays and secure a more efficient system of justice. Our proposals would be to the benefit of the public, victims and witnesses, but would nevertheless protect the interests of the accused.

Mr. Nigel Griffiths: To ask the Secretary of State for the Home Department what assessment he has made of the experience of the trial without jury system in Scotland. [109649]

Mr. Charles Clarke: The main difference with the Scottish jury system is that there is no right for the accused to choose trial by jury. The decision on mode of trial is made by Crown Counsel on the recommendation of the procurator fiscal, who has a wide discretion. I am not aware that this has led to any unfairness to defendants in Scotland.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the 20 most common triable either way offences in the past year; and if he will make a statement. [111321]

Mr. Straw: The information is given in the table.

Most common triable either way offences [1]

Offence description	*Prosecutions*
1. Stealing from shops and stalls	77,914
2. Absconding by person released on bail	45,495
3. Assaults occasioning actual bodily harm	38,020
4. Ad hoc offences under the Theft Act 1968, section 1	26,525
5. Non-aggravated burglary in a dwelling	25,512
6. Having possession of cannabis	24,395
7. False statements by company directors	21,184
8. Non-aggravated burglary other than in a dwelling	20,459
9. Affray	17,600
10. Obtaining property by deception	16,018
11. Criminal damage excluding arson, endangering life and racial aggravation	14,148
12. Wounding or inflicting grievous bodily harm (inflicting bodily injury with or without weapon)	7,158
13. Possession of offensive weapons without lawful authority or reasonable excuse	7,141
14. Stealing from motor vehicles	6,728
15. Stealing from the person of another	6,256
16. Where the vehicle was driven dangerously, where injury to any person or damage to any property was caused or damage was caused to the vehicle	6,161
17. Dangerous driving	5,820
18. Undertaking or assisting in the retention, removal, disposal or realisation of stolen goods or arranging to do so	5,653
19. Violent disorder	5,337
20. Having an article with a blade or point in a public place	4,867

[1] Defined by number of defendants prosecuted at magistrates' courts in 1998

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if any criminal offences related to arson are triable either-way; and if he will make a statement. [111323]

Mr. Charles Clarke: Under the Criminal Damage Act 1971, destruction or damage by fire is charged as arson and is triable either-way. If there is intent to endanger life or recklessness as to whether life would be endangered, the offence must be tried in the Crown Court.

Royal Prerogative

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will introduce legislation to bring the exercise of the Royal Prerogative under parliamentary scrutiny. [109655]

Mr. Mike O'Brien: No. With very few exceptions, the Royal Prerogative is exercised only on the advice of Ministers. This provides accountability to Parliament for its exercise.

Freepost Election Mailings

Mr. Hawkins: To ask the Secretary of State for the Home Department what was the cost to public funds of the freepost election mailing in *(a)* the 1997 General Election, *(b)* the Scottish Parliament elections, *(c)* the Welsh Assembly elections and *(d)* the Northern Ireland Assembly elections; and what estimate he has made of cost of the freepost mailing he has authorised in the Watford local authority area election. [111521]

Mr. Mike O'Brien: The costs to public funds of the free election mailings were as follows:

Election	*Cost (£)*
1997 General Election	[1]17,770,103.80
Scottish Parliament Elections	[2]4,629,603.05
Welsh Assembly Elections	[2]2,243,929.14
Northern Ireland Assembly Elections	1,083,427.95

[1] At 1997 value
[2] Year at 1999 value

The cost of any freepost facility offered to candidates standing for election to Watford Council would be met by the Council itself. The Council estimate that this would be in the region of £6,500.

European Crime Convention

Mr. Heald: To ask the Secretary of State for the Home Department if he will make a statement on the situation concerning negotiations on the draft European Convention on Mutual Legal Assistance in Criminal Matters. [111488]

Mr. Charles Clarke: The European Union Mutual Legal Assistance Convention has been under negotiation since 1996, and is intended to enhance existing arrangements for co-operation between member states' judicial and prosecuting authorities for the purposes of criminal investigations and proceedings. The negotiations have been complicated, and, throughout, the Scrutiny Committees of both Houses have been kept fully informed of progress. Although a number of specific provisions have cleared scrutiny, the Convention itself remains subject to Parliamentary scrutiny.

Work has continued to agree outstanding matters, and I understand that the opinion of the European Parliament on the draft text has now been issued, and is to be considered.

At the meeting of Council on 2–3 December 1999, Ministers agreed that at the Council meeting on 27 March 2000, an attempt should be made to complete work on the Convention. My officials will remain in contact with the scrutiny committees.

Secure Training Centres

Jackie Ballard: To ask the Secretary of State for the Home Department if he will list incidents that have occurred and been reported at *(a)* Medway, *(b)* Rainsbrook and *(c)* Hassockfield secure training centres since each facility opened; on what occasions contract failures have occurred at each facility; and what financial penalties have been incurred by the operators. [110455]

Mr. Boateng: The secure training centre at Medway opened on 17 April 1998, Rainsbrook opened on 1 July 1999 and Hassockfield opened on 17 September 1999.

The total number of incidents which have occurred and been reported since each facility opened are 1,513 at Medway; 497 at Rainsbrook and 612 at Hassockfield. These reportable incidents cover any occurrence which disturbs the normal operation of any part of the centre and range from a trainee refusing to go to his bedroom or do his chores, to acts of concerted indiscipline.

The contracts set out the performance measurements applying to specified services to be delivered by the Contractor, and the performance penalty points to be incurred for failure to deliver each of these services. If the Contractor reaches a specified level of performance penalty points, further points result in reductions in the payments made to the Contractor up to a maximum of 5 per cent. of the contract price in any year. The number of occasions on which performance points have been awarded for each contract is as follows:

Medway—175;

Rainsbrook—8; and

Hassockfield—29.

A full list of reported incidents and of contract failures can be provided only at disproportionate cost.

The contracts additionally provide for financial penalties to be imposed for failure by the Contractor to meet the scheduled opening date and for any subsequent non-availability of trainee places. To date, financial penalties of £663,240 have been incurred by the operator at Medway, £155,152 at Rainsbrook and £44,890 at Hassockfield.

Mr. Ben James

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is the estimated *(a)* total legal cost to the Government and *(b)* cost of administration by the Immigration and Nationality Directorate, to date, for proceedings related to the immigration case of Mr. Ben James; and if he will make a statement. [111322]

Mrs. Roche: The information that the hon. Member requires is not available and could be obtained only at disproportionate cost.

Racism

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many prosecutions there have been for racially aggravated offences under the Crime and Disorder Act 1998; what percentage of these prosecutions involved defendants who were not white; and if he will make a statement. [111320]

Mr. Charles Clarke: Information available centrally indicates that 745 persons were prosecuted in magistrates courts in England and Wales for racially aggravated offences between October 1998 and June 1999. It is not possible centrally to identify those defendants that were not white.

Ms Oona King: To ask the Secretary of State for the Home Department what measures have been taken in the Metropolitan Police Service to ensure proper communication between uniform and CID officers in relation to serious racist crime. [111103]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that his principal specialist organisations in the systems for the investigation of racist crime are the Racial and Violent Crime Task Force and Borough-based Community Safety Units. All are staffed by both uniform and Criminal Investigation Department (CID) officers. In addition, a range of measures are in place throughout the Metropolitan police to ensure that all officers, both CID and uniform, involved in the investigation of racist crime work together using corporate documentation and methods.

Ms Oona King: To ask the Secretary of State for the Home Department how many police officers of each rank have received anti-racism training; and how many of these have achieved minimum effective training levels. [111105]

Mr. Charles Clarke: The Home Office manages a three year contract with a specialist consultant to deliver community and race relations training to the police, and it is expected that 1,760 officers will have been trained under the terms of this contract by the end of February. A breakdown of these officers in terms of rank is not available. This training incorporates the applicable Minimum Effective Training Level. Other anti-racism training is carried out in forces and by National Police Training, particularly for probationer constables: the total number of officers who have received such training during their careers is not recorded centrally.

Fiona Mactaggart: To ask the Secretary of State for the Home Department what training has been provided to Victim Support volunteer visitors on providing appropriate support for ethnic minority victims of racist crime. [110282]

Mr. Charles Clarke: Victim Support is an independent national charity which receives a substantial Home Office grant each year for its work in supporting victims of, and witnesses to, crime. Current grant conditions require Victim Support to continue to review how their work affects ethnic minorities, taking into account the recommendations of the Macpherson Report.

Responsibility for the operational implementation of these requirements rests with Victim Support.

I understand from the Chief Executive that Victim Support issued guidance to volunteers on racist crime in 1991 and 1996. And, following the Macpherson Inquiry, specialist training for volunteers dealing with racist incidents is to be developed and the general training for all volunteers is to be updated to include training on cultural diversity.

Mr. Stephen Twigg: To ask the Secretary of State for the Home Department how many police officers have been disciplined for using racist words or behaviour; how many have been dismissed following disciplinary action for such offences; and how many such disciplinary cases have been dismissed, since 1 April 1999. [110369]

Mr. Charles Clarke: The statistics of police misconduct cases in England and Wales for the 12 months from 1 April 1999 are not yet available.

Rowe and Davis Case

Mr. Lidington: To ask the Secretary of State for the Home Department what action he plans to take following the judgment of the European Court of Human Rights in the case of Rowe and Davis. [111495]

Mr. Mike O'Brien: The powers of the Home Secretary to refer alleged miscarriages of justice to the Court of Appeal were replaced in 1997 by new powers vested in the Criminal Cases Review Commission, which is now responsible for the investigation of cases of alleged wrongful conviction. The Commission referred the cases of Rowe and Davis to the Court of Appeal on 7 April 1999, in the exercise of its powers under section 9 of the Criminal Appeal Act 1995. It will be for the Court to decide in due course whether their convictions should be quashed.

Mr. Lidington: To ask the Secretary of State for the Home Department what action he plans to take following the judgment of the House of Lords in the case of Rowe and Davis. [111494]

Mr. Charles Clarke: Michael Davis and Raphael Rowe were convicted, on 26 February 1990, of murder, assault occasioning actual bodily harm and three counts of robbery. Their appeal against conviction was dismissed by the Court of Appeal on 29 July 1993, and an application to the Court of Appeal for leave to appeal to the House of Lords was refused on 30 September 1993. However, the Criminal Cases Review Commission referred their cases to the Court of Appeal on 7 April 1999, in the exercise of its powers under section 9 of the Criminal Appeal Act 1995. It will be for the Court to decide in due course whether their convictions should be quashed.

Coroners

Mr. Lidington: To ask the Secretary of State for the Home Department what are the terms of reference and timetable of his review of coroners. [111524]

Mr. Boateng: As my right hon. Friend the Secretary of State for Health announced on 1 February 2000, *Official Report*, columns 907–919, one of the actions being taken in the light of the Shipman trial is an urgent review of death certification procedures and the checks undertaken before cremation and burial. The work of this review is to be made available to the Inquiry chaired by Lord Laming of Tewin which is due to report in the autumn.

The death certification review will also consider whether there should be a role for coroners in monitoring the proper procedures after death. Coroner arrangements may consequently need to be considered more widely in due course.

Mr. Hector Harvey

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 February 2000, *Official Report*, Column 49W, how many and which crimes Mr. Hector Harvey has pleaded guilty to that were committed since 5 August 1998 and which of these were committed *(a)* while in police custody and *(b)* whilst temporarily released from police custody; and if he will make a statement. [111648]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that Mr. Hector Harvey was arrested on 3 August 1998 for armed robbery. He has remained in custody from that date and has committed no offences in the intervening period.

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 February 2000, *Official Report*, column 49W, *(a)* under what powers, *(b)* for what duration and *(c)* for what purpose Hector Harvey was given temporary release from the custody of the CIB and Metropolitan Police; and if he will make a statement. [111647]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that since he was arrested on 3 August 1998 for armed robbery, Mr. Hector Harvey has not been released from police custody.

Magistrates

Mr. Watts: To ask the Secretary of State for the Home Department what steps his Department takes to keep magistrates informed of legislative changes proposed by the Government. [109647]

Mr. Charles Clarke: Both the lay and professional branches of the magistracy are consulted by this department in relation to changes to the criminal justice system which would affect the work of the magistrates' courts.

Freedom of Information

Mr. Llew Smith: To ask the Secretary of State for the Home Department to what extent he intends that the Welsh Assembly will be empowered *(a)* to make decisions and *(b)* to implement regulations in respect of the release of information by local authorities that is at variance with guidance provided to English local authorities on information disclosure. [110646]

Mr. Mike O'Brien: The Freedom of Information Bill would apply to public authorities, including local authorities, in Wales in the same way as to those in England.

There are no provisions under the Bill for the Welsh Assembly to make regulations or issue guidance. There are no plans at present for regulations under, or guidance relating to the Freedom of Information Bill to be varied for different parts of the United Kingdom.

Young Offenders

Dr. Cable: To ask the Secretary of State for the Home Department how many juvenile remand prisoners and young adult remand prisoners are held in doubled-up cells in *(a)* Feltham Young Offenders Institution and *(b)* other young offenders institutions in England; and what were the numbers during 1999. [110958]

Mr. Boateng: The Prison Service does not collect centrally information to show the level of overcrowding separately for the remand population or for juveniles.

Information in the table gives the average monthly number of prisoners held two to a cell designed for one in Feltham and all other young offenders institutions in England during 1999.

Establishments are categorised by their main function only and the most recent data for December are provisional and subject to validation by prisons.

Young offender institutions: Average monthly numbers of prisoners held two to a cell designed for one—1999

Prison name	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*
Feltham	0	0	0	0	78	86	82	82	78	72	34	0
Ashfield	—	—	—	—	—	—	—	—	—	—	0	0
Aylesbury	0	0	0	0	0	0	0	0	0	0	0	0
Castington	0	0	0	0	0	0	0	0	0	0	0	0
Deerbolt	0	0	0	0	0	0	0	0	0	0	0	0
Dover	0	0	0	0	0	0	0	0	0	0	0	0
Glen Parva	140	191	200	212	208	206	440	448	444	246	426	218
Guys Marsh	50	22	32	32	60	40	62	70	62	70	70	70
Hatfield	0	0	0	0	0	0	0	0	0	0	0	0
Huntercombe	16	16	12	12	12	12	0	0	0	0	0	0
Onley	0	0	0	0	0	0	0	0	0	0	0	0
Portland	90	90	90	90	90	150	150	150	150	150	150	150
Reading	154	154	143	146	134	134	160	152	134	148	148	120
Stoke Heath	0	0	0	0	0	0	0	0	0	0	0	0
Swinfen Hall	84	72	68	70	76	64	66	66	70	64	0	0
Thorn Cross	0	0	0	0	0	0	0	0	0	0	0	0
Wetherby	0	0	0	0	0	0	0	0	0	0	0	0

Mrs. Dean: To ask the Secretary of State for the Home Department what is his estimate of the number of young offenders in Staffordshire who have committed *(a)* five offences or more, *(b)* 10 offences or more, *(c)* 20 offences or more and *(d)* 50 offences or more; and if he will make a statement. [110732]

Mr. Charles Clarke: The exact information requested is not held centrally.

However, we do have the total number of convictions for recordable offences relating to persistent young offenders convicted of one or more recordable offences in 1998. 239 were sentenced on one or more occasions following apprehension by Staffordshire Police. Of these, 69 had been sentenced for a total of between five and nine recordable offences, 107 had been sentenced for between 10 and 19 recordable offences, 49 had been sentenced for between 20 and 49 recordable offences, and six had been sentenced for 50 or more recordable offences. The remaining eight individuals had been sentenced for four recordable offences each.

Special Constables (Staffordshire)

Mrs. Dean: To ask the Secretary of State for the Home Department how many *(a)* civilians and *(b)* special constables have been employed by the Staffordshire Police in each of the last five years. [110734]

Mr. Charles Clarke: The strength of the civilians and special constables employed by Staffordshire Police in each of the last five years is recorded in the table.

Year [1]	*Civilians* [2]	*Special constables*
1995	750.0	725
1996	753.5	702
1997	792.5	685
1998	865.5	595
1999	1,004.0	468

[1] As at 31 March

[2] The civilian figures are full time equivalents, and do not include traffic wardens

Source:

Home Office, Research, Development and Statistics Directorate

Metropolitan Police

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers transferred from the Metropolitan Police to other forces in 1999. [110905]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that 225 officers transferred from the Metropolitan Police to other forces in 1999.

Mr. Heald: To ask the Secretary of State for the Home Department how many police stations in the Metropolitan Police area reduced the hours which they are open to the public in 1997, 1998 and 1999. [111489]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me this information is not recorded centrally, and could not be obtained from local records because of the extensive reorganisation in the period concerned.

Mr. Heald: To ask the Secretary of State for the Home Department how many applications by officers in the Metropolitan Police to retire on medical grounds were approved in 1999. [110971]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that 316 officers retired from the Metropolitan Police due to ill health during 1999.

Mr. Heald: To ask the Secretary of State for the Home Department what was the average length of service of police officers in the Metropolitan Police in 1999. [110904]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that the average length of service of police officers in the Metropolitan Police, as at July 1999, was 14.5 years.

Mr. Heald: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* length of service and *(b)* age profile of police officers serving in the Metropolitan Police. [110970]

Mr. Charles Clarke: The information requested is given in the tables, provided by the Commissioner of the Metropolitan Police, and represents the position as at 31 January 2000.

Length of service	*Number of officers*
Less than 1 year	1,114
1 year	1,148
2 years	972
3 years	689
4 years	926
5 years	1,042
6 years	923
7 years	719
8 years	843
9 years	754
10 years	1,070
11 years	1,356
12 years	1,222
13 years	984
14 years	807
15 years	698
16 years	760
17 years	1,210
18 years	1,237
19 years	1,066
20 years	922
21 years	679
22 years	648
23 years	1,049
24 years	778
25 years	483
26 years	487
27 years	448
28 years	391
29 years	372
30 years	172
31 years	107
32 years	110
33 years	59
34 years	58
35 years	24
36 years	20
37 years	7
38 years	3
39 years	4
40 years	2
	26,363

Age	*Number of officers*
18	4
19	61
20	142
21	174
22	271
23	381
24	467
25	562
26	699
27	739
28	747
29	841
30	945
31	1,115
32	1,196
33	1,357
34	1,353
35	1,226
36	1,214
37	1,365
38	1,357
39	1,196
40	1,103
41	1,049
42	1,048
43	859
44	760
45	664
46	618
47	520
48	522
49	395
50	322
51	292
52	251
53	214
54	133
55	82
56	50
57	35
58	20
59	14
	26,363

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers in the Metropolitan Police have applications to retire on the grounds of ill health outstanding; and how many such officers are *(a)* on full pay, *(b)* on half pay and *(c)* off pay. [110954]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that a total of 47 officers are currently awaiting ill health retirement. Thirty-nine are on full pay, six are on half pay and two are off pay.

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers resigned from the Metropolitan Police in 1999. [110978]

Mr. Charles Clarke: The Commissioner of the Metropolitan Police informs me that 347 officers resigned from the Metropolitan Police in 1999.

Police Pensions

Mr. Heald: To ask the Secretary of State for the Home Department if he will set out the percentage of revenue budget apportioned to the payment of police pensions for each police authority in England and Wales for 1999–2000. [110903]

Mr. Charles Clarke: The information is set out in the table.

1999–2000

Local authority	*Net expenditure (£000)*	*Net pensions expenditure (£000)*	*Percentage of expenditure apportioned to police pensions*
Avon and Somerset	174,424	28,419	16.29
Bedfordshire	64,027	8,155	12.74
Cambridgeshire	75,363	9,854	13.08
Cheshire	111,094	13,423	12.08
City of London	58,719	8,220	14.00
Cleveland	85,397	14,434	16.90
Cumbria	64,693	9,344	14.44
Derbyshire	107,035	14,789	13.82
Devon and Cornwall	173,649	24,502	14.11
Dorset	77,749	11,144	14.33
Durham	80,712	8,659	10.73

1999–2000

Local authority	*Net expenditure (£000)*	*Net pensions expenditure (£000)*	*Percentage of expenditure apportioned to police pensions*
Dyfed Powys	56,143	7,406	13.19
Essex	171,590	19,605	11.43
Gloucestershire	65,933	8,884	13.47
Greater Manchester	387,256	63,349	16.36
Gwent	71,414	7,735	10.83
Hampshire	196,955	21,542	10.94
Hertfordshire	102,361	12,339	12.05
Humberside	114,306	15,379	13.45
Kent	186,225	23,509	12.62
Lancashire	182,679	25,206	13.80
Leicestershire	106,279	12,776	12.02
Lincolnshire	69,970	11,121	15.89
Merseyside	249,522	37,889	15.18
Metropolitan Police	1,840,245	230,449	12.52
Norfolk	86,870	11,211	12.91
North Wales	80,505	11,628	14.44
North Yorkshire	78,085	11,724	15.01
Northamptonshire	70,432	8,226	11.68
Northumbria	213,010	32,500	15.26
Nottinghamshire	130,173	17,414	13.38
South Wales	169,968	23,874	14.05
South Yorkshire	173,933	18,542	10.66
Staffordshire	127,472	21,016	16.49
Suffolk	70,538	9,340	13.24
Surrey	100,375	10,748	10.71
Sussex	165,804	26,105	15.74
Thames Valley Police	232,729	22,691	9.75
Warwickshire	56,157	8,000	14.25
West Mercia	116,490	13,813	11.86
West Midlands	380,971	44,728	11.74
West Yorkshire	288,865	40,770	14.11
Wiltshire	69,715	7,794	11.18
Total	7,485,832	988,256	13.20

Note:

Estimated net expenditure and estimated pension costs taken from CIPFA Estimates for 2999–2000

Prisoners (Tariff Date)

Mr. McNamara: To ask the Secretary of State for the Home Department how many current prisoners have *(a)* reached and *(b)* exceeded their tariff date; and if he will make a statement. [110847]

Mr. Boateng: On 31 January, 2000, a total of 4,407 life sentence prisoners and detainees at Her Majesty's pleasure were held in custody. Of these, approximately 1,400 had reached or exceeded their tariff expiry date.

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for the Home Department what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110723]

Mr. Straw: The Home Office Greening Operations Policy includes a statement that slow renewables such as peat should be replaced by organic wastes such as coir, manure, leaf mould and bark. The Home Office Procurement Manual also states that peat free composts should be used.

Police Recruitment

Mr. Waterson: To ask the Secretary of State for the Home Department what plans he has to attract more recruits to the police force. [111033]

Mr. Charles Clarke: I refer the hon. Member to the reply my right hon. Friend the Home Secretary gave to my hon. Friend, the Member for Elmet (Mr. Burgon), on 9 February 2000, *Official Report*, column 172–74W.

Casino Staff

Mr. Willetts: To ask the Secretary of State for the Home Department how many staff working in casinos were consulted in the preparation of the draft regulatory impact assessment on the proposal to extend casino opening hours; what their responses were; and if he will place in the Library a summary of their views. [111312]

Mr. Mike O'Brien: Before publishing the draft regulatory impact assessment (RIA) in November 1999, we did not ourselves consult casino staff directly, but the draft did take account of the British Casino Association's forecast of likely staff reaction. The publication of the draft has provided an opportunity for staff themselves to comment, and a number have done so. We have received about 3,000 representations opposing the change, mostly from staff and interested unions, and are now considering them. If we decide to proceed with the deregulation order proposal, we shall publish with it a final RIA, a copy of which will be placed in the Library.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department (1) who applied for licences PPL 170 04972 and PPL 170 04956 under the Animals (Scientific Procedures) Act 1986; [110987]

(2) in respect of Paragraph 5.13 of the Minutes of the Animal Procedures Committee of 13 October 1999, for what reasons animals suffering from convulsions are treated as not requiring intervention; [111048]

(3) if he will make a statement on the use of animals in procedures aimed at identifying people who could be targeted for smoking cessation programmes; [110989]

(4) for what reason it was concluded that animal experimentation is justified under licences PPL 70/04972 and PPL 70/04956; [111015]

(5) pursuant to his answer of 10 February 2000, *Official Report*, column 258W, if he will make a statement on paragraph 5:11 of the Minutes of the Animal Procedures Committee of 13 October 1999; [111083]

(6) in respect of paragraph 5:7 of the Minutes of the Animal Procedures Committee of 13 October 1999, what information beyond that gained over the past 30 years is expected to be realised by licences PPL 70/04972 and PPL 70/04956; [111013]

(7) what weight he gave to the views of members of the Animal Procedures Committee opposed to the granting of applications PPL 170 04972 and PPL 170 04956 before deciding to authorise these. [110988]

Mr. Mike O'Brien *[holding answer 21 February 2000]:* I refer the hon. Member to the reply I gave him on 10 February 2000, *Official Report*, columns 257–58W.

Project licences are only issued for legitimate purposes under the Animals (Scientific Procedures) Act 1986 after the likely benefits (to man, animals or the environment) have been weighed against the costs to the animals involved. Any alternatives which replace animal use, reduce the number of animals needed or refine the experimental design to minimise suffering must be employed. In the cases of these two project licences, the Animals (Scientific Procedures) Inspectorate and the Animal Procedures Committee have both advised that the use of animals can be fully justified.

The Animal Procedures Committee gave careful consideration to these applications, most recently on 13 October. The views of all members as well as its overall advice was taken into account in reaching my conclusion.

The minutes of this meeting show at paragraph 5:7 that the issue of smoking research during the last 30 years was raised. The Government have a firm policy of not granting applications to research tobacco products. Such research is an entirely different matter from research into chronic obstructive pulmonary disease. The benefits of the information gained through the use of newly available molecular biology will be a better understanding of the resulting condition, the ability to identify those most at risk of developing these conditions, and the development of new and improved treatments. The identification of people for possible smoking cessation programmes was given as only one possible example of the likely benefits of the work. It did not feature as a major reason for approving either of the applications and is considered to be nothing more than an incidental benefit which, if it were to be considered in isolation, would not have justified the issue of licenses.

Paragraphs 5:11 and 5:13 of the minutes discuss some aspects of the applications. My previous statement that the animals are not expected to suffer convulsive spasms is correct. Reference to "convulsions" was made as this adverse effect is routinely included on the standard scoring system for assessing distress levels at the establishment where the work is to be performed. Such adverse effects seldom occur in isolation from other signs of distress and I am assured that they are not expected to occur at all in the context of these projects. The reference to scoring "normal" is, therefore, misleading. The Committee minutes make reference to the administration of spasmogens which are substances that may induce bronchospasm (wheezing). I am told that these will not cause convulsions or seizures mediated through the central nervous system and the reference to "convulsions" was subsequently removed from the application.

Section 24 of the Animals (Scientific Procedures) Act 1986 prohibits me from naming the applicants.

Court Transcripts

Mrs. Fiona Jones: To ask the Secretary of State for the Home Department what plans he has to make court transcripts available via the Internet. [111223]

Jane Kennedy: I have been asked to reply.

There are currently no plans for making court transcripts available via the internet. Current court reporting equipment does not allow for automatic production of authorised transcripts and the cost of placing this information on the internet would outweigh any benefits gained from doing so.

DEFENCE

Army Trade Training

Mr. Duncan Smith: To ask the Secretary of State for Defence (1) if he will make a statement on the *(a)* contractual and *(b)* funding difficulties limiting the Army Training and Recruiting Agency's ability to provide trade training for vehicle mechanics; [109739]

(2) what assessment he has made of whether the contracts let for trade training by the Army Training and Recruiting Agency contain sufficient flexibility to respond to changes in demand within the contract period. [109740]

Mr. Spellar *[holding answer 14 February 2000]:* The Army Training and Recruiting Agency has had no specific contractual difficulties that have limited its ability to provide trade training for vehicle mechanics. The contracts in place for this and other trade training are sufficiently flexible to allow for changes to the requirement to be made within the contract period, subject, of course, to appropriate negotiations between the contractor and the customer. There have been some difficulties in aligning available funding with the required outputs in time to produce the necessary changes to throughput in any one year. However, changes to the budget structure from this year will give the Agency greater control over this process.

Mr. Duncan Smith: To ask the Secretary of State for Defence how many soldiers based at Bordon were waiting for trade training on *(a)* 1 February 2000, *(b)* 1 October 1999, *(c)* 1 April 1999, *(d)* 1 October 1998, *(e)* 1 April 1998, *(f)* 1 October 1997, *(g)* 1 April 1997, *(h)* 1 October 1996 and *(i)* 1 April 1995. [109736]

Mr. Spellar *[holding answer 14 February 2000]:* The information is not available prior to 30 April 1997. The figures requested, since that date, are as follows:

Date	*Soldiers awaiting trade training*
1 February 2000	154
1 October 1999	234
1 April 1999	140
1 October 1998	259
1 April 1998	189
1 October 1997	283
30 April 1997	207

These numbers represent a "snap shot" on the date in question. Numbers will vary throughout the year, but tend to be particularly high in October when students passing out from the Army Apprentice College the previous month are awaiting allocation to courses.

Mr. Duncan Smith: To ask the Secretary of State for Defence what were the *(a)* financial provision and *(b)* expenditure by the Army Training and Recruiting Agency on trade training for the School of Electrical and Mechanical Engineering at Bordon in each of the last five years for which figures are available. [109735]

Mr. Spellar *[holding answer 14 February 2000]:* The information requested is as follows:

£000

Financial year	*Financial provision at current (1999–2000) prices*	*Actual expenditure at current (1999–2000) prices*
1994–95	17,497	17,298
1995–96	15,489	15,755
1996–97	17,649	18,106
1997–98	15,579	15,991
1998–99	14,681	15,248

The downward trend over the last three years is as a result of efficiencies introduced by the ATRA, which was formed in 1996. The slight overspends against provision were accommodated within the Agency's overall provision.

Mr. Duncan Smith: To ask the Secretary of State for Defence what increases in funding for the Army Training and Recruiting Agency to cover trade training have been requested; and what was the response. [109737]

Mr. Spellar *[holding answer 14 February 2000]:* All training conducted by the Army Training and Recruiting Agency is subject to review and the outcome is taken into account in the annual planning rounds. This process is being undertaken at present and no decisions have been made.

Defence Export Services Organisation (Jakarta)

Ann Clwyd: To ask the Secretary of State for Defence how many staff are employed at the Defence Export Sales Organisation's branch office in Jakarta; and if the office closed during the period of the EU arms embargo on Indonesia. [109853]

Dr. Moonie: The Defence Export Services Organisation currently employs one UK-based civil servant in the British Embassy in Jakarta as the First Secretary (Defence Supply). There is also one locally engaged driver. The First Secretary post was filled during the period of the EU embargo, but had no role in the support of marketing and sales by British defence companies in Indonesia during that period.

Armed Forces (Morale)

Mr. Jim Cunningham: To ask the Secretary of State for Defence what measures he has in place to increase morale in the armed forces. [110593]

Mr. Spellar: We know that morale on operations, where personnel are doing what they joined up to do, is generally good. Our 'Policy for People' has introduced a series of measures designed to aid morale in the armed forces. We have reduced commitments where possible, thereby easing overstretch. We have made it easier for personnel deployed on operations to keep in touch with their families back home. The Service Families Task Force is addressing problems caused by the mobility of Service families. The 'Learning Forces' initiative is ensuring that personnel have access to modern learning

facilities—both at home and when they are on operations. And we have again accepted in full the recommendations of the Pay Review Bodies on pay for the armed forces.

Aircraft Crashes

Mr. Keetch: To ask the Secretary of State for Defence how many RAF aircraft and helicopters have crashed during *(a)* operational flying and *(b)* non-operational flying in each year from 1989 to date, stating in each case (i) the aircraft involved, (ii) the flight task being undertaken, (iii) the reason for loss of the aircraft and (iv) how many crew members (x) died and (y) sustained serious injury, and (v) what compensation was paid; and if he will make a statement. [111349]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Dangerous Substances

Mrs. Ewing: To ask the Secretary of State for Defence if he will list *(a)* the (i) explosives and (ii) other substances currently licensed under the Dangerous Substances in Harbour Areas Regulations 1987 at Loch Straven in Argyll and *(b)* applications for explosives and substances licences currently under consideration for this area stating which substances or explosives they relate to. [111529]

Mr. Spellar: A single licence is held by the NATO Oil Fuel Depot Loch Striven under the Dangerous Substances in Harbour Areas Regulations 1987. This licence sets the limit for the quantity of explosives or munitions that can be held on board a vessel while alongside the jetty. One of the terms of this licence is that explosives or munitions shall not be loaded, unloaded or otherwise handled and shall remain on board the vessel for the duration of the time that the vessel is at the Depot.

The licence is granted by the Health and Safety Executive (HSE) and to meet operational requirements, an application was made on 12 July 1999 to the HSE to increase the limit granted under the licence from 80,000 kilograms to 160,000 kilograms. Following a preliminary survey by the HSE, it has been agreed that the limit of the licence will be increased to 110,000 kilograms.

Cluster Bombs

Mr. Cohen: To ask the Secretary of State for Defence (1) what were the *(a)* types and *(b)* quantities of cluster bombs used during the trials at Luce Bay in 1999; [111074]

(2) on what dates in 1999 were live cluster bombs used in trials at Luce Bay; [111075]

(3) what was the purpose of the trials using live cluster bombs at Luce Bay in 1999. [111076]

Mr. Spellar: The type of cluster bomb used during the trials at Luce Bay in 1999 was the 600lb RBL 755 version. A total of 52 bombs were used of which 40 were inert and 12 were live. The live bombs were dropped on 6 and 7 April 1999. The purpose of the trials was to evaluate the performance of the bombs in response to an Urgent Operational Requirement, in direct support of UK participation in the NATO action in Kosovo. To evaluate the performance of this weapon it was necessary to release them under a range of conditions, e.g. height, speed, altitude and from different aircraft types. This required a number of weapons to achieve all these parameters. While most of these conditions could be met using the available supply of inert bombs it was necessary to use some live variants to complete the series of trials. Although these weapons contained live bomblets, they were configured so that they were not deployed during flight and entered the water intact.

Iraq

Mr. Cohen: To ask the Secretary of State for Defence what has been the total cost to the Exchequer of the military operations against Iraq (i) in Operation Desert Fox and (ii) since the end of Operation Desert Fox. [110697]

Mr. Hoon: The information required on the total cost of Operation Desert Fox cannot be reliably differentiated from the overall costs of military operations in the Gulf which for the financial year 1998–99 were £35 million. Costs for the current financial year are estimated to be in the region of £33 million.

Mr. Cohen: To ask the Secretary of State for Defence how many precision-guided weapons have been used by the UK in Iraq *(a)* in Operation Desert Fox and *(b)* since the end of Operation Desert Fox; and what was their total cost in each case. [110698]

Mr. Hoon: During Operation Desert Fox the RAF dropped 52 precision-guided weapons at a total cost of £2.12 million. Since then and up to 9 February 2000 the RAF have dropped 136 precision-guided weapons at a total cost of £5.464 million.

Overseas Territories

Mr. Nicholas Winterton: To ask the Secretary of State for Defence to what extent the Governments of the overseas territories provide *(a)* equipment and *(b)* funding for their own defence. [110673]

Mr. Battle *[holding answer 17 February 2000]:* I have been asked to reply.

We are committed to guaranteeing the defence of our Overseas Territories. This was reiterated in the Strategic Defence Review of July 1998 and is reflected in the deployments of HM Forces. Four Territories also make provision from their own budget for a locally-recruited defence force:

(i) The Bermuda Defence Force has sufficient equipment for a battalion-sized group. Its budget for 1999–2000 is $4.2 Bermuda million (£1 = $1.60 Bermuda).

(ii) The Falkland Islands Defence Force is equipped to provide an infantry company and has a defined operational role. Provisional outturn for the year 1998–99 was £405,000. In addition the Falkland Islands Government provide some support services to the British garrison free of charge.

(iii) The Gibraltar Government contributed £35,500 towards the pay of the territorial element of the Gibraltar Defence Force for 1999–2000.

(iv) The Montserrat Government contributed £38,000 to the budget of the Royal Montserrat Defence Force for 1998–99.

Departmental Expenditure

Ms Squire: To ask the Secretary of State for Defence what changes will be made to his Department's budget, departmental expenditure and Operating Cost limits for 1999–2000. [108701]

Mr. Hoon *[pursuant to his reply, 3 February 2000, c. 677]:* I regret that there was an error in the information given. A technical error of £0.479 million was made in calculating the MOD's supplementary requirements and, subject to Parliamentary approval of the necessary Supplementary Estimate for Class VI Vote 1 Defence for 1999–2000, the figures are now as follows:

(a) The overall limit increase will be increased by £583.803 million, from £22,283.085 million to £22,866.888 million.

(b) The Ministry of Defence Departmental Expenditure Limit will be increased by £582.421 million from £22,280.341 million to £22,862.762 million.

(c) The Ministry of Defence Operating Cost limit increase remains at £778.972 million from £15,918.341 million to £16,697.313 million.

EDUCATION AND EMPLOYMENT

Qualifications

Mr. Cousins: To ask the Secretary of State for Education and Employment what percentage of children in LEA and LEA-supported schools achieved *(a)* five GCSE A to C grades, *(b)* level 2 or above at Key Stage 1, *(c)* level 4 or above at Key Stage 2, *(d)* levels 5, 6 or above at Key Stage 3 in each of the three years (i) in the city of Newcastle, and (ii) in England; and what the average figure was in each category in each of these years for metropolitan authorities outside London. [111051]

Ms Estelle Morris: The information requested is given in the five tables:

*(a) The percentage of 16 year olds who achieved 5 or more GCSE grades A *-C in LEA and LEA-supported schools in England in the last three years were:*

Percentage

	1996–97	1997–98	1998–99
(i) City of Newcastle	31.6	31.0	33.6
(ii) England	42.5	43.8	45.7
(iii) Metropolitan authorities	37.0	37.6	39.6

(b) The percentage of pupils who achieved Level 2 or above in Key Stage 1 task/tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	1998	1999
(i) City of Newcastle:			
Reading task/test	75	78	81
Writing	77	81	81
Spelling	62	68	71
Mathematics	81	86	87
(ii) England:			
Reading task/test	80	80	82
Writing	80	81	83
Spelling	62	66	71
Mathematics	84	84	87

(b) The percentage of pupils who achieved Level 2 or above in Key Stage 1 task/tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	1998	1999
(iii) Metropolitan authorities:			
Reading task/test	79	79	80
Writing	79	80	81
Spelling	62	66	71
Mathematics	82	83	85

(c) The percentage of pupils who achieved Level 4 or above in Key Stage 2 tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	1998	1999
(i) City of Newcastle:			
English	51	55	61
Mathematics	51	49	60
Science	60	61	72
(ii) England:			
English	63	64	70
Mathematics	61	58	68
Science	68	69	78
(iii) Metropolitan authorities:			
English	59	61	67
Mathematics	59	55	67
Science	66	65	76

(d.i) The percentage of pupils who achieved Level 5 or above in Key Stage 3 tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	1998	1999
(i) City of Newcastle:			
English	41	49	52
Mathematics	48	50	52
Science	47	45	43
(ii) England:			
English	56	64	63
Mathematics	60	59	62
Science	60	56	55
(iii) Metropolitan authorities:			
English	53	60	59
Mathematics	53	54	56
Science	54	50	49

(d.ii) The percentage of pupils who achieved Level 6 or above in Key Stage 3 tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	1998	1999
(i) City of Newcastle:			
English	18	23	22
Mathematics	26	27	29
Science	20	19	18
(ii) England:			
English	24	34	27
Mathematics	36	35	37
Science	29	27	24

(d.ii) The percentage of pupils who achieved Level 6 or above in Key Stage 3 tests in LEA and LEA-supported schools in England in the last three years were:

Percentage

	1997	*1998*	*1999*
(iii) Metropolitan authorities:			
English	21	31	24
Mathematics	30	30	32
Science	24	22	19

Free School Meals (Newcastle upon Tyne)

Mr. Cousins: To ask the Secretary of State for Education and Employment how many and what percentage of children received free school meals in LEA and LEA-supported schools in the city of Newcastle upon Tyne from 1995 to 2000. [111058]

Ms Estelle Morris: The available information is shown in the table.

Numbers and percentage of pupils who receive, or are known to be eligible for free school meals in maintained schools[1] in the local education authority area of Newcastle upon Tyne: 1995–2000a

Newcastle upon Tyne	*1999*	*1998*	*1997*	*1996*	*[2]1995*
Number on roll	40,473	40,745	41,064	41,182	41,221
Number of pupils who took a free school meal	10,140	10,448	11,075	11,508	11,577
Percentage of pupils who took a free school meal	25	26	27	28	28
Number of pupils who are known to be eligible for free school meals	13,034	13,604	14,343	14,670	14,784
Percentage of pupils who are known to be eligible for free meals	32	33	35	36	36

[1] Includes maintained nursery, primary, middle, secondary, pupil referral units and maintained and non-maintained special schools.
[2] Excludes dually registered pupils educated in special schools who are otherwise included in the January 1996–99 figures.

Employment Zones

Dr. Godman: To ask the Secretary of State for Education and Employment what arrangements he has made to appoint contractors to run the remaining four employment zones. [111904]

Mr. Blunkett: Further to my announcement on 23 November 1999 of the previous 11 Zones, I am pleased to inform the House that the following organisations have been successful, subject to post-tender negotiations in their bids to run the four remaining Employment Zones. In Doncaster, Reed in Partnership has been successful, in North West Wales the North West Wales Partnership has been successful, in Nottingham City the Nottingham Employment Zone Partnership has been successful and in Middlesbrough, Redcar and Cleveland, Working Links have been successful.

GCSE Syllabus

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list the *(a)* subjects and *(b)* syllabuses he intends to remove from the approved list for examinational GCSE giving the reasons for each decision. [111144]

Mr. Wicks: The Qualifications and Curriculum Authority (QCA) is working with the awarding bodies to develop advice to the Department on the list of titles to be offered at GCSE in 2001. No decisions have been reached at this stage. If proposals are made to remove titles from the approved list, QCA will seek the views of teacher organisations, schools and colleges and appropriate subject organisations before submitting final recommendations.

Equal Opportunities

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on action he is taking to encourage equal opportunities in further and higher education. [110370]

Mr. Wicks *[holding answer 21 February 2000]:* If we are to improve our international competitiveness and create a truly inclusive society, it is important that we ensure equality of opportunity in all sectors of education and training.

We made clear in the Learning and Skills Council Prospectus that we want the Council to ensure that high quality opportunities are available to meet the needs of all learners across the range of abilities and aptitudes, including the very able. We will expect the Council to build equality of opportunity into all its policies, programmes and actions, working closely with key equality organisations including the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission which is being set up in April 2000.

In November, we asked the Higher Education Funding Council for England to ensure that all higher education institutions have equal opportunities statements and they are accountable for their full and proper implementation. We placed particular emphasis on seeing that institutions make progress on racial equality for staff.

We are determined to make increased participation by people who have been traditionally under-represented a priority for the expansion of post-secondary education, which is receiving record levels of funding.

Higher Education (Disabled Persons)

Mr. Boswell: To ask the Secretary of State for Education and Employment what arrangements he will put in place for the resolution of disputes over issues concerned with the provision of educational services to disabled persons in further and higher education. [110400]

Mr. Wicks *[holding answer 21 February 2000]:* We have said that we will respond positively to the recommendations in the report of the Disability Rights Task force for legislation to secure civil rights for disabled people in further and higher education and in LEA—secured adult education. We will consult shortly on the contents of legislation and on implementation issues, including rights of redress.

New Deal

Mr. Cox: To ask the Secretary of State for Education and Employment how many long-term unemployed people living within the Greater London area have benefited from the New Deal measures since their introduction. [107290]

Ms Jowell: Up to November 1999, 59,700 young people and 42,850 long-term unemployed adults have benefited from entry to the New Deals in the Greater London area since these initiatives started in 1998. It is a measure of the success of the Government's Welfare to Work policies that 22,300 young people and 6,320 adults in London have found jobs through the New Deals. The remainder are benefiting from the help that the Personal Adviser can offer. This includes help with barriers to employment, access to specialist help and, training, education and work experience opportunities.

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will provide a breakdown by destination of those who have left each New Deal scheme in Cumbria between the start of each scheme and up to the latest date for which figures are available. [109287]

Ms Jowell: Between January 1998 and November 1999, 2,702 people left the New Deal for Young People in Cumbria. Of these

1,281 left for unsubsidised employment

380 transferred to another benefit

514 left for another known reason

527 left for an unknown destination.

A recent survey showed that 57 per cent. of young people leaving the New Deal gateway for unknown destinations, had found a job.

Between July 1998 and November 1999, 1,514 people left the New Deal for long-term unemployed people aged 25+ in Cumbria. Of these

238 left for unsubsidised employment

206 transferred to another benefit

50 left for another known reason

116 left for an unknown destination

903 continued their normal jobseeking activity.

Between October 1998 and November 1999, 325 people left the New Deal for Lone Parents in Cumbria. Of these

149 went into employment

8 transferred to another benefit

39 were no longer eligible for income support

17 declined to join the caseload

106 withdrew for other reasons

6 left for an unknown destination.

Exclusions

Ms Oona King: To ask the Secretary of State for Education and Employment what is the total number of pupils excluded from schools in England in each of the last three years; and what is the total number of ethnic minority pupils excluded from schools. [111104]

Jacqui Smith: The information requested is shown in the table.

Number of permanent exclusion, by ethnic group from schools in England [1]: 1995–96 to 1997–98

Year	*Number of permanent exclusions [2]*	*Number of ethnic minority permanent exclusions*
1995–96	12,476	2,196
1996–97	12,668	2,113
1997–98	12,298	1,995

[1] Includes Maintained Primary, Secondary, Special and Non Maintained Special Schools

[2] Includes some pupils who were unclassified according to ethnic group

Further Education

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans he has to encourage young people to stay in further education. [110591]

Mr. Wicks: The Government want to see all young people staying in learning until 18 and beyond as part of its lifelong strategy. We have injected the biggest ever investment into Further Education to support the expansion of places. We recently announced the Connexions Strategy and Connexions Service to bring together a number of initiatives to secure greater participation by young people. We are also piloting Education Maintenance Allowances for young people in 15 areas, and we will consider extending them nationally if they are successful.

Primary and Secondary Pupils (SSAs)

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will state *(a)* the primary school per pupil Standard Spending Assessment and *(b)* the secondary school per pupil Standard Spending Assessment for each English local education authority in 1999–2000 and 2000–01; and how many pupils (i) attract such Standard Spending Assessment and (ii) receive free school meals in each school sector and local education authority for the same years. [111352]

Ms Estelle Morris: I will place a table in the Library that shows the Standard Spending Assessment per primary pupil and per secondary pupil for each English local education authority in 1999–2000 and 2000–01. The number of primary pupils and secondary pupils used in calculating the Standard Spending Assessment for each local education authority for the same years is also given in the table. We are unable to provide for each sector the number of primary and secondary pupils who receive free school meals: the table therefore lists the proportion of children under 18 who are entitled to free school meals.

New Deal (Young People)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many 18 to 24-year-olds have started the New Deal scheme in Shrewsbury and Atcham, broken down into *(a)* New Deal Options and *(b)* other destinations. [110128]

Ms Jowell: In the period to the end of November 1999, 321 young people had joined New Deal in the Shrewsbury and Atcham constituency. The following shows the breakdown requested:

	Number
People joining a New Deal option:	
Employment	14
Full-time education/training	46
Voluntary sector	46
Environment task force	50
Total	156
People leaving from New Deal:	
Unsubsidised employment	96
Other destinations:	
Other benefits	9
Other known destination	31
Not known	67
Total	213

We know from a recent survey that many of those who left for unknown destinations will have found work.

Ofsted Reports

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will list the local education authorities in respect of which Ofsted has expressed serious concern. [111575]

Ms Estelle Morris: This is a matter for Her Majesty's Chief Inspector of Schools. I have asked him to write to the hon. Member and to place a copy of his letter in the Library.

School Meals

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each local education authority the average price of school meals in the last year for which figures are available; and if he will make a statement. [110702]

Jacqui Smith: This information is not collected centrally. Under education legislation, it is up to local education authorities, and schools with delegated budgets for school meals, to decide what price to charge.

Departmental Employees

Mr. Crausby: To ask the Secretary of State for Education and Employment what percentage of the total workforce in his Department is of ethnic minority origin; and what steps he is taking to encourage the employment of people from the ethnic minorities in his Department. [102736]

Mr. Wills: The percentage of the work force in my Department who, at 1 April 1999, declared themselves to be of ethnic minority origin is 8.3 per cent.

My right hon. Friend the Minister for the Cabinet Office set out in her reply of 16 December 1999, *Official Report*, column 264W, corporate action that we are taking to encourage the employment of people from ethnic minority communities. We are developing a comprehensive outreach strategy which, for example includes contacting all organisations that help people from ethnic minorities into employment and establishing what further steps we should be taking to attract and retain people from ethnic minority backgrounds, this includes:

Marketing the Department to applicants from ethnic minority communities by placing adverts in ethnic press; taking part in recruitment fairs aimed at ethnic minority graduates and undergraduates; and also making contact with over 100 ethnic minority organisations to research the barriers that prevent people from ethnic minority backgrounds joining the civil service.

In June 1998 the Department appointed a Senior Equal Opportunities Adviser from outside the Department to work with staff and advise the Board on how to take forward equal opportunities in the Department.

Moreover, in July 1999, we published a Race Equality Action Plan—"Race Equality in DfEE: Our Targets for the Future". This sets out targets for representation at senior management level (Grade 7 and above) grades in the Department. It includes action to improve the recruitment, career progression and retention of ethnic minority staff.

The launch of a unique and high profile secondment/exchange initiative—aimed to encourage experienced, senior ethnic minority managers from other organisations to join us on secondments or exchanges. The initial response to this national exercise was high. We will currently be shortlisting the names of successful candidates from the first tranche of applicants and the first successful candidate will start his post on 10 January 2000.

By providing opportunities for students to work with us on short term placement, for example we have increased the number of Windsor Fellowship graduates that we sponsor. The Department will continue to take measures which increase the numbers of people from ethnic minorities who are recruited, retained and promoted in the organisation.

Mr. Crausby: To ask the Secretary of State for Education and Employment what percentage of the total workforce in his Department is registered as disabled; and what steps he is taking to encourage the employment of disabled people in his Department. [102047]

Ms Hodge: The percentage of the work force in my Department who have identified themselves as having a disability under the definition contained in the Disability Discrimination Act 1995 is 6 per cent.

Our recruitment strategy includes contacting all organisations that help people with disabilities into employment. We are examining what other steps we should take to attract people with disabilities in recruitment exercises.

My Department has for a number of years used the Disability Symbol on all recruitment exercises. This employment initiative guarantees a person with a disability an interview as long as they meet the minimum criteria for that particular recruitment exercise. We are also members of the SCOPE fast track programme which provides personal development training and work placements for graduate level people with disabilities.

In addition, as part of the Department's Equal Opportunities Strategy, an Advisory Group for People with Disabilities was established in 1996. This group

advises the DfEE Board on any issue which affects people with disabilities including recruitment, retention and awareness raising.

My Department will continue to take measures to increase the numbers of people with disabilities who are recruited and to ensure that the retention of people with disabilities is a priority within the organisation.

SOCIAL SECURITY

Stakeholder Pensions

Ms Bridget Prentice: To ask the Secretary of State for Social Security if he will make a statement about the tax regime for stakeholder pensions. [111928]

Mr. Darling: Our proposals for the stakeholder pension tax regime were well received when we announced these in September 1999. We are grateful for all of the constructive responses, which we have considered carefully.

I am placing in the Library a copy of a document: "Stakeholder Pensions: Details of The Tax Regime And Draft Finance Bill Clauses". This outlines a number of key decisions on the tax regime and draft Finance Bill clauses to implement these.

Stakeholder pensions are intended to fill the gap for many people who can afford to save for their retirement but do not currently have a suitable means of doing so. From April 2001 there will be a new single tax regime for stakeholder and personal pensions. Retirement savers currently excluded from taking out personal pensions will then be able to do so, enabling:

people taking career breaks, for example mature students and carers, to take out a stakeholder pension and benefit from the tax relief it attracts;

self employed people on low earnings to receive more tax relief on their pension contributions;

costs to be kept down so that pension savers can be offered low cost, good value stakeholder products.

The main aspects of the tax regime for stakeholder pensions confirmed today are:

stakeholder pensions will be part of a radically reformed and much simplified tax regime for all defined contributions pensions;

contributions up to £3,600 each tax year can be made irrespective of earnings. Higher level contributions can be made under the existing personal pension age and earnings related limits and can continue for up to five years after earnings have ceased or reduced;

all contributions from individuals will be paid net of basis rate tax with the pension provider reclaiming that tax from the Inland Revenue;

employers' money purchase schemes may opt onto this new tax regime;

new and simpler rules will replace the existing personal pension "carry forward/carry back" rules;

10 per cent. of the pension contribution can be used for life assurance;

tax relief for waiver of pension contributions insurance will be simplified and broadened to circumstances other than ill-health, such as unemployment;

shares from an approved employee share scheme can, within the contribution limits, be put into the pension and attract tax relief;

contributors must be resident in UK unless serving or the spouse or someone serving, abroad and undertaking "Crown duties";

simplification will be introduced into the administrative arrangements for DC pensions—for example, electronic and telephone applications will be permitted and various information requirements relaxed;

the rules regarding benefits are being altered to allow phased vesting from within a single arrangement. This technical change will ease administration for new and existing PP providers.

We have decided that stakeholder contributions should not be made if an individual is also contributing to a defined occupational scheme—ie so called "full concurrency" will not be allowed. We are however inviting employers representatives and bodies representing the pensions industry to bring forward any ideas they have which will, through some limited form of concurrency, help moderate earners to increase their pension provision.

Benefits

Mrs. Ewing: To ask the Secretary of State for Social Security (1) what measures his Department uses to gauge the effectiveness of moneys spent in *(a)* Scotland and *(b)* the UK on (i) reducing benefit fraud and (ii) increasing the uptake of benefit entitlements; and what assessment he has made of their effectiveness in each year between 1992–93 and 1998–99; [111165]

(2) how much was spent on *(a)* reducing benefit fraud and *(b)* increasing the uptake of benefits in (i) Scotland and (ii) the UK for each financial year between 1992–93 and 1998–99. [111168]

Mr. Rooker: In the past each agency and local authority was responsible for its own operational plans for countering fraud. Apart from Fraud investigations, the costs of most anti-fraud activities were not separately identified. However, the Benefits Agency has had a national security and control programme since 1995. The figures in the table show the funding for the Security Control programme since its introduction.

£ million

	Actual security control programme funding	*Total funding including benefit fraud investigation service and benefit agency security investigation service*
1995–96	106.5	182.6
1996–97	164	263.7
1997–98	246	336
1998–99	264	379.5
Total	780	1,161.8

However, this system had numerous flaws. In particular instead of a single goal, there was a series of centrally set targets, which failed to give staff a clear view of the overall outcome wanted. We have now replaced this with a single target. Our Public Service Agreement commits us to reduce by 30 per cent. benefit losses from fraud and errors in Income Support and Jobseeker's Allowance by March 2007, with at least a 10 per cent. reduction

by March 2002. Customer fraud and error in these two benefits has been reduced by six per cent. for the 12 months ending March 1999, compared to the period ending September 1998.

Figures for earlier years could not be given without incurring a disproportionate cost. Research on why pensioners do not take-up their entitlement to Income Support was published on 15 October 1999. The evaluation of the pilot initiatives will be published later this year. The cost of the qualitative and quantitative research was £316,000. The pilot evaluation and the contextual survey that will be published with it will cost £279,000.

Pensions

Mr. Burstow: To ask the Secretary of State for Social Security what estimate he has made of the cost of up-rating in line with inflation the basic state pension of those pensioners living abroad on frozen pensions, for each of the next 10 years. [111108]

Mr. Rooker: The precise information requested is not available.

The cost of paying the 1990–2000 uprating of the State Retirement Pension to pensioners in frozen rate countries is estimated to be £25 million.

The cost of increasing all of these pensions to the rate paid to pensioners resident in the UK is currently estimated to be £300 million.

Mr. Burstow: To ask the Secretary of State for Social Security how many pensioners living in the UK have state pensions from countries without reciprocal pension uprating agreements with the UK; and how many of them are claiming income support. [111107]

Mr. Rooker: The information is not available.

Earnings Disregards

Mr. Cousins: To ask the Secretary of State for Social Security if he will set out the earnings disregards in those benefits for which he is responsible expressed in *(a)* cash terms and *(b)* terms of hours of permitted work at present minimum wage rates. [111362]

Angela Eagle: The information for those benefits which are affected by earnings is in the following tables.

Benefit	*Disregard (£)*	*Weekly hours at £3.60*	*Weekly hours at £3.20*	*Weekly hours at £3.00*
Income Support and Jobseeker's Allowance	[1]5.00	1.39	1.56	1.67
	[1]10.00	2.78	3.13	3.33
	[1]15.00	4.17	4.69	5.00
Housing Benefit and Council Tax Benefit[3]	[1]5.00	1.39	1.56	1.67
	[1]10.00	2.78	3.13	3.33
	[1]15.00	4.17	4.69	5.00
	[1]21.05	5.85	6.58	7.02
	[1]25.00	6.94	7.81	8.33
	[1]26.05	7.24	8.14	8.68
	[1]36.05	10.01	11.27	12.02
Severe Disablement Allowance[4]	[1]58.00	16.11	18.13	19.33
Invalid Care Allowance	[1]50.00	13.89	15.63	16.67
Incapacity Benefit[4]	[1]58.00	16.11	18.13	19.33
War Pension Unemployability Supplement	[2]3,016.00	16.11	18.13	19.33
Industrial Injuries Benefit Unemployability Supplement	[2]3,016.00	16.11	18.13	19.33

[1] Per week
[2] Per annum
[3] A child care earnings disregard of up to £70 per week for families who pay for child care for one child of qualifying age, and £105 for families who pay for child care for more than one child of qualifying age is also available in Housing Benefit and Council Tax Benefit. It is available to two earner couples, lone parents and couples where the non-working partner is incapacitated and is in addition to the standard earnings disregards.
[4] Earnings from work which their doctor has advised will be beneficial and would help recovery (known as therapeutic work).

Benefit	*Disregard (£)*	*Weekly hours at £3.60*	*Weekly hours at £3.20*	*Weekly hours at £3.00*
Adult dependency increases affected by partner's earnings				
Short-term incapacity benefit where claimant is:				
(a) under pension age	31.15	8.65	9.73	10.38
(b) over pension age	38.40	10.67	12.00	12.80
Maternity Allowance	31.15	8.65	9.73	12.80
Retirement pension, long-term incapacity benefit, severe disablement allowance, unemployability supplement where dependent:				
(a) is living with claimant	51.40	14.28	16.06	17.13
(b) still qualifies for the tapered earnings rule	45.09	12.53	14.09	15.00
Retirement pension, long-term incapacity benefit and unemployability supplement where dependent is not living with claimant	39.95	11.10	12.48	13.32
Severe disablement allowance where dependent is not living with claimant	23.95	6.65	7.48	7.97
Invalid care allowance	23.90	6.64	7.47	7.97
Child dependency increases				
Level at which increase is affected by earnings of claimant's spouse or partner:				
For the first child	145.00	40.28	45.31	48.33
For each subsequent child	19.00	5.28	5.94	6.33

Capital Limits

Mr. Cousins: To ask the Secretary of State for Social Security if he will set out the capital limits in those benefits for which he is responsible expressed in *(a)* cash terms and *(b)* terms of years of maximum ISA allowances at (i) the first year rate and (ii) subsequent yearly rates. [111363]

Mr. Bayley: *(a)* The capital limits for the income-related benefits are given in the table.

£

Benefit	*Lower capital limit*	*Upper capital limit*
Income Support	3,000	8,000
	[1]10,000	[1]16,000
Income-based Jobseeker's Allowance	3,000	8,000
	[1]10,000	[1]16,000
Housing Benefit	3,000	16,000
Council Tax Benefit	3,000	16,000

[1] For residential care and nursing home cases

(b) (i) Expressed as years of maximum ISA allowances, for accounts opened in the period April 1999-March 2000, a person making the maximum investment of £7,000 would reach the £8,000 benefit upper limit during the second year, and the £16,000 limit during the third year. (ii) For investments started in subsequent years where the maximum ISA allowance is £5,000, a person would reach the £8,000 benefit upper limit during the second year, and the £16,000 limit during the fourth year.

Savings (Income)

Mr. Cousins: To ask the Secretary of State for Social Security when the tariff incomes schedule of attributed income from savings was last revised; what rate of return is assumed by the schedule; and what changes in the schedule would result if current bank rate plus 1 per cent. was used to determine the base for the Schedule. [111361]

Mr. Bayley: The tariff income rule has remained unchanged since its introduction in 1988. However, in 1990 the upper capital limit for Income Support was increased from £6,000 to £8,000. In 1996 higher capital limits for people living permanently in a residential care or a nursing home were introduced. The capital limits are kept under regular review but are not increased annually.

The basis for the Department's calculation of tariff income in the income-related benefits, with a system of graduated deductions between lower and higher limits, is not intended to represent any return that could be obtained from investing capital and hence is not based on the current bank rate or any other rate of return. A tariff income of £1 per week is assumed for each £250, or part thereof, held between the appropriate lower and upper limits[1]. This system provides a straightforward method of calculating the weekly contribution which people with capital in excess of the lower limit are expected to make from those resources to help meet their normal living expenses.

Notes:

1. £3,000 and £8,000 in Income Support and income-based Jobseeker's Allowance; except in residential care home and nursing home cases where the limits are £10,000 and £16,000; and Housing Benefit and Council Tax Benefit where the limits are £3,000 and £16,000.

2. Based on Quoted (nominal) sterling interest rates—households sectors—Bank Timed Deposits—December 1999.

3. Applying the notional interest rate to the band midpoint.

Disabled People

Mr. Paul Marsden: To ask the Secretary of State for Social Security how many disabled people have benefited from *(a)* the New Deal for disabled people and *(b)* the disabled person's tax credit in (i) Shrewsbury and Atcham and (ii) Shropshire; and if he will make a statement. [111446]

Mr. Bayley: Three of the New Deal for Disabled People (NDDP) innovative Schemes provide national coverage, so are available to disabled people in Shropshire. By the end of January 2000 the NDDP had helped 2,180 people into work out of over 8,000 participants. Separate figures for Shropshire are not available.

The Inland Revenue has responsibility for Disabled Person's Tax Credit. By the end of January 2000 there have been 27 awards of the Disabled Person's Tax Credit in Shrewsbury and Atcham constituency and 88 awards in the county of Shropshire.

Benefit Claims

Mr. Corbyn: To ask the Secretary of State for Social Security if he will list, for each month since January 1998, the number of counter applicants at the Benefits Agency offices at Finsbury Park and Highgate; and what is the Agency's estimate of the adequacy of staff numbers to deal with them. [110487]

Angela Eagle: The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jeremy Corbyn, dated 21 February 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking if he will list, for each month since January 1998, the number of counter applicants at the Benefits Agency (BA) offices at Finsbury Park and Highgate; and what is the Agency's estimate of the adequacy of staff numbers to deal with them.

The number of counter applicants at Finsbury Park and Highgate Branch Offices is shown in the attached tables.

I am aware of the staffing position in both of these Branch Offices as well as the other Branch Offices in the Chilterns South district. I am satisfied that the current staffing levels are sufficient to meet BA service standards for customers who attend these offices. In addition, arrangements are in place to deal with any disruptions to services in the local office network.

The estimate of staff required to deal with callers is termed as complement, and is based on workload. It is detailed in the attached table. The actual staffing levels in the period are also included as "staff in post" figure.

I hope this is helpful.

Finsbury Park branch office counter applicants

Month	*1998*	*1998*	*2000*
January	5,426	5,273	5,556
February	5,131	4,929	
March	5,376	6,038	
April	5,377	5,384	
May	4,463	4,775	
June	5,317	5,835	
July	5,947	5,692	
August	4,730	5,686	
September	5,514	6,363	
October	5,410	5,620	
November	5,045	6,264	
December	3,841	5,022	
Total	61,577	66,881	

Highgate branch office counter applicants

Month	*1998*	*1998*	*2000*
January	4,698	4,280	5,300
February	4,620	4,225	
March	4,668	5,363	
April	4,666	4,608	
May	4,402	4,126	
June	4,880	5,066	
July	5,090	5,029	
August	4,335	5,154	
September	4,955	5,655	
October	4,565	5,097	
November	4,635	5,231	
December	4,193	4,420	
Total	55,707	58,254	

Finsbury Park branch office

	Staff in post	*Complement*
January 1998:		
C3	—	—
B3	6	4
A4	16	15
A1	2	1
Total	24	20
January 1999:		
C3	1	1
B3	5	5
A4	16.8	17
A1	2	3
Total	24.8	26
January 2000:		
C3	1	1
B3	8	6
A4	16.5	17
A1	2	2
Total	27.5	26

Highgate branch office

	Staff in post	*Complement*
January 1998:		
C3	—	—
B3	7	4
A4	20	15
A1	1	1
Total	28	20
January 1999:		
C3	1	1
B3	7	5
A4	16	15
A1	1	1
Total	25	22
January 2000:		
C3	1	1
B3	7	6
A4	16.8	17
A1	1.8	2
Total	26.6	26

Unclaimed Benefits

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security what assessment he has made of the number of people over the age of 60 years who are not claiming the benefits to which they are entitled in *(a)* the UK and *(b)* Sefton. [110364]

Mr. Rooker: Latest estimates of take-up of income related benefits covering the year 1997–98 for Great Britain were placed in the Library on 24 September 1999.

It is not possible to produce reliable estimates of numbers not claiming their entitlement at local level.

Housing Benefit

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security if he will review his policy on inclusion of invalid care allowance in a person's income when assessing eligibility for housing benefit; and if he will make a statement. [110774]

Mr. Bayley: Most income is taken into consideration when assessing income related benefits. There is no disregard of payments of Invalid Care Allowance when assessing eligibility for Housing Benefit and Council Tax Benefit. To do so would duplicate payments from public funds for the same purpose. There are no plans to change this policy.

Winter Fuel Allowance

Mr. Ashdown: To ask the Secretary of State for Social Security if he will make a statement on the claim process for the winter fuel allowance for men between the ages of 60 and 65. [110808]

Angela Eagle: We are currently considering the options for the secure and accurate delivery of Winter Fuel payments. An announcement on this and the claim process will be made soon.

HEALTH

Health Services (Hull)

Mr. McNamara: To ask the Secretary of State for Health what plans he has for combating long-term illnesses in impoverished areas in *(a)* West Hull primary care group, *(b)* East Hull primary care group and *(c)* East Riding Primary care group. [110355]

Yvette Cooper: East Riding Health Authority has indicated that it plans to combat long-term illness in impoverished areas in the East Riding Health Authority Primary Care Groups through the following initiatives:

Strategic review of continuing care services.

Mental health promotion and prevention.

Establishment of a Centre for Independent Living.

Development of an integrated care scheme to provide social and nursing care.

Expansion of renal dialysis services.

Establishment of smoking prevention and smoking cessation programmes.

Mr. McNamara: To ask the Secretary of State for Health what is the average level of public funding per ward for cancer services in *(a)* West Hull primary care group, *(b)* the East Hull primary care group, *(c)* the East Riding primary care group and *(d)* the United Kingdom. [110310]

Yvette Cooper: The information requested is not held at ward level.

Mr. McNamara: To ask the Secretary of State for Health what the funding is for the primary care groups of *(a)* West Hull, *(b)* East Hull and *(c)* the East Riding in the current financial year. [110358]

Mr. Denham: The information requested is given in the table.

Primary care group name	*Primary care group unique reference number*	*Total health authority allocation split to primary care groups (£000)*	*Allocation devolved to primary care group responsibility (£000)*	*Percentage of allocating devolved to primary care groups*	*Primary care group registered population*[1] *(Thousand)*
Eastern Hull	4XC94	81,752	41,032	50.19	126
West Hull	4LP07	106,025	53,432	50.40	166
East Yorkshire	4TG10	83,377	43,819	52.56	146
Yorkshire Wolds and Coast	4RV24	89,934	48,091	53.47	141
HA total	—	361,088	186,374	—	579

[1] Registered population represents:
The resident population of East Riding Health Authority less those East Riding Health residents registered with a Primary Care Group outside the Health Authority boundary plus those residents of adjacent health authorities who are registered with a Primary Care Group within East Riding health authority boundary.
Source:
East Riding Health Authority

Mr. McNamara: To ask the Secretary of State for Health what is the budget for the health authority encompassing the areas of *(a)* West Hull, *(b)* East Hull and *(c)* the East Riding. [110354]

Mr. Denham: For 2000–01 the unified allocation for East Riding health authority is £387.7 million.

Mr. McNamara: To ask the Secretary of State for Health if he will list the Government initiatives to address inequalities in the National Health System in *(a)* West Hull primary care group, *(b)* East Hull primary care group and *(c)* East Riding primary care group. [110356]

Yvette Cooper: East Riding health authority has indicated the following initiatives in:

West Hull Primary Care Group

Sure Start Programme in Orchard Park.

Sexual Health Resource Centre.

Establishment of smoking prevention and smoking cessation programme.

Introduction of stroke prevention worker.

Support and prevention project for domestic violence.

Development of Prison Healthy Living Centre.

Establishment of primary care centre in central Hull focusing on the provision of medical care for socially excluded groups.

Development of a Dental Access Centre.

Development of a mental health strategy.

Intermediate Care Scheme.

Review of substance misuse services.

Established community based outpatient clinics.

Eastern Hull Primary Care Group

Sure Start Programme in Marfleet.

Sexual Health Resource Centre.

Establishment of smoking prevention and smoking cessation programme.

Introduction of stroke prevention worker.

Support and prevention project for domestic violence.

Development of Prison Healthy Living Centre.

Establishment of primary care centre in central Hull focusing on the provision of medical care for socially excluded groups.

Development of a Dental Access Centre.

Development of a mental health strategy.

Intermediate Care Scheme.

Review of substance misuse services.

Established community based outpatient clinics.

East Riding Primary Care Groups (East Yorkshire Primary Care Group and Yorkshire Wolds and Coast Primary Care Group

Introduction of a multi-agency programme to tackle rural stress.

Introduction of Personal Dental Services Pilot.

Sexual Health Resource Centre.

Establishment of smoking prevention and smoking cessation programme.

Introduction of stroke prevention worker.

Support and prevention project for domestic violence.

Development of Prison Healthy Living Centre.

Undertakers (Southampton)

Mr. Swayne: To ask the Secretary of State for Health (1) if he will list the undertakers who were invited to tender for the contract for the removal of bodies out of hours at Milford-on-Sea Community Hospital; [106390]

(2) what is the price paid by Southampton University NHS Trust to undertakers for the removal of each cadaver under the existing out of hours contractual arrangements; [106392]

(3) if he will list the hospitals which share the same contract for out of hours removal of bodies at Milford-on-Sea Community Hospital. [106391]

Ms Stuart: The undertakers invited to tender for the contract for the removal of bodies out of hours for the Southampton and South West Hampshire Health Authority area were:

Beastons

J. Bevois and Son

Co-op Funeral Services

Diamond and Sons

B. Matthews

Simplicity Funerals

Southampton University Hospitals NHS Trust is forecasting payment of between £20,000 to £23,000 this year as part of their contracts with local undertakers. The price paid by Southampton University Hospitals NHS Trust for the removal of each cadaver under the existing out of hours contractual arrangements is not held centrally.

Milford-on-Sea Hospital shares the same contract for out of hours removal of bodies with Lymington Hospital, both managed by Southampton Community Health Services NHS Trust.

NHS Direct

Mr. Lidington: To ask the Secretary of State for Health what is the unit cost to his Department of handling a telephone inquiry at each call centre of NHS Direct. [107083]

Ms Stuart *[holding answer 27 January 2000]:* We envisage the cost of NHS Direct to be approximately £8 per telephone call. This compares favourably to the cost per accident and emergency attendance £42 (1997–98) and cost per general practitioner contact £10.55 (1996–97).

Mr. Lidington: To ask the Secretary of State for Health if he will state in respect of each call centre of NHS Direct *(a)* how many telephone calls were received from members of the public, *(b)* how many calls were answered by an answerphone or other courtesy message service, giving in each case the time and duration of the calls, *(c)* the average duration of a call and *(d)* how many callers were advised to contact their general practitioner in each week from the week beginning 1 November 1999 to date. [107079]

Ms Stuart *[holding answer 27 January 2000]:* The number of telephone calls answered by NHS Direct at each call centre is shown in the table for November and December and for each week since 20 December.

The number of calls answered by a message or an answerphone is not collected. Over the Christmas and new year holiday period, the standard call-centre practice of using messages to inform the public about the service was incorporated into NHS Direct.

As with any new telephone-based service, call lengths reduce over time as operators become more familiar with their system. Call lengths for nurse triage calls in December averaged about 12 minutes.

The proportion of callers advised by NHS Direct to contact their general practitioner averages about 40 per cent. each month.

Table 1: Number of calls to NHS Direct sites, in thousands, since November

NHS Direct site	*November 1999*	*December 1999*	*20–26 December*	*27 December–2 January*	*3–9 January*	*10–16 January*	*17–23 January*
Bedfordshire and Hertfordshire	—	7	2	3	2	2	2
East Midlands	11	22	6	10	6	6	5
East Yorkshire	4	8	2	3	2	2	1
Essex	8	16	4	6	4	4	3
Hampshire	6	11	3	4	3	3	3
Kent, Surrey and Sussex	—	[1]—	2	5	2	2	1
Lancashire	7	14	4	6	4	4	3
Manchester	10	19	4	7	5	5	4
North East	14	18	5	7	6	5	4
South East London	5	10	2	3	3	3	2
South West London	—	[1]—	2	4	2	2	2
South Yorkshire/South Humber	—	4	1	2	1	1	1
Thames Valley	7	10	3	3	3	3	2
West Country	11	22	6	8	7	7	6
West London	15	25	7	10	7	6	5
West Midlands	10	20	6	8	5	5	4
West Yorkshire	11	24	5	9	6	6	5
England	120	234	65	97	68	66	55

[1] Sites unable to provide validated statistics for December.

Notes:

1. Kent, Surrey and Sussex; South West London; and South Yorkshire/South Humberside became operational at third wave at the end of November, while Bedfordshire and Hertfordshire became operational mid-November. These sites did not produce November activity statistics.

2. Prior to December 1999 this information was collected only on a monthly basis.

Breakdown of calls per call centre

Site	Total calls	Average call duration
North East	64,517	453.33
East Yorkshire	16,222	554.50
West Yorkshire	54,049	302.73
South Yorkshire	12,542	464.69
Lancashire	54,266	361.02
Manchester	54,469	433.27
East Midlands	51,903	353.33
West Midlands	82,860	466.95
Beds and Herts	18,732	469.55

Breakdown of calls per call centre

Site	Total calls	Average call duration
Thames Valley	41,232	392.91
Essex	51,313	267.54
West London	79,005	327.57
South East London	16,053	299.91
South West London	15,046	326.67
South East Counties	16,053	445.99
West Country	63,464	466.73
Hampshire	32,943	355.01

Callers advised to contact their general practitioner

Site	November	December	20–26 December	27 December–2 January	3–9 January	10–16 January	17–23 January
North East	2,553	3,420	783	1,114	947	964	858
East Yorkshire	1,434	2,428	354	1,223	739	592	491
West Yorkshire	2,489	9,533	1,848	4,031	2,759	2,350	2,040
South Yorkshire	—	1,373	123	233	153	138	112
Lancashire	2,143	4,298	1,031	1,702	1,247	1,126	1,023
Manchester	3,065	5,225	1,243	1,934	1,523	1,668	1,025
East Midlands	1,916	4,031	1,600	3,596	1,570	1,420	1,175
West Midlands	3,828	7,026	1,672	2,425	1,825	1,585	1,318
Beds and Herts	420	2,540	779	1,087	601	677	654
Thames Valley	2,045	3,407	813	1,168	964	962	792
Essex	2,750	4,804	960	1,508	1,122	1,071	937
West London	6,612	10,559	2,433	4,153	2,748	2,019	1,838
South East London	1,164	202	373	716	588	508	413
South West London	—	4,900	485	734	542	382	483
South East Counties	—	—	574	751	629	548	430
West Country	3,395	10,802	808	2,465	1,957	1,889	1,778
Hampshire	1,586	3,504	888	1,346	956	987	905

Mr. Hammond: To ask the Secretary of State for Health if he will place in the Library a copy of the report his Department has received from Sheffield University on NHS Direct. [111121]

Ms Stuart: Sheffield University's interim report is in the Library. This was published in March 1999. Sheffield University's final report on NHS Direct is expected shortly. Copies of the report will be placed in the Library.

Mr. Ennis: To ask the Secretary of State for Health how many calls have been made to NHS Direct over the last six months; and what proportion of those calls were made by carers. [110735]

Ms Stuart: Between July and December 1999 NHS Direct received more than 750,000 calls. NHS Direct nurses ascertain the relationship between the caller and the patient for every call. Details for these relationships are shown in the table for December 1999.

	Percentage
Self	53
Child	25
Parent	6
Spouse/Partner	8
Other relative	4
Friend/associate	1
In my professional care	1
Other	2

Health Authority Funding

Mr. Trickett: To ask the Secretary of State for Health what estimate he has made of the additional funding that will be made available to Wakefield health authority in each of the next five years, following the Prime Minister's recent announcement on NHS spending. [107607]

Mr. Denham: 2000–01 health authority allocations were announced on 21 December 1999. The allocation for Wakefield health authority for 2000–01 is £227.89 million. This represents an increase of £14.80 million (6.95 per cent.). Decisions on expenditure plans for 2001–02 to 2003–04 will be taken in due course as part of the current spending review.

Ann Clwyd: To ask the Secretary of State for Health what socio-economic factors and indices are included as part of the weighted capitation formula used when determining funding for health authorities and whether the formula is under review. [110942]

Mr. Denham: The weighted capitation formula used to inform allocations to English health authorities includes a wide range of socio-economic variables associated with the need for healthcare. These are described in "Resource Allocation: Weighted Capitation Formulas". Copies are available in the Library.

There is currently a wide-ranging review of the formula.

Social Workers

Mr. Waterson: To ask the Secretary of State for Health if he will make a statement on plans to employ social workers from South Africa; and what plans he has to encourage more people into the profession in Britain. [107598]

Mr. Hutton: Although vacancy rates for social workers are among some of the lowest for a decade, we are concerned that social workers must be available in the

right numbers if we are to deliver the higher quality of services that users and their carers deserve, and if we are to make a success of vital new initiatives such as Quality Protects.

It is the responsibility of local authorities, as employers, to ensure that they have sufficient social workers who are competent and safe to practise. It is a matter for each local authority to consider whether a possible answer to an immediate recruitment difficulty is to recruit social workers from abroad.

We are maintaining the traditional professional social work courses in higher education. In addition we have funded the development of open and distant learning routes in social work to maintain a wide access gate to these professional qualifications. We also believe that the employers should be doing more to develop the skills and commitment of the nearly 900,000 staff they employ in social care and provide more of these staff with access to professional social work training.

Without wishing to take away from the employers their responsibility for their own workforce, the Government can act positively to stimulate debate among employment interests as to how best to tackle problems of recruitment and retention and to give a boost to the morale and standing of staff in the social services.

We therefore propose to host a summit meeting of all the key employment interests including employers, staff and professional associations across all sectors of social care. We intend to see employment interests put in place a positive campaign of action on the recruitment and retention issues of the whole social care workforce, not just those of professional social workers.

Drugs Purchases (North Essex)

Mr. Hurst: To ask the Secretary of State for Health if he will list the cost to the National Health Service of the purchase of drugs within the area of the North Essex Health Authority for each year since 1995. [109437]

Ms Stuart: The information available is in the table.

	1996–97	*1997–98*	*1998–99*
NHS Trust expenditure	10,589,000	12,514,000	14,491,000
Prescription pricing authority (PPA)[1]	65,340,000	70,898,000	75,354,000
Total	75,929,000	83,412,000	89,845,000

[1] estimates

Notes:

1. The figures for 1995–96 are not on a comparable basis, as although there was a North Essex District Health Authority, the Family Health Services Authority covered the whole of Essex.

2. Trust expenditure on drugs and gases is from the Trust Financial Returns for the eight National Health Service Trusts where North Essex Health Authority is the major commissioner. This is not audited information and will include some expenditure incurred for other commissioners.

3. An estimate of drugs expenditure is available by individual health authority from the Prescription Pricing Authority's EPACT system. The national estimated total expenditure for all health authorities supplied by the Prescription Pricing Authority does not equal the total included in their audited accounts of health authorities.

Nurses

Mr. Matthew Taylor: To ask the Secretary of State for Health how many nurses left the NHS for retirement in each of the last 10 years. [108222]

Mr. Denham: Responsibility for this matter has been delegated to the NHS Pensions Agency under its Chief Executive, Mr. A. F. Cowan. I have asked him to reply to the hon. Member.

NHS Dentistry

Mr. Gill: To ask the Secretary of State for Health what plans he has to increase spending on NHS dentistry. [109854]

Mr. Hutton: We have accepted in full the recommendations of the Review Body on Doctors' and Dentists' remuneration. These include an increase of 3.3 per cent. in general dental practitioners' (GDPs') remuneration and awards totalling about £17 million per year in England to reward GDPs' commitment to the National Health Service. The Review Body's recommendations will increase expenditure by over £50 million a year. The other principal factor determining expenditure on the General Dental Service will be the number of patients registered and treated by individual GDPs. As they work within a non cash limited service, their activity is not constrained to a fixed, pre-set budget. Expenditure levels on the Community and Hospital Dental Services are set by individual health authorities in the light of their local operational needs and priorities. We are considering currently what, if any, further expenditure is needed.

CCTV

Mr. MacShane: To ask the Secretary of State for Health if he will install close circuit television in units for patients with mental or learning disabilities. [109675]

Mr. Hutton: The safety of both patients and staff is best protected by adequate staffing levels, appropriate training, clear operational policies, and proper supervision and monitoring. Use of CCTV would be a matter for local decision, and in cases of secure accommodation would be used to monitor public and secure perimeter areas.

Austria (Bilateral Meetings)

Mr. Jim Murphy: To ask the Secretary of State for Health if he will list those previously planned meetings, and their subject, between his Department and its Austrian counterpart which have been cancelled since the formation of the new Austrian Government. [109894]

Ms Stuart: No previously planned meetings have been cancelled since the new Austrian government was formed.

Dental Laboratories

Mr. Don Foster: To ask the Secretary of State for Health what steps have been taken to improve the quality of work produced by dental laboratories since May 1997. [109945]

Mr. Hutton: All dental materials used to manufacture dental appliances must be safe and fit for their purpose and must meet the requirements of the Medical Devices Regulations. Dental appliances must be manufactured in accordance with a dentist's instructions.

Regulations provide that in providing general dental services a dentist shall employ a proper degree of skill and attention, and use only materials suitable for the purpose for which they are used.

Clinical governance is being implemented in the general dental services which will improve the clinical effectiveness and cost effectiveness of dental treatment There is a system by which restorations which are claimed to have been placed can be inspected by a Dental Reference Officer of the Dental Practice Board.

Mind Report

Ms Christine Russell: To ask the Secretary of State for Health if his Department will assess the report, "Counting the Cost", published on 9 February by Mind. [109957]

Mr. Hutton: We are already making use of Mind's report, which we funded, in a series of events around the country designed to engage the media in constructive dialogue about the way they report mental health issues. The report, together with an evaluation of these events, will also help us to plan future initiatives.

Drugs Supply

Mr. Robertson: To ask the Secretary of State for Health how many drug companies supply the NHS; and if he will list the major suppliers. [110555]

Ms Stuart: In 1998 approximately 700 companies supplied the National Health Service with proprietary medicines. This figure for all prescriptions dispensed in the community in England is based on statistics from the Prescription Cost Analysis system.

The 40 major companies supplying the NHS with branded medicines (defined as those with NHS sales of £20 million or more in 1998) are listed.

3M Health Care Ltd.
Abbott Laboratories Ltd.
Astra Pharmaceuticals
Baxter Healthcare Ltd.
Bayer plc
Boehringer Ingelheim Ltd.
Bristol Myers Squibb Pharmaceuticals Ltd.
Du Pont Pharmaceuticals Ltd.
Eli Lilly and Company Ltd.
Glaxo Wellcome
Hoechst Marion Roussel
Janssen Cilag Ltd.
Knoll Ltd.
Leo Laboratories Ltd.
Lorex Synthélabo Ltd.
Lundbeck Ltd.
Medeva Pharma Ltd.
Merck Sharpe & Dohme Ltd.
Napp Pharmaceuticals Group
Norton Healthcare
Novartis Pharmaceuticals Group
Novo Nordisk Pharmaceuticals Ltd.
Organon Laboratories Ltd.
Pasteur Merieux Ltd.
Pfizer Ltd.
Pharmacia and Upjohn Ltd.
Procter and Gamble Pharmaceuticals
Reckitt and Colman Products Ltd.
Rhône Poulenc Rorer Ltd.
Roche Products Ltd.
Sanofi Winthrop Ltd.
Schering Health Care Ltd.
Schering-Plough Ltd.
Searle
Servier Laboratories Ltd.
SmithKline Beecham Pharmaceuticals
Solvay Healthcare Ltd.
Warner Lambert
Wyeth
Zeneca Pharmaceuticals.

We do not hold central information on suppliers of generic medicines in the UK in the same way as for branded medicines. Based on published accounts, the major suppliers of generic medicines in the UK (defined as those with sales in the UK of £20 million or more in 1998 (unless otherwise stated) are listed.

Norton Healthcare (based on sales figures for 1997)
Generics (UK) Ltd.
Cox Pharmaceuticals
APS Berk Pharmaceutical
CP Pharmaceuticals (based on 12 month sales to end June 1998)
Lagap Pharmaceuticals Ltd.

Nurse Training

Mr. Robertson: To ask the Secretary of State for Health what pre-training courses exist for people interested in taking up nursing as a profession; what steps he is taking to extend such courses; and if he will make a statement. [110559]

Mr. Denham: A number of steps are being taken to extend the accepted entry routes into nurse training. The new model of nurse education that was announced in "Making a Difference" will deliver more flexible career pathways into and through nursing and midwifery education. Initiatives include:

Developing more access courses.

The introduction of nurse 'cadet' schemes which lead to individuals being able to achieve the qualifications sufficient to meet the entry requirements to a pre-registration nursing or midwifery course, eg NVQ level 3.

Stronger links between vocational training and pre-registration education allowing people to take up a career as a qualified nurse later in life.

Expansion of part time and more flexible pre-registration nursing diploma programmes including the development of 'stepping on and off' points on nurse education programmes.

Expansion of secondment opportunities for National Health Service employees to access pre-registration nursing and midwifery diploma programmes.

Mr. Robertson: To ask the Secretary of State for Health what steps he is taking to ensure that trainee nurses undergo practical experience with patients at an early stage of their training; and if he will make a statement. [110560]

Mr. Denham: Under the new model of nurse education that was announced in 'Making a Difference: Strengthening the nursing, midwifery and health visiting contribution to health and healthcare', steps are now being taken to ensure that nursing students have higher quality and longer placements and the opportunity to start to acquire the necessary clinical skills for practice from the beginning of their programme.

Drugs Bill

Mr. Robertson: To ask the Secretary of State for Health if he will state the total cost of drugs to the NHS in *(a)* gross and *(b)* net terms for each of the last 10 years for which figures are available; and if he will make a statement. [110557]

Ms Stuart: The information requested is shown in the table.

£ million

Year	*Gross NHS drugs bill*	*Net NHS drugs bill*
1989–90	1,951	1,942
1990–91	2,092	2,080
1991–92	2,335	2,317
1992–93	2,651	2,641
1993–94	2,979	2,951
1994–95	3,252	3,230
1995–96	3,505	3,498
1996–97	3,808	3,774
1997–98	4,107	4,085
1998–99	4,356	4,339

Note:
1. The gross figure represents FHS and HCHS costs
2. The net figure has PPRS receipts deducted

Drugs Recycling

Mr. Robertson: To ask the Secretary of State for Health what steps he is taking to encourage the recycling of drugs not taken by patients; and if he will make a statement. [110554]

Ms Stuart: We are taking no such steps. Recycling of drugs is unsafe.

Intensive Care Beds

Mr. Waterson: To ask the Secretary of State for Health what recent guidance he has issued in respect of access to intensive care beds for elderly patients. [110433]

Ms Stuart: Guidelines on admissions to and discharge from intensive care and high dependency units were issued in March 1996. The guidelines provide advice according to severity of illness and not according to age. Copies of the guidelines are available in the Library.

Stoma Services

Dr. Brand: To ask the Secretary of State for Health how many stoma nurses working in the NHS are sponsored by dispensing appliance contractors; and if he will make a statement on the Government's policy in respect of sponsored clinical personnel. [110929]

Ms Stuart: Sponsorship of Stoma nurses is by local arrangement.

The Department expects all staff to adhere to high standards of business conduct, as set out in existing guidelines published in January 1993—Standards of business conduct for National Health Service staff (HSG(93)5).

Consultation has recently taken place on updated guidance, which we expect to be available shortly, which will specifically address stoma care nurses.

Hospital Outpatient Appointments

Mr. Coaker: To ask the Secretary of State for Health what steps the Government are taking to reduce the number of first appointments not attended by patients at hospital outpatient departments; and if he will make a statement. [110896]

Ms Stuart: There are a number of examples of good practice already introduced by National Health Service trusts to reduce the number of patients that fail to turn up for appointments. These include issuing reminder letters and installing dedicated 24 hour answerphones so that patients can call to cancel their appointments at a time that suits them.

The recent report "Variations in NHS Outpatient Performance" recommends the introduction of partial booking systems as a step towards total booking systems. In a partial booking system, patients are informed upon receipt of the general practitioner's referral letter of the waiting time for that particular clinic, and the patient is asked to telephone the hospital a few weeks before that time to arrange a convenient date. Evidence suggests that this process reduces the number of occasions where patients fail to attend appointments.

The introduction of booking systems—so that patients can pre-book an appointment/admission date that is convenient to them—is a key part of the modernisation agenda. 24 pilots began to introduce these systems in September 1998. Most of these booked admissions pilots have significantly reduced the "Did Not Attend" (DNA) rates, with some eliminating them altogether. In September 1999, my right hon. Friend the Prime Minister announced a further 60 pilots to take forward this part of the modernisation agenda, increasing the coverage to around 2 million patients.

Devonshire Royal Hospital Site, Buxton

Mr. Levitt: To ask the Secretary of State for Health when he will announce the final plans for the disposal of the Devonshire Royal Hospital site, Buxton. [110843]

Ms Stuart: The process of selecting a preferred purchaser is not yet finalised, however, the National Health Service is planning to vacate the site in July this year and decommissioning should be completed by September 2000.

Multiple Sclerosis

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment he has made of the effectiveness of hyperbaic oxygen therapy for MS; and if he will make a statement. [110707]

Mr. Denham: There are no current United Kingdom marketing authorisations for hyperbaic oxygen indicated for the treatment of Multiple Sclerosis. Therefore, it is not licensed in the UK as a medicinal product for this purpose and the Medicines Control Agency cannot comment as to its safety, quality and efficacy for this kind of treatment.

Mrs. Hilary Pearce

Mr. Moss: To ask the Secretary of State for Health if he will commission a public inquiry into the events and procedures surrounding the death of Mrs. Hilary Pearce at Addenbrookes Hospital, Cambridge; and if he will make a statement. [110842]

Ms Stuart: Addenbrooke's Hospital National Health Service Trust has offered its sincerest apologies to the family of Mrs. Pearce following this dreadful mistake which caused her tragic death. The trust has conducted an internal inquiry into the circumstances surrounding this incident and Mrs. Pearce's family has been given the full report of the findings. The trust has taken this matter seriously and has already put in place action in response to the recommendations of the inquiry.

Too often we hear of incidents occurring in the NHS which should have been avoidable if the lessons of past experience had been properly learned. That is why last year we asked the Chief Medical Officer, Professor Liam Donaldson, to convene an expert group to examine the mechanisms by which the NHS currently analyses and learns from adverse health care events and to make recommendations for improvements. The group will report to Health Ministers shortly and we will be looking very carefully indeed at what it has to say.

Premature Deaths (Somerset)

Mr. Matthew Taylor: To ask the Secretary of State for Health what were the principal causes of premature death in Somerset in the last year for which figures are available; and if he will make a statement. [110800]

Ms Stuart: The 10 most common causes of death in 1998 for residents of Somerset aged under 75-years-old is given in the tables:

Females

Total deaths—all causes	721
ICD[1]	
ICD9 410–414 Ischaemic heart disease	100
ICD9 174 Malignant neoplasm of female breast	66
ICD9 430–438 Cerebrovascular disease	52
ICD9 162 Malignant neoplasm of trachea, bronchus and lung,	39
ICD9 490–496 Chronic obstructive pulmonary disease and allied conditions	35
ICD9 480–486 Pneumonia	28
ICD9 153 Malignant neoplasm of colon	26
ICD9 183 Malignant neoplasm of ovary and other uterine adnexa	25
ICD9 199 Malignant neoplasm without specification of site	25
ICD9 150 Malignant neoplasm of oesophagus	14
ICD 157 Malignant neoplasm of pancreas	14
ICD9 571 Chronic liver disease and cirrhosis	14
	438

[1] International classification of diseases, ninth revision

Males

Total deaths—all causes	1,132
ICD[1]	
ICD9 410–414 Ischaemic heart disease	294
ICD9 162 Malignant neoplasm of trachea, bronchus and lung	88
ICD9 430–438 Cerebrovascular disease	54
ICD9 490–496 Chronic obstructive pulmonary disease and allied conditions	45
ICD9 480–486 Pneumonia	41
ICD9 185 Malignant neoplasm of prostate	40
ICD9 441 Aortic aneurysm	37
ICD9 E950-E959 Suicide and ICD E980-E989 exc. E988.8 Self inflicted injury where it is undetermined whether injury accidentally or purposely inflicted	32
ICD9 199 Malignant neoplasm without specification of site	30
ICD9 153 Malignant neoplasm of colon	29
	690

[1] International classification of diseases, ninth revision

Source:

Office for National Statistics database.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for Health, pursuant to the letter from the Parliamentary Under-Secretary of State, the hon. Member for North Warwickshire (Mr. O'Brien), of 2 February to the hon. Member for Lewes, on xenotransplantation, what disposal methods are authorised for meat from pigs subject to xenotransplantation procedures under the Animals (Scientific Procedures) Act 1986; and if such meat is deemed suitable for human consumption. [111049]

Mr. Denham *[holding answer 21 February 2000]:* The Home Office Code of Practice for the Humane Killing of Animals under Schedule 1 to the Animals (Scientific Procedures) Act 1986 lists appropriate methods for the killing of animals regulated by the Act and advice on disposal of carcases.

Meat from genetically modified animals, such as those used in some xenotransplantation procedures, cannot enter the food chain without approval under the Novel Foods and Novel Food Ingredients Regulations (258/7). Genetically modified animals would fall within the category of

> "foods and food ingredients containing or consisting of genetically modified organisms within the meaning of Directive 90/220/EEC".

Before approval could be granted an application would have to be made within the European Union seeking clearance for meat from such animals to be placed on the market. Any application would have to demonstrate that the meat was safe for human consumption. No applications under the Novel Food Regulations have been made relating to meat from animals used in xenotransplantation procedures.

Midwives

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how many qualified midwives were employed in the NHS *(a)* in 1979, *(b)* in 1997 and *(c)* at the latest available dates. [111316]

Mr. Denham *[holding answer 21 February 2000]:* Information about numbers of midwives employed by the National Health Service is collected as at 30 September each year. Latest figures are as at 30 September 1998. The information is shown in the table.

NHS hospital and community health services (HCHS): Midwives, in England, as at 30 September each year

	Number (headcount)
1979[1]	14,620
1997	22,380
1998	22,840

[1] State certified midwives in hospital and at area and district. Figures exclude learners and agency staff. 1979 figure not directly comparable with later years.

Note:
Figures are rounded to the nearest 10.

Source:
Department of Health Non-Medical Workforce Census.
Health and Personal Social Services Statistics for England (HPSSS)

Voluntary Organisations (Grants)

Mr. Burstow: To ask the Secretary of State for Health in what circumstances he renews a core grant to a voluntary organisation beyond the normal period for which such grants are payable. [110920]

Mr. Hutton *[holding answer 21 February 2000]:* The Section 64 General Scheme of grants is the Department's main channel of support to the voluntary sector. Core grants, as well as project grants, are awarded for up to three years to national voluntary organisations. There is no bar to any voluntary organisation applying for renewal core funding, but a renewal application should concentrate on showing why and how continued funding would help the Department to achieve its aims, and the outputs and achievements that a grant would produce.

Electro-convulsive Treatment

Mr. Drew: To ask the Secretary of State for Health how many patients *(a)* under and *(b)* over the age of 18 years were given electro-convulsive treatment in England and Wales (i) with and (ii) without their consent for each of the last two years. [111416]

Mr. Hutton: The information is not available in the form requested. A one-off survey covering the period from January 1999 to March 1999, England only, was undertaken to provide an up to date and accurate snapshot picture of the use of electro-convulsive treatment (ECT). Prior to this information previously recorded on ECT did not provide an accurate picture on the use of ECT. Any data collected in Wales is a matter for the Welsh Assembly.

The results of the survey are contained in the Department of Health Statistical bulletin "Electro Convulsive Therapy: Survey covering the period from January 1999 to March 1999, England", a copy of which is in the Library.

Naloxone/Nacran

Mrs. Ewing: To ask the Secretary of State for Health if he will undertake a consultation exercise on extending the categories of health professionals qualified to administer the drug Naloxone/Nacran, to include ambulance technicians. [111166]

Ms Stuart: Any extension to the groups of professionals who may administer injectable medicines such as Naloxone without a doctor's directions and on their own initiative, would require an amendment to the Prescription Only Medicine (Human Use) Order 1997. There is an established process whereby advice is sought from the Committee on Safety of Medicines on an application prior to public consultation. Currently there is no application under consideration and I have no plans to undertake a consultation exercise. Naloxone may be administered by ambulance paramedics as they are one of the groups mentioned above.

Heart Disease

Mr. McNamara: To ask the Secretary of State for Health if he will list the Government initiatives in the primary care system to address coronary heart disease. [110353]

Yvette Cooper: Primary care initiatives have an important role to play in health promotion and in preventing coronary heart disease (CHD). The main risk factors are smoking, physical inactivity, obesity and poor diet. Since 1990, the terms of services for general practitioners has obliged them to provide opportunistic health promotion services to patients, including advice about the significance of diet, exercise and the use of tobacco. A locally based health promotion programme for GPs was also introduced from October 1996.

The National Priorities Guidance (NPG), which sets the Government's aim and objectives for the National Health Service, highlights CHD and smoking as key priorities for modernisation. The NPG directs health authorities and primary care groups to develop services for smoking cessation. Both primary care groups and individual practices should be working closely with these specialist services.

On 2 February, my hon. Friend the Minister of State announced the launch of the National Primary Care Development Team, a major initiative to enable primary care to cut unnecessary deaths, improve patient access and tackle waiting lists and times. The primary care groups and trusts in this scheme will commit themselves to tackling CHD. In addition, the Government will publish shortly a National Service Framework for CHD, the first ever comprehensive plan to deal with all aspects of this disease. It is an ambitious 10 year strategy that will address both prevention and treatment of CHD, in which primary care teams will be playing a major part.

Cancer Services

Mr. McNamara: To ask the Secretary of State for Health what plans the Government have to increase access to specialists for suspected cancers, with particular reference to the most disadvantaged patients. [110362]

Yvette Cooper: We have introduced a two week waiting time standard, which will be in place for all cases of suspected cancer by the end of this year, whereby all patients with suspected cancer referred urgently by their general practitioners for a specialist investigation should be seen within two weeks.

We are also developing cancer referral guidelines to help GPs and other members of primary care identify more easily those symptoms that could be cancer and require an urgent appointment with a specialist within two weeks. The final guidelines will be published by the National Institute for Clinical Excellence in April 2000.

We are also increasing the number of cancer specialists. There are currently 400 higher specialist trainees for main cancer specialties—oncology and palliative care. We expect these will emerge from training over the next five years increasing the number of specialists by 60 per cent. Professor Mike Richards, the National Cancer Director, is developing a work force strategy and will work with professional bodies and local cancer networks to identify future work force demands and ways in which they could be met.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Congestion Charging

Mr. Rapson: To ask the Secretary of State for the Environment, Transport and the Regions what the outcome was of his consultation on road user charging and the workplace parking levy. [111713]

Mr. Hill: Our consultation paper "Breaking the Logjam, the Government's consultation paper on fighting traffic congestion and pollution through road user and workplace parking charges" was published on 8 December 1998. It confirmed our intention to legislate on road user charging and on the workplace parking levy and invited comments by 31 March last year on a wide range on mainly practical issues.

Some 8,000 copies of "Breaking the Logjam" were distributed, and we received 665 responses. 75 per cent. of the responses which gave an opinion supported or accepted the need for the new charges. The Transport Bill currently before Parliament implements these policies.

Following our consultation, we are proposing an exemption or concession from the workplace parking levy for National Health Service hospitals.

We have today published a report analysing the responses we received, and placed copies in the Libraries of both Houses and in the Vote Office. We are grateful to everyone who responded.

Antibiotic Marker Genes

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the antibiotic marker genes, and the antibiotics to which they convey resistance, that have been used in the genetic modification of plant crops, listing the crops that have been released for research purposes in *(a)* the United Kingdom and *(b)* the EU, in the last five years; and if he will make a statement. [108623]

Mr. Meacher: Antibiotic resistance genes are included in some (but not all) GM plants to help identify them in the research and development phase of their production. The Advisory Committee on Releases to the Environment has considered the risks posed to the environment by antibiotic resistance genes. It was the Committee's view that, of the ones approved for release, there is little or no evidence that antibiotic resistance genes can escape from crop plants under field conditions, but even if it did happen it would not cause environmental harm, or add significantly to the total amount of resistance already widespread in the environment, compared to other uses in medicine and agriculture.

The table lists the antibiotic marker genes, and the antibiotics to which they convey resistance, used in genetic modification of crops for research releases in the United Kingdom during the past five years.

Gene	*Antibiotic*
nptII or neo	Aminoglycoside antibiotics including kanamycin, and neomycin
Aad	Streptomycin and spectinomycin
Bla	Narrow spectrum lactam antibiotics such as ampicillin and amoxycillin
Hpt	Hygromycin

I have today placed in the House Library details of the specification of modified crops including antibiotic marker genes that have been released in the UK for research purposes over the last five years.

The Joint Research Centre (JRC), through its Institute for Health and Consumer Protection, collate and distribute to member states, Norway and Iceland a summary of each part B (research and development) application received in the EU. In excess of 1,000 (approx.) crops containing antibiotic marker genes have been released for research purposes in the EU in the last five years. To provide information on each crop through this PQ would involve a disproportionate cost because member states have direct control over the licensing the release of GM crops in their own territory. Each member state would therefore need to be contacted individually to clarify the information.

Planning Applications

Mr. Clifton-Brown: To ask the Secretary of State for the Environment, Transport and the Regions what has been the average time taken between a planning inspector submitting his report to ministers and a decision being taken by ministers in each of the last three years. [110229]

Ms Beverley Hughes: The information is as follows:

	Weeks	
	Call ins	*Recovered Appeals*
1997	21	19
1998	20	20
1999	21	21

Called-in and recovered appeal cases, by their nature, tend to raise issues which often need further consideration within the Department before decisions can be taken.

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how many planning applications he called in for decision in each of the last 10 years. [111526]

Mr. Raynsford: The figures are as follows:

	Number
1989–90	103
1990–91	132
1991–92	140
1992–93	101

	Number
1993–94	99
1994–95	167
1995–96	144
1996–97	139
1997–98	147
1998–99	138

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the outstanding planning applications which he has called in for decision. [111527]

Mr. Raynsford: The information is as follows:

288 High Street, Enfield
Allied London, Bracknell Forest
Amberswood, Wigan
Arena Central redevelopment, Birmingham City
ASDA Old Kent Road, Southwark
ASDA Park Royal, Ealing
Auberges des Foultanes, Barnsley
BAA Logistics Facility, Berkshire
Barkby Thorpe Lane, Thurmaston, Leics
Barleycastle, Warrington
Bietigheim Way, Surrey Heath
Bietigheim Way, Main Square, Surrey Heath
Bowden Derra, North Cornwall
Brent Cross Shopping Centre, Barnet
Brewery Road, Broxbourne
Broadoaks, Parvis Road, Surrey
Brockham Park, Gadbrook Road, Mole Valley
Burntwood Sports, Barnsley
Bursting Stone Quarry, Lake District National Park Authority
Bushcliff Farm, Wakefield
Carina Road, Kettering, Northants
Chesford Grange, Leek Wootton, Warwick
Chilwell Dam Farm, Nottingham
Clearview Tennis Centre, Brentwood
Cobridge Road, Stoke on Trent
Coghurst Wood, Rother
Coghurst Wood, Rother
Congleton Business Park
Cottesmore Hunt Kennels, Rutland
Crockford Bridge Farm, Runnymede
Crownhill Water Treatment, Plymouth
Cutacre Opencast Coal Site, Wigan
Dawley II Opencast Coal Site, Telford and Wrekin
Diamond Way, Irthlingborough
Exeter City Centre, Exeter
Fen Road, Fenland
Five Acres Country Club, St. Albans
Five Oaks Lane, Redbridge
Flowers Brewery Site, Cheltenham
Former Bus Depot, Haughton Road, Darlington
Former Chantry Industrial Estate, Guildford
Former London Rubber Co, Waltham Forest
Former Quinton Bus depot, Birmingham City
Former RAF buildings, Cotswold
Former South London Hospital for Women, Lambeth
Gatliff Road, Westminster
George Washington County Hotel, Washington, Sunderland
Glaxo-Wellcome, Bromley
Goldings, East Hertfordshire
Grain Silo Park and Ride, Oxford
Grain Silo Park and Ride, Oxford
Greenwich University, Greenwich
Gunton Park, Waveney
Hamer Ford Site, Tamworth
Hanbury manor, East Hertfordshire
Haslingden Road, Blackburn
Highlands Farm, Rother
Holborough cement works, Snodland
Homebase retail, Basingstoke and Deane
Honeypot Farm, Honeypot Lane, Tandridge
Hornsey High Street, Haringey
Hotel at Wotton House, Mole Valley
Hotel at Wotton House, Mole Valley
Ingleby Barwick, Stockton-on-Tees
Iver South Sewage Works (Linked to Terminal 5, Heathrow), Bucks
Iver South Sewage Works (Linked to Terminal 5, Heathrow), Bucks
Jaguar Land bounded by A46, Coventry City
John Dickinson Site, Warrington
Kenly and Anson Close and Gauntlet Crescent, Tandridge
Kenyon Station, Warrington
Key Site 1, Hounslow
Lakeside Auto Park, Essex
Land adjacent to Blossom Hill, East Devon
Land at Coombe Farm, Plymouth
Land at Lawley Middleway, Birmingham City
Land North of Obelisk Way, Surrey Heath
Land West of Park Street, Surrey Heath
Land West of Park Street, Surrey Heath
Leas Cliff Hall, Folkestone
Legal and General, Bracknell Civic Centre, Bracknell Forest
Legal and General, Bracknell Forest
Leighton Buzzard Rugby Club, South Bedfordshire
Lowestoft Road, Waveney
Medway Valley Leisure Park, Strood
Middleton Technology School, Middleton
Multiplex, Kirkby-in-Ashfield
Newdigate Brickworks, Mole Valley
Newtown Service Station, South Staffordshire
Norheads Farm, Bromley
North Cornwall, Bowden Derra Park
North Hertfordshire College, Stevenage
North Wiltshire, Showell Farm
Northern Gateway Access Road, Enfield
Northern Gateway Access Road, Epping Forest
Norton Canes Greyhound, Cannock Chase
Octavia Road/Unwin Road, Hounslow
Orbital Park, Wigan
Portland Sidings, Mansfield, Nottingham
Proposed new settlement at Corazely, Wokingham
Proposed new settlement at Spencers Wood and three Mile Cross, Wokingham
RAF Hendon East Camp, Camden

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Rawnsley Road (A), Cannock Chase
Rawnsley Road (B), Cannock Chase
Rawnsley Road (C), Cannock Chase
Red Quadrant, Metrocentre, Gateshead
Restormel, Victoria Business Park
Restormel, Victoria Business Park
Roaring Meg Retail Park South, Stevenage
Roebuck Retail Park, Stevenage
Rossfield Road, Ellesmere Port
Rossmore Road, Ellesmere Port
Safeway, Plough Lane, Merton
Sandown Hall, Liverpool
Scarisbrick, West Lancs
Showell Farm, North Wiltshire
South Church, Bishop Auckland, Wear Valley
Spath, East Staffordshire
Sports Village, Wakefield
Stone Lodge, Dartford
Strayfield Works, Enfield
Sunny Dale, Newcastle under Lyme
Tarporley Road, North Shropshire
Tesco Stores Ltd, North Lincolnshire
Tesco/Former Lorry Park, Enfield
The Chapel, East Herefordshire
The Gardens of the Rose, St Albans
The Linkway, Bolton
The Oaklands, North Shropshire
The Valley, Bolton
Town Square and Cambridge Walk, Surrey Heath
Trentham Gardens, Stafford
Upper beach adjacent to Crangon Cottages, Wealden
Vic Hallam site, Langley Mill, Derbys
Warnborough College, Vale of White Horse
Warnborough College, Vale of White Horse
Waste Transfer Station and Concrete Crushing Station, West Sussex
Waste Transfer Station and Concrete Crushing Station, West Sussex
Waterside Park, Tameside
Weedon Depot, Northants
Widnes Town Centre, Widnes
Willow Farm, Havering
Wilson Bowden Properties, Wakefield
Woodbine Cottage, Vale Royal
Xanadu Complex, Wigan
Ye Olde Pounde Café, Stratford upon Avon

The total number of applications listed above is 145. These are at different stages of the process. For instance, some have just been called in, or are at inquiry, or the inspectors' reports have been received following inquiry. Where applications are mentioned more than once this is because a called-in scheme comprises two or more separate applications.

Council Tax (Somerset)

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the *(a)* real terms and *(b)* cash terms rise in the Council Tax in Somerset for each year since 1983–84; and if he will make a statement. [110801]

Ms Armstrong: The information for each year since the introduction of Council Tax in 1993–94 is as follows:

Year-on-year Council Tax[1] changes in Somerset 1994–95 to 1999–2000

Percentage

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
(a) Real change						
Mendip	7.1	–1.9	4.3	4.4	2.5	4.9
Sedgemoor	4.8	0.6	1.3	5.4	1.5	4.8
Taunton Deane	2.9	0.9	8.5	5.5	4.1	4.8
West Somerset	12.0	0.7	1.6	4.1	3.4	4.4
South Somerset	3.7	2.5	–0.0	4.8	2.5	4.7
(b) Actual change						
Mendip	8.6	1.0	7.7	7.3	5.8	7.3
Sedgemoor	6.3	3.5	4.5	8.3	4.8	7.2
Taunton Deane	4.3	3.8	12.0	8.5	7.5	7.2
West Somerset	13.6	3.7	4.9	7.1	6.8	6.7
South Somerset	5.2	5.5	3.2	7.7	5.8	7.0

[1] The percentage changes are calculated from the headline Council Tax (Band D, 2 adults) amounts, before transitional relief and Council Tax benefit. These amounts cover the authority's own Council Tax plus the Council Tax of Somerset County Council and Avon and Somerset Police Authority.

London Transport

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 20 December 1999, *Official Report*, column 337W, on London Transport, on what date he will report on London Transport's expenditure on external consultants up to the end of the first half of the current financial year. [110894]

Mr. Hill: I refer the hon. Gentleman to the answer given to my hon. Friend the Member for Harrow, West (Mr. Thomas) on 21 December 1999, *Official Report*, column 525W.

Housing Development

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has

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to facilitate the building of more homes in villages of fewer than 3,000 people, through the Housing Corporation's Approved Development Programme. [110787]

Mr. Mullin: I have asked the Housing Corporation to continue to ensure in the year 2000–01 that 3.4 per cent. of new approvals through the Approved Development Programme are in settlements with a population of 3,000 people or fewer. This will generate 750 new homes.

The number of new homes produced through the Approved Development Programme in subsequent years will depend on the outcome of this year's Spending Review.

Thameslink 2000

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions when the public inquiry into the Thameslink 2000 project will commence. [111006]

Mr. Hill: The inquiry arrangements have not yet been finalised. I hope to make an announcement about this shortly.

Packaging Recovery

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what was the total revenue raised by the Packaging Recovery Note system in *(a)* 1998 and *(b)* 1999. [110641]

Mr. Mullin *[holding answer 17 February 2000]:* In 1998, my Department estimates that revenue raised by the Packaging Recovery Note (PRN) System was some £78,000,000. A final outturn for 1999 is not yet available but on the basis of the first three quarters' outturn, our preliminary estimate is that revenue from the PRN system in 1999 will have been in the region of £62,000,000.

Hedgerow Regulations 1997

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to scrutinise the operation of the Hedgerow Regulations 1997. [110907]

Mr. Mullin: The report of a review of the Hedgerows Regulations 1997 was published in June 1998. This included information from a Local Government Association survey of its members on the operation of the Regulations. We are currently evaluating the results of research into the review proposals and in the light of that expect to publish draft regulations for consultation later this year.

Integrated Pollution Prevention and Control Directive

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of installations to be affected by the introduction of the Integrated Pollution Prevention and Control Directive, specifying *(a)* pig installations and *(b)* poultry installations. [110738]

Mr. Meacher: Only farms with more than 2,000 places for pigs over 30 kilos or 750 places for sows, or 40,000 places for poultry, will be regulated under IPPC. The Environment Agency estimates that in England and Wales this will encompass up to 435 pig installations and about 1,200 broiler installations, and 200 laying hen installations; for poultry, the great majority of installations will not come into IPPC until 2003, and for pigs until 2004.

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the charges to be levied by other EU countries and by Scotland consequent upon the introduction of the Integrated Pollution Prevention and Control Directive; and if he will make a statement. [110737]

Mr. Meacher: The Environment Agency is gathering information on charging practices associated with IPPC in other EU countries. This will inform the development of a long-term charging scheme. The Scottish Environment Protection Agency proposes to apply its existing charging schemes relating to discharges to air, land and water to IPPC as an interim measure, with an increase in tariff of 10 per cent. to reflect the extra regulatory activities associated with IPPC.

Montreal Protocol

Mr. McGrady: To ask the Secretary of State for the Environment, Transport and the Regions what action the Government will take with its counterparts in the European Union to ensure that the Montreal Protocol of 1987 is implemented; and if he will make a statement. [110773]

Mr. Meacher: The Montreal Protocol is implemented within the European Union by EC Regulation 3093/94 on Substances that Deplete the Ozone Layer. The current Regulation enables the EU to meet its commitments under the Protocol as agreed by Parties at the Copenhagen Meeting in 1992. A new EC Regulation is currently being agreed which will implement subsequent revisions to the Protocol.

Conservation

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to protect *(a)* vascular plants, *(b)* fungi, *(c)* lichens, *(d)* bryophytes and *(e)* stoneworts; and if he will make a statement. [110706]

Mr. Mullin: All wild plants are protected from picking, uprooting and destruction by unauthorised persons under section 13 of the Wildlife and Countryside Act 1981.

The highest level of protection is given to wild plants of species listed in schedule 8 to the Act. All intentional picking, uprooting and destruction of wild plants of these species is prohibited. Sale of plant species listed in schedule 8 is also prohibited.

Additionally, there are a number of Biodiversity Action Plans being implemented for many species of vascular plants, fungi, lichens, bryophytes and stoneworts.

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of *(a)* wild flower meadows, *(b)* open heaths, *(c)* open peat bogs and *(d)* hedgerows were (i) destroyed and (ii) seriously damaged between 1979 and 1997 in (x) England and (y) Shropshire; and if he will make a statement. [110705]

Mr. Mullin: Comprehensive information on loss and damage to wildflower meadows, open heaths, open peat bogs and hedgerows for England for the full period between 1979 and 1997 is not currently available. However, it is estimated that 18 per cent. of non-agriculturally improved grasslands and calcareous grasslands, 2 per cent. of open heaths and 2 per cent. of open peat bogs were converted for agriculture or forestry in Great Britain in the period between 1984 and 1990. It is estimated that 12 per cent. of hedgerows were removed in England and Wales in the period between 1984 and 1993. These losses were partly compensated for by creation and natural regeneration of habitats and planting of new hedges. No separate estimates of damage are currently available for any of these features.

In Shropshire, the Shropshire Wildlife Trust have estimated that 20 per cent. of wildflower meadows, 6.1 per cent. of open heaths, and 3.5 per cent. of open peat bogs were lost between 1979 and 1989.

The Department is currently funding Countryside Survey 2000, which will provide up-to-date estimates of change in broad habitat types for Great Britain.

Housing Benefit

Mr. Neil Turner: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the amount of housing benefit paid to each local authority in respect of council housing for the years 1995–96, 1996–97, 1997–98, 1998–99, and 1999–2000, indicating the average number of recipients for each authority. [110952]

Mr. Mullin: A table showing the available information has been placed in the Library. The table shows the Rent Rebate Subsidy Element of the Housing Revenue Account Subsidy, which represents eligible expenditure by authorities on rent rebates offset by any assumed surplus on their Housing Element. For some authorities, no Rent Rebate Element is paid because the assumed surplus on the Housing Element exceeds their eligible spending on rent rebates.

Local Authority Housing

Mr. Neil Turner: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities which *(a)* have completed and *(b)* are in the process of transferring their housing stock by means of a large scale voluntary transfer, indicating the number of units involved for each authority. [110951]

Mr. Mullin: The local authorities which have transferred all or part of their housing stock to a new landlord are in the table:

Local authority	*Number of units*
Chiltern DC	4,650
Sevenoaks DC	6,526
Newbury DC	7,053
Swale DC	7,352
Broadland DC	3,721
Bedford BC	7,472
Medina DC	2,825
Rochester CC	8,029
S. Wight DC	2,119
Mid Sussex DC	4,466
E. Dorset DC	2,245
Tonbridge and Malling BC	6,382
Ryedale DC	3,353
South Buckinghamshire DC	3,319
Christchurch BC	1,621
Suffolk Coastal DC	5,272
Tunbridge Wells BC	5,519
LB Bromley	12,393
Surrey Heath BC	2,885
Brecklands DC	6,781
East Cambridgeshire DC	4,266
Hambleton DC	4,268
West Dorset DC	5,279
Havant BC	3,561
Epsom and Ewell BC	1,740
Hart DC	2,408
S. Shropshire DC	1,500
Leominster DC	1,832
South Ribble BC	3,445
Hertsmere BC	6,070
Penwith DC	3,354
N. Dorset DC	2,881
Wychavon DC	6,563
Mid Bedfordshire DC	2,971
Thanet DC	2,658
Vale of White Horse DC	5,028
Cherwell DC	1,322
Basingstoke and Deane BC	8,910
Malvern Hills DC	4,817
Maldon DC	2,006
Royal Borough of Windsor and Maidenhead	6,217
Kennet DC	4,915
Rushmoor BC	5,102
N. Wiltshire DC	6,100
Spelthorne BC	3,645
E. Hampshire DC	4,059
Hastings BC	4,560
Eastleigh BC	4,332
Wyre BC	2,951
Walsall MBC	1,485
Manchester City Council	9,706
Stratford DC	6,003
West Wiltshire DC	1,769
Cotswold DC	4,282
South Staffs DC	5,273
Lichfield DC	4,921
South Oxfordshire DC	5,018
Eden DC	1,510
LB Lambeth	4,587
LB Bexley	8,215
Congleton DC	4,061
Oldham DC	642
Liverpool City Council	5,521
LB Merton	1,018
LB Tower Hamlets	4,283
Kerrier DC	3,732
LB Hackney	3,696
LB Brent	1,481
Basildon DC	708
West Somerset DC	1,869
Stoke-on-Trent CC	917
Tewkesbury DC	3,066
Rother DC	3,058
Wirral DC	1,082
Tameside MBC	901
West Devon BC	1,446
South Somerset DC	8,883
East Lindsey DC	5,102
South Hams DC	3,096
LB Hammersmith and Fulham	668
Telford and Wrekin DC	13,081
LB Enfield	1,194
Worthing DC	2,525
Bath and North East Somerset	9,887
LB Greenwich	1,280
Allerdale DC	4,431

Local authority	Number of units
Preston BC	1,121
Birmingham CC	2,813
LB Islington	1,386
West Lindsey DC	3,929
Boston BC	4,871
Tynedale DC	3,564
Newcastle under Lyme BC	9,887
Restormel BC	3,577

The following authorities are in the process of transferring their stock:

Local authority	Number of units
Burnley BC	5,354
Coventry CC	20,479
Elmbridge BC	5,022
Huntingdonshire DC	7,134
Manchester CC	2,690
North Devon DC	3,382
LB Richmond	8,780
Tameside MBC	16,959
Test Valley BC	5,789
Weymouth and Portland BC	3,526
Wyre Forest DC	6,440
LB Hackney	2,394

Mr. Neil Turner: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the amount of council house subsidy paid to each local authority in the years 1995–96, 1996–97, 1997–98, 1998–99, and 1999–2000, indicating the number of council houses in each authority in those years. [110950]

Mr. Mullin: A table showing the available information has been placed in the Library. For many authorities no housing subsidy was paid because they were in assumed surplus on their Housing Element subsidy and this assumed surplus was offset against payments of Rent Rebate subsidy.

Care Leavers and Orphans

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the cost to public funds of his plans to house care leavers and orphans between the ages 16 and 17 years; and by what amount these proposals will reduce the number of rough sleepers. [110955]

Mr. Raynsford: We have no plans to assist care leavers or orphans between the ages of 16 to 17 with housing unless they are homeless and vulnerable. Local authorities already have a duty to accommodate homeless young people whom they consider to be vulnerable, and therefore in priority need, under the provisions of the Housing Act 1996. We recognise that young people who are leaving care may face particular difficulties in making the transition to independent living, as a consequence of institutionalisation and perhaps having limited back-up support. The Department of the Environment, Transport and the Regions' revised draft Code of Guidance on the Allocation of Accommodation and Homelessness, due to be published later this year, will therefore recommend that local authorities treat young care leavers, and 16 and 17-year-olds with little or no back-up support, as being vulnerable under the homelessness legislation. This clarifies existing local authority duties in order to ensure a greater consistency of approach. As such, it should require no additional cost to public funds. Our Housing Green Paper, also due to be published later this year, will include further measures to improve the protection for unintentionally homeless people.

The Government have set up the Rough Sleepers Unit, with a budget of almost £200 million, to reduce rough sleeping in England by at least two thirds by 2002. A commitment to focusing on the most vulnerable people on the streets is at the heart of the Unit's approach, and young rough sleepers are among the most vulnerable of all. The revised guidance on housing allocation is one of the ways in which we will prevent future rough sleeping among vulnerable young people. This will complement the provisions of the Children (Leaving Care) Bill, and the "Quality Protects" programme, which makes available £375 million to local authorities over three years to increase the support offered to care leavers.

Post Offices

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the number of post offices which receive *(a)* 25 per cent., *(b)* 50 per cent., *(c)* 75 per cent. and *(d)* 100 per cent rate relief, for the latest year for which statistics are available; what plans he has to change the funding of, and guidelines for, such rate relief; and if he will make a statement. [110791]

Ms Armstrong: The number of post offices receiving rate relief is not held centrally. This information could be obtained only at disproportionate cost.

We have no plans to change the funding or extent to which rural post offices can qualify for rate relief under the village shop rate relief scheme.

The Prime Minister announced on 21 October 1999, *Official Report,* column 630W, the Post Office Network Project, to identify the contribution made by post offices to the vitality of local communities, consider how the Post Office Network can best contribute to the Government's objectives in the future and in the process formulate objectives for the Post Office Network.

National Air Traffic Services

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions (1) if a public sector comparator was used as a benchmark against which the judgment to proceed with a public/private partnership option for NATS was made in line with the recommendations in technical note 5-The Objectives of a PPP; [110551]

(2) how he will ensure that an appropriate level of risk will be transferred in the proposed NATS public/private partnership to guarantee value for money for public funds; [110550]

(3) what economic appraisal techniques were used fully to evaluate the key commercial risks of the public/private partnership for NATS to ensure value for money for public funds. [110549]

Mr. Mullin: As set out on page 3 of the Treasury Taskforce Private Finance Guidance (Technical Note No. 5), the Government will ensure a proper competition is

held to identify a private sector strategic partner. The Government, along with their financial advisers, have also carried out a proper assessment of the economic and commercial risks, including on proceeds and for major projects such as the New En-Route Centre and the New Scottish Centre. This assessment included both qualitative and quantitative techniques such as risk-adjusted discounted cash flow analysis.

The Government have also undertaken a comprehensive assessment of benefits offered to NATS, its customers and the public sector compared to retention of NATS in the public sector. In making this assessment, the Government considered a wide range of factors, including qualitative factors such as its objectives for the PPP to improve NATS efficiency and project management abilities. The Government concluded that only a private sector solution, by providing commercial disciplines and access to private sector project management skills, would offer the right combination of benefits to NATS, its customers and the public sector.

A full analysis was made of how the risks could be best allocated between public and private sectors to ensure that the risks are borne where they are best managed and also to deliver value for money. In the case of the NATS PPP, the risk transfer will be commensurate with the transfer of control to the private sector. Following receipt of tenders from bidders, a final assessment will be made to ensure value for money and a proper transfer of risk.

Racist Incidents

Charlotte Atkins: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many local authorities in England (1) have established schemes for co-operation with *(a)* the police and *(b)* other agencies for the purposes of sharing information concerning racist incidents; [111289]

(2) how many local authorities in England have adopted the definition of racist incident given in the Stephen Lawrence inquiry report. [111290]

Fiona Mactaggart: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities in England *(a)* are and *(b)* are not participating in multi-agency panels to tackle racial harassment. [110297]

Mr. Stephen Twigg: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities in England *(a)* provide and *(b)* support the provision of facilities for the reporting of racist incidents. [110367]

Ms Beverley Hughes: This information is not held centrally. However, following my right hon. Friend the Home Secretary's Action Plan, my right hon. Friend will be announcing tomorrow the publication of the first annual report. It will set out the details of progress made and identify action still to be taken across public services.

In addition, for 2000–01 the Audit Commission has required that local authorities publish annually the number of racial incidents recorded by the authority per 100,000 population and the percentage of such incidents that result in further action by the authority. For this purpose, racial incidents are

"any incidents regarded as such by the victim or anyone else"

which reflects the definition given in the Stephen Lawrence inquiry report. The indicators cover all an authority's services.

Council House Sales

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to *(a)* require and *(b)* request councils to sell off council housing. [111114]

Mr. Mullin: We have no plans to force local authorities to sell off their council housing. Housing transfers to registered social landlords will remain voluntary and require the approval of tenants before they can take place. However, we are keen for local authorities to pursue transfer where it is clearly part of their housing strategy and will improve the living conditions of tenants and the service which they receive.

Driving Test Centres

Mr. Livsey: To ask the Secretary of State for the Environment, Transport and the Regions what was the cost of running the *(a)* Llandrindod Wells-Powys, *(b)* Newtown-Powys, *(c)* Brecon-Powys, *(d)* Kington-Herefordshire and *(e)* Hereford driving test centres for each of the last three years, indicating the total property rental costs in each case. [111101]

Mr. Hill: The Driving Standards Agency does not have a driving test centre in Kington, Herefordshire. The annual property costs, including rates, service charges, maintenance and utilities, for the other four locations are shown, with the rental shown separately.

£

	1996–97	*1997–98*	*1998–99*	*Rent*
Llandrindod Wells	2,895	3,256	1,458	379
Newtown	5,530	6,342	5,687	3,408
Brecon	11,107	4,234	4,582	1,000
Hereford	9,563	5,530	4,258	2,450

Land Use (Tyne and Wear)

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate on the basis of the provisional national land use database the area of *(a)* vacant and *(b)* derelict land in each local authority in Tyne and Wear together with the area available for (i) conversion, (ii) reuse and (iii) redevelopment. [111358]

Ms Beverley Hughes: The available information for the local authority districts is in "Government Statistics Supplementary Table" on the NLUD website (www.nlud.org.uk); the table provides an extract for Newcastle, North Tyneside, South Tyneside, Sunderland and Gateshead. It shows the total amounts of previously developed vacant land, derelict land and land occupied by vacant buildings reported by each local authority. It is important to note that not all of this land will be available for redevelopment. The table shows the portions allocated

for housing use in the local plan or with planning permission for housing. The table additionally shows amounts of land in use with allocation for redevelopment or with planning permission for housing. The figures refer to the time of the survey in 1998, and have not been adjusted for some cases where the coverage was partial.

Supplementary table—Previously developed land that is unused or may be available for redevelopment[1] by land type and Planning Authority: England 1998

hectares

Government Office Region[2]/ Planning Authority and National Parks	*Previously developed vacant land*		*Derelict land and buildings*		*Land occupied by vacant buildings*		*Land currently in use with planning allocation for any use or planning permission for housing*	
	Area	*Of which proposed for housing*	*Area*	*Of which proposed for housing*	*Area*	*Of which proposed for housing*	*Area*	*Of which proposed for housing*
North East								
Gateshead	93	2	93	[3]1	4	[3]2	68	14
Newcastle upon Tyne	73	[4]6	91	1	5	1	51	9
North Tyneside	44	34	50	16	2	[5]—	3	3
South Tyneside	30	[4]10	29	[4,5]—	[5]—	[5]—	7	2
Sunderland	97	28	148	7	40	[3]9	66	19

[1] Ungrossed totals as reported by the authority. Comprises previously developed vacant and derelict land: vacant buildings (excluding single dwellings except where they could be developed into 10 or more dwellings); land or buildings currently in use, which are allocated in the local plan for any developed use or have planning permission for housing.
[2] Excludes National Parks, which are given at the end of the table.
[3] Completion is less than 85 per cent.
[4] Figures have been revised against the May 1999 Supplementary Table because of duplicate sites; amendments made by the Local Authority; data resubmitted by the Local Authority after the May 1999 Supplementary Table; changes to assumptions used by the DETR.
[5] Nil or less than half the final digit shown.

Press Officers

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions how many press officers were employed in his Department; and what was the total expenditure on press officers by his Department, at *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000. [111620]

Ms Beverley Hughes: Detailed information on the numbers of permanent civil servants employed in Departmental Press Offices during the financial year 1997–98 were provided in a memorandum dated 16 June 1998 to the Select Committee on Public Administration and published in its report on the Government Information and Communication Service (HC 770) in July 1998. A copy is in the Library of the House. The number of press officers in post and their cost in January 1999 was 34.3 staff costing £109,000 and in January 2000 was 40.8 staff costing £131,000.

Macpherson Report

Fiona Mactaggart: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the local authorities in England which have adopted action plans for tackling institutional racism following the Stephen Lawrence Inquiry report. [110296]

Ms Beverley Hughes: This information is not held centrally. However the "Local Authorities Race Relations Information Exchange" (LARRIE) is preparing a report for publication next month which will set out this information.

Taxis

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to allow licensed private hire vehicles to be driven by the spouses of licensed private hire vehicle drivers for non-hire purposes; and if he will make a statement. [110830]

Mr. Hill: I refer my hon. Friend to my reply to my hon. Friend the Member for Oldham, East and Saddleworth (Mr. Woolas) on 21 December 1999, *Official Report*, column 521W.

Water Companies

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions which water companies *(a)* have and *(b)* have not accepted responsibility for a free leak repair service for domestic supply pipes. [111275]

Mr. Mullin: All water companies currently offer some degree of free repair to all domestic customers' supply pipes, with the exception of Mid Kent Water. Most companies have some restrictions, for example up to a maximum cost for each repair, although many companies offer free or subsidised pipe replacement. Mid Kent Water will undertake free repairs only in areas where it considers water resources to be tight, but has not currently designated any such areas.

Full details for each company are provided in Appendix 2 of the Director General of Water Services' 1998–99 Report on Leakage and Water Efficiency.

Pollution (Falmouth Harbour)

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what recent directions he has given to the Environment Agency regarding pollution in Falmouth Harbour; and if he will make a statement. [111129]

Mr. Meacher *[holding answer 21 February 2000]:* Section 40 of the Environment Act 1995 provides for the Secretary of State to make directions to the Environment Agency in respect of the carrying out of any of its functions. No such directions have been made to the Environment Agency in respect of pollution in Falmouth Harbour.

In July last year I announced the designation of an additional 76 new shellfish waters, and the extension of 17 existing designations in England, including the Fal Estuary. In addition, My right hon. Friend the Secretary of State has made a number of designations of Sensitive Areas pursuant to implementation of the EC Urban Waste Water Treatment Directive. The most recent, made on 30 July 1998, included designation of the upper reaches of the Truro, Tresillian and Fal estuaries. In such areas, the Environment Agency is required to ensure through its discharge consenting powers that appropriate nutrient removal requirements are imposed through sewage discharge.

Pedestrians

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to publish a daughter document on facilities for pedestrians and strategies for promoting walking. [110746]

Mr. Hill *[holding answer 21 February 2000]:* Guidance to local authorities on encouraging walking will be published shortly.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received about producing guidance for local authorities on a strategy for pedestrians. [110748]

Mr. Hill *[holding answer 21 February 2000]:* The Secretary of State has received a letter from the Chairman of the Commission for Integrated Transport about publishing guidance on encouraging walking. This is being considered by Ministers.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what planning guidance he will produce to encourage facilities for pedestrians and to promote walking. [110747]

Ms Beverley Hughes *[holding answer 21 February 2000]:* The Government published for consultation last year a draft revision to Planning Policy Guidance Note 13 on Transport, which encourages local authorities to promote walking by a range of measures including the creation of safe and secure walking routes, improved design and access to new developments, pedestrianisation schemes, traffic calming and pedestrian-friendly road crossings. We intend to publish the final version of PPG13 later this year.

In September 1998, the Government published a good practice guide "Places, Streets and Movement: A companion guide to Design Bulletin 32. Residential roads and footpaths", which explains how the layout of residential areas can contribute to the promotion of walking.

Rough Sleeper Deaths

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many people sleeping rough died, broken down by cause of death, in each year since 1992; and if he will make a statement. [111070]

Mr. Hill: The Government do not collect this information. Research has, however, shown that the mortality rate of rough sleepers is higher than that of the general population; that rough sleepers are more likely than the general population to die of unnatural causes; and that they are much more likely to commit suicide.

Council Tax

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities that exceeded the council tax increase guideline set under the Council Tax Benefit subsidy limitation scheme in 1999–2000; what amount of subsidy is to be withdrawn from these local authorities in an individual basis; and on what date any withdrawal of subsidy will take effect. [111236]

Ms Beverley Hughes: Contributions to the cost of council tax benefit are required by 156 authorities in 1999–2000. Their contributions total £31.222 million. I have placed a table showing the individual figures for the 156 authorities in the Library.

Council tax benefit subsidy is paid in 12 monthly instalments during the year based on estimates submitted by the authority before the start of the financial year, and adjusted at mid year when authorities submit updated estimates. At the end of the financial year authorities submit final subsidy claims to DSS on actual expenditure when adjustments are made against previous estimates. The first subsidy instalments taking account of local contributions under the council tax benefit subsidy limitation scheme were made in October 1999 after authorities had submitted mid year estimates based on their contribution to council tax benefit.

FOREIGN AND COMMONWEALTH AFFAIRS

Helsinki Council

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 December 1999, *Official Report*, columns 59–60W, concerning parliamentary scrutiny of policy decisions or agreements on matters placed before the European Council at Helsinki on 10 to 11 December 1999, if he will list *(a)* the decisions approved there together with the title and reference numbers of related public documents; and *(b)* when they and related Government memoranda were placed in the Vote Office of the House. [105129]

Mr. Vaz: Strictly speaking, the European Council does not take decisions, but notes documents submitted to it in Council Conclusions. A number of documents were submitted to the Helsinki European Council on 10–11 December 1999. The table gives the titles, references and details of the scrutiny history of each document.

Scrutiny of documents submitted to Helsinki council

Document title	*Reference*	*Deposited in vote office*	*Date of explanatory memoranda (EM)*	*Comment*
Enlargement: Council report on the European Conference	13764/99	No	—	Sent to European Scrutiny Committee for information
Enlargement: Commission Composite Paper	12053/99	3 November 1999	FCO EMs of 22 and 29 November 1999	—
IGC on Institutional Reform: Presidency Report	13636/99	No	—	Sent to European Scrutiny Committee under cover of letter from FCO Minister of State
Enlargement: Guidelines for reform and Operational Recommendations	13863/99	No	—	Sent to European Scrutiny Committee under cover of letter from FCO Minister of State
CFSP: Presidency Reports on Military and Non-Military Crisis Management	13619/1/99	14 December 1999	FCO EMs of 30 November 1999 addressing security and defence, and military crisis separately	—
Common Strategy on Russia: Presidency progress report and workplan	13483/1/99	No	—	Sent to European Scrutiny Committee for information
Common Strategy on Ukraine	13523/2/99	14 December 1999	FCO EM of 30 November 1999	—
Stability Pact for SE Europe: Report on EU action	13814/99	—	—	Sent to European Scrutiny Committee for information
Economic and Monetary Affairs: Council Report on Economic Policy Co-ordination	13123/1/99	15 February 2000	EM under preparation	—
Economic and Monetary Affairs: Council Report on Reinforced Tax Co-operation	13140/1/99	27 January 2000	Treasury EM of 17 January 2000	—
Economic and Monetary Affairs: Presidency report reviewing the Fight against Fraud	13329/99	No	—	Sent to European Scrutiny Committee for information
Employment: Joint Employment Report 1999	10993/99, 13607/99	8 October 1999 (version 10993/99)	DfEE EM of 18 October 1999	—
Employment: Council Report on Employment Guidelines 2000	10992/99, 13605/99	8 October 1999 (version 10992/99)	DfEE EM of 18 October 1999	—
Employment: Council recommendation on the implementation of member States' employment policies	10994/99, 13608/99	11 October 1999 (version 10994/99)	DfEE EM of 18 October 1999	—
Council Report: for Integrating environmental aspects and sustainable development into energy policy	13773/99	11 January 2000	DTI EM of 4 January 2000	—
Council Report: on strategy on the integration of environmental and sustainable development into transport policy	11717/99	—	—	EM under preparation
Council Report: Integration of environmental protection and sustainable development into the Internal Market policy	11393/99, 13622/99	7 January 2000 (version 11393/99)	DTI EM of 11 January 2000	—
Council Report: Integrating sustainable development into the industry policy of the EU	13549/1/99	6 January 2000	26 October 1999	—
Council Report: Strategy on the environmental integration and sustainable development in common agriculture policy established by the Agriculture Council	12328/99, 13078/99	26 November 1999 (version 12328/99)	28 November 1999	—
Council Report on the integration of environment in the Community's development policies	13644/99	No	DfID unnumbered EM of 29 October 1999	—
Commission Report on integrating environment and sustainable development into Community policies	13572/99	No	—	Sent to European Scrutiny Committee for information.

Scrutiny of documents submitted to Helsinki council

Document title	*Reference*	*Deposited in vote office*	*Date of explanatory memoranda (EM)*	*Comment*
Commission co-ordinated report on environmental indicators	13573/99	No	—	Sent to the European Scrutiny Committee for information
Commission Communication on the global evaluation of the 5th action programme for the environment	13598/99	20 December 1999	DETR EM of 12 January 2000	—
Commission Report on Better Lawmaking 1999, including Subsidiarity	13725/99	20 December 1999	6 January 2000	—
Organised Crime: Report on the finalisation and evaluation of the Action Plan	9917/99	7 September 1999	22 September 1999	—
European Strategy against Drugs	12555/99	26 November 1999	26 November 1999	—
EU Action Plan on Russian Organised Crime: Basic Principles	10532/99, 13009/1/99	7 September 1999 (version 10532/99)	22 September 1999	—
Human Rights: Report on the reinforcement of EU action	13557/99	No	—	Sent to European Scrutiny Committee for information
Commission Report on safeguarding current sport structures and maintaining the social function of sport within the Community framework	COM(99)644	14 December 1999	DCMS EM of 20 December 1999	

Departmental Research Contracts

Dr. Harris: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 December 1999, *Official Report*, column 315W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108191]

Mr. Hain: I refer the hon. Member to the answer I gave on 8 February 2000, *Official Report*, columns 135–37W.

Austria

Mr. Jim Murphy: To ask the Secretary of State for Foreign and Commonwealth Affairs how many bilateral meetings were held between his Department and its Austrian counterpart in each of the last five years; and what was discussed at each meeting since May 1997. [109876]

Mr. Vaz: From May 1997 until December 1999 there were many bilateral and other meetings involving Foreign and Commonwealth Office Ministers and Officials and their Austrian Ministry of Foreign Affairs counterparts. A wide range of issues, mostly on EU related matters was discussed.

Departmental Functions (Food)

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs if all food served at his Department's official functions meets the standards of production required of domestic producers. [109784]

Mr. Battle *[holding answer 11 February 2000]:* All food served at official functions in my office is obtained from suppliers who are subject to the relevant legal requirements.

EU Enlargement

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future of the enlarged European Union in the light of the Helsinki European Council agreement. [109952]

Mr. Vaz: On 14 February the member states of the European Union convened an Intergovernmental Conference to make the institutional changes necessary to prepare for enlargement. The following day they launched accession negotiations with six countries (Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia), increasing to 12 the total number of countries currently in negotiation. Both events represent important steps towards a swift and successful enlargement of the EU, in line with the Helsinki European Council conclusions.

EU General Affairs Council

Mr. Jim Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs Council held in Brussels on 14 and 15 February; and if he will make a statement. [110552]

Mr. Vaz: The General Affairs Council in Brussels on 14–15 February adopted the A points listed in document no. 6075/00 and noted resolutions, decisions and opinions adopted by the European Parliament in its session of 3 February 2000 in Brussels, as listed in document no. 5316/00. Copies of these documents will be placed in the House Libraries as soon as they become available.

1. Preparations for Lisbon European Council

The Presidency summarised discussions so far. The UK welcomed the proposals for modernisation of the EU economy, and stressed the need for the Lisbon Special Council to agree clear objectives and a timetable for action.

2. Defence

The GAC agreed to establish three interim bodies as part of the follow-up to the Report to the Helsinki European Council on strengthening the Common European Security and Defence Policy: an interim Political and Security Committee, an interim military body, and a system for the detachment of national experts in the military field to the General Secretariat of the Council.

3. Charter of Rights

The Presidency gave a brief progress report on preparatory work on the draft EU Charter of Rights.

4. Commission reform

The GAC heard a presentation from the Commission Vice-President Neil Kinnock on proposals for management reform within the Commission. The GAC adopted conclusions welcoming these proposals and calling for their rapid implementation.

5. Freelance interpreters

The GAC did not reach agreement on the European Commission's proposal to restore the right of freelance interpreters employed by the Commission to be taxed at Community rates, rather than national rates. The issue will be reconsidered at a later date.

6. Opening of Inter-Governmental Conference (IGC)

Foreign Ministers inaugurated an Inter-Governmental Conference to decide institutional reforms necessary for enlargement. The President of the European Parliament, Nicole Fontaine, and the President of the Commission, Romano Prodi, made statements. Subsequent discussion focused on procedural arrangements for the IGC, such as the language regime for meetings and the order and scope of issues to be discussed.

7. Western Balkans

The GAC agreed to maintain its policy of applying maximum pressure on President Milosevic, without penalising the Serbian people. IT decided to suspend the flight ban for a period of six months, to extend the scope of the visa ban list and invited the Commission to present detailed proposals on enhancing the effectiveness of existing financial sanctions. The GAC repeated the urgency of re-establishing freedom of navigation on the Danube and agreed that responsibility in this regard lay mainly with the Federal Republic of Yugoslavia (FRY).

The GAC invited the Commission to submit further proposals to address Montenegro's most pressing needs, including facilitation of trade. It reiterated the importance of including Montenegro in the regional projects to be presented at the Regional Funding Conference for the stability pact.

The GAC reiterated its condemnation of all acts of violence in Kosovo and was particularly concerned by the renewed outbreak of ethnic violence in Mitrovica and the recent attacks against members of KFOR. The GAC warned that its assistance to Kosovo was dependent on progress in inter-ethnic reconciliation. The GAC took note of the High Representative's appeal to provide more police officers for the UN Civil Police mission, and welcomed the Commission's announcement of the early disbursement of 35 million euros to the consolidated Kosovo budget.

The GAC agreed on an early visit by an EU Ministerial Troika to Croatia. It also invited the Commission to prepare a feasibility study on the prospects of a Stability and Association Agreement. The Prime Minister of Croatia, Mr. Ivica Racan, joined EU Ministers for coffee after lunch.

The GAC reiterated its concern about the unwillingness of the leadership of Bosnia and Herzegovina to implement the New York declaration and efforts to unravel the Dayton-Paris General Frame Agreement for Peace.

The GAC gave its full support to the efforts of the Special Co-ordinator, the European Commission and the World bank to give a strong impetus to the Stability Pact's goal of reinvigorating the political and economic reform process and stimulating regional co-operation.

The GAC endorsed the principal findings in the Commission's report of the Stabilisation and Association process for Bosnia and Herzegovina, Croatia, Former Republic of Yugoslavia, Former Yugoslav Republic of Macedonia and Albania. The Council hoped that the next conditionality review could show significant improvements and underlined the need for fulfilment of all conditions by these countries.

8. Middle East Peace Process

The GAC issued conclusions urging restraint in Lebanon; expressing regret and concern that the 13 February deadline for a Framework Agreement between the Israelis and Palestinians had been missed; and urging the Israelis and Palestinians to resume negotiations with a view to concluding permanent status negotiation within the agreed target period.

9. Russia

The GAC discussed the latest situation in Chechnya, called on the Russian government to take immediate steps towards a peaceful solution and stressed the need to meet the humanitarian needs of people displaced by the war. The GAC reiterated its support for the OSCE and Council of Europe's efforts to reach a peaceful settlement and expressed its concern about the missing Russian journalist Andrei Babitski.

10. Mexico

The GAC welcomed the outcome of negotiation between the EU and Mexico on a Free Trade Agreement, and reaffirmed the importance of the Agreement entering into force quickly. The GAC also agreed that the Commission should monitor and evaluate the impact of the tariff import quota granted to Mexico for orange juice, and that the provisions agreed regarding rules of origin for industrial products did not constitute a precedent for negotiations with third countries.

11. EU/South Africa

The Council discussed outstanding difficulties relating to the provisional application of the EU/South Africa Trade, development and Co-operation Agreement. The Council agreed a draft letter to South Africa, on the basis of earlier discussions between South Africa and the European Commission, proposing a solution to the outstanding difficulties and confirming the Council's agreement to the provisional application.

12. Indonesia

The Commission presented a communication on Indonesia. This will be the subject of detailed discussion at the March GAC.

13. Association Council with Estonia, Lithuania and Latvia

Associations Councils with Estonia, Lithuania and Latvia were held in the margins of the GAC on 14 February. The Association Councils covered preparations for accession, trade, international issues and implementation of the European Agreements.

14. Enlargement

On 15 February, six separate Inter-Governmental Conferences were launched establishing accession negotiations with Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia.

Kazakhstan

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what response the UK Ambassador made to the proposal by the Kazakhstan Government to change the country's capital city. [110695]

Mr. Vaz: It is not for our Ambassador to comment on the change of Kazakhstan's capital city, which transferred formally from Almaty to Astana in June 1998.

The British Embassy in Kazakhstan, which is also responsible for Krygyzstan, is still situated in Almaty, as are the Embassies of our EU partners and most other countries. We and our EU partners keep the question of transferring our Embassies to the new capital under regular review.

Serbia

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the Government have for an expansion of the heating oil to Serbia scheme. [110694]

Mr. Vaz: The initial response of the Serbian government to the Energy for Democracy scheme was to block the first consignment of heating oil at the FRY/Macedonian border. They were forced to let the consignment through after public protests in the towns of Nis and Pirot. The scheme has helped to refute one of Milosevic's main propaganda lies, that the West is anti-Serb. The EU has now agreed to consider the expansion of the scheme to a further five towns: Novi Sad, Subotica, Sombor, Kraljevo and Kragujevac.

South-Eastern Europe

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what projects have been *(a)* agreed by and *(b)* put to, but not yet agreed by (i) the European Union, (ii) the World Bank, (iii) NATO and (iv) other institutions, as part of the Stability Pact for South-Eastern Europe. [110691]

Mr. Vaz: A large number of projects for the Economic Reconstruction and Security Working Tables of the Stability Pact were tabled at Pact meetings in Skopje on 10–11 February and Sarajevo on 15–16 February. Democracy and Human Rights projects are to be tabled at a meeting in Budapest on 21–22 February. Others are being submitted directly to the Office of the Stability Pact Special Co-Ordinator.

After the Budapest meeting the Special Co-ordinator's Office will begin tabulating, sifting and prioritising the projects, with a view to tabling a final list at a Regional Financing Conference to be held in Brussels on 29–30 March. International Financial Institutions (including the World Bank), the European Commission and other donors will then consider which of these projects might be financed.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what forthcoming conferences and meetings with UK Government involvement are planned to consider economic projects for South-Eastern Europe; and what is on the agendas. [110692]

Mr. Vaz: The UK expects to be represented at a South-Eastern Europe Regional Financing Conference in Brussels on 29–30 March, which will consider financing of projects for the region. The agenda for this meeting has not yet been set.

Danube

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received on cyanide pollution in the Danube; and if he will make a statement. [111003]

Mr. Vaz: We have followed with concern reports of the pollution in the Danube caused by a serious spill of cyanide-contaminated water from a gold mine in Western Romania. There is no UK involvement in this disaster. The UK supports the EU principle of "The Polluter Pays". We also support the EU initiative in calling for an investigation into the causes of this pollution.

European Union Political and Security Committee

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the *(a)* terms of reference and *(b)* proposed composition of the European Union Political and Security Committee. [110701]

Mr. Vaz: The Presidency report adopted at the Helsinki European Council on strengthening the common European security and defence policy adopted at the Helsinki European Council, and placed in the Library of the House, proposed the establishment of a standing Political and Security Committee which would deal with all aspects of the Common Foreign and Security Policy, including the common European security and defence policy, in accordance with the provisions of the Treaty on European Union, and without prejudice to Community competence; and that the Committee would be composed of national representatives of senior/ambassadorial level.

Departmental Employees

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many senior civil servants from an ethnic minority background are employed in his Department; and how many of them are *(a)* men and *(b)* women. [110689]

Mr. Hain: Information on the ethnic origin of the Department's staff is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff we do not disclose data relating to fewer than five people. My Department has fewer than five people of minority ethnic origin in its Senior Management Structure. The Foreign and Commonwealth Office is committed to ensuring that it

reflects the diversity of modern Britain. The Department has a comprehensive minority strategy in place to ensure this happens.

Russia

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the President of Russia; and if he will make a statement on the matters discussed. [111004]

Mr. Vaz: My right hon. Friend the Foreign Secretary will meet Acting President Vladimir Putin in Moscow this week. He expects to discuss the situation in Chechnya, the outlook for Russia, and a range of issues on the international agenda.

Middle East

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the Israeli *(a)* politicians and *(b)* political advisers who met Lord Levy on each of his visits to the Middle East as the Prime Minister's Special Envoy. [110509]

Mr. Hain *[holding answer 17 February 2000]:* I refer to the answer given today by my right hon. Friend the Prime Minister to the hon. Member for Lewes (Mr. Baker).

Peat Compost

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110725]

Mr. Hain: Our policy is that the use of peat should be avoided and manures, coir, bark chippings and organic fertilizers used instead.

Departmental Energy Use

Mr. Gareth R. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the electricity used by his Department is generated from renewable sources; and if he will make a statement. [111036]

Mr. Hain: None of the electricity used by the Department is currently generated from renewable sources.

British Council

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what extra Government grant will be allocated to the British Council for the opening of planned new country directorates in *(a)* Libya and *(b)* Iran. [111261]

Mr. Hain: The British Council is funded through grant-in-aid, voted by Parliament, for its activities world-wide rather than through specific grants for individual countries. The Council makes decisions about resource allocation for its activities in consultation with the Foreign and Commonwealth Office.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy to give the same percentage increase or decrease in Government grant to the British Council at the annual spending review as his Department receives in the review; and if he will make a statement. [111244]

Mr. Hain: I refer my hon. Friend to the reply given to the hon. Member for South-West Devon (Mr. Streeter) on 9 February 2000, *Official Report*, column 181W.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what extra grant was allocated by his Department to the British Council for opening the new country directorates in *(a)* Bolivia and *(b)* Cuba. [111262]

Mr. Hain: The British Council is provided with grant-in-aid funding for its activities world-wide. This Government provided the Council with an increase in its grant-in-aid at the first opportunity, ie in the Comprehensive Spending Review settlement covering 1999–2000 to 2001–02. The Council makes decisions on the allocation of resources for its activities, in consultation with the Foreign and Commonwealth Office.

Export Licences (Pakistan)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 11 February 2000, *Official Report*, column 336W, if he has amended any valid open general export licence since 12 October 1999 by removal of Pakistan as a permitted destination; whether he has issued any instructions to HM Customs and Excise to prevent the export to Pakistan of any specified goods for which a valid standard or open licence is in force; if he has revoked any licence for the export of licensable goods to Pakistan since 12 October 1999; and if he will make a statement. [111079]

Mr. Hain: I refer my hon. Friend to my answer of 11 February 2000, *Official Report*, columns 336–37W. None of these steps have been taken. There is no arms embargo on Pakistan. It is possible that some exporters with valid licences agreed before 12 October have competed deliveries under these licences.

Recycling

Mr. Crausby: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of documentation used by his Department is *(a)* made from recycled paper and *(b)* collected for recycling. [111600]

Mr. Hain: The FCO does not have this information readily available.

We are currently carrying out an Environmental Audit which will include recommendations on how to achieve the recycling targets set out in the 1st annual report of the Green Ministers committee.

"Your Britain, Your Europe" Roadshow

Mr. John Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 29 November 1999, *Official Report*, column 33W, which business, educational and other organisations contributed to the "Your Britain, Your Europe", roadshow; and what they contributed. [111152]

Mr. Vaz: I visited a number of schools and businesses during the "Your Britain, Your Europe" roadshow. These included Woodham Comprehensive

School (Newton Aycliffe), St. Joseph's School (Hebburn), Nissan Manufacturing (UK), Hull University, CORUS Engineering Steels, Rotherham Chamber of Commerce, Kwik Strip Eco Solutions (Bristol), Queen Elizabeth Hospital School (Bristol), the South West Regional Euro Forum, Bath University, King Edward VI College (Nuneaton), St. John's Primary School (Birmingham), Birmingham Chamber of Commerce and De Montfort University (Leicester). Some of these organised events to mark my visit.

Mr. John Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs what information was distributed during the "Your Britain, Your Europe" roadshow which directly related to the promotion of the European single currency. [111153]

Mr. Vaz: We did not distribute any material relating to the promotion of the European single currency during the roadshow.

EuroMed

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer of 15 February 2000, *Official Report*, column 762, on EuroMed, if he will list matters covered by negotiations for EuroMed agreements. [111164]

Mr. Vaz: Association Agreements negotiated between the EU and individual EuroMed countries cover a wide range of topics, including:

political dialogue

respect for human rights

free movement of goods

agricultural and fisheries products

right of establishment and services

movement of capital

competition

economic cooperation

dialogue and cooperation against money laundering, drugs, terrorism and illegal immigration

treatment of legally resident nationals

cultural matters

financial cooperation (through the EU's MEDA funding programme).

European Union

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to press for greater flexibility in institutional arrangements in the European Union. [111382]

Mr. Vaz: The Government's approach to flexibility is set out in the IGC White Paper which was laid before the House on 15 February.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer of 15 February 2000, *Official Report*, column 781, concerning a united Europe of states, what the Government's policy is on the powers which states within the EU should continue to be able to exercise independently. [111109]

Mr. Vaz: The independence of member states is not an issue which will be addressed at the IGC. It will be about those reforms necessary to ensure the Union continues to function effectively after enlargement.

Seal Culling (Russia)

Mr. Prosser: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Russian Government on the culling of baby seals in Russian waters. [111427]

Mr. Vaz: We raised the issue of seal culling with the Russian Ambassador in April last year. Our Embassy in Moscow raised it with the Russian authorities in July. On both occasions we reiterated the strong concerns felt about this issue by both parliamentarians and the British public.

Colonel Gaddafi

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of transcripts of interviews he has given on allegations of British intelligence involvement in an attempted assassination of Colonel Gaddafi. [111591]

Mr. Robin Cook: I have been asked about this subject in interviews given to the BBC on 9 August 1998 and 14 February 2000. These interviews are a matter of public record. The full text of the first of these interviews is available on the FCO website at www.fco.gov.uk/news/newstext.asp?1401.

Iran

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making to the Government of Iran about the death sentences imposed on three Iranian Bahài in the city of Mashad on 3 February; and if he will make a statement. [111621]

Mr. Hain: We are concerned at reports that three members of the Bahài community were sentenced to death on 3 February. We therefore welcome the subsequent statement from a spokesman for the Iranian Judiciary that no such sentences have been passed, and that there remained the possibility that any convictions would be quashed. The Portuguese Presidency on behalf of the EU member states summoned the Iranian Ambassador to Lisbon on 17 February to express our concern at these reports and seek clarification. The Ambassador was unsighted but said that he would convey the concern of the EU to Tehran. We shall be taking similar action bilaterally.

TRADE AND INDUSTRY

Power Stations

Ms Southworth: To ask the Secretary of State for Trade and Industry when he will announce his decision on Eastern Merchant Generation's proposal to retrofit the flue gas desulphurisation plant at the West Burton coal-fired power station. [111901]

Mrs. Liddell: I have today granted consent under Section 36 of the Electricity Act 1989 to Eastern Merchant Generation Limited for the construction of flue gas

desulphurisation plant at the 2,000 MW coal-fired power station at West Burton in Nottinghamshire. Planning permission for the plant has also been deemed to be granted, subject to 49 planning conditions agreed with the Nottinghamshire County Council and the Bassetlaw District Council and also subject to the company entering into an agreement with the County Council under section 106 of the Town and Country Planning Act 1990 to carry out necessary collateral works. The decisions have been taken in accordance with the policy set out in the White Paper entitled 'Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee' (Cm 4071).

Copies of the Press Notice and decision letter are being placed in the Library of the House.

Mrs. Gilroy: To ask the Secretary of State for Trade and Industry when he will announce his decision on Smith Kline Beecham Pharmaceuticals and Scottish Power plc's proposal to build a combined heat and power station at Irvine, Ayrshire. [111903]

Mrs. Liddell: I have today given clearance under Section 14 of the Energy Act 1976 to SmithKline Beecham Pharmaceuticals and ScottishPower plc's notification to build a 45 MW gas-fired combined heat and power station at the SmithKline Beecham works, Irvine. The decision has been taken in accordance with the policy set out in the White Paper entitled "Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071).

The decision to give clearance to the proposal on energy policy grounds is without prejudice to any decision that may be taken on whether or not planning permission is granted.

Copies of the Press Notice and the clearance letter are being placed in the Library of the House.

National Minimum Wage

Mr. Neil Turner: To ask the Secretary of State for Trade and Industry if the Government will provide a detailed response to the Low Pay Commission's recommendations on the national minimum wage. [111902]

Mr. Byers: Yes. The Government are today publishing their detailed response to the recommendations and suggestions contained in the Low Pay Commission's second report. Copies will be placed in the Libraries of both Houses alongside the Report itself, which the Government published on Tuesday 15 February at the same time as they announced increases to the main and youth rates, and a new remit for the Low Pay Commission.

British American Tobacco

Mr. Austin: To ask the Secretary of State for Trade and Industry what action he proposes to take regarding the trading activities of British American Tobacco; and if he will make a statement. [111486]

Dr. Howells: The Companies Acts enable me to investigate companies to establish the facts when there are suggestions of serious misconduct or fraud. The allegations here seem more appropriate for HM Customs and Excise, who are responsible for issues relating to smuggling and VAT evasion. I understand that officials there have received documents on this matter and are considering them.

The Health Select Committee is currently looking into aspects of this affair. My hon. Friend will understand that I cannot comment further.

Working Time Directive

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what assessment he has made of the implementation of the Working Time Directive. [110594]

Mr. Alan Johnson: The Government commissioned an interim report of research on the implementation of the Working Time Regulations. A copy of the report is available from the Library of the House.

Post Offices

Mr. Alexander: To ask the Secretary of State for Trade and Industry if he will estimate the proportion of the *(a)* turnover and *(b)* profit of sub-post offices in Paisley, South that accrued from benefit transaction charges in the last 12 months for which figures are available. [111138]

Mr. Alan Johnson: These figures are commercially confidential but I understand from the Post Office that, of the 17 post offices in the Paisley, South constituency, 12 derive 40 per cent. or more of their workload from Benefits Agency-related work.

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry how many rural *(a)* banks and *(b)* post offices closed in each year since 1992; and if he will make a statement. [110711]

Mr. Alan Johnson: I understand from the Post Office that the numbers of rural post office closures are as follows:

Year to March	
1992	33
1993	163
1994	160
1995	55
1996	131
1997	149
1998	235
1999	214

I understand from the British Bankers' Association that data on bank closures is not maintained in a form which identifies rural locations. The numbers of bank branch closures in total are as follows:

Year to December	
1992	522
1993	626
1994	432
1995	646
1996	820
1997	680
1998	355

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry how many pensioners he estimates use rural post offices for collecting pensions; and if he will make a statement. [110710]

Mr. Alan Johnson: The Post Office does not hold details of benefit recipients individually or by category.

Mr. Breed: To ask the Secretary of State for Trade and Industry what plans he has to improve access to post offices for people in rural areas. [110781]

Mr. Alan Johnson: The Government are committed to ensuring that post offices are equipped and re-designed to face the future, and that they are thereby able to continue to play their role as an essential part of the country's social fabric. For the first time, under provisions in the Postal Services Bill, the Government will issue access criteria for post office counter services to ensure reasonable access to these services, particularly in rural areas and areas of social deprivation. Details of the access criteria will follow the conclusion of the work by the Performance and Innovation Unit.

Mr. Breed: To ask the Secretary of State for Trade and Industry what percentage of the population lives *(a)* within one mile of a post office and *(b)* over three miles from a post office in (i) rural areas and (ii) urban areas. [110782]

Mr. Alan Johnson: The Post Office have provided the following information:

Percentage

Distance	*Urban*	*Rural*	*Northern Ireland*
0.25 mile	49	19	29
0.50 mile	92	52	60
1 mile	100	85	83
2 miles	100	97	96
3 miles	100	99	100
5 miles	100	100	100

Rural areas comprise settlements of less than 6,300 people.

Data for Northern Ireland are not split between urban and rural categories.

Mr. Ashdown: To ask the Secretary of State for Trade and Industry what action he is taking to help all sub-post offices to diversify into *(a)* bureau de change services, *(b)* car tax renewals, *(c)* National Lottery on-line and *(d)* mobile phone top-up cards; and if he will make a statement. [109479]

Mr. Byers *[holding answer 11 February 2000]:* A bureau de change service, introduced in 1996 and providing a wide range of currencies and travellers cheques, is available from all post offices nationwide. Currently 631 post offices offer an on demand bureau de change service whereby foreign currencies and travellers cheques can be bought over the counter. Bureau de change service is available to order throughout the rest of the network and provides delivery within four working days.

The number of vehicle re-licensing offices has increased from some 2,000 in the early eighties to the present 4,000.

National Lottery on-line terminals are sited in 4,303 post offices, of which 3,771 are sub-post offices and approximately 1,500 are located in rural areas.

Mobile phone pre-pay vouchers are currently available from some 4,800 post offices. I am pleased to be able to inform the right hon. Member that this service will be available to a further 1,800 post offices by April.

Mr. Ashdown: To ask the Secretary of State for Trade and Industry what is his estimate of the additional income which will accrue to post offices from cash dispensers to be installed in post offices over the next two years; and if he will make a statement. [109478]

Mr. Byers *[holding answer 11 February 2000]:* The additional income accruing to post offices from the installation of cash dispensers will be dependent on the size and location of the post offices concerned.

Nannies

Jackie Ballard: To ask the Secretary of State for Trade and Industry on what date he will implement a code of practice for nanny agencies. [111251]

Mr. Alan Johnson: My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities announced on 17 January that the principles in the proposed voluntary code for nanny agencies would be reflected in the revised statutory regulations to govern the conduct of employment agencies which we expect to table in Spring. Specific guidance for nanny agencies will be issued around that time.

Holocaust Survivors

Mr. Dismore: To ask the Secretary of State for Trade and Industry what progress he is making in discussions with the banking industry concerning bank charges levied on Holocaust survivors in respect of conversion of pensions to sterling from Deutchmarks; what response he has received from the banking industry to his letter to them; when he will place the relevant correspondence in the Library; and if he will make a statement. [111653]

Mr. Byers: As I said in my reply on 29 October 1999, *Official Report*, column 1012W, I am pursuing this matter with the banking industry. I will send a substantive reply to my hon. Friend as soon as I have received a full response from the banking industry. I will place a copy of my response in the Libraries of the House.

Departmental Staff

Caroline Flint: To ask the Secretary of State for Trade and Industry in the last five years, what proportion of women employees in (i) his Department and (ii) executive agencies under the control of his Department, *(a)* returned to work after childbirth, *(b)* returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, *(c)* returned to work after childbirth on reduced working hours, indicating the average hours worked and *(d)* returned to work after childbirth full-time and subsequently reduced their hours. [109234]

Dr. Howells: In DTI Headquarters, the following data are available on women taking and returning from maternity leave in the last five years:

Calendar year	*Number of staff going on maternity leave*	*Number of staff returning from maternity leave*
1995	116	32
1996	101	39
1997	67	37
1998	69	44
1999	67	37
Total	420	189

Those returning in each year may, in addition to their maternity leave entitlement on full pay, have taken a period of unpaid maternity leave which may extend up to 41 weeks after the birth. They will not therefore have necessarily begun their leave in the same year. Other staff may continue on a career break for up to 5 years following their full maternity leave entitlement.It is not possible to obtain the full data requested on length of maternity leave or hours worked on return for Headquarters staff using the Department's current personnel database without incurring disproportionate cost. Chief Executives of the Departments Agencies have been asked to reply separately.

Letter from Ian Jones to Caroline Flint, dated 22 February 2000:

You tabled a Parliamentary Question on 4 February to the Secretary of State for Trade and Industry about women employees in his Department and executive agencies. I have been asked to reply in respect of the Employment Tribunals Service (ETS) which is an executive agency of the DTI.

Between 1997 and 1999 forty-three staff returned from maternity leave.

I am able to inform you that the remaining information you have requested is either not available or could only be made available at disproportionate cost. It is not possible for ETS to identify most of the data requested, using the current Personnel data system (Permis), without more complex programming which would take several days.

The information dates only from the period since the inception of the Employment Tribunals Service as an executive agency in 1997. There are no earlier records held on the Permis system.

Letter from J. S. Holden to Caroline Flint, dated 22 February 2000:

I have been asked to reply to your recently tabled Parliamentary Question to the Secretary of State for Trade and Industry in respect of Companies House Executive Agency.

In the last five years, of the total number of women employees who have taken maternity leave.

(a) 100% returned to work after childbirth. However, 5% left shortly afterwards as they only returned so that they would not lose their paid maternity leave benefit. They would have been accommodated in part-time posts if they had so wished.

(b) 100% took their full paid maternity benefit.

(c) 30% changed their hours immediately on their return to work, and then worked on average 19 hours per week.

(d) 15% returned to full-time hours and changed to part-time hours subsequently, and then worked on average 24 hours per week.

The remainder carried on working their previous working pattern by choice, which could be either full-time or part-time.

Letter from David Hendon to Caroline Flint, dated 22 February 2000:

The Secretary of State for Trade and Industry has asked me to reply to your question on behalf of the Radiocommunications Agency.

The following information relates to women within the Radiocommunications Agency who have taken maternity leave in the last five years.

(a) 84 percent of women returned to work after childbirth

(b) 66 percent of those women returned to work before the end of maternity leave of which the time range was 41 weeks and the mean time was 18 weeks

(c) 6 percent of women returned to work after childbirth on reduced working hours for which the average part-time hours worked was 19 hours per week

(d) 9 percent of women returned work after childbirth on a full-time basis but subsequently reduced their hours.

Letter from Peter Joyce to Caroline Flint, dated 22 February 2000:

The Secretary of State for Trade and Industry has asked me to reply to your question about the proportion of women employees in The Insolvency Service who in the last five years (a) returned to work after childbirth, (b) returned to work after childbirth before the end of maternity leave, indicating the (1) time-range and (2) mean time, (c) returned to work after childbirth on reduced working hours, indicating the average hours worked and (d) returned to work after childbirth full-time and subsequently reduced their hours.

The table below provides limited information about the number and percentage* of female staff commencing and returning from maternity leave in the last five years:

Year	*Number of women commencing maternity leave*	*Percentage*	*Number of women returning from maternity leave*	*Percentage*
1995	27	3.75	40	5.6
1996	33	4.6	31	4.3
1997	29	4.0	32	4.4
1998	33	4.6	30	4.2
1999	20	2.8	28	3.9

* Based on the estimated number of women working in The Service during the five years of 720.

However, I regret that the information held centrally by The Service on its staff is not maintained in a form which would provide the specific details you have asked for except at disproportionate cost.

Letter from Seton Bennett to Caroline Flint, dated 22 February 2000:

The Secretary of State for Trade and Industry has asked me to reply on behalf of NWML to your question regarding women employees returning to work after childbirth.

Within the Agency in the last 5 years, 3 women employees (12.5% of the female workforce here) have taken maternity leave. Thus, in response to your specific questions:

(a) 100% returned to work after childbirth

(b) None returned before the end of maternity leave

(c) 100% returned to work on reduced working hours (although one employee had been part-time prior to maternity leave), the average hours being 20 per week.

(d) None returned full-time and subsequently reduced their hours.

I trust that this will be satisfactory.

Letter from Alison Brimelow to Caroline Flint, dated 22 February 2000:

I am replying on behalf of the Patent Office to your Parliamentary Question to the Secretary of State for Trade and Industry relating to the return to work of women employees after childbirth during the last five years. The information is based on 77 cases.

(a) 81.8% returned to work after childbirth.

(b) 35% returned to work before the end of the Statutory Maternity Pay period.

(i) time range 5–15 weeks

(ii) mean time 14.04 weeks

(c) 26.8% returned to work on reduced working hours at an average of 18 hours per week.

(d) 15.6% returned to work full-time and subsequently reduced their hours.

Mr. Cox: To ask the Secretary of State for Trade and Industry how many senior civil servants from an ethnic minority background are employed in his Department; and how many of them are *(a)* men and *(b)* women. [110688]

Dr. Howells: As at 1 April 1999, 55 members of the senior civil service as a whole were from an ethnic minority background (1.7 per cent).

Information on ethnic origin in the Civil Service is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff we do not disclose data relating to fewer than five people.

My Department has fewer than five people of ethnic minority background in the Senior Civil Service.

Departmental Initiatives

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if he will list the initiatives launched by his Department since May 1997 under which specific grants are allocated, indicating in each case and for each financial year the funding provided by central Government. [109316]

Mr. Byers *[holding answer 10 February 2000]:* A detailed breakdown of the Department's activities is given in the annual Expenditure Plans Reports Trade and Industry: The Government's Expenditure Plans (Cm 3905, Cm 3605, Cm 4211), published by the Stationery Office Limited.

Paid Parental Leave

Ms Harman: To ask the Secretary of State for Trade and Industry how many recent representations he has received in support of paid parental leave from *(a)* hon. Members and *(b)* others. [110466]

Mr. Byers: From the start of the consultation on the Maternity and Parental Leave Regulations on 4 August 1999, we have received approximately 310 representations in support of paid parental leave. This includes the consultation responses and around 260 letters received by the Department.

In addition to these representations, we have discussed this issue with key representatives and we are setting up a group to monitor and evaluate the take-up of unpaid parental leave. Its findings will influence our future thinking.

Retail Price Comparisons

Mr. Martlew: To ask the Secretary of State for Trade and Industry what was the total net price in sterling of the 56 items surveyed in the AC Nielsen report for each of the four countries included in the project. [111059]

Dr. Howells: Information on the net price of each of the 56 items is included in AC Nielsen's report on international retail price comparisons, a copy of which has been placed in the Library of the House. It is also available on the Internet.

The research was designed to provide item by item comparisons and comparisons of totals for any sub-group of items, or for the list as whole, are not valid.

Indonesia

Mr. Pollard: To ask the Secretary of State for Trade and Industry how many arms export licences for Indonesia have been *(a)* applied for, *(b)* granted and *(c)* rejected since May 1997, in each case listing the categories of equipment they cover. [110772]

Dr. Howells: Details of export licensing decisions between 2 May 1997 and 31 December 1998 were set out in the Government's Annual Reports on Strategic Export Controls published by the Foreign and Commonwealth Office in March and November 1999; copies are in the Library of the House.

The entry in the relevant legislation under which the export of goods is controlled is known as their rating. As regards export licences granted since 1 January 1999, the Export Control Organisation's computer databases have been interrogated. Between 1 January 1999 and 11 February 2000, 16 Standard Individual Export Licences (SIELs) and eight Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Indonesia of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, commonly known as the Military List. No applications for a SIEL or OIEL were refused during this period. Individual licences may cover a range of goods with various ratings (and OIELs may also cover a range of countries). Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Individual Licences issued between 1 January 1999 and 11 February 2000 covering the export to Indonesia of goods on the Military List

Rating	*Number of SIELs issued covering goods with this rating*	*Number of OIELs issued covering goods with this rating*
ML1	1	0
ML2	2	0
ML3	1	0
ML6	0	1
ML9	1	3
ML10	8	3
ML11	2	1
ML14	1	0
ML21	0	1
ML22	0	2
PL5017	0	1

No new licences were issued for the export to Indonesia of goods on the Military List during the four month period of the EU arms embargo which expired on 17 January 2000.

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

As at 11 February 2000, decisions had not yet been taken on eight applications for a SIEL and 14 applications for an OIEL to export such goods to Indonesia.

Individual Licence applications pending as at 11 February 2000 covering the export to Indonesia of goods on the Military List

Rating	*Number of pending applications for SIELs covering goods with this rating*	*Number of pending applications for OIELs covering goods with this rating*
ML4	0	1
ML5	0	2
ML9	1	3
ML10	6	5
ML11	0	4
ML13	0	2
ML14	0	1
ML15	0	4
ML17	0	1
ML18	0	1
ML22	1	1
PL5001	0	1
PL5017	1	2

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, between 2 May 1997 and 15 September 1999, Indonesia was a permitted destination on certain Open General Export Licences covering the export of goods on the Military List; copies of all Open General Export Licences valid during this period are in the Library of the House.

Arms Brokering

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans the Government have to bring forward legislation to better regulate the brokering of arms. [110962]

Dr. Howells: The Government do have the powers to control trafficking and brokering under the United Nations Act 1946 where this is necessary to implement a binding UN Resolution. Under the European Communities Act 1972 the Government have the power to provide for enforcement of a Council Regulation prohibiting trafficking and brokering of specified goods, e.g. dual use goods where there is Community competence. However, competence to prohibit trafficking and brokering of arms or military equipment lies with the member states.

The Government's White Paper on Strategic Export Controls, published in July 1998, proposed new legislation to extend the Government's power to control trafficking and brokering in several areas, including with respect to the supply of military equipment to destinations subject to any form of arms embargo and the supply of equipment, the export from the UK of which has been banned because of evidence that goods of the same type have been used in torture.

The Government will announce proposals for new export control legislation in due course, following conclusion of the review of the White Paper proposals in the light of responses received.

Recycling

Mr. Cranusby: To ask the Secretary of State for Trade and Industry what percentage of documentation used by his Department is *(a)* made from recycled paper and *(b)* collected for recycling. [111609]

Dr. Howells: This Department purchases 44 per cent. recycled paper and 81 per cent. of waste paper is recycled.

Credit Blacklisting

Mrs. Dean: To ask the Secretary of State for Trade and Industry what is his estimate of the percentage of adults in the UK who are credit blacklisted. [110733]

Dr. Howells: Most lenders use credit scoring techniques to help them decide whether they will lend to particular individuals. The Office of Fair Trading research for its 1999 report "Vulnerable Consumers and Financial Services" found that over six million households (out of a total of 24 million) were defined as having low or very low household income. Of these, 3.5 million did not use any form of credit. I would estimate that many of these would not satisfy the credit scoring test.

Assisted Areas Map

Mr. Maclennan: To ask the Secretary of State for Trade and Industry what progress he has made in reaching agreement with the European Commission on the determination of the new assisted areas map for Great Britain; and if he will make a statement. [111333]

Dr. Howells: Discussions with the Commission on the proposals for new Assisted Areas are continuing. We will announce the new map as soon as possible.

Gardening Leave

Mrs. Browning: To ask the Secretary of State for Trade and Industry how many officials in his Department are on gardening leave. [111623]

Mr. Byers: On 22 February 2000, two officials in the Department's headquarters were at home on full pay pending appointment to a new position in the Department.

Transfer Technology Ltd.

Mrs. Browning: To ask the Secretary of State for Trade and Industry (1) when his Department first informed 10 Downing Street that the matter of Transfer Technology grants was being referred to the West Midlands Police; [111627]

(2) what was the grade of the official who advised that the matter of Transfer Technology grants should be referred to the West Midlands Police; [111625]

(3) when he was first advised that the matter of Transfer Technology grants should be referred to the West Midlands Police. [111624]

Mr. Byers: I received advice on this matter from one of the Department's Directors on 3 February 2000.

In accordance with normal procedure the No.10 Press Office was informed after I had taken my decision.

Mrs. Browning: To ask the Secretary of State for Trade and Industry if the grant paid to the hon. Member for Coventry, North-West (Mr. Robinson) in respect of Transfer Technology Ltd. as reference WMR 46414/Z1/1 was repaid. [111629]

Mr. Byers: A grant paid to Transfer Technology Ltd. under reference WMR 46414/Z1/1 has not been repaid.

No grant has been paid to my hon. Friend the Member for Coventry, North-West.

Austria (Trade)

Mr. Chope: To ask the Secretary of State for Trade and Industry what nugatory costs have been incurred by *(a)* his Department, *(b)* British Trade International and *(c)* potential exhibitors as a result of the postponement of the fashion trade fair planned for May 2000 in Vienna; and if he will make a statement. [111635]

Dr. Howells: British Trade International had committed funding of £50,000 to 'Britain Now', spread equally over this and the next financial year.

With the postponement of the event there will now be no call on the second tranche of our funding, ie for the financial year 2000–01. Of the £25,000 already transferred to the project, we are likely to incur some cancellation charges (eg for the fashion show models), although the scale of these is not yet clear. Other "logistic" sponsors (eg freight carriers/shippers and venue) and potential exhibitors have already confirmed that any cancellation fees incurred now will be offset against costs when we reactivate 'Britain Now' at a later date.

Mr. Chope: To ask the Secretary of State for Trade and Industry how many British companies agreed to participate in the Trade Fair in Vienna in May 2000; and if he will list them. [111637]

Dr. Howells: The 'Britain Now' event was to be a showcase initiative, promoting the best of British Design in all its aspects, including the Millennium Product Static Exhibition. It was a joint effort by the British Embassy, Vienna, and British Trade International aimed at businesses, opinion formers and the general public in Eastern Austria, but also attracting visitors from the growing markets of the Czech Republic, Slovakia, Slovenia and Hungary.

At the time of the postponement, the British Embassy was still receiving approaches from potential participants. Those participants already committed include the Crafts Council; The British Jewellery and Giftware Federation; Glasgow 1999; The Royal Institute of Architects; Jaguar; Rover; Morgan; Lotus; Rolls Royce; Bentley; Aston Martin; Williams Formula 1 (sponsored by Castrol); British Tourist Authority; British Council; Barbour; Burberry's; Chester Barry; Daks-Simpson; John Smedley; Johnstons of Elgin; Pringle of Scotland; Bella Freud; Jasper Conran and Tristan Webber.

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will list the British companies that have informed *(a)* his Department and *(b)* British Trade International that they will not participate in the Trade Fair planned for May 2000 in Vienna. [111634]

Dr. Howells: Bella Freud, fashion designer and granddaughter of Sigmund Freud, is the only participant to have withdrawn from participating in 'Britain Now' because of her family history in Austria. All other companies/organisations have already confirmed with the British Embassy and British Trade International their agreement to participate fully in 'Britain Now' at a later date.

Mr. Chope: To ask the Secretary of State for Trade and Industry what trade promotion activities to further UK trade with Austria *(a)* his Department and *(b)* British Trade International will be sponsoring or supporting financially during 2000. [111632]

Dr. Howells: It is important to stress that the sanctions imposed by the EU Member States on Austria are purely political measures. There is no trade embargo with Austria. British Trade International will therefore still be undertaking its normal trade promotion programme during 2000–01.

Initiatives under consideration include attendance by UK companies sponsored by British Trade International to attend key trade fairs; inward/outward missions and seminars.

Specifically:

RETA, a fire and security trade fair in September 2000.

British Trade International is aiming to recruit 10–20 UK companies to participate in the four-day exhibition. Cost to British Trade International will be approximately £7K.

PSDB 2000 (Police Scientific Development Branch).

In April, British Trade International will undertake a pan-European inward mission to this exhibition, recruiting from Poland, Switzerland, Austria, Germany, Spain, Portugal, Italy and Greece. Two participants have been confirmed from Austria, out of a total of 20 missioners. Cost to British Trade International will be approximately £1K.

Gartentreff (gardening trade fair).

In October, British Trade International will be funding a UK brochure stand displaying brochures from approximately 20 UK companies. The stand will be manned by the British Embassy with a cost to British Trade International of approximately £2K.

Anglo/Austrian Forum. May 2000.

This is a business to business seminar focusing on Anglo-Austrian trade; Austria as a gateway to Central and Eastern Europe and young entrepreneurs. 10–15 UK companies will be participating at a cost to British Trade International of approximately £1K.

Southampton Boat Show. September 2000.

An inward mission with five Austrian buyers. Cost to British Trade International approximately £2K.

Export Credit Guarantees

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what applications for credit guarantees were received by the ECGD, from which companies, for what amount, and on what date in respect of *(a)* the Pergau Dam, *(b)* Singapore Utilities Water Project, *(c)* the Turkwell Dam, *(d)* the Ewaso Ngiro Dam,

(e) the Ajaokuta Steel Plant, *(f)* the Katse Dam and *(g)* the Meula Dam; which applications were approved, for what amount, and on what date; what payment has been made against each project by the ECGD and on what date; what ECGD liability exists against each project; and if he will make a statement. [110393]

Dr. Howells *[holding answer 21 February 2000]:* ECGD can find no trace of applications for Credit Guarantees for the Singapore Utilities Water Project, the Turkwell Dam, and the Muela Dam. However ECGD was approached for support for the construction of an underground power station associated with the Muela Dam.

The answers to the question on the remaining Projects are set out in the following table.

The information on the Ajaokuta Steel Plant in Nigeria relates to an application for support for a Technical Training Centre associated with the Steel Plant.

Project	*Exporter*	*Amount of and date of application* *Amount*	*Date*
Pergau Dam, Malaysia	Balfour Beatty Construction Ltd. and Cementation International Ltd. (joint venture)	1 buyer credit: £315m	December 88
		Revised to £410m	March 90
		4 supplier credits:	
		£12.0m	31 January 91
		£23.6m	22 February 91
		£8.4m	22 February 91
		£119.1m	22 February 91
Ewaso Ngiro Dam, Kenya	WLPU Consultants (now called Knight Piesold)	1 buyer credit: [1]£43.8m	9 April 90
Ajaokuta Steel Plant, Nigeria	Carillion Construction	Figures unavailable	—
Katse Dam, Lesotho	Kier International Ltd. and Sterling International Civil Engineering Ltd. (joint venture)	1 buyer credit and 2 supplier credits) £267m	10 December 90

[1] Loan value
Note:
Some figures are unavailable because repayments were lumped together with several other credits

Project	*Amount approved*	*Date approved*	*Payments by ECGD and date* *Payment*	*Date*	*ECGD's liability*
Pergau Dam, Malaysia	£327.9m	13 March 1991	Nil	—	£40.3m
	£10.8m	21 March 1991	Nil	—	Nil
	£23.4m	13 March 1991	Nil	—	Nil
	£7.6m	21 March 1991	Nil	—	Nil
	£119.1m	21 March 1991	Nil	—	£11.1m
Ewaso Ngiro Dam, Kenya	[1]£68.1m	21 June 1990	£377,043	15 March 1992	£10.2m
			£440,150	15 September 1992	
			£442,371	15 March 1993	
			£440,150	15 September 1993	
			£442,371	15 March 1994	
			£4,752	15 September 1994	
			£2,898	15 March 1995	
Ajaokuta Steel Plant, Nigeria	£22.4m	1982	£14.2m	Date unavailable	[2]£13.9m
Katse Dam, Lesotho	£26.5m	4 March 1991	Nil	—	Figure unavailable
	£40.1m		Nil	—	Nil
	£6.9m		Nil	—	Nil

[1] Loan value + interest
[2] Plus interest
Note:
Some figures are unavailable because repayments were lumped together with several other credits

National Regional Aid

Mr. Maclennan: To ask the Secretary of State for Trade and Industry what measurement of sparsity he made of the Inverness travel-to-work area when proposing the Highlands and Islands as a NUTS 2 area under the sparsity provision of the European Commission Guidelines on national regional aid. [111332]

Dr. Howells: We proposed the Highlands and Islands as a single NUTS 2 level area with a population of between nine and 10 inhabitants per square kilometre.

NORTHERN IRELAND

Departmental Consultation

Dr. Tony Wright: To ask the Secretary of State for Northern Ireland if he will list the public consultation exercises on policy matters carried out by his Department and its agencies in each of the last five years; who was consulted and by what means; how responses were analysed; how and in what form the results were transmitted to those responsible for the consultation; how the results of the consultation were published; and what analysis has been carried out of the extent and nature of policy changes resulting from the consultation. [106291]

Mr. Ingram: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Terrorist Violence (Victim Compensation)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what mechanisms are in place to monitor aftercare of victims of terrorist violence and punishment shootings; what is his assessment of the extent to which compensation payments have been subject to seizure by paramilitary organisations; how many incidents of such seizure have been reported; what is the RUC estimate of the extent of under-reporting; what steps are taken to prevent fraudulent claims; and what is his assessment of the proportion of claims that may be fraudulent. [107818]

Mr. Ingram: All patients receive the treatment and care necessary for their recovery. There are no mechanisms to monitor the aftercare of patients. There is no record of any incidents being reported to police relating to compensation payments being subject to seizure by paramilitary organisation. Consequently, the Royal Ulster Constabulary cannot give an assessment of the extent of such seizure and the level of under-reporting.

Each claim for criminal injury compensation is investigated by the Compensation Agency to establish that the statutory criteria contained in the Criminal Injuries Compensation (NI) Order 1988 are satisfied. This includes confirming that the alleged offence was reported to the police, obtaining copies of the police investigation report and witness statements, and the court outcome of any prosecution of alleged offenders. Where liability to pay compensation under the 1988 Order is accepted the amount of compensation is determined by reference to medical reports detailing the nature and extent of the injury suffered. The policy of the Compensation Agency is to refer all cases of alleged fraud to the police for investigation. No criminal injury claim arising from terrorist violence or punishment shooting has been referred to the police.

Departmental Research Contracts

Dr. Harris: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 10 January 2000, *Official Report*, column 32W, what restrictions were placed on contractors carrying out research projects funded by his Department in 1999 in respect of them discussing their findings with journalists *(a)* before and *(b)* after publication. [108205]

Mr. Ingram: Further to my reply to him of 10 January, contracts for research projects funded by this Department generally carry a clause highlighting the obligations of the contractor under the Official Secrets Act and/or a confidentiality clause preventing the contractor from printing, publishing or disclosing information gained during the course of the contract without the written consent of the Department.

Twenty four contracts did not contain restrictions which prevented the contractor from discussing the findings with journalists until after publication because the letting organisation. Northern Ireland Statistics and Research Agency, only part-funded the research. The copyright in these instances remain with the researcher.

Deaths (Investigations)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what has been the cost to date of the inquiries into the deaths of *(a)* Mrs. Rosemary Nelson and *(b)* Mr. John Finucane. [109035]

Mr. Ingram: Information on the total cost of these investigations is not available. However, on Mrs. Nelson, £767,000 has been spent on this inquiry to date. This figure includes travel, overtime, accommodation and incidental expenses. It does not include the salary costs of Deputy Chief Constable Colin Port and his team of officers.

On the other death, (assuming that this refers to the murder of Patrick Finucane) the additional cost of police agencies' salaries, overtime, travel, accommodation and incidental expenses since 1989 is £2.3 million. The figure does not include RUC costs.

Thiepval Memorial Tower

Mr. Sarwar: To ask the Secretary of State for Northern Ireland if he will make a statement on the Government's support for the Thiepval Memorial Tower on the Somme. [111093]

Mr. Ingram: The Government are responsible for the maintenance of the Memorial. It also provides financial assistance to the Somme Association Ltd. which manages the visitor access.

Probation Service

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list each category of employee within the Northern Ireland Probation Service and the numbers employed in each category, broken down by *(a)* gender and *(b)* perceived community origin. [110657]

Mr. Ingram: The information requested is given in the table:

Probation Board for Northern Ireland

Category of employed	*Number of Protestant male employees*	*Number of Roman Catholic male employees*	*Number of male employees whose Community cannot be determined*	*Number of Protestant female employees*	*Number of Roman Catholic female employees*	*Number of female employees whose Community cannot be determined*
Managers and administrators	6	7	5	9	5	5
Professional occupations	19	23	6	35	33	20
Associate professional and technical occupations	0	0	0	0	1	0
Clerical and secretarial occupations	5	5	3	52	32	10

Probation Board for Northern Ireland

Category of employed	*Number of Protestant male employees*	*Number of Roman Catholic male employees*	*Number of male employees whose Community cannot be determined*	*Number of Protestant female employees*	*Number of Roman Catholic female employees*	*Number of female employees whose Community cannot be determined*
Crafts and skilled manual occupations	9	10	16	2	4	5
Personal and protective service occupations	0	0	0	0	0	0
Sales occupations	0	0	0	0	0	0
Plant and machine operatives	0	0	0	0	0	0
Other occupations	0	0	1	1	0	1
Totals	39	45	31	99	75	41

Prosecutions

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many cases in each category of offence were referred by the RUC to the DPP in 1998 and 1999; and in how many and in what percentage of cases the DPP *(a)* directed no prosecutions and *(b)* brought a successful prosecution. [110659]

The Solicitor-General: I have been asked to reply as the Director of Public Prosecutions for Northern Ireland and his Department are superintended by the Attorney-General for Northern Ireland.

The information sought is not available in the form requested. What information is available is set out in tabular form.

The figures given in the table for the number of persons reported include persons referred to the Director of Public Prosecutions for Northern Ireland by investigative agencies other than the RUC.

The figures relate to the number of persons proceeded against rather than the number of offences.

The number of cases dealt with in a year does not correlate directly with the number of cases reported and directed in that year as a proportion of the results will relate to persons reported and directed in previous years. Further, the figures for 1999 are incomplete as additional returns have to be collated.

	1998	*1999*
Number of persons reported to DPP(NI)	10,950	10,170
Directions issued		
Summary prosecution	6,271	5,362
Prosecution on indictment	1,043	1,368
Number prosecution	3,614	3,520
Outcome of prosecutions		
Summary:		
Convictions	4,977	4,164
Acquittals	261	214
Conviction rate (%)	95	95
Indictment:		
Convictions	1,141	943
Acquittals	86	57
Conviction rate (%)	93	94

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts

30. **Mr. Pond:** To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the adequacy of Kent magistrates courts committee's approach to consultation with local communities. [109643]

Jane Kennedy: The Justices of the Peace Act 1997 requires Magistrates Courts Committees to consult with the paying authority when proposing to close a courthouse.

It is for Kent Magistrates Courts Committee to determine the scope of its consultation but Committees are encouraged to consult wider than the statute requires, for example, with magistrates, staff, police, Probation, Crown Prosecution Service and other professional users.

Mr. Luff: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the future of magistrates courts in Worcestershire. [109645]

Jane Kennedy: It is for the Hereford and Worcester Magistrates Courts Committee to determine the future of magistrates courts in both Worcestershire and Herefordshire. This is in consultation with the local paying authorities, the Worcestershire County Council and the County of Herefordshire District Council.

JPs

33. **Mr. Tyler:** To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the impact on justices of the peace of his proposals to achieve economies in the magistrates courts. [R] [109650]

Jane Kennedy: I have made no assessment.

Magistrates Courts Committees are, under statute, responsible for the efficient and effective administration of the magistrates courts for their area.

Central Government provide 80 per cent. of the funding for Magistrates Courts Committees. The grant allocated for 1999–2000 was £257.5 million. In 2000–01 it is £270.3 million. The Magistrates Courts Committees experiencing hardship have been invited to apply for additional funding.

Immigration and Asylum

Ms Keeble: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on steps taken by his Department to process immigration and asylum cases. [109651]

Jane Kennedy: Plans are now in place to ensure that the Immigration Appellate Authorities have sufficient staff, judicial, IT and accommodation resources in order to meet the expected increase in workload in the year 2000–01.

Peat Compost

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110722]

Jane Kennedy: My Department does not use peat compost in the gardens that it owns. The Department's Environment Strategy, while not specifically referring to peat compost, makes a commitment to the integration of sound environmental practice into operational activities. The agents responsible for managing my Department's estate are required to integrate good environment practice into the procurement and supervision of grounds maintenance contracts.

Information on the use of peat compost on land managed in trust my Department is not collected and could be provided only at disproportionate cost.

Recycling

Mr. Crausby: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of documentation used by his Department is *(a)* made from recycled paper and *(b)* collected for recycling. [111604]

Jane Kennedy: The paper in the documentation used by my Department comes from various independently verified sustainable sources. Information on the percentage of documentation that comes from recycled paper could be provided only at disproportionate cost. All sensitive waste is either recycled or incinerated to generate electricity. Information on the percentage of documentation that is recycled by my Department is not collected and could be provided only at disproportionate cost.

Conditional Fees

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what advice he has given to the Rules Committee on the rules of court he considers necessary on conditional fees; and if he will make a statement. [111657]

Mr. Lock: The paper, "The Government's conclusions following consultation on Conditional Fees: sharing the risks of litigation" was published on 31 January. That paper sets out the Government's recommendations in respect of rules of court to govern the recovery of the success fee under a conditional fee agreement and of insurance premiums. A copy of the paper has been sent to the Civil Procedure Rule Committee.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what assistance will be offered to *(a)* the public and *(b)* the legal profession in relation to understanding and preparing for the new rules on conditional fees; and if he will make a statement. [111658]

Mr. Lock: The Government will introduce new regulations on 1 April requiring all legal representatives to provide information to lay clients who are considering entering conditional fee agreements. The regulations will require a legal representative, before entering a conditional fee agreement, to explore with the client whether alternative methods of funding the litigation are available, including whether the client's liability for their costs (including the costs of another party) may be covered by insurance. The regulations will require the legal representative to provide an oral explanation of the agreement in addition to providing written information. My Department is also working with the Legal Aid Board to prepare an information leaflet for members of the public explaining the options they will have for financing litigation.

The report entitled "The Government's Conclusions Following Consultation on Conditional Fees: Sharing the Costs of Litigation", published on 1 February, announced the principles to be set out in regulations applying to conditional fee agreements and contained recommendations to the Civil Procedure Rule Committee concerning the detailed guidance of rules of court governing the recovery of success fees under conditional fee agreements and premiums for after the event insurance policies. Legal representatives can refer for guidance on the regulations to this document, and to the regulations and rules of court themselves once they are made.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations he has received concerning *(a)* the substance of and *(b)* the procedure leading to, the new rules of court on conditional fees; and if he will make a statement. [111656]

Mr. Lock: The Government received 91 responses to their consultation paper "Conditional Fees: Sharing the Risks of Litigation" on 23 September 1999 from respondents providing views on the regulations and rules of court required to give effect to its policy on conditional fee agreements. These included responses from consumer groups, the Civil Justice Council, the Association of District Judges, the Senior Costs Judge, the legal professional bodies (including those with a specialist interest in conditional fees such as the Association of Personal Injury Lawyers), the trade unions and their legal representatives, individual judges, practitioners and the insurance industry. The views of respondents are summarised in the report entitled "The Government's Conclusions Following Consultation on Conditional Fees: Sharing the Costs of Litigation". That document also lists the names of respondents.

Since the publication of the report I have received a number of letters from practitioners welcoming the principles the Government intend to set out in regulations applying to conditional fee agreements. These practitioners also welcomed the Government's recommendations to Civil Procedure Rule Committee concerning the detailed

guidance in rules of court governing the recovery of success fees under conditional fee agreements and premiums for after the event insurance policies.

I have also received representations from the President of the Association of Personal Injury Lawyers which among other things suggested that its representative and a representative of the Federation of Insurance Lawyers should be co-opted to assist the Civil Procedure Rule Committee draft rules of court, given their special interest in conditional fee agreements and insurance. The Government have no power under the Civil Procedure Act 1997 to co-opt representatives onto the Committee.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations he has received concerning the proposed 1 April implementation date for rules of court concerning conditional fees; and if he will make a statement. [111655]

Mr. Lock: I have received two letters from the President of the Association of Personal Injury Lawyers expressing concern that the Government might have to defer its plans to make success fees and insurance premiums recoverable from 1 April 2000. No such deferment is planned.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what will be recoverable in respect of conditional fee success fees by a successful litigant's lawyers by way of maximum percentage of cap, in relation to each type of work for which success fees can be recovered. [111587]

Mr. Lock: The maximum success fees in cases where success fees are permitted will remain at 100 per cent. Recoverability will be subject to the discretion of the court.

Insurance Premiums

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that after-the-event insurance premiums recoverable against a losing party will relate only to the risk against incurring a liability in a proceedings and not to financing or marketing expenditure; and if he will make a statement. [111654]

Mr. Lock: In its recommendations to the Civil Procedure Rule Committee the Government made clear their wish that rules of court relating to success fees under conditional fee agreements or litigation insurance premiums should provide that only the element relating to the risk that was being covered should be recoverable. A recoverable success fee or insurance premium, in the Government's view, should reflect the related business overheads including, for example, the cost of marketing the services or products concerned. It would be neither desirable nor practicable to attempt to identify and exclude particular elements of normal overhead costs from success fees or insurance premiums.

The Government have also made clear that they do not believe that the costs relating to financing a case, such as actual or notional interest or credit charges, should be recoverable whether as part of the premium or the success fee.

It is, however, for the Civil Procedure Rule Committee to decide what detailed rules of court are needed to govern the recoverability of success fees and insurance premiums.

National Insurance Commissioners

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department how many appeals by claimants to the National Insurance Commissioners were *(a)* granted leave, *(b)* successful and *(c)* remitted for rehearing to an appeal tribunal, for each region of the country, in each of the last three years. [111390]

Jane Kennedy: We do not categorise appeals by region and therefore are unable to provide the information in the form requested. However details of the number of applications in which leave was granted, in each of the last three years and, of the number of appeals determined in each of these years, the numbers which many were in the claimant's favour are set out in the tables.

Applications

	Granted	*Leave Refused*	*Closed*	*Total*
1997	1,865	2,850	37	4,752
1998	1,364	1,130	35	2,529
1999	2,010	1,935	31	3,976

Appeals

	Appeals decided	*Decision in claimant's favour*
1997	3,926	2,939
1998	4,317	3,210
1999	4,140	3,237

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) in relation to cases classed as lookalike, delayed behind a l d case before or beyond the NI commissioners what was *(a)* the average, *(b)* the median and *(c)* the longest delay (i) before disposal and (ii) so far while waiting for disposal in each of the last three years; [111395]

(2) in relation to appeals heard by the National Insurance Commissioners, how many times the DSS was represented by *(a)* solicitors, *(b)* junior counsel or advocate, *(c)* a QC and *(d)* DSS in-house staff in each of the last three years; [111393]

(3) what was the *(a)* average, *(b)* median and *(c)* longest delay between grant of leave to a claimant to appeal to the National Insurance Commissioners and the receipt of the (i) representations in writing of the DSS and (ii) representations in writing of the claimant in each of the last three years; [111392]

(4) how many successful appeals to the National Insurance Commissioners were remitted for rehearing to appeal tribunals in each of the last three years. [111397]

Jane Kennedy: This information is not held centrally and could be provided only at disproportionate cost.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department in relation to appeals heard by the National Insurance Commissioners *(a)* what was

the total number of appeals heard and *(b)* how many claimants were represented (i) by solicitors, (ii) by junior counsel or advocate, (iii) by a QC, (iv) by an advice worker and (v) by his or her self in each of the last three years. [111394]

Jane Kennedy: Data regarding representation at appeal hearings are not kept, although it is unusual for claimants to be represented by solicitors, junior counsel or advocate or a QC. Claimants are on occasions represented by advice workers but in the main represent themselves.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department how many lead cases on appeal for the National Insurance Commissioners there were to higher courts; what was the name of each lead case; how many lookalike cases were held up in relation to each such case; and in relation to each such case in which court the case *(a)* was disposed of and *(b)* is awaiting disposal. [111396]

Jane Kennedy: The information is as follows:

(1) Lead case—Bate (Income support severe disability premium)

13 January 1993—Decided by the Commissioner adversely to the claimant on the question of backdating.

30 November 1994—Appeal by claimant to Court of Appeal allowed on a fresh point.

16 May 1996—Appeal by Secretary of State/Adjudication Officer to House of Lords allowed.

There were approximately 5,000 lookalike cases.

(2) Lead case—Fairey (Day attention condition of DLA)

14 October 1994—Decided by Commissioner in favour of claimant.

15 June 1995—Appeal by Secretary of State/Adjudication Officer to Court of Appeal dismissed by a majority.

21 May 1997—Further appeal by Secretary of State/Adjudication Officer to House of Lords dismissed.

There were approximately 320 lookalike cases.

(3) Lead case—Plummer and Hammond (Retirement allowance (industrial injuries benefit replacing reduced earnings allowance))

28 May 1997—Decided by Commissioner adverse to Claimant.

8 December 1998—Appeal by claimant to Court of Appeal dismissed.

Approximately 150 lookalike cases were then decided by the Commissioner.

Of the original 350 cases the remainder still await a judgment of the European Court of Justice in five representative cases (Hepple, Stec and others).

8 May 1998—Reference by Commissioner to ECJ.

(4) Lead case—Stafford and Banks (Benefit for casual workers during school holidays)

24 February 1999—Decided by Commissioner in claimant's favour.

October 1999—Secretary of State/Adjudication Officer to Court of Appeal allowed.

The claimant's petition for leave to appeal to House of Lords is outstanding.

There are approximately 100 cases waiting decision.

AGRICULTURE, FISHERIES AND FOOD

BSE

Mr. Ben Chapman: To ask the Minister of Agriculture, Fisheries and Food if he will publish the most recent figures for confirmed BSE cases broken down by year of birth. [111528]

Ms Quin: The position as at 16 February 2000 was as follows:

Year of birth	*Total number of confirmed cases*
1974	1
1976	2
1977	10
1978	6
1979	41
1980	101
1981	261
1982	1,393
1983	4,461
1984	8,067
1985	11,064
1986	19,728
1987	36,861
1988	22,175
1989	12,631
1990	5,620
1991	4,519
1992	3,010
1993	2,062
1994	849
1995	118
1996	1
Unknown	43,322
Total	176,303

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food what plans he has to publish the evidence given in the Phillips inquiry into BSE. [110501]

Ms Quin: The BSE Inquiry is responsible for decisions about the publication of the evidence it receives and its approach has been to make available the evidence on which it relies. It has published witness statements and transcripts of all oral hearings on the internet at http://www.bse.org.uk, and many other documents are publicly available at its offices.

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food what *(a)* evidence and *(b)* observations relating to the use of organophosphates on cattle he has submitted to the Phillips inquiry. [110502]

Ms Quin: My Department has provided numerous documents on the use of organophosphorus based warblecides to the BSE Inquiry, including papers on the warble fly eradication programme and on the licensing of warblecides.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what live tests have resulted from the research which he sponsored as a result of the open competition for research on BSE diagnosis in cattle in 1994. [110527]

Ms Quin: No research on BSE diagnosis was funded following the open competition for research in 1994. This competition did not call for work in this area. There was,

however, a competition in 1996 which resulted in three projects on diagnostic tests for BSE. One of these, which was designed to investigate the differences in metabolic markers in the live animal, is still in progress. None of this work has yet produced a test which can be used in the live animal. Useful post mortem tests have resulted from the completed projects. These are now being evaluated and developed further to improve their sensitivity.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what action he has taken to protect *(a)* British consumers and *(b)* the British cattle herd since he was informed of the contents of the report to Directorate D of the Health and Consumer Protection Directorate-General of a veterinary mission to France with regard to certain protective measures against BSE and scrapie with particular reference to implementation of Commission Decisions 94/381/EC, 98/272/EC, 98/703EC and 97/18/EC. [109788]

Mr. Nick Brown *[holding answer 11 February 2000]:* Domestic legislation already in place to safeguard consumers prohibits the import of bovine specified risk material and the sale of any meat derived from cattle over 30 months old. Compliance with the prohibition on meat and bone meal in feed is monitored through regular sampling.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food on what dates he has *(a)* spoken by telephone to and *(b)* met (i) the French Minister of Agriculture, (ii) the European Commissioner with responsibility for agriculture and (iii) the European Commissioner with responsibility for health and consumer protection to discuss the contents of the report to Directorate D of the Health and Consumer Protection Directorate-General of a veterinary mission to France with regard to certain protective measures against BSE and scrapie, with particular reference to implementation of Commission Decisions 94/381/EC, 98/272/EC, 98/703EC and 97/18/EC. [109787]

Mr. Nick Brown *[holding answer 11 February 2000]:* These issues are for the Commission and individual member states, not for bilateral discussion between member states.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when he was first informed of the contents of the report to Directorate D of the Health and Consumer Protection Directorate-General of a veterinary mission to France with regard to certain protective measures against BSE and scrapie, with particular reference to implementation of Commission Decisions 94/381/EC, 98/272/EC 98/703EC and 97/18/EC. [109789]

Mr. Nick Brown: I was informed of the report on 6 February.

Mr. Chaytor: To ask the Minister of Agriculture, Fisheries and Food if he will list, for each of the last two years for which records are available, the ages at the time of diagnosis of all the cattle in the United Kingdom diagnosed as suffering from BSE. [109328]

Ms Quin: The table shows the number of confirmed cases of BSE reported in the UK in the calendar years 1998 and 1999[1], by age of the animals.

Age in years	*1998*	*1999*[1]
1–2	0	0
2–3	1	1
3–4	131	42
4–5	772	415
5–6	986	713
6–7	626	510
7–8	232	220
8–9	140	94
9–10	115	42
10–11	83	52
11–12	49	32
12–13	11	11
13–14	4	11
14–15	1	0
15 or more	1	0
Age unknown	44	27
Totals	3,196	2,170

[1] Preliminary figures for 1999 as at 9 February 2000

Lamb

Mr. McWalter: To ask the Minister of Agriculture, Fisheries and Food what was the total tonnage of lamb offered in the United Kingdom under the private storage aid scheme adopted by the EU Sheepmeat Management Committee on 17 September 1999; how many carcases this represented; and what were the corresponding figures for Northern Ireland. [111248]

Ms Quin *[holding answer 21 February 2000]:* Commission Regulation (EC) No. 2099/1999 provided for aid for the private storage of lamb up to a limit of 2,350 tonnes in the United Kingdom.

2,306 tonnes were offered into the Scheme from Great Britain with contracts issued in respect of 2,297 tonnes. The accepted figure represents 131,236 carcases.

53 tonnes were offered and accepted from Northern Ireland representing 3,289 carcases.

Feedingstuff Regulations

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy towards the proposals for the administering of vitamins and minerals contained within section 13 of the EU Draft Feedingstuff Regulations 2000. [110753]

Ms Quin *[holding answer 21 February 2000]:* My Department's recent consultation on the draft Feedingstuff Regulations 2000, specifically requested comments on regulation 13 in order that all the implications of this proposed measure could be assessed. We will be in a position to make a decision on this issue shortly, when we have considered all the responses.

Exchange Rate

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the availability of EU funds to offset the impact of fluctuations in the green pound. [110712]

Ms Quin: £264 million in agrimonetary compensation has been, or is being, paid to UK livestock and arable farmers as the 100 per cent. EU-funded first instalment of a compulsory three year package to compensate for the effects on direct payments of euro/sterling exchange rates

in 1999. A further £132 million of EU funds will be paid over the period 2000 to 2001 if exchange rates remain as they are.

Following further currency fluctuation, additional optional EU-funded compensation is available; details will be provided by the Commission at the end of next month. Any additional expenditure on agrimonetary compensation would have to be considered against other calls on public expenditure; because of the Fontainebleau rebate the UK taxpayer would pay about 71p for every £1 spent.

Regulation

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what initiatives are being pursued to reduce the costs arising for agriculture from regulation in *(a)* the short-term and *(b)* the long-term. [110533]

Ms Quin: The new support package for farmers announced on 20 September 1999 included two measures which will save the industry £89 million over three years. Charges for inspection of the removal of Specified Risk Material from cattle and sheep carcases and for the provision of cattle passports will not be imposed before 2002–03 at the earliest. On 1 December 1999 we announced that meat hygiene inspection charges for the whole of 1999–2000 are being held at the levels fixed for 1998–99. The charges for 2000–01 will not rise by more than the rate of inflation over current levels.

Following the review of regulatory burdens three priority reports were presented by the industry-led working groups before Christmas. They were asked to root out unnecessary burdens or to find ways of doing things better. They made 107 recommendations 98 of which were accepted and six will require further consideration. Twenty-three will need to be pursued in Brussels. The aim is to implement these recommendations as quickly as possible. Reports on other issues are expected shortly. We shall continue to work to minimise burdens wherever possible. The next phase will look at policies or schemes run by other Government Departments.

Sheep Premium

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received on the effect that exchange rates have had on the sheep premium calculation; and if he will make a statement. [110526]

Ms Quin: I have nothing to add to the reply given to the hon. Member on 10 February 2000, *Official Report*, column 285W.

British Cattle Movement Service

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food (1) what proposals he has to audit the performance of the British Cattle Movement Service; [110595]

(2) what initiatives he is pursuing to improve the efficiency and performance of the British Cattle Movement Service. [110535]

Ms Quin: The British Cattle Movement Service (BCMS) is subject to regular audit both from within my Department and by the National Audit Office.

BCMS's performance is monitored against its Public Service Agreement Targets. Industry now has a key role in this process through the recently formed Cattle Tracing Industry Forum.

As a relatively new organisation, BCMS has been developing its quality control procedures and these have already delivered significant improvements in efficiency. As a result of current management initiatives, together with the commitment of BCMS staff, it is expected that registration of the BCMS quality management system under International Standard ISO EN BS 9002 will be achieved during the next financial year.

BCMS is also undertaking a programme of visits to commercial organisations and to other member states carrying out analogous services. The visits are intended as a best practice and benchmarking exercise to compare business efficiency. One comparison visit with the commercial sector has already taken place and efficiency visits to two other member states' cattle tracing organisations are arranged for March and April.

Farming (Promotion)

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what initiatives he is pursuing to promote a stronger partnership between farming, its customers and consumers. [110537]

Ms Quin: We are working on a number of initiatives with interested organisations, including the National Farmers Union and IGD (formerly the Institute of Grocery Distribution) to encourage primary producers to work together and with their customers, and to increase understanding of one another and of consumers. The importance of such partnerships was highlighted in the report of the Food Chain Group, which was published last November. The Group identified a range of issues for Government and for industry, and we intend to review progress in the summer.

Hedgerows

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food what percentage of arable farms have hedgerow buffer strips around their fields; and if he will make a statement. [110704]

Ms Quin: Some figures are available for the length of arable margins on which payments are made under agri-environment schemes, but these do not take account of all other farms where farmers may voluntarily have buffer strips. Figures on the percentage of farms which have buffer strips are not collected and could be provided only at disproportionate cost.

Beef on the Bone

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what European Commission measures would regulate any bans on the sale of beef on the bone. [107238]

Mr. Nick Brown *[holding answer 27 January 2000]:* In the light of public protection measures already taken in the UK and the professional advice available to government, we see no case for the re-introduction of such a ban by European Commission measures.

Agriculture Development Scheme

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Bristol, North-West (Dr. Naysmith) of 2 February 2000, *Official Report*, columns 641–42W, concerning the agriculture development scheme, what was the amount of grant aid offered to each of the lead organisations listed. [109689]

Mr. Nick Brown: The size of individual awards is commercially confidential, but these grants range in value from £5,500 to £100,000.

Food Chain Group

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Food Chain Group. [109795]

Mr. Nick Brown *[holding answer 11 February 2000]:* The Food Chain Group comprises senior figures from the National Farmers Union, Food and Drink Federation, IGD (formerly the Institute of Grocery Distribution) and MAFF, under the chairmanship of a senior MAFF official. The Group was invited to review the opportunities for working together and increasing understanding among the players in the food chain, and between the industry as a whole and consumers.

The Group's report, which was published on 10 November last year and a copy placed in the Library of the House, has been welcomed by many across the supply chain as a significant contribution to the drive to improve agri-food competitiveness. I have asked the Policy Issues Council of IGD to consider how best to take forward those issues which are for the industry. We intend to review progress in the summer.

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food (1) if EU Marketing Consent has been given for 98/294/CE Elgina Monsanto Bt maize; on which national seed lists the seed is currently included; and if it is subject to field trials in any EU state; [110290]

(2) if EU marketing consent has been given for 98/293/CE Chardonell Aventis herbicide tolerant maize; on which national seed lists the seeds are currently included; and if they are subject to field trials in any EU state; [110291]

(3) if EU marketing consent has been given for 97/98/CE Compa CB Novartis Bt/herbicide tolerant maize; on which national seed lists the seeds are currently included; and if they are subject to field trials in any EU state. [110293]

Ms Quin: The Department of the Environment, Transport and the Regions take the policy lead on marketing consents under Directive 90/220/EEC. They have advised that marketing consents have been given in respect of all of the above Commission decisions. The position with regard to national listing for these varieties is as follows:

Chardon LL—on the Dutch national list

Compa CB—on Spanish national list

Jordi—on the Spanish national list

Elgina and Compa CB—were added to the Portuguese national list but the Portuguese authorities have notified the Commission that their registration has been suspended.

We are not aware if any of these varieties are the subject of field trials in other EU member states.

Pet Travel Scheme

Mr. Swayne: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received from airlines regarding the pet travel scheme; [109362]

(2) when he plans to include airlines in the arrangements available under the pet travel scheme. [109360]

Ms Quin: All airlines flying into the UK were invited to express interest in taking part in the Pet Travel Scheme. Eight have done so. Discussions are still underway with the following airlines with a view to agreeing their "Required Methods of Operation":

British Airways,

British Midland,

Finnair, Iberia Airlines,

Lufthansa,

Qantas.

Once these have been agreed the airlines concerned will be able to enter the scheme.

TREASURY

Underweight Babies

Mr. Ruane: To ask the Chancellor of the Exchequer what was the *(a)* number and *(b)* percentage of underweight babies born in each health authority area in each of the past 10 years. [110827]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Chris Ruane, dated 21 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on underweight babies by health authority for each of the past ten years.

The number of live births under 2,500 grams and their percentage of all live births with a stated birthweight in each Regional Office and health Authority for 1990–1998 are shown in the attached table. Also provided are the number of live and stillbirths under 2,500 grams and their percentage of all births with stated birthweight in each Regional Office and Health Authority for 1990–1998. Data for 1989 are not available based on the latest health authority boundaries as at 1st April 1999.

I will arrange for a copy of this letter to be placed in the House of Commons library.

Note:

The table referred to has been placed in the Library.

Ms Dari Taylor: To ask the Chancellor of the Exchequer how many underweight babies were born in each health authority for each of the past 10 years; and what percentage of live births this represented. [110766]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Ms Dari Taylor, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on underweight babies by health authority for each of the past ten years.

The number of live births under 2,500 grams and their percentage of all live births with a stated birthweight in each Regional Office and Health Authority for 1990–1998 are shown in the table. Data for 1989 are not available based on the latest health authority boundaries as at 1st April 1999.

I will arrange a copy of this reply to be placed in the House of Commons library.

Number of livebirths with a stated birthweight less than 2,500 grams England and Wales, England, regional offices and health authorities[1], 1990–1998

	1990	1991	1992	1993	1994	1995	1996	1997	1998
England and Wales	46,018	46,326	44,789	44,557	45,079	47,251	47,115	46,761	47,462
England	43,689	43,870	42,408	42,327	42,844	44,851	44,697	45,338	45,069
Northern and Yorkshire	5,833	5,917	5,755	5,586	5,652	5,940	5,630	5,892	5,568
Bradford	610	606	589	627	682	630	618	625	692
Calderdale and Kirklees	694	656	601	611	590	681	604	646	622
County Durham	512	476	526	482	464	506	495	525	468
East Riding	481	527	461	459	492	471	496	531	466
Gateshead and South Tyneside	270	317	313	288	306	334	299	331	261
Leeds	698	721	728	662	695	758	712	696	702
Newcastle and North Tyneside	442	482	423	431	445	433	426	440	391
North Cumbria	223	252	229	233	214	225	248	261	216
North Yorkshire	480	480	521	457	461	531	452	537	473
Northumberland	233	225	214	222	227	241	198	223	215
Sunderland	295	266	262	272	227	267	275	268	272
Tees	599	621	569	533	534	555	511	515	511
Wakefield	296	288	319	309	306	308	296	294	279
Trent	4,756	4,689	4,666	4,505	4,381	4,502	4,423	4,492	4,598
Barnsley	228	221	220	221	187	215	187	183	200
Doncaster	268	280	266	255	264	281	247	315	273
Leicestershire	860	787	788	869	856	915	931	913	893
Lincolnshire	406	382	417	382	419	431	420	450	487
North Derbyshire	254	293	283	241	280	244	253	255	252
North Nottinghamshire	360	350	330	328	348	371	382	404	346
Nottingham	855	788	764	768	626	583	562	543	573
Rotherham	244	232	226	213	239	248	228	227	234
Sheffield	465	504	524	500	504	492	483	460	513
South Humber	272	301	282	300	245	274	259	272	291
Southern Derbyshire	544	551	566	428	413	448	471	470	536
West Midlands	5,378	5,401	5,078	5,207	5,106	5,366	5,456	5,425	4,486
Birmingham	1,371	1,435	1,362	1,335	1,353	1,435	1,400	1,430	1,470
Coventry	375	373	354	408	368	346	386	340	323
Dudley	290	289	308	306	296	307	322	310	314
Herefordshire	135	127	106	133	112	118	123	126	122
North Staffordshire	419	426	383	406	351	382	395	367	422
Sandwell	376	383	379	354	403	393	395	403	402
Shropshire	318	362	293	326	311	352	358	340	347
Solihull	141	187	133	147	167	152	197	159	144
South Staffordshire	507	434	409	425	419	456	481	439	495
Walsall	261	278	275	292	265	305	312	358	358
Warwickshire	401	395	364	353	395	392	361	382	379
Wolverhampton	322	314	291	333	280	290	318	325	310
Worcestershire	462	398	421	389	386	438	408	446	400
North West	6,450	6,276	6,076	5,794	5,678	6,209	6,247	6,202	6,321
Bury and Rochdale	421	456	472	370	416	419	424	435	461
East Lancashire	607	578	595	599	565	629	545	570	656
Liverpool	533	442	399	411	419	489	508	434	454
Manchester	651	633	613	550	506	588	562	548	540
Morecambe Bay	215	204	224	192	249	239	244	202	218
North Cheshire	248	291	238	232	218	221	260	237	261
North West Lancashire	400	425	363	339	381	361	403	430	413
Salford and Trafford	464	481	406	433	428	434	419	451	452

Number of livebirths with a stated birthweight less than 2,500 grams England and Wales, England, regional offices and health authorities[1], 1990–1998

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Sefton	162	200	233	191	194	214	215	234	226
South Cheshire	480	433	483	434	425	485	491	496	448
South Lancashire	277	248	237	237	232	231	242	244	216
St Helen's and Knowsley	334	317	303	285	276	334	347	331	341
Stockport	245	238	229	215	174	227	209	205	234
West Pennine	542	469	465	479	457	503	481	520	507
Wigan and Bolton	554	566	556	527	484	580	608	607	609
Wirral	317	295	260	300	254	255	289	258	285
Eastern	3,842	4,112	4,045	4,056	4,177	4,272	4,284	4,299	4,346
Bedfordshire	526	543	498	536	531	524	561	548	575
Cambridgeshire	563	548	568	572	572	632	606	595	591
East and North Hertfordshire	362	341	395	375	444	424	414	423	390
Norfolk	501	530	514	560	562	603	569	551	576
North Essex	617	677	664	640	633	668	651	644	656
South Essex	493	620	535	544	530	503	524	585	445
Suffolk	479	462	449	456	506	487	490	544	536
West Hertfordshire	301	391	422	373	399	431	469	408	468
London	7,451	7,397	7,108	7,170	7,609	8,139	8,161	8,379	8,347
Barking and Havering	345	339	309	331	336	300	340	365	342
Barnet	242	252	232	242	271	319	316	334	302
Bexley and Greenwich	449	431	369	361	376	411	439	422	460
Brent and Harrow	588	605	608	558	556	568	609	581	558
Bromley	213	220	217	232	257	250	257	233	226
Camden and Islington	329	325	315	373	380	377	381	406	375
Croydon	349	346	338	333	331	382	358	368	404
Ealing, Hammersmith and Hounslow	732	705	768	721	702	760	756	780	835
East London and The City	959	957	941	997	990	1,053	1,079	1,165	1,166
Enfield and Haringey	511	538	482	499	530	601	575	619	624
Hillingdon	252	262	245	228	232	283	250	260	291
Kensington and Chelsea and Westminster	275	309	276	271	267	329	328	329	320
Kingston and Richmond	198	249	219	216	234	227	247	259	237
Lambeth, Southwark and Lewisham	915	759	744	779	985	1,075	1,063	1,107	1,074
Merton, Sutton and Wandsworth	614	580	565	560	619	644	627	611	614
Redbridge and Waltham Forest	480	520	480	469	453	560	536	540	519
South East	6,503	6,613	6,360	6,455	6,655	6,777	6,807	6,943	6,892
Berkshire	660	691	671	655	706	737	734	779	810
Buckinghamshire	520	552	513	572	583	584	593	620	573
East Kent	461	497	448	412	435	438	406	508	421
East Surrey	245	258	278	294	324	323	305	285	300
East Sussex, Brighton and Hove	461	474	431	515	529	504	517	565	502
Isle of Wight	99	73	71	89	78	81	94	88	89
North and Mid Hampshire	424	428	419	407	409	432	497	426	451
Northamptonshire	521	519	560	565	605	518	565	584	558
Oxfordshire	481	536	450	422	408	408	448	470	436
Portsmouth and South East Hampshire	469	418	437	425	443	448	434	400	410
Southampton and South West Hampshire	448	399	389	392	390	445	420	401	421
West Kent	794	822	790	769	751	832	832	785	854
West Surrey	424	436	463	446	481	499	438	473	507
West Sussex	496	480	450	492	513	528	524	559	560
South West	3,476	3,465	3,320	3,554	3,586	3,646	3,689	3,706	3,511
Avon	703	696	721	756	758	808	845	835	738
Cornwall and Isles of Scilly	332	349	322	328	310	340	339	295	312
Dorset	459	467	396	459	452	429	456	471	480
Gloucestershire	410	399	355	397	469	454	420	429	421
North and East Devon	306	321	297	323	317	324	346	309	328
Somerset	335	305	323	379	324	346	352	334	332
South and West Devon	432	470	440	427	407	419	431	468	408
Wiltshire	499	458	466	485	549	526	500	565	492
Wales	2,329	2,456	2,381	2,230	2,235	2,400	2,418	2,423	2,393
Bro Taf	622	667	691	645	635	665	711	656	715
Dyfed Powys	296	308	309	311	311	325	342	300	316
Gwent	522	564	528	507	478	528	512	522	466
Morgannwg	372	422	413	346	330	399	373	398	398
North Wales	517	495	440	421	481	483	480	537	498

[1] Boundaries as at 1st April 1999

Percentage of livebirths with a stated birthweight less than 2,500 grams England and Wales, England, regional offices and health authorities [1], 1990–1998

	1990	1991	1992	1993	1994	1995	1996	1997	1998
England and Wales	6.8	6.9	6.8	6.8	7.0	7.3	7.3	7.4	7.5
England	6.8	6.9	6.8	6.9	7.0	7.3	7.3	7.5	7.5
Northern and Yorkshire	7.0	7.0	7.0	7.0	7.3	7.7	7.4	7.9	7.6
Bradford	8.1	7.9	7.9	8.5	9.3	8.8	8.7	9.1	9.8
Calderdale and Kirklees	8.4	8.0	7.4	7.8	7.7	8.7	7.7	8.4	8.2
County Durham	6.5	6.1	6.7	6.5	6.6	7.3	7.2	7.8	7.0
East Riding	6.5	7.0	6.4	6.4	7.2	6.9	7.4	8.2	7.4
Gateshead and South Tyneside	5.9	6.7	6.9	6.6	7.3	7.9	7.4	8.1	6.8
Leeds	7.3	7.5	7.9	7.4	8.0	8.5	8.1	8.3	8.4
Newcastle and North Tyneside	7.2	7.9	7.2	7.5	8.2	7.7	7.9	8.3	7.5
North Cumbria	5.8	6.3	5.9	6.3	5.9	6.6	7.0	7.5	6.6
North Yorkshire	5.6	5.7	6.2	5.7	5.8	6.5	5.5	6.6	6.0
Northumberland	6.7	6.3	6.1	6.3	6.7	7.3	6.0	7.1	6.7
Sunderland	7.1	6.4	6.5	7.3	6.3	7.6	8.0	8.1	8.4
Tees	7.5	7.6	7.3	7.0	7.3	7.8	7.3	7.7	7.8
Wakefield	6.6	6.5	7.3	7.3	7.6	7.9	7.6	7.6	7.7
Trent	7.2	7.2	7.2	7.1	7.0	7.3	7.3	7.6	7.8
Barnsley	7.4	7.1	7.1	7.7	6.7	7.6	6.6	6.9	7.8
Doncaster	6.3	6.7	6.5	6.5	6.9	7.5	6.8	8.8	7.7
Leicestershire	7.1	6.9	6.8	7.6	7.5	8.0	8.2	8.2	8.0
Lincolnshire	6.0	5.8	6.2	5.7	6.1	6.4	6.2	6.8	7.3
North Derbyshire	5.9	6.7	6.5	5.6	6.5	5.9	6.1	6.5	6.4
North Nottinghamshire	7.2	6.8	6.7	6.7	7.2	8.0	8.0	8.9	7.7
Nottingham	9.9	9.1	9.1	9.3	7.8	7.5	7.4	7.2	7.8
Rotherham	6.7	6.4	6.5	6.2	7.3	8.0	7.1	7.3	7.8
Sheffield	7.6	7.5	8.0	7.5	7.8	7.9	7.9	7.6	8.4
South Humber	6.3	7.2	6.9	7.6	6.3	7.1	7.0	7.5	8.2
Southern Derbyshire	7.3	7.4	7.8	6.3	6.2	6.5	6.9	7.0	7.9
West Midlands	7.3	7.4	7.2	7.6	7.6	8.0	8.1	8.1	8.4
Birmingham	8.3	8.5	8.5	8.5	8.8	9.5	9.2	9.4	10.0
Coventry	8.1	8.3	8.3	9.5	9.0	8.7	9.7	8.7	8.7
Dudley	7.2	7.1	7.6	7.8	7.7	7.9	8.5	8.3	8.8
Herefordshire	6.5	6.2	5.6	7.1	6.1	6.4	6.8	6.8	6.7
North Staffordshire	6.7	6.9	6.6	7.3	6.5	7.1	7.4	7.0	8.2
Sandwell	8.8	9.0	8.8	8.6	9.9	9.7	9.5	10.0	10.4
Shropshire	5.9	6.7	5.6	6.4	6.0	7.1	7.0	6.7	7.0
Solihull	5.5	7.2	5.3	6.4	7.1	6.6	8.5	7.2	6.6
South Staffordshire	6.6	5.8	5.9	6.4	6.7	6.6	7.0	6.5	7.4
Walsall	7.4	8.0	7.9	8.3	7.6	8.8	9.1	10.1	10.3
Warwickshire	6.3	6.5	6.3	6.2	6.8	6.9	6.3	6.7	6.7
Wolverhampton	9.0	8.8	8.3	9.4	8.3	9.2	9.6	10.1	10.0
Worcestershire	7.1	6.3	6.7	6.4	6.4	7.1	6.6	7.2	6.6
North West	7.1	6.9	7.0	7.0	7.0	7.7	7.7	7.8	8.1
Bury and Rochdale	7.2	7.9	8.4	6.9	7.8	8.3	8.2	8.6	9.2
East Lancashire	7.7	7.3	7.8	7.9	7.8	8.7	7.7	8.3	9.5
Liverpool	7.9	6.8	7.6	8.0	7.9	8.3	8.5	7.7	8.2
Manchester	9.3	9.2	9.1	8.4	8.3	9.9	9.2	9.2	9.3
Morecambe Bay	6.2	5.6	6.1	5.4	7.3	7.4	7.3	6.2	6.9
North Cheshire	5.6	6.3	5.5	5.7	5.4	5.5	6.6	6.2	6.5
North West Lancashire	6.8	7.3	6.6	6.3	7.1	7.1	7.6	8.1	8.3
Salford and Trafford	7.4	7.7	6.6	7.6	7.9	8.0	7.8	8.3	8.3
Sefton	6.2	6.8	7.1	6.5	6.6	7.1	7.2	7.6	7.9
South Cheshire	5.9	5.4	6.2	5.8	5.5	6.5	6.4	6.6	6.1
South Lancashire	6.6	6.1	6.2	6.3	6.5	6.5	6.9	7.0	6.3
St Helen's and Knowsley	6.8	6.5	6.8	6.7	6.6	7.8	8.0	8.2	8.5
Stockport	6.5	6.2	6.5	6.3	5.4	6.9	6.3	6.1	7.2
West Pennine	7.9	6.9	6.9	7.3	7.3	7.8	7.6	8.3	8.4
Wigan and Bolton	6.7	7.0	7.0	7.1	6.8	8.2	8.3	8.7	8.9
Wirral	7.1	6.7	6.4	7.1	6.3	6.6	7.6	7.0	8.0
Eastern	5.9	6.2	6.1	6.1	6.3	6.6	6.6	6.6	6.8
Bedfordshire	6.7	7.0	6.5	6.8	6.8	6.7	7.3	7.2	7.6
Cambridgeshire	6.3	6.1	6.4	6.5	6.4	7.4	7.1	6.9	6.9
East and North Hertfordshire	5.6	5.2	6.0	5.8	6.7	6.8	6.5	6.6	6.1
Norfolk	5.8	6.2	5.9	6.5	6.6	7.1	6.8	6.6	7.0
North Essex	5.5	6.1	6.0	5.9	6.0	6.4	6.3	6.2	6.4
South Essex	5.3	6.7	6.0	6.0	5.8	5.7	5.9	6.7	6.3

Percentage of livebirths with a stated birthweight less than 2,500 grams England and Wales, England, regional offices and health authorities [1], 1990–1998

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Suffolk	5.8	5.7	5.7	6.0	6.4	6.3	6.5	6.9	7.0
West Hertfordshire	6.7	6.7	6.3	5.7	5.9	6.5	6.9	6.0	6.8
London	7.6	7.6	7.3	7.5	7.7	7.9	7.8	8.0	7.9
Barking and Havering	6.3	6.4	5.8	6.4	6.4	6.2	6.8	7.4	6.8
Barnet	7.0	7.1	6.4	6.5	7.0	7.7	7.5	7.9	7.2
Bexley and Greenwich	7.1	7.1	6.6	6.3	6.9	6.9	7.4	7.3	7.6
Brent and Harrow	9.2	9.4	9.0	8.5	8.6	8.6	8.9	8.7	8.4
Bromley	5.9	6.2	6.0	6.4	7.0	6.9	6.9	6.4	6.2
Camden and Islington	7.7	7.2	6.9	7.9	7.8	7.4	7.5	7.8	7.2
Croydon	7.2	7.4	7.3	7.5	7.4	8.3	7.8	7.9	8.7
Ealing, Hammersmith and Hounslow	7.8	7.4	7.7	7.7	7.4	7.7	7.7	7.8	8.2
East London and The City	8.6	8.5	8.5	9.0	9.0	9.0	8.9	9.7	9.7
Enfield and Haringey	7.6	7.5	6.8	7.1	7.5	8.0	7.7	8.2	8.3
Hillingdon	7.4	7.4	7.1	6.8	6.7	8.3	7.3	7.5	8.2
Kensington and Chelsea and Westminster	7.2	7.7	7.3	7.8	7.4	7.8	7.7	7.6	7.5
Kingston and Richmond	5.2	6.3	5.6	5.7	5.8	5.7	5.9	6.2	5.4
Lambeth, Southwark and Lewisham	8.6	9.1	8.6	8.3	8.9	9.1	8.7	8.8	8.8
Merton, Sutton and Wandsworth	7.0	6.7	6.4	6.4	7.1	7.1	6.9	6.7	6.9
Redbridge and Waltham Forest	7.7	8.5	7.8	7.9	8.5	8.3	7.9	8.0	7.7
South East	6.1	6.3	6.1	6.3	6.4	6.6	6.6	6.8	6.7
Berkshire	6.6	6.9	6.4	6.3	6.6	6.9	6.8	7.1	7.6
Buckinghamshire	5.9	6.2	5.8	6.6	6.6	6.8	6.7	7.2	6.6
East Kent	6.5	7.1	6.3	6.0	6.4	6.7	6.2	7.4	6.3
East Surrey	5.2	5.4	6.0	6.4	6.9	6.5	6.3	5.8	5.9
East Sussex, Brighton and Hove	5.9	6.1	5.7	6.6	6.6	6.4	6.7	7.1	6.3
Isle of Wight	7.1	5.5	5.4	6.8	5.9	6.5	7.1	7.3	7.3
North and Mid Hampshire	5.9	6.3	6.0	5.8	5.9	6.2	7.2	6.2	6.4
Northamptonshire	6.3	6.8	6.9	7.6	7.9	7.0	7.5	7.8	7.5
Oxfordshire	6.3	7.0	6.0	5.8	5.8	5.7	6.2	6.3	5.9
Portsmouth and South East Hampshire	6.6	6.0	6.3	6.2	6.7	6.9	6.7	6.4	6.6
Southampton and South West Hampshire	6.6	6.2	5.9	6.2	6.3	7.1	6.8	6.6	7.0
West Kent	6.0	6.4	6.1	5.9	5.9	6.7	6.6	6.3	6.9
West Surrey	5.6	5.6	5.8	5.9	6.3	6.4	5.7	6.2	6.5
West Sussex	5.9	5.9	5.6	6.3	6.3	6.6	6.4	6.8	6.6
South West	6.1	6.2	5.9	6.4	6.5	6.7	6.7	6.8	6.5
Avon	6.0	5.9	6.1	6.3	6.3	6.8	7.0	7.0	6.3
Cornwall and Isles of Scilly	6.0	6.5	6.0	6.3	6.2	6.8	6.7	5.8	6.2
Dorset	6.2	6.5	5.7	6.4	6.5	6.3	6.5	6.8	7.0
Gloucestershire	6.0	6.2	5.4	6.1	7.3	6.9	6.5	6.8	6.5
North and East Devon	5.9	6.4	6.0	6.4	6.5	6.7	6.9	6.3	6.7
Somerset	5.8	5.4	5.8	6.9	6.0	6.5	6.7	6.4	6.3
South and West Devon	6.2	6.7	6.4	6.5	6.2	6.6	6.7	7.4	6.7
Wiltshire	6.3	6.0	6.0	6.4	6.9	7.0	6.6	7.4	6.5
Wales	6.2	6.7	6.6	6.3	6.5	7.0	6.9	7.0	7.2
Bro Taf	6.1	6.7	7.0	6.8	6.9	7.2	7.7	7.2	8.0
Dyfed Powys	5.4	5.8	6.0	6.3	6.4	6.5	6.7	5.8	6.4
Gwent	6.9	7.5	7.2	6.9	6.6	7.6	7.3	7.7	7.0
Morgannwg	6.0	7.0	6.9	5.8	5.8	7.1	6.4	6.9	7.4
North Wales	6.4	6.2	5.7	5.5	6.3	6.4	6.3	7.2	6.6

[1] Boundaries as at 1st April 1999

Import/Export Traders

Mr. Russell Brown: To ask the Chancellor of the Exchequer what arrangements have been made to assess demand from import/export traders for simplified Customs procedures across the community. [11910]

Dawn Primarolo: Customs are planning to carry out pilot studies of a Single European Authorisation (SEA) which would allow multinational traders to be authorised by and pay customs duty to one Member State in respect of all their import and export operations within the European Union. Excise duties such as on alcohol and tobacco products are excluded from these arrangements. The Government considers that SEA will increase the competitiveness of UK business by reducing their administrative burdens. It will facilitate the opportunities for speedy paperless movement of goods throughout the EU.

SEA is actively promoted by the main UK trade associations and their affiliated associations in the EU, including the Freight Transport Association and the Confederation of British Industry.

Under the terms of the trials businesses will be able to centralise the payment of duty in one accounting centre in one of the Member States, even though the movement of goods may take place elsewhere in the Community. VAT will be excluded from the trial because it is a

'destination' based tax and has to be accounted for in the Member State where the goods are 'consumed'. The provision of trade statistics, too, will remain a national requirement.

The United Kingdom plans to undertake up to 12 pilot studies. They will be closely assessed and each authorisation will be reviewed after 12 months. In addition, the project as a whole will be evaluated before any decision is taken to adopt the procedure permanently, which would require Community legislation. The procedure does not involve any transfer of responsibility from the Member States to the European Commission.

To safeguard the interests of both the UK and other Member States with whom we enter into such arrangements, a Joint Understanding on Co-operation will be signed by the customs administrations involved to govern the conduct of the pilot studies. Discussions are at their most advanced with the Dutch customs administration and I am placing a copy of the draft understanding in the Libraries of both Houses. The document is expected to provide a template for similar agreements with other Member States.

Although the pilot arrangements will allow duty to be paid in one Member State for goods imported into another, there will be no difference in the total amount the Member States' customs duty contributes to the Community. Customs will negotiate reciprocal arrangements with other Member States in respect of the 10 per cent. of duty which is retained by the Member States to cover their costs of collecting Community duties. It is envisaged that the arrangements will vary depending on the circumstances of each agreement.

Customs have already undertaken a financial impact analysis of the top 500 UK customs duty payers to assess what would happen to duty payments for each of these traders if they were authorised for SEA. The analysis suggests that the consequences for the UK's retained Own Resources (including interest) for duty collected under SEA if the arrangements were universally implemented would be likely to be positive.

The SEA arrangements represent a significant departure from usual practice for collecting and making available Community own resources which would help to streamline and modernise the collection of customs duty, and facilitate trade by reducing traders' compliance costs.

Personal Services (Taxation)

Mrs. Lawrence: To ask the Chancellor of the Exchequer when the draft legislation covering the taxation of personal services provided through intermediaries (IR35) will be published. [111869]

Dawn Primarolo: The draft Finance Bill clauses, draft Social Security Regulations and accompanying Explanatory Notes have been published today. Copies have been placed on the Inland Revenue website (www.inlandrevenue.gov.uk/ir35) and also in the Libraries of the House.

The Social Security Regulations will come into force on 6 April 2000. The Finance Bill clauses will be debated during the passage of the Finance Bill and will become law once the Finance Bill has received Royal Assent. The tax changes will be applied retrospectively from 6 April 2000.

Pensioner Incomes

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the impact of changes in *(a)* indirect taxation, *(b)* direct taxation and *(c)* benefits since May 1997 on the real-terms incomes of an average pensioner household; and if he will indicate the method he used in making this calculation. [111169]

Mr. Timms: The Government have introduced a package of measures to provide support that is decent and fair and ensures that even the least well off pensioners can share in the increasing prosperity of the nation.

As a result of the measures announced by the Government, pensioner households will be, on average, £300 a year better off.

The Minimum Income Guarantee for pensioners was introduced in April 1999. The Government are committed to increase the MIG in line with earnings throughout the remainder of this Parliament;

The five-fold increase in the Winter Fuel Allowance for pensioners means that pensioner households will receive a payment of £100 every winter;

Under the Minimum Tax Guarantee, the age related personal allowances were increased by £200 more than statutory indexation in April 1999, thereby lifting 200,000 pensioners out of tax. Pensioners aged 65 or over now have to have an income of at least £110 a week before they pay any income tax;

The extension of the 10p rate of income tax to savings income will benefit 1.5 million pensioners;

Free television licences for pensioners aged 75 and over will be introduced in autumn 2000 and will benefit over three million pensioner households.

National Insurance Contributions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate in *(a)* cash terms and *(b)* real terms using 1998–99 prices the total level of national insurance contributions received for each year from 1979–80 to 1999–2000, indicating for each of those years the real terms percentage growth of national insurance contributions received in relation to the preceding year's total. [110026]

Mr. Timms *[holding answer 17 February 2000]:* Available information for Great Britain is given in the table.

	Total NIC receipts (cash terms)	*Total NIC receipts (1998–99 prices)*	
	£ billion	*£ billion*	*% increase on previous year*
1979–80	11.45	31.50	n/a
1980–81	13.56	31.55	0.16
1981–82	15.43	32.80	3.96
1982–83	18.28	36.32	10.73
1983–84	20.11	38.19	5.15
1984–85	21.57	38.92	1.91
1985–86	23.74	40.68	4.52
1986–87	25.70	42.71	4.99
1987–88	28.31	44.66	4.57
1988–89	31.80	47.00	5.24
1989–90	34.61	47.72	1.53

	Total NIC receipts (cash terms)	Total NIC receipts (1998–99 prices)	
	£ billion	£ billion	% increase on previous year
1990–91	36.32	46.43	–2.70
1991–92	37.91	45.64	–1.70
1992–93	39.08	45.54	–0.22
1993–94	40.66	46.16	1.36
1994–95	43.09	48.23	4.48
1995–96	45.30	49.29	2.20
1996–97	47.42	49.98	1.40
1997–98	51.83	53.14	6.32
1998–99	55.48	55.48	4.40
1999–2000	57.41	56.13	1.17

Notes:
1. Constant prices using GDP deflator at market prices
2. Figures for 1999–2000 are projections consistent with the November 1999 Pre-Budget Report

Mr. Chaytor: To ask the Chancellor of the Exchequer how many requests for employment histories are pending in the National Insurance Contributions Office; and what assessment he has made of the period of time required to clear the backlog. [110085]

Dawn Primarolo: As at Friday 4 February 2000 there were 5,790 employment history cases awaiting completion. It is estimated that it will take 34 weeks to recover and restore the normal target clearance of 13 weeks for these cases. We anticipate being back on target by 31 October 2000.

Mr. Chaytor: To ask the Chancellor of the Exchequer what target has been set for average response times for employment history requests when the new National Insurance Recording System is fully operational; and from what date the target will be applicable. [110086]

Dawn Primarolo: The target will remain at the current 13 weeks from receipt of the request.

NIRS2

Mr. Cousins: To ask the Chancellor of the Exchequer if implementation milestones have been agreed for the rollout of the NIRS2 project; if those milestones have been revised; and on what dates, and in respect of what sums, penalty payments have been incurred by the NIRS2 project manager. [111670]

Mr. Timms: Implementation milestones were agreed for the NIRS2 project when the Private Finance Initiative contract was awarded in May 1995.

The original implementation date for the first NIRS2 Release was on 10 February 1997. In July 1996 this milestone was revised to allow the first release to be phased in over three stages between 10 February and 5 April 1998. Subsequent releases, that have introduced changes to the system, have been successfully delivered and on time.

The supplier, Andersen Consulting, has made compensation payments for the revised implementation strategy of £4.1 million.

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list the payments made for the commissioning of the NIRS2 project and the dates on which payments were made; and what further programme of payments to commission NIRS2 has been agreed. [111669]

Mr. Timms: The table shows the payments made to Andersen Consulting for the work commissioned from them during the NIRS2 project. The payments cover both the provisions of the NIRS2 service and changes that have been made to the system.

	£ million
Period	
The following invoiced charges were due:	
April 1995 to March 1996	0.139
April 1996 to March 1997	0.586
April 1997 to March 1998	1.118
April 1998 to March 1999	5.876
April 1999 to January 2000	11.726
Total	19.445
Various credits were deducted from the above totalling	6.347
Net total	13.098
Future payments are estimated as follows:	
February 2000 to March 2000	6.976
April 2000 to March 2001	9.990
April 2001 to March 2002	8.170
April 2002 to March 2003	8.640
April 2003 to March 2004	10.950

Tobacco Smuggling

Mr. Austin: To ask the Chancellor of the Exchequer what action he proposes to take following allegations that tobacco companies are involved in smuggling and evasion of customs and excise duties; and if he will make a statement. [111487]

Mr. Timms: HM Customs and Excise will examine thoroughly any information provided to them about criminal involvement by any organisation or individual in the smuggling of tobacco or any other goods into the UK and will take appropriate action.

E-commerce

Mr. Cousins: To ask the Chancellor of the Exchequer what steps he is taking to ensure that e-commerce transactions bear the full tax liabilities; what examination he is making of e-commerce websites; and what revenue he anticipates from e-commerce transaction tax in the current financial year. [111357]

Mr. Timms: The Government's policy on the taxation of e-commerce was set out in a paper "Electronic Commerce: The UK's Taxation Agenda". This was published jointly by Customs and Excise and Inland Revenue in November 1999. A copy of the paper is in the Library.

Office for National Statistics

Mr. Fallon: To ask the Chancellor of the Exchequer if he will hold an inquiry into the alleged leak of ONS average earnings figures on Wednesday 16 February. [111619]

Miss Melanie Johnson: The Government are committed to the highest standards in the handling and release of market sensitive data. Data leaks by their nature are serious. We have seen no evidence but if any did emerge we would take it very seriously indeed.

Asset Sales

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 14 February 2000, *Official Report*, column 451W, on asset sales if he will list projections of aggregate receipts by Department in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02. [111276]

Mr. Andrew Smith: Data for 1999–2000 and projections for the following two years will be published in the Financial Statement and Budget Report in March and Public Expenditure Statistical Analyses in April.

Fuel Taxation

Mrs. Shephard: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the present level of fuel taxation on people in rural areas. [111282]

Mr. Timms: As the Chancellor made clear in the Pre-Budget Report he will take the Government's economic and social objectives as well as the UK's environmental commitments into account in deciding the appropriate level of fuel duties.

Mrs. Shephard: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the present level of fuel taxation on small garage owners. [111167]

Mr. Timms: None.

Russian Debt

Mr. Cohen: To ask the Chancellor of the Exchequer, pursuant to his answer of 16 February 2000, *Official Report*, column 616W, if he will place a copy of the agreement on restructuring Russian debt in the Library. [111342]

Mr. Timms: Her Majesty's Government were not a party to the agreement restructuring Russian debt owed to the London Club of private sector creditors reached on 11 February. The London office of Deutsche Bank, the lead bank of the London Club in this negotiation, may be able to provide further details.

Capital Modernisation Fund

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list *(a)* the projects that will receive funding from the capital modernisation fund in the years *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 and (i) the funding for and (ii) the timing of spending on each project; and if he will make a statement. [111249]

Mr. Andrew Smith: Allocations from the Capital Modernisation Fund have been announced for the projects listed in the following table. A second round of bidding for the Fund is underway.

Capital modernisation fund

£ million

	1999–2000	*2000–01*	*2001–02*	*Total*
Budget 99 allocation				
Crime Reduction Programme	23	68	79	170.0
National IT Strategy	59	176	235	470.0
A&E and primary modernisation	120	131	179	430.0
Rural transport	11.4	—	—	11.4
Venture Capital	—	20	—	20.0
Round 1—subsequent winners				
London Underground	0	100	0	100
Improving bus information	0	50	0	50
IT integration in criminal justice system	0	20	10	30
Action on cataracts	0	12	8	20
Police DNA databases	—	20	—	20
Internet job matching scheme	0	18	0	18
Meningitis vaccinations	14	0	0	14
Active Communities	0.4	3.63	4.03	8.06
Networking of DSA test centres	0	2.8	0	2.8
Biological munitions disposal	0	1	1	2
Electronic procurement systems across government	0	0.8	0.3	1.1
VED evasion: Automatic number plate readers	0	0.4	0	0.4
Promotion of British Interests abroad	0	5	7	12
Electronic procurement by posts overseas	0	0.6	0	0.6
National telephone job-broking service	—	10	40	50
Cambridge/MIT Institute	—	14	14	28
Customs and Excise X-ray scanners	—	1	22	23

VAT

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what research his Department has undertaken into the impact of the changes in VAT on domestic fuel made in July 1997 on different groups of the population. [111366]

Mr. Timms: The rate of VAT on domestic fuel was reduced to 5 per cent. on 1 September 1997, the lowest rate possible under EC law. There has been no research into the impact of the cut.

Recycling

Mr. Crausby: To ask the Chancellor of the Exchequer what percentage of documentation used by his Department is *(a)* made from recycled paper and *(b)* collected for recycling. [111599]

Mr. Timms: The Treasury does not purchase recycled paper. However, the paper purchased is produced using an ECF/TCF bleaching process and the paper fibres are obtained from a sustainable source. Approximately 74 per cent. of paper purchased is collected for recycling.

Heavily Indebted Poor Countries Initiative

Mr. Alexander: To ask the Chancellor of the Exchequer what action the Government are taking to implement the Heavily Indebted Poor Countries Initiative. [111667]

Mr. Timms: So far this year, three countries have reached decision point under the Heavily Indebted Poor Countries (HIPC) Initiative: Mauritania, Bolivia and Uganda. We are working closely with International Financial Institutions and with the countries themselves, in a capacity building and advisory role, towards the G7 target that three quarters of eligible countries should reach their decision point by the end of the year.

The Government have stepped in to bridge the IMF financing gap and have pledged to help other Multilateral Development Banks meet their costs of participating in the initiative. In total the Government have pledged $385 million to the Institutions involved in debt relief. The UK's contribution (including our share of the sum from the European Development Fund) is the largest resourced pledge of any bilateral donor. The European Development Fund contribution, released at the UK Government's urging, has been instrumental in allowing countries to be brought forward for debt relief before the delivery of the US's pledged financing.

Peat Compost

Mr. Paul Marsden: To ask the Chancellor of the Exchequer what steps he is taking to phase out the use of peat compost in gardens *(a)* owned and *(b)* tended by his Department; and if he will make a statement. [110717]

Mr. Timms: The Treasury does not own or maintain any gardens.

Electricity

Mr. Gareth R. Thomas: To ask the Chancellor of the Exchequer what proportion of the electricity used by his Department is generated from renewable sources; and if he will make a statement. [111035]

Mr. Timms: The Treasury's electricity contract does not include supply from renewable sources.

Departmental Staff

Mr. Cox: To ask the Chancellor of the Exchequer how many senior civil servants from an ethnic minority background are employed in his Department; and how many of them are *(a)* men and *(b)* women. [110679]

Mr. Timms: As at 1 April 1999, 55 members of the senior civil service were from an ethnic minority background (1.7 per cent).

Information on ethnic origin in the civil service is collected on the understanding that it will be treated on a confidential basis. To protect the privacy of individual members of staff we do not disclose data relating to fewer than five people.

The aggregate total of ethnic minority staff in the senior civil service within HM Treasury, Inland Revenue and Customs and Excise is fewer than five people.

Drug Enforcement

Mr. Galbraith: To ask the Chancellor of the Exchequer if he will list for each of the last 10 years the amount spent by Customs and Excise on drug enforcement for *(a)* the United Kingdom as a whole, *(b)* Scotland and *(c)* Wales. [111002]

Mr. Timms: Customs and Excise's estimated expenditure on drugs enforcement for 1999–2000 is £209 million. Comparable figures for previous years are not available separately from overall expenditure on protection of society. Nor are separate figures available for Scotland and Wales.

National Minimum Wage

Ms Kelly: To ask the Chancellor of the Exchequer what are the *(a)* gross earnings, *(b)* earnings after income tax and National Insurance Contributions and *(c)* entitlements to the Working Families Tax Credit of a dual-earner couple with two children under the age of 11 years, both earning the minimum wage and both working full-time. [111241]

Mr. Timms: The figures requested are given in the table.

£/week

	Couple, both working full-time
Gross earnings	252.00
Earnings net of income tax and National Insurance Contributions	231.67
Amount of Working Families' Tax Credit	25.13

National Insurance Numbers

Mr. Ashdown: To ask the Chancellor of the Exchequer how many young people between the ages of 16 and 25 years do not have a National Insurance number; and for what reasons; what assessment he has made of the effects on access to work of not possessing a National Insurance number; and if he will make a statement. [110809]

Dawn Primarolo: Statistics on young people without a National Insurance number are not available. Allocation of the National Insurance numbers is normally via the automatic data transfer of children approaching their 16th birthday from the Child Benefit system to the National Insurance Recording System (NIRS). Young people who fall outside the scope of the Child Benefit System do not automatically receive a National Insurance number. There is no legal requirement to have a National Insurance number before applying for employment. The legal requirement is to apply for a National Insurance number on entry to employment.

When an individual without a National Insurance number registers for employment, the Employment Services Agency will issue them with a temporary number.

Primary Care (Death Rates)

Mr. McNamara: To ask the Chancellor of the Exchequer what is the standardised mortality rate for each ward in *(a)* West Hull primary care group, *(b)* East Hull primary care group and *(c)* East Riding primary care group; and what is the average figure for the United Kingdom. [110357]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Kevin McNamara, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on standardised mortality rates for each ward in the West Hull, East Hull and East Riding Primary Care Groups and the UK.

East Riding Health Authority contains 4 Primary Care Groups: Western Hull, Eastern Hull, Yorkshire Coast and Wolds and East Yorkshire. The attached table shows European standardised mortality rates for each ward in East Riding HA based on deaths in 1991–3 and populations from the 1991 Census. Many of the wards in existence in 1991 are covered by more than one Primary Care Group. We have not provided data for all wards in the UK due to disproportionate cost.

The European standardised mortality rate is a measure of the expected number of deaths per 100,000 population if the local population had the same age structure as the European standard population.

Age-standardised mortality rates per 100,000 by Wards in East Riding health authority

Wardname	*Wardcode*	*Rate*
Airmyn and Rawcliffe	KNFA	971
Crowle	KNFB	817
East Derwent	KNFC	814
East Howdenshire	KNFD	934
Gilberdyke	KNFF	856
Goole Central and South	KNFG	892
Goole East	KNFH	833
Goole North	KNFJ	796
Goole North-East	KNFK	882
Goole West	KNFL	687
Holme Upon Spalding Moor	KNFN	990
Hook	KNFP	995
Howden	KNFQ	910
Marshland	KNFS	871
Mid Howdenshire	KNFT	994
North Axholme	KNFU	784
North Cave	KNFW	596
Snaith	KNFX	940
Battleburn	KQFA	879
Bridlington Bessingby	KQFB	899
Bridlington Hilderthorpe	KQFC	932
Bridlington Old Town East	KQFD	690
Bridlington Old Town West	KQFE	840
Bridlington Quay North	KQFF	657
Bridlington Quay South	KQFG	916
Coastal	KQFH	825
Driffield North	KQFJ	808
Driffield South	KQFK	850
Garrowby	KQFL	719
Hutton Cranwsick	KQFM	687
Lowland	KQFN	749
Market Weighton	KQFP	894
Nafferton	KQFQ	889
Pocklington	KQFR	700
Roman	KQFS	741
St. John	KQFT	742
Stamford Bridge	KQFU	997
Vale	KQFW	616
Viking	KQFX	766
Wilberfoss	KQFY	795
Wold	KQFZ	522
Woodland	KQGA	827
Anlaby	KRFA	631
Brough	KRFB	699
Castle	KRFC	548
Cherry Holme	KRFD	755
Hessle East	KRFE	660
Hessle West	KRFF	851
Kirk Ella	KRFG	696
Leconfield	KRFH	571
Leven	KRFJ	673
Mill Beck and Croxby	KRFK	752
Minster North	KRFL	669
Minster South	KRFM	970
Molescroft	KRFN	669
Priory	KRFP	679
St. Mary's East	KRFQ	767
St. Mary's West	KRFR	612
Skidby and Rowley	KRFS	836
South Cave	KRFT	748
Springfield	KRFU	720
Swanland	KRFW	757
Tickton	KRFX	760
Walkington	KRFY	656
Willerby	KRFZ	769
Woodmansey	KRGA	565
Ulceby	KSFW	789
Aldbrough	KUFA	602
Bilton	KUFB	909
Brandesburton	KUFC	908
Burstwick	KUFD	1,152
Burton Pidsea	KUFE	559
Easington	KUFF	1,008
Hedon	KUFG	953
Hornsea North	KUFH	851
Hornsea South	KUFJ	656
Keyingham	KUFK	684
Patrington	KUFL	661
Paull	KUFM	920
Preston North	KUFN	817
Roos	KUFP	813
Seaton	KUFQ	689
Skirlaugh	KUFR	705
Sproatley	KUFS	670
Thorngumbald	KUFT	841
Withernsea North	KUFU	758
Withernsea South	KUFW	939
Avenue	KWFA	1,055
Beverley	KWFB	831
Boothferry	KWFC	649
Derringham	KWFD	681
Drypool	KWFE	939
Holderness	KWFF	690
Ings	KWFG	963
Longhill	KWFH	851
Marfleet	KWFJ	884
Myton	KWFK	892
Newington	KWFL	882
Newland	KWFM	808
Noddle Hill	KWFN	1,172
Orchard Park	KWFP	873
Pickering	KWFQ	1,005
St. Andrews	KWFR	1,266
Southcoates	KWFS	859
Stoneferry	KWFT	833
Sutton	KWFU	737
University	KWFW	772
Birdsall	PBFC	959
Sherburn	PBFY	703
Hertford	PCFM	660

Age-standardised mortality rates per 100,000 by Wards in East Riding health authority

Wardname	*Wardcode*	*Rate*
Barlby with Osgodby	PDFC	722
Brayton	PDFF	802
Dunnington	PDFN	679
Eggborough	PDFP	746
Hemingbrough	PDFU	840
Wheldrake with Elvington	PDGL	692
UK	—	810

Mr. McNamara: To ask the Chancellor of the Exchequer (1) what are the average death rates by ward allowing for age and sex standardisation in *(a)* West Hull Primary Care Group, *(b)* East Hull Primary Care Group, *(c)* East Riding Primary Care Group and *(d)* the UK; [110374]

(2) what are the average cancer-related death rates by ward allowing for age and sex standardisation in *(a)* West Hull Primary Care Group, *(b)* East Hull Primary Care Group, *(c)* East Riding Primary Care Group and *(d)* the UK; [110375]

(3) what are the average death rates for cervical cancer by ward allowing for age and sex standardisation in *(a)* West Hull Primary Care Group, *(b)* East Hull Primary Care Group, *(c)* East Riding Primary Care Group and *(d)* the UK; [110376]

(4) what are the average coronary heart disease death rates by ward allowing for age and sex standardisation in *(a)* West Hull Primary Care Group, *(b)* East Hull Primary Care Group, *(c)* East Riding Primary Care Group and *(d)* the UK; [110377]

(5) what are the average stroke death rates by ward allowing for age and sex standardisation in *(a)* West Hull Primary Care Group, *(b)* East Hull Primary Care Group, *(c)* East Riding Primary Care Group and *(d)* the UK. [110378]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Kevin McNamara, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent questions on average death rates, average cancer related death rates, average death rates for cervical cancer, average coronary heart disease death rates and average stroke death rates. You asked for the rates for each ward in the West Hull, East Hull and East Riding Primary Care Groups and the UK.

East Riding Health Authority is made up of 4 Primary care Groups: Western Hull, Eastern Hull, Yorkshire Coast and Wolds and East Yorkshire. The attached table shows indirectly standardised mortality ratios (SMR) for all-causes of death, coronary heart disease, cancer and stroke, for each ward in East Riding HA during 1991–1993, based on populations from the 1991 Census.

We have provided indirectly standardised ratios rather than European standardised rates as the latter does not incorporate sex standardisation and is likely to be less accurate for small numbers of deaths by cause in each ward. Many of the wards in existence in the 1991 Census are covered by more than one Primary Care Group. We have not provided data for all wards in the UK due to disproportionate cost and we have not provided data for cervical cancer deaths as the maximum number of deaths over the three year period in any ward in East Riding HA is three and most wards had no deaths.

An SMR is defined as the ratio for the observed deaths in a given population over the expected deaths in that population if it experienced the age-specific death rates of a standard population (in this case the United Kingdom). The SMR for the UK is 100. Values greater than 100 indicate higher than average mortality and values lower than 100 indicate lower than average mortality.

Standardised Mortality Ratios (SMR) by ward and cause of death, 1991–93

Wards in East Riding health authority	*Wardcode*	*Standardised Mortality Ratio (SMR)*			
		All-causes	*CHD*	*Stroke*	*Cancer*
Airmyn and Rawcliffe	KNFA	117	84	110	143
Crowle	KNFB	98	77	72	136
East Derwent	KNFC	96	122	45	93
East Howdenshire	KNFD	111	81	170	106
Gilberdyke	KNFF	110	148	108	76
Goole Central and South	KNFG	99	115	91	100
Goole East	KNFH	100	119	96	82
Goole North	KNFJ	102	113	104	82
Goole North-East	KNFK	107	153	107	126
Goole West	KNFL	77	101	56	73
Holme upon Spalding Moor	KNFN	119	168	97	83
Hook	KNFP	129	108	184	150
Howden	KNFQ	117	124	162	68
Marshland	KNFS	121	82	154	76
Mid Howdenshire	KNFT	117	84	208	165
North Axholme	KNFU	88	103	120	79
North Cave	KNFW	74	93	78	75
Snaith	KNFX	113	113	188	104
Battleburn	KQFA	108	142	89	66
Bridlington Bessingby	KQFB	118	123	108	103
Bridlington Hilderthorpe	KQFC	116	134	120	90
Bridlington Old Town East	KQFD	85	78	101	86
Bridlington Old Town West	KQFE	102	124	96	92
Bridlington Quay North	KQFF	81	86	85	83
Bridlington Quay South	KQFG	117	137	108	116
Coastal	KQFH	108	156	82	79
Driffield North	KQFJ	102	116	95	88
Driffield South	KQFK	110	107	118	106

Standardised Mortality Ratios (SMR) by ward and cause of death, 1991–93

Wards in East Riding health authority	*Wardcode*	*Standardised Mortality Ratio (SMR)*			
		All-causes	*CHD*	*Stroke*	*Cancer*
Garrowby	KQFL	84	107	85	54
Hutton Cranswick	KQFM	78	82	90	130
Lowland	KQFN	88	120	28	52
Market Weighton	KQFP	114	107	97	120
Nafferton	KQFQ	107	94	84	97
Pocklington	KQFR	87	82	77	107
Roman	KQFS	90	115	111	92
St. John	KQFT	91	117	53	116
Stamford Bridge	KQFU	134	82	184	126
Vale	KQFW	74	37	134	79
Viking	KQFX	96	112	103	79
Wilberfoss	KQFY	96	126	67	108
Wold	KQFZ	67	55	87	76
Woodland	KQGA	99	117	117	83
Anlaby	KRFA	76	103	73	86
Brough	KRFB	88	94	80	101
Castle	KRFC	71	85	76	81
Cherry Holme	KRFD	86	106	15	74
Hessle East	KRFE	84	93	85	82
Hessle West	KRFF	119	105	144	95
Kirk Ella	KRFG	92	88	104	71
Leconfield	KRFH	73	82	30	90
Leven	KRFJ	78	108	92	64
Mill Beck and Croxby	KRFK	96	97	94	94
Minster North	KRFL	85	89	120	79
Minster South	KRFM	128	105	207	127
Molescroft	KRFN	83	99	73	73
Priory	KRFP	90	79	114	72
St. Mary's East	KRFQ	96	112	97	87
St. Mary's West	KRFR	86	78	94	75
Skidby and Rowley	KRFS	102	109	124	104
South Cave	KRFT	92	98	99	88
Springfield	KRFU	90	108	63	97
Swanland	KRFW	96	100	111	84
Tickton	KRFX	93	86	132	101
Walkington	KRFY	78	33	119	93
Willerby	KRFZ	92	75	55	97
Woodmansey	KRGA	68	68	89	90
Ulceby	KSFW	97	112	168	118
Aldbrough	KUFA	71	73	43	62
Bilton	KUFB	109	68	155	117
Brandesburton	KUFC	106	107	60	62
Burstwick	KUFD	136	229	48	126
Burton Pidsea	KUFE	77	92	49	120
Easington	KUFF	124	153	65	142
Hedon	KUFG	120	122	123	113
Hornsea North	KUFH	113	108	85	104
Hornsea South	KUFJ	76	87	86	84
Keyingham	KUFK	85	78	74	79
Patrington	KUFL	78	76	75	70
Paull	KUFM	108	53	102	146
Preston North	KUFN	107	129	195	80
Roos	KUFP	98	120	53	97
Seaton	KUFQ	81	112	135	66
Skirlaugh	KUFR	85	127	59	77
Sproatley	KUFS	82	91	43	117
Thorngumbald	KUFT	96	108	143	88
Withernsea North	KUFU	87	109	60	100
Withernsea South	KUFW	115	114	88	109
Avenue	KWFA	134	112	173	117
Beverley	KWFB	106	97	119	101
Boothferry	KWFC	80	95	79	93
Derringham	KWFD	85	91	66	116
Drypool	KWFE	115	140	78	128
Holderness	KWFF	85	109	59	88
Ings	KWFG	117	113	94	116
Longhill	KWFH	100	107	85	101
Marfleet	KWFJ	111	122	110	121
Myton	KWFK	106	107	78	130
Newington	KWFL	107	112	106	116

Standardised Mortality Ratios (SMR) by ward and cause of death, 1991–93

Wards in East Riding health authority	Wardcode	Standardised Mortality Ratio (SMR) All-causes	CHD	Stroke	Cancer
Newland	KWFM	102	104	109	116
Noddle Hill	KWFN	144	157	140	134
Orchard Park	KWFP	109	117	77	130
Pickering	KWFQ	125	105	151	145
St. Andrews	KWFR	151	140	172	162
Southcoates	KWFS	103	113	72	124
Stoneferry	KWFT	109	137	113	123
Sutton	KWFU	93	97	74	102
University	KWFW	96	107	63	108
Birdsall	PBFC	116	123	191	53
Sherburn	PBFY	87	90	85	120
Hertford	PCFM	80	82	135	76
Barlby with Osgodby	PDFC	90	87	90	104
Brayton	PDFF	92	115	92	92
Dunnington	PDFN	85	84	74	81
Eggborough	PDFP	90	91	84	46
Hemingbrough	PDFU	102	115	148	88
Wheldrake with Elvington	PDGL	86	65	136	66
UK	—	100	100	100	100

Job Vacancies (Newcastle upon Tyne)

Mr. Cousins: To ask the Chancellor of the Exchequer if he will set out the number of job vacancies in Newcastle upon Tyne each December from 1992 to 1999; and if he will analyse in which broad occupational group those vacancies fall. [111359]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Jim Cousins, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the number of job vacancies in Newcastle upon Tyne.

Jobcentre vacancies information analysed by occupational groups are only available quarterly for the months of January, April, July and October and can be obtained from the Nomis database at the House of Commons Library.

Jobcentre vacancies do not represent the total number of vacancies available in the economy. Latest estimates suggest that about a third of all vacancies nationally are notified to Jobcentres. This proportion may vary between regions and between occupations as well as over time.

Taxation

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the percentage of the income of each quintile group of the population which is taken in *(a)* direct tax and *(b)* indirect tax; and if he will provide a breakdown of this estimate for each of the main taxes. [111151]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Steve Webb, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question asking for an estimate of the percentage of the income of each quintile group of the population which is taken in (a) direct tax and (b) indirect tax; and for a breakdown of this estimate for each of the main taxes.

The information that you requested is set out in the attached table. These figures are derived from Table 2A in Appendix 1 of the article 'The effects of taxes and benefits on household income, 1997–98' published in the April 1999 edition of *Economic Trends*. The analyses in the article are based on data from the Family Expenditure Survey.

Percentage of gross income taken in direct and indirect tax by quintile group, 1997–98

	Quintile groups of households [1] Bottom	Second	Third	Fourth	Top	All households
Total direct taxes	10	13	18	21	24	20
Income tax[2]	3	6	10	13	17	13
Employees' NIC[3]	2	3	5	5	4	4
Local taxes[4]	6	5	3	3	2	3
Total indirect taxes	28	22	19	17	12	16
VAT	10	8	8	7	5	7
Duty on petrol/oil	2	2	2	2	1	2
Duty on tobacco	4	3	2	1	1	1
Duty on alcohol	1	1	1	1	1	1
Other indirect taxes[5]	10	8	6	6	4	6

[1] Households are ranked by equivalised disposable income

[2] Income tax is net of tax relief on mortgage interest and life assurance premiums

[3] National Insurance Contributions

[4] Council tax, domestic rates and water charges after deducting discounts, council tax benefits and rates rebates

[5] Includes intermediate taxes, vehicle excise duty and lottery and betting taxes

Youth Unemployment (Sundorne)

Mr. Paul Marsden: To ask the Chancellor of the Exchequer what the percentage change has been in youth unemployment in the ward of Sundorne in Shrewsbury and Atcham since May 1997; and if he will make a statement. [110834]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Paul Marsden, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on the percentage change in youth unemployment in the ward of Sundorne in Shrewsbury and Atcham since May 1997.

The ONS publish a monthly count of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

In May 1997, in the Sundorne ward there were 32 computerised claims among the 18–24 year olds compared with 16 in January 2000. This represents a fall of 50%. Claimant count figures are not seasonally adjusted at ward level. Computerised claims do not include clerical claims which make up around 1 per cent. of the total claimant count.

Suicides (Somerset)

Mr. Ashdown: To ask the Chancellor of the Exchequer how many suicides there have been in *(a)* Somerset and *(b)* Yeovil constituency in each year since 1980, broken down by age; and if he will make a statement. [110794]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Paddy Ashdown, dated 22 February 2000:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question asking how many suicides there have been in Somerset and Yeovil.

Figures for the county of Somerset are presented in the attached table for years up to 1998 (the latest available.) Boundary changes to the Yeovil constituency mean that figures are not available for years prior to 1988. Figures for Yeovil are therefore presented in the attached table only for years 1988 to 1998, based on the 1999 constituency boundary.

Suicides and undetermined deaths [1] for usual residents of Somerset, by age, 1980–98 [2]

Year	Total	10–14	15–19	20–24	25–29	30–34	35–39	40–44	45–49
1980	43	0	0	0	3	4	3	6	0
1981	65	0	2	5	0	4	6	4	3
1982	43	0	0	2	2	3	4	3	8
1983	53	0	0	3	3	3	5	2	5
1984	55	0	1	3	0	3	4	3	6
1985	48	0	0	0	4	5	6	2	3
1986	62	0	0	3	0	3	3	5	7
1987	57	2	2	2	4	5	3	7	2
1988	44	0	1	4	3	2	3	2	2
1989	47	0	2	1	5	4	5	1	1
1990	69	0	3	3	6	4	6	13	3
1991	53	0	2	6	5	5	6	7	6
1992	50	0	0	2	3	4	4	5	11
1993	49	0	1	2	4	5	2	3	4
1994	53	0	0	5	1	5	7	5	7
1995	50	0	1	2	4	5	6	8	4
1996	46	0	1	0	5	5	0	4	9
1997	47	0	1	4	5	4	4	8	5
1998	43	0	2	3	5	10	5	2	2

Suicides and undetermined deaths [1] for usual residents of Somerset, by age, 1980–98 [2]

Year	50–54	55–59	60–64	65–68	70–74	75–79	80–84	85+
1980	4	5	2	4	6	3	2	1
1981	3	5	9	9	4	2	5	4
1982	5	3	2	6	1	1	3	0
1983	9	5	2	5	5	4	1	1
1984	5	6	5	3	7	8	1	0
1985	3	6	7	5	2	3	2	0
1986	7	6	8	5	5	6	4	0
1987	7	4	2	5	4	5	2	1
1988	7	2	2	3	3	4	5	1
1989	4	5	4	5	3	5	2	0
1990	7	2	4	1	9	3	3	2
1991	1	5	2	3	1	1	3	0
1992	3	2	5	5	4	1	0	1
1993	5	4	6	4	4	1	2	2
1994	7	3	1	3	3	1	4	1
1995	4	3	1	1	4	4	1	2
1996	4	2	2	2	4	3	3	2
1997	1	4	3	5	1	2	0	0
1998	1	2	1	3	3	0	2	2

[1] International Classification of Diseases, Ninth Revision, codes E950-E959 and E980-E989 excluding E988.8.
[2] For 1980 to 1992 the year is the year when the deaths were registered.
Note:
For 1993–98 the year is the year when death occurred.

Suicides and undetermined deaths [1] for usual residents of the electoral constituency of Yeovil, by age, 1988–98 [2]

Year	Total	15–19	20–24	25–29	30–34	35–39	40–44	45–49	50–54
1988	10	0	2	1	1	0	1	1	2
1989	2	0	0	1	0	0	0	0	0
1990	14	0	2	0	1	0	4	1	1
1991	9	0	0	2	0	1	3	1	0
1992	9	0	1	1	0	0	1	3	0
1993	12	0	0	2	2	1	0	0	1
1994	15	0	2	1	1	4	0	1	4
1995	6	0	0	1	0	1	2	0	0
1996	10	1	0	1	2	0	1	1	1
1997	8	0	1	0	0	0	2	1	0
1998	8	0	0	0	1	1	0	2	1

Suicides and undetermined deaths [1] for usual residents of the electoral constituency of Yeovil, by age, 1988–98 [2]

Year	55–59	60–64	65–69	70–74	75–79	80–84	85+
1988	0	0	0	0	1	1	0
1989	0	1	0	0	0	0	0
1990	0	1	0	2	2	0	0
1991	2	0	0	0	0	0	0
1992	0	1	2	0	0	0	0
1993	0	2	1	1	1	0	1
1994	0	1	0	0	0	0	1
1995	0	0	0	0	1	0	1
1996	0	0	0	1	0	1	1
1997	0	2	1	0	1	0	0
1998	0	1	1	0	0	0	1

[1] International Classification of Diseases, Ninth Revision, codes E950-E959 and E980-E989 excluding E988.8.
[2] For 1988 to 1992 the year is the year when the deaths were registered.
Note:
For 1993 to 1998 the year is the year when death occurred.

Wages (Somerset)

Mr. Ashdown: To ask the Chancellor of the Exchequer how many people in *(a)* Somerset and *(b)* Yeovil constituency earn *(a)* £3.60 per hour, *(b)* £3.61 per hour to £3.80 per hour, *(c)* £3.81p per hour to £4.00 per hour and *(d)* £4.00 to £4.50 per hour; and what percentage of total employees this constitutes in each case. [110795]

Mr. Timms: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Jim Holt to Mr. Paddy Ashdown, dated 22 February 2000:

As the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question regarding earnings for employees in Somerset and Yeovil.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures which are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Somerset and Yeovil in the attached table. These are based on the 1999 NES, the latest survey for which data are available.

We are only able to give percentage earning below specified thresholds, rather than numbers because appropriate grossing factors for the NES sample are not available at very detailed levels of disaggregation such as parliamentary constituencies.

The NES is based on a one per cent. sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

New Earnings Survey, April 1999 (GB): Employees on adult rates, whose pay for the survey period was unaffected by absence

Gross hourly earnings excluding overtime

	Percentage earning			
	£3.60	£3.61-£3.80	£3.81-£4.00	£4.01-£4.50
Somerset				
Full-time	0.6	0.3	1.4	6.3
Part-time	3.8	6.9	7.7	16.2
All	1.3	1.9	2.9	8.6
Yeovil				
Full-time	0.8	0.0	0.8	6.3
Part-time	[1]—	[1]—	[1]—	[1]—
All	1.4	1.0	3.1	9.7

[1] Denotes reliable estimate unavailable

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 344**

SESSION 1999–2000

7th February—22nd February 2000

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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